

RESOLUTION NUMBER 2014-22

COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA

RESOLUTION ESTABLISHING POLICY FOR CONTRACTING WITH THE CITY

WHEREAS, the Common Council for the City of Lebanon ("City"), Indiana has determined that there is a need to establish a policy relating to contracting with the City by relatives of elected officials or businesses that are wholly or partially owned by a relative of an elected official, in compliance with I.C. 36-1-21.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA THAT:

Section 1. Definitions

The following definitions shall apply in the interpretation and the enforcement of this Resolution:

A. "Elected Official" means the executive or a member of the executive body of the City; a member of the legislative body of the City; or a member of the fiscal body of the City.

B. "Relative" means any of the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms "brother" and "sister" shall include a brother or sister by half blood (a common parent).

Section 2. Contract Disclosure Requirements

(a) The City may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with:

- (1) an individual who is a relative of an elected official; or
 - (2) a business entity that is wholly or partially owned by a relative of an elected official;
- only if the requirements of this section are satisfied and the elected official does not violate IC 35-44.1-1-4.

(b) A unit may enter into a contract or renew a contract with an individual or business entity described in subsection (a) if:

(1) the elected official files with the unit a full disclosure, which must:

(A) be in writing;

(B) describe the contract or purchase to be made by the unit;

(C) describe the relationship that the elected official has to the individual or business entity that contracts or purchases;

(D) be affirmed under penalty of perjury;

(E) be submitted to the legislative body of the unit and be accepted by the legislative body in a public meeting of the unit prior to final action on the contract or purchase; and

(F) be filed, not later than fifteen (15) days after final action on the contract or purchase, with:

(i) the state board of accounts; and

(ii) the clerk of the circuit court in the county where the unit takes final action on the contract or purchase;

(2) the appropriate agency of the unit:

(A) makes a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered; or

(B) makes a certified statement of the reasons why the vendor or contractor was selected; and

(3) the unit satisfies any other requirements under IC 5-22 or IC 36-1-12.

(c) An elected official shall also comply with the disclosure provisions of IC 35-44.1-1-4, if applicable.

(d) This section does not affect the initial term of a contract in existence at the time the term of office of the elected official of the unit begins.

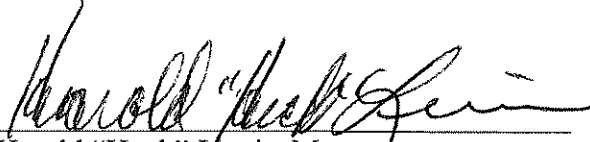
Section 3. Certification by Elected Officers of the City

Each elected officer of the City shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this Resolution. An elected officer shall submit the certification to the Mayor and Clerk-Treasurer not later than December 31 of each year.

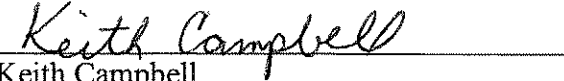
Section 4. Effective Date of Resolution

This Resolution shall be effective upon passage.

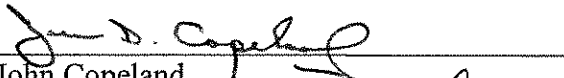
ADOPTED BY THE COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA
this 12th day of NOVEMBER, 2014.



Harold "Huck" Lewis, Mayor




Keith Campbell



John Copeland




Mike Kincaid




Lana Kruse



Jeremy Lamar

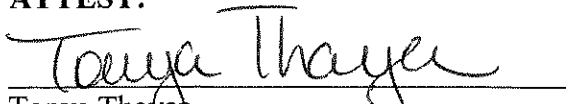


Steve Large



Preston Myers

ATTEST:



Tonya Thayer,
Clerk-Treasurer, City of Lebanon, Indiana