

BILL NO. 22-05

AN ORDINANCE APPROVING THE 2021 LABOR AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE FRATERNAL ORDER OF POLICE LODGE #50 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

WHEREAS, the Fraternal Order of Police Lodge #50 (hereinafter FOP) has long represented police officers and sergeants of the City of Lee's Summit, Missouri (hereinafter "City") regarding terms and conditions of employment, historically through a process known as "meet and confer"; and,

WHEREAS, in response to the 2007 Missouri Supreme Court decision in Independence-National Education Association v. Independence School District, which held that the constitutional right to organize and bargain collectively as outlined in Article I Section 29 of the Missouri Constitution applies to public employees as well as private-sector employees, in 2014, the City and FOP negotiated the first formal collective bargaining agreement between the parties (hereinafter "the 2014 Agreement") setting forth provisions regarding wages, benefits, and other terms and conditions of employment for employees represented by FOP; and,

WHEREAS, the 2014 Agreement was eligible for re-negotiation in June 2017, and, upon duly provided notice by FOP, City and FOP began the process of renegotiation soon thereafter; and,

WHEREAS, on February 7, 2019, FOP and City finalized the terms of a two-year agreement for presentation to the City and members of the FOP for consideration (hereinafter "the 2019 Agreement"); and,

WHEREAS, the 2019 Agreement was approved on March 5, 2019 as Ordinance No. 8573 for a two-year period; and,

WHEREAS, the 2019 Agreement was eligible for re-negotiation in March 2021, and, upon duly provided notice by FOP, City and FOP began the process of renegotiation soon thereafter; and,

WHEREAS, on December 14, 2021, FOP and City finalized the terms of a three-year agreement that includes an optional four-year term conditional upon the successful passage of a public safety sales tax in April of 2021 for presentation to the City and members of the FOP for consideration; and,

WHEREAS, City desires to approve the attached Agreement, which shall expire on June 30, 2025 (unless the voters approve the public safety sales tax at the April 5, 2022 election in which the Agreement will then expire on June 30, 2026), in order to allow for changes to wages as contemplated therein to take effect in February, 2022, as well as to allow for immediate operation under the new provisions contemplated therein.

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NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the Labor Agreement by and between the City of Lee's Summit, Missouri and the Fraternal Order of Police Lodge #50, a true and accurate copy being attached hereto and incorporated herein as though fully set forth as Exhibit A, be and hereby is approved.

SECTION 2. That the City Manager is authorized and directed to execute the Agreement in substantial compliance with the attached Agreement by and on behalf of the City.

SECTION 3. That the City Manager is hereby authorized and directed to take such action and execute such other documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance and the Agreement.

SECTION 4 That should any section, sentence, or clause of this ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*