

Proposed Amendment to CWC Bylaws Adopting a Surplus Property Policy

6.3 Surplus property. (*Resolution 2024-__*)

A. No CWC-owned property, except property that is consumed in normal operations, shall be disposed of or released to ownership by anyone other than the CWC unless such property has been declared surplus by the Board by resolution.

B. Whenever CWC property is deemed to be possibly surplus, unused, obsolete, unsuitable or otherwise no longer needed, the department head or employee having control of such property shall promptly so notify the executive director. The executive director then shall determine whether such property may be productively used by another CWC department or employee and, if so, the executive director shall supervise the transfer of the property to such other department or employee. If the executive director determines that no productive use can be made or can be expected to be made within the reasonably foreseeable future, the property shall be disposed of in accordance with this section.

C. The executive director shall prepare and present a listing to the Board of all CWC-owned property which the executive director feels is no longer needed by the CWC and which can be declared surplus. The Board may declare the property surplus and shall either establish a minimum bid for the sale of such property or declare that the property is of nominal value. If the Board declares the items to be surplus and establishes a minimum bid, then the executive director shall proceed to sell such surplus property based on the highest and best economic return to the CWC. If the Board declares the items to be surplus but of nominal value, then the executive director shall proceed to dispose of such surplus property as determined by the executive director.

D. The highest and best economic return to the CWC, as referred to herein, shall be determined by one or more of the following methods: (1) competitive bid; (2) evaluation by a qualified and disinterested appraiser; (3) other professional publication and valuation service; or (4) an informal market survey by the executive director or designee in the case of items of personal property possessing readily discernable market value.

E. If the reasonable value of the property declared surplus by the Board exceeds \$5,000, then the method to determine the highest and best economic return to the CWC shall be approved by the Board at the time the minimum bid is established. If the reasonable value of the property declared surplus by the Board is \$5,000 or less, then the executive director shall disclose to the Board the method to determine the highest and best economic return before the sale occurs. After satisfying the requirements provided for in this section, the executive director may sell the surplus property based on its highest and best economic return to the CWC provided the sales price for the surplus property is equal or exceeds the minimum bid established by the Board.

F. Monetary proceeds from the sale or other disposition of such property pursuant to this section shall be credited to the CWC's general fund.

G. The Board may, by resolution, withdraw any surplus property from the surplus property list.