

1 The Rules Committee offers the following Substitute to File No.
2 2024-368:

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4 Introduced by the Council President at the request of the Mayor:
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7 **ORDINANCE 2024-368**

8 AN ORDINANCE AMENDING SECTIONS 122.801
9 (DEFINITIONS), 122.811 (SALES OF TANGIBLE
10 PERSONAL PROPERTY; PROHIBITION OF SALES TO
11 CERTAIN PERSONS), 122.812 (SURPLUS, OBSELETE AND
12 WASTE SUPPLIES AND OTHER TANGIBLE PERSONAL
13 PROPERTY), AND 122.814 (DISPOSAL OF SURPLUS
14 TIMBER), PART 8 (TANGIBLE PERSONAL PROPERTY),
15 CHAPTER 122 (PUBLIC PROPERTY), *ORDINANCE CODE*,
16 TO INCREASE THE CAPITAL ASSET THRESHOLD FROM
17 \$1,000.00 TO \$5,000.00; ESTABLISHING A
18 PROSPECTIVE DATE OF OCTOBER 1, 2024, FOR CODE
19 AMENDMENTS CONTAINED IN THIS ORDINANCE TO BECOME
20 EFFECTIVE; PROVIDING CODIFICATION INSTRUCTIONS;
21 PROVIDING AN EFFECTIVE DATE.
22

23 **BE IT ORDAINED** by the Council of the City of Jacksonville:

24 **Section 1. Amending Sections 122.801 (Definitions),**
25 **122.811 (Sales of tangible personal property; prohibition of sales**
26 **to certain persons), 122.812 (Surplus, obsolete and waste supplies**
27 **and other tangible personal property), and 122.814 (Disposal of**
28 **surplus timber), Part 8 (Tangible Personal Property), Chapter 122**
29 **(Public Property), Ordinance Code.** Sections 122.801 (Definitions),
30 122.811 (Sales of tangible personal property; prohibition of sales
31 to certain persons), 122.812 (Surplus, obsolete and waste supplies

1 and other tangible personal property), and 122.814 (Disposal of
2 surplus timber), Part 8 (Tangible Personal Property), Chapter 122
3 (Public Property), *Ordinance Code*, are hereby amended to read as
4 follows:

5 **CHAPTER 122 - PUBLIC PROPERTY**

6 * * *

7 **PART 8. - TANGIBLE PERSONAL PROPERTY**

8 **Sec. 122.801. - Definitions.**

9 As used in this Part 8:

10 * * *

11 (e) *Property or tangible personal property* means those items of a
12 nonconsumable nature, the value of which is \$5,000~~\$1,000~~ or more
13 and the normal expected life of which is more than one year.

14 * * *

15 **Sec. 122.811. - Sales of tangible personal property; prohibition of**
16 **sales to certain persons.**

17 (a) The procedures in Section 126.202 may be used with respect to
18 sales of tangible personal property where the estimated sales
19 price exceeds \$5,000~~\$1,000~~, except that awards shall be made to
20 the highest, rather than the lowest, responsible bidder meeting
21 or exceeding published specifications. In the alternative, the
22 Chief of Procurement may sell the property at a public auction,
23 be it in-person or online, to the highest responsible bidder,
24 payable by a method accepted by the applicable auctioneer.
25 Notice of the date, time and place of an in-person auction, as
26 well as a general description of the items to be offered for
27 sale, shall be published in a newspaper of general circulation
28 in the City, or via such other advertisement or notice method
29 as permitted by law (e.g., a publicly accessible website), and
30 on the Procurement Division's public website, at least ten days
31 prior to the in-person auction date. Online auctions shall take

1 place at a time and duration as determined by the Chief of
2 Procurement without such notification requirement, provided that
3 a description of the online auction process and a link to the
4 online auctioneer's website is published on the Procurement
5 Division's public website.

6 * * *

7 **Sec. 122.812. - Surplus, obsolete and waste supplies and other**
8 **tangible personal property.**

9 * * *

10 (f) The JEA is authorized, with the prior approval of the Chief of
11 Procurement, to negotiate the sale of tangible personal property
12 valued in excess of \$5,000~~\$1,000~~ under one of the following
13 conditions:

- 14 (1) Competitive bidding has resulted in no responsive bids or
15 a high responsive bid less than 75 percent of the fair
16 market value of the property.
17 (2) The JEA has determined by resolution that the nature of
18 the market is not conducive to competitive sale.

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20 **Sec. 122.814. - Disposal of surplus timber.**

21 The disposal of cut or uncut timber, after being declared surplus
22 by the using agency and the permit required by Chapter 304 having
23 been obtained, may be made by the Chief of Procurement according to
24 the following:

- 25 (a) If the estimated value is \$5,000~~\$1,000~~ or more, to the highest
26 bidder meeting or exceeding specifications after publication
27 in a local newspaper of general circulation or via such other
28 advertisement or notice method as permitted by law (e.g., a
29 publicly accessible website).
30 (b) If there are no acceptable bids received pursuant to
31 subsection (a) or if the estimated value is less than

