



City of Emeryville

CALIFORNIA

ADMINISTRATIVE INSTRUCTION

A.I. NUMBER: 106
SUBJECT: Disposal of Surplus Property
REFERENCE: Emeryville Municipal Code Chapter 8, Sections 3-8.01 and 3-8.02 of Title 3
SUPERSEDES: May 5, 2016
DATE: December 13, 2018

1. PURPOSE

The purpose of this Administrative Instruction is to set forth procedures for the disposal of surplus property and furnishings that are no longer in use, have been deemed uneconomical, and/or are unsafe for use by employees.

2. DEFINITION

The word "property" shall be defined as furnishings or supplies purchased with public funds, or donated to the City, for the sole purpose of business being conducted for the City of Emeryville or its Successor Agency.

The definition of the word "surplus", when applied to property, shall mean that property which is serviceable and valuable for other than "scrap" or "salvage", and is deemed to be either useless or uneconomical to use in City projects or work. Surplus property does not include vessels acquired by the City at a lien sale.

3. PROCEDURE

The procedure for determining property to be deemed as surplus is outlined in the work flow in Exhibit A: Surplus Property Disposal Form ("Form").

If a surplus property is identified by the Finance Director and relevant Department Head either for destruction, sale or disposal, an appropriate value must then be assigned and documented on the Form. The method and date of destruction shall also be recorded on the Form, which is then submitted to the Finance Department, and copied to the City Manager's Office.

4. METHOD OF DESTRUCTION / SALE / DISPOSAL

4.1 *Destruction of Surplus Property*

Surplus property that has been determined to be completely unusable or non-recyclable shall be completely destroyed and disposed of in the most appropriate manner. Should any part of the property be deemed recyclable, said part shall be disposed of as salvage scrap per Section 4.3.

4.2 *Sale of Surplus Property*¹

Sale of Surplus Property shall be accomplished by one of the following:

- **Public Auction**

The City shall contract with a public auction company for the auctioning of the surplus property. Proceeds received from the auction shall be delivered to the Finance Department for deposit into the appropriate fund.

- **Sealed Bid**

Sufficient notice shall be given and/or advertised with the time and date to review any surplus property, and the time and date to submit sealed bids to purchase the property. Bids must be received by the City Clerk's Office one day prior to the close of business on the date prior to the bid opening. The bid should be submitted on the Request for Bid Form, and accompanied by a certified check or cashier's check in the amount of the bid. The award of the surplus property will go to the highest bidder, and it will be responsibility of the receiver to remove the property from City premises within 24 hours of the accepted bid. For unsuccessful bids, the certified check or cashier's check will be immediately returned to the bidder following conclusion of the bidding process. All sales are final.

- **Open Sale**

Sufficient notice shall be given and/or advertised with the time and date to review any surplus property, and said property shall be placed in a location for public review and sold as-is.

- **Trade-In**

Surplus property may be used for a trade-in for other merchandise as negotiated.

¹ State law prohibits public employees from purchasing surplus property from their employer (Government Code Section 1090).

4.3 Disposal of Surplus Property

Surplus property that has been identified for disposal shall be disposed in one of the following manners:

- **Donation to Public Agency or Non-Profit**

Surplus property may be donated to any other public agency or charitable organization exempt under Internal Revenue Code Section 501(c)(3). "Public agency" is defined as the state or any agency or subdivision thereof, any city, county, special district or school district.

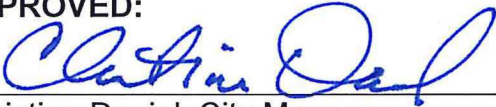
- **Salvage Scrap**

Items of scrap, metal, wood, paper, or other materials that may be recyclable, and are no longer useful for the purpose for which they were originally intended, may be constituted as salvageable or scrap materials. These materials may be sold or otherwise disposed of.

5. ANNUAL NOTIFICATION TO CITY COUNCIL

The City Manager's Office shall annually prepare a report on the destruction, sale and/or disposition of all surplus property during the preceding fiscal year, and submit it to the City Council for information. This report shall include a description of the property that was sold or disposed of, the manner of sale or disposition, and the name and address of the purchaser or agency.

APPROVED:



Christine Daniel, City Manager

ATTACHMENTS:

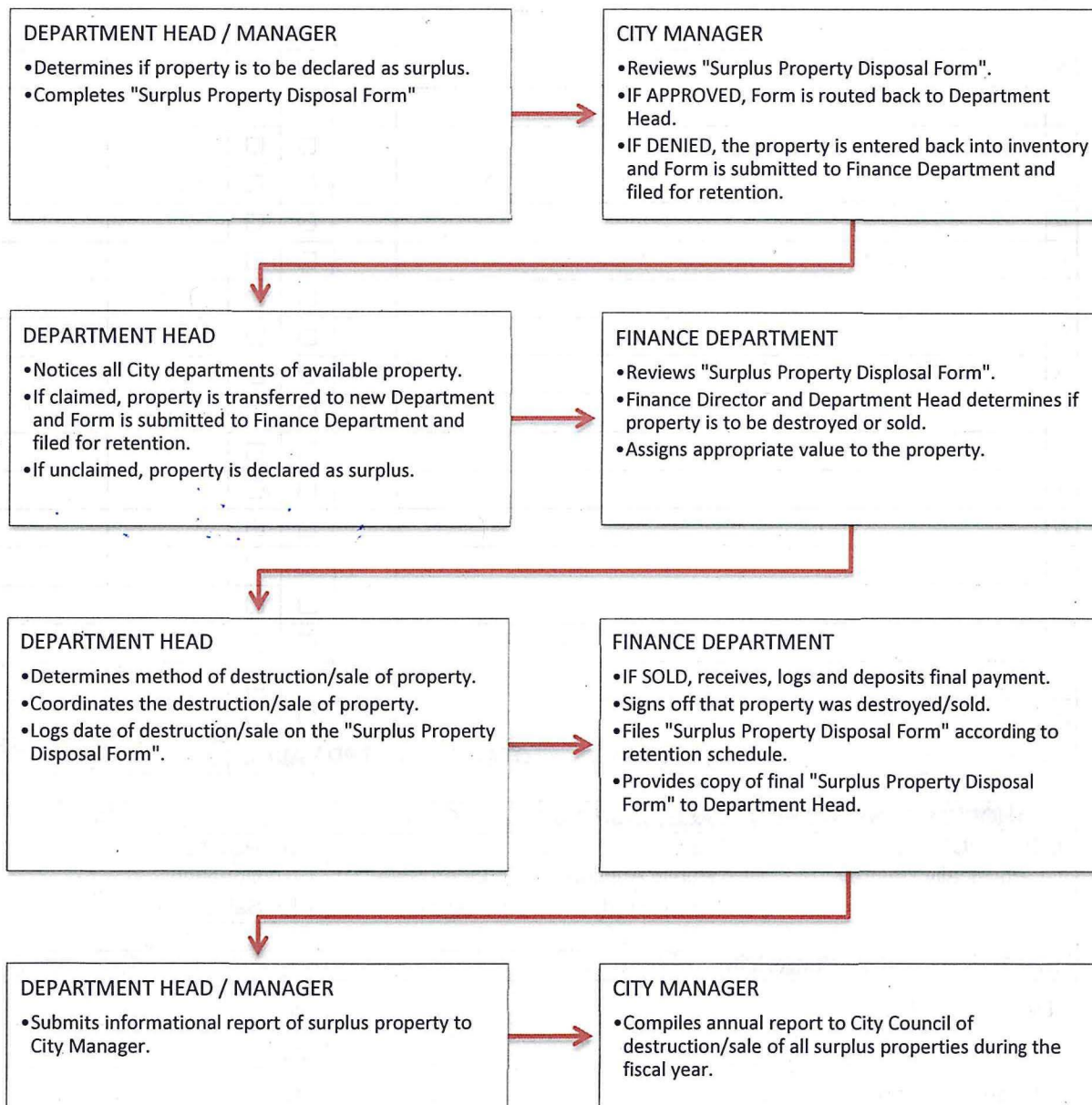
1. Exhibit A: Surplus Property Disposal Form



Surplus Property Disposal Form

INSTRUCTIONS: (reference [Administrative Instruction No. 106](#))

1. Use this form to report all surplus property and furnishings no longer in use and available for redistribution, sale, disposal or destruction.
2. List all equipment individually and evaluate the working condition of each item.
3. If the equipment contains a hard drive, please refer to [Administrative Instruction No. 1502 "Media Sanitization and Destruction Policy"](#) for instructions on how to properly dispose.
4. Follow the below Work Flow to route to correct departments:



City of Emeryville | Surplus Property Disposal Form

Department <i>Department</i>	Contact Name <i>Name</i>	Email Address <i>email@emeryville.org</i>	Phone No. <i>510-596-4300</i>
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ITEM(S) DESIGNATED FOR SURPLUS <i>*add additional sheets as needed.</i>						
	Item Description	QTY	Does It Work?		Estimated Value Per Item	Subtotal
			YES	NO		
1			☐	☐		
2			☐	☐		
3			☐	☐		
4			☐	☐		
5			☐	☐		
6			☐	☐		
7			☐	☐		
8			☐	☐		
9			☐	☐		
10			☐	☐		
11			☐	☐		
12			☐	☐		
13			☐	☐		
14			☐	☐		
15			☐	☐		
16			☐	☐		
17			☐	☐		
18			☐	☐		
19			☐	☐		
20			☐	☐		
21			☐	☐		
22			☐	☐		
23			☐	☐		
24			☐	☐		
25			☐	☐		
TOTAL ESTIMATED VALUE						

METHOD OF DESTRUCTION / SALE / DISPOSAL		
DESTRUCTION ☐ Physically Destroy	SALE ☐ Public Auction ☐ Open Sale ☐ Sealed Bid ☐ Trade-In	DISPOSAL ☐ Donation ☐ Salvage Scrap

APPROVAL & CONFIRMATION	
Department Head _____	Date _____
City Manager _____	Date _____
Finance Director _____	Date _____
PROPERTY DESTROYED / SOLD / DISPOSED OF ON 	