

Legislation Text

File #: BILL NO. 19-121, **Version:** 1

An Ordinance amending Section 1, Procurement Definitions, and Section 2, Authority and Enforcement, of the City of Lee's Summit Procurement Policy Manual. (F&BC 5-20-19)

Issue/Request:

Consideration and adoption of an Ordinance amending Section 1, Procurement Definitions, and Section 2, Authority and Enforcement, of the City of Lee's Summit Procurement Policy Manual.

Key Issues:

On October 5, 2017, pursuant to Ordinance No. 8253, the City Council adopted the current City of Lee's Summit Procurement Policy ("Procurement Policy") which sets forth policy guidelines intended to assist in the procurement of goods and services at economical prices while ensuring compliance with all applicable laws and policies and simultaneously maintaining confidence in government expenditures.

Among other things, the Procurement Policy included language in Section 2.10 that prohibits the City from "knowingly purchas[ing] any service, good or property from any Councilmember, the Mayor or any City Employee or any entity in which he or she holds a "substantial interest" as defined in section 105.450 RSMo." As written, Section 2.10 prevents the spouse or dependent children of any Councilmember, the Mayor or any City employee from contracting with the City for services, goods, or property regardless of whether such persons comply with state law.

Although the City intended to prohibit Councilmembers, the Mayor, and City employees from contracting with the City regardless of what the state law allowed, it did not intend to extend that prohibition to the spouse and dependent children of Councilmembers, the Mayor, and City employees. The City desires to amend Section 2.10 to reflect the intended purpose of such section.

Finally, the proposed Ordinance deletes the term "substantial interest" from Section 1 "Procurement Definitions" of the Procurement Policy because the only reference to such term occurs in Section 2.10, and the new Section 2.10 includes a definition for "substantial interest".

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of an Ordinance amending Section 1, Procurement Definitions, and Section 2, Authority and Enforcement, of the City of Lee's Summit Procurement Policy Manual.

SECOND MOTION: I move for adoption of an Ordinance amending Section 1, Procurement Definitions, and Section 2, Authority and Enforcement, of the City of Lee's Summit Procurement Policy Manual.

Brian Head, City Attorney

Staff recommends adoption of an Ordinance amending Section 1, Procurement Definitions, and Section 2, Authority and

Enforcement, of the City of Lee's Summit Procurement Policy Manual.

The Finance and Budget Committee voted unanimously 3-0 (Mayor Pro Tem Lopez "Absent") to recommend to City Council approval of an Ordinance amending Section 1, Procurement Definitions, and Section 2, Authority and Enforcement, of the City of Lee's Summit Procurement Policy Manual.