

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT

AP 6550 Disposal of Property

References:

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

NOTE: This procedure is legally advised.

College property should not be transferred, exchanged, sold or otherwise disposed of until:

1. The individual most familiar with the condition of the college property recommends to their supervisor, divisions chair or unit manager, that obsolete property is disposed.
2. The supervisor or manager prepares a request for disposal of such property and submits it to the Purchasing Office. Requests should include a description of the property, asset tag numbers, condition, and an explanation of the reason for disposal. The Purchasing Coordinator will make an appointment to view the property.
 - a. IT should be contacted directly for all excess or surplus technology equipment including computers, printers, and other peripherals. IT will recommend disposition to Purchasing.
3. If the items are in good or serviceable condition, the Purchasing Office publishes a list of those items and circulates this list to all departments. If a specific department can use the property, a transfer of such will be made and inventory records updated.
4. If the remaining materials are deemed valuable and excess, the Purchasing Office will prepare an agenda item recommending the board to declare the property as excess or surplus.
5. If the Board finds that the property whether one or more items, does not exceed in value the sum of \$5000, the property may be sold at private sale without advertising, by any employee empowered for that purpose. (Sec. 81452a). All college stickers, emblems and other defining marks shall be obliterated or removed. If the governing board finds that the value of the item(s) is greater than \$5,000, then administration will implement procedures identified in 5a or 5b.
 - a. If the Board determines items are excess or surplus, notice shall be posted in at least 3 public places for not less than 2 weeks, or be published at least once a week for not less than 2 weeks. The board shall

sell the property to the highest responsible bidder, or shall reject all bids. (Sec. 81450a) All college stickers, emblems and other defining marks shall be obliterated or removed.

If the Board finds that the property is of insufficient value to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the board, or it may be disposed of in the local dump. (Sec. 81452c) The donation of property to another educational institution or charitable organization can preclude the sale of property no matter the value. All college stickers, emblems and other defining marks shall be obliterated or removed.

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

If a district has received only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Board, the Board may by majority vote delegate to an officer or employee the power to enter into leases, for and in behalf of the District, of any real property of the District.

Generally, the funds derived from the sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the district if, prior to the sale or lease, the Board has determined that the district has no anticipated need for additional sites or building construction for the five-year period following the sale or lease.

Board approved October 2012
Former AP 2165 Disposal of College Property