

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5626

AN ORDINANCE relating to the Sale of City Property; amending Bellevue City Code Chapter 4.32 and Section 1 of Ordinance No. 1981; adding Sections 4.32.015 and 4.32.031, and establishing an effective date.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 4.32 of the Bellevue City Code is hereby amended to read as follows:

4.32.010 Sale of unneeded property owned by the city.

The city manager may authorize department directors to declare as surplus any personal property owned by the city and which is in the custody of their departments when they have certified in writing to the purchasing manager that the properties are no longer of public use to the city, or that the sale thereof would be in the best interests of the city.

4.32.015 Sale of property originally acquired for public utility purposes.

Whenever the city shall determine, by council resolution, that any lands, property or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service, then the council by resolution and after a public hearing may cause such lands, property or equipment to be sold. Such resolution shall state the fair market value and such other terms and conditions for such disposition as the council deems to be in the best public interest. (RCW 35.94.040)

4.32.020 Sale of personal property of \$2,000 value or less.

Approval of the council is given for the sale or disposition of any personal property with an estimated value of \$2,000 or less which has been certified for disposition by the purchasing manager, such sale or disposition to be made by the purchasing manager in accordance with informal procedures and in the best interest of the city.

4.32.030 Sale of personal property over \$2,000 in value.

The purchasing manager, is authorized to sell personal property owned by the city valued at more than \$2,000, and may call for sealed bids thereon. Such call shall specify the time and place of bid opening and shall contain a description of the property to be sold, the location thereof, the name and address of the person with whom the bid is to be filed, the last date for filing bids and other pertinent information. Such call shall be published at least once in a newspaper of general circulation in the city, not less than five days before the last date for filing of bids.

4.32.031 Disposal of property over \$50,000 in value.

Before disposing of surplus property with an estimated value of more than fifty thousand dollars, the city shall hold a public hearing in the manner and with notice as prescribed by RCW 39.33.020.

4.32.040 Bid deposit for the sale of personal property over \$2,000 in value.

Each bid shall be accompanied by a deposit in the form of a certified check in an amount equal to not less than 10 percent of the amount of the bid. All such deposits so made shall be returned to the unsuccessful bidders depositing the same after award of sale has been made. The deposit of the successful bidder shall be applied toward the purchase price, or upon failure of such bidder to consummate the purchase, such deposit shall be forfeited as liquidated damages; and such deposit so forfeited shall be credited to the appropriate account.

4.32.050 Bid opening in the sale of personal property over \$2,000 in value.

Sealed bids shall be opened in public by the purchasing manager or his/her authorized agent at the time and place specified in the call for bids. The purchasing manager or his/her designee shall make a tabulation of all bids received and forward the bids to the city manager.

4.32.060 Award or rejection of bids in the sale of personal property over \$2,000 in value.

The city manager shall present all bids, together with recommendations, to the city council at a regularly scheduled meeting for approval or rejection by council resolution.

4.32.070 Alternate method of sale – Auction.

Notwithstanding any other section of this chapter, when an accumulation of city property is to be sold, the value of which exceeds \$2,000, the purchasing manager may, with prior approval of the city manager or his/her designee, sell said accumulated property at public auction to the highest bidder. Notice of such sale, stating the time and place thereof, and containing a description in general terms of the property to be sold, shall be published at least once in a newspaper of general circulation within the city at least 10 days prior to the date fixed for said sale.

4.32.080 Disposition of confiscated, forfeited and released firearms.

All firearms taken into the custody of the Bellevue police department, not retained for law enforcement use and no longer needed for evidence, shall be disposed of as follows:

A. Antique firearms and firearms recognized as curios, relics and firearms of particular historical significance by the United States Treasury Department, Bureau of

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Alcohol, Tobacco and Firearms shall be disposed of by auction or trade to licensed dealers.

B. Firearms lawful to possess that have been ordered by a court of competent jurisdiction to be returned to the owner under RCW 9.41.098(3), or for which a timely claim has been filed by the owner under RCW 63.32.010, shall be returned to the owner.

C. The Bellevue police department may retain legal forfeited firearms for law enforcement use as determined by the chief of police.

D. All other firearms that are judicially or administratively forfeited, forfeited due to failure to timely claim them following notice from the city pursuant to Chapter 63.32 RCW, or released by their owner to the department for destruction shall be destroyed.

Section 2. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 3rd day of October, 2005,
and signed in authentication of its passage this 3rd day of October, 2005.

(SEAL)

Connie B. Marshall
Connie B. Marshall, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Patrice C. Cole
Patrice C. Cole, Assistant City Attorney

Attest:

Myrna L. Basich
Myrna L. Basich, City Clerk

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