

Business Services

1 AP 6550 DISPOSAL OF DISTRICT PERSONAL PROPERTY

2 References:

3 Education Code, Section 70902(b)(6), 81360 et seq. and 81450 et seq.

4 The Board of Trustees authorizes the President/Superintendent to oversee the process
5 for disposal of District personal property. The President/Superintendent delegates the
6 responsibility for coordinating the disposal of District personal property to the Vice
7 President of Business Services or his/her designee.

8 District personal property shall be sold as surplus by means of a public auction by a
9 contract with a private auction firm. The personal property shall be sold or transferred to
10 the highest responsible bidder upon completion of the auction and after payment has
11 been received by the District.

12 The District can also exchange for value, sell for cash, or donate any personal property
13 belonging to the District without complying with the preceding procedures if all of the
14 following criteria are met:

- 15 a) The District determines that the property is not required for District purposes, that
16 it should be disposed of for the purpose of replacement, or that it is unsatisfactory
17 or not suitable for school use.
- 18 b) The property is exchanged with, or sold or donated to, a school district, community
19 college district, or other public entity that has had an opportunity to examine the
20 property proposed to be exchanged, sold, or donated.
- 21 c) The receipt of the property by a school district or community college district will not
22 be inconsistent with any applicable district wide or school site technology plan of
23 the recipient district.

24 The District may sell for cash and paid to the District, any District personal property if the
25 property is not required for District purposes, or if it should be disposed of for the purpose
26 of replacement, or if it is unsatisfactory or not suitable for use.

27 Property cannot be sold until notice has been given. Notice must be posted in at least
28 three public places in the district for not less than two weeks; notice can also be by
29 publication for at least once a week for a period of not less than two weeks in a newspaper
30 published in the district and having a general circulation. If there is no such newspaper,
31 then notice can be published in a newspaper having a general circulation in the district;
32 or if there is no such newspaper, then in a newspaper having a general circulation in the
33 county in which the District or any part thereof is situated.

34 The Vice President of Business Services or his/her designee shall sell the property to the
35 highest responsible bidder, or shall reject all bids.

36 Subject to Board approval, finds that the property, whether one or more items, does not
37 exceed in value the sum of \$5,000, the property may be sold by the Vice President of
38 Business Services or his/her designee at private sale without advertising; however, such
39 private sell prohibits District employees from purchasing surplus property from private
40 sale.

41 Any item or items of property having previously been offered for sale as provided in
42 Education Code Section 81450, but for which no qualified bid was received, may be sold
43 by the Vice President of Business Services or his/her designee at private sale without
44 advertising; however, such private sell prohibits District employees from purchasing
45 surplus property from private sale, or the property may be otherwise disposed of in a local
46 dump in accordance with California law.

47 In addition, the Board may sell or lease real property belonging to the District under the
48 following conditions:

- 49 • The property is sold or leased to another local governmental agency, or to a
50 nonprofit corporation that is organized for the purpose of assisting one or more
51 local governmental agencies in obtaining financing for a qualified community
52 college facility; or
- 53 • If the District has received only one sealed proposal from a responsible bidder that
54 conforms with the standard rate or rates for the lease of its real property
55 established by a majority vote of the Board, the Board may by majority vote
56 delegate to an officer or employee the power to enter into leases, for and in behalf
57 of the district, of any real property of the District.
- 58 • Generally, the funds derived from the sale or from a lease with an option to
59 purchase shall be used for capital outlay or deferred maintenance. However, the
60 proceeds of property sold or leased that was first offered for park or recreational
61 purposes where applicable and then offered for sale or lease with an option to
62 purchase at fair market value may be deposited in the general fund of the District
63 if, prior to the sale or lease, the Board has determined that the District has no
64 anticipated need for additional sites or building construction for the five-year period
65 following the sale or lease.

66 Scavenging of materials on District property is expressly prohibited and enforceable
67 through local city ordinances, as appropriate.

68 Office of Primary Responsibility: Vice President, Business Services

Date Approved: March 26, 2007
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