

ORDINANCE 2011-31

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IV. PROCUREMENT OF PROPERTY AND SERVICES, TO ESTABLISH A METHOD FOR DISPOSING OF SURPLUS LIBRARY MATERIALS; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1. Chapter 2, ADMINISTRATION, Article IV, PROCUREMENT OF PROPERTY AND SERVICES, Lake Wales Code of Ordinance is hereby amended as follows:

DIVISION 7. RECORD OF ACQUISITION, INVENTORY, AND DISPOSAL OF SERVICE PROPERTY.

Sec. 2-476. Disposal of surplus property.

(c) *Method of disposal.* Within the reasonable exercise of its discretion and taking into consideration the value and condition of such surplus property and the desirability of the property to a prospective bidder, the city shall determine which method of disposal should be utilized

- (1) The city may dispose of surplus property by offering the property for bid to other governmental units as follows:
 - (a) The city shall first offer the surplus property to other governmental units in the county; such offer shall disclose the value and condition of the property, and the city shall sell the property to the governmental unit submitting the highest bid.
 - (b) If no acceptable bid is received from governmental units in the county within a reasonable time, the city shall then offer the surplus property to governmental units outside the county; such offer shall disclose the value and condition of the property, and the city shall sell the property to the governmental unit submitting the highest bid.
 - (c) The cost of transferring the property shall be paid by the governmental unit submitting the highest bid.
- (2) As an alternative to the procedure specified in paragraph (1), the city may dispose of surplus property as follows:
 - (a) Property, the value of which the city estimates to be under five thousand dollars (\$5,000.00), may be disposed of in the most efficient and cost-effective means as determined by the city.
 - (b) Property, the value of which the city estimates to be more than five thousand dollars (\$5,000.00) shall be sold to the highest responsive bidder or by public auction, after publication of notice not less than one (1) week nor more than two (2) weeks prior to the sale in a newspaper having a general circulation in the county.
 - (c) Property may be disposed of for value without bids to any governmental unit in the state.
 - (d) Property which is without commercial value may be donated, destroyed or abandoned.

- (e) Vehicles which serve no useful city purpose may be donated to community social agencies for donation to eligible city residents.
- (f) Library books and materials purchased by the City of Lake Wales that have been weeded or withdrawn from the Lake Wales Public Library's collection in compliance with the Lake Wales Public Library's Collection Development Policy will be withdrawn and de-accessioned. These items will be donated by the City to the Lake Wales Library Association for sale or disposition. All proceeds from the sale or disposition of withdrawn items will benefit the Lake Wales Library Association, (friends of the library) in their efforts to support the Lake Wales Public Library. At the time the items are donated to the Lake Wales Library Association, the library director shall forward a memorandum to the finance director stating the estimated value of the donation and other such information required by the finance department to adjust the record of city assets.

SECTION 2. If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 3. This ordinance shall become effective immediately upon passage by the City Commission.

CERTIFIED AS TO PASSAGE this 15th day of November, 2011.

Mike Hunter

Mayor/Commissioner
City of Lake Wales, Polk County, Florida

ATTEST:

Clara J. Blum

City Clerk