

ORDINANCE NO. 163

CITY OF LACEY

AN ORDINANCE REGULATING THE ACQUISITION, ACCOUNTABILITY, AND DISPOSITION OF PUBLIC PROPERTY; PROVIDING FOR CONTROLS TO PROTECT THE PUBLIC INTEREST.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LACEY AS FOLLOWS:

Section 1. The following definitions apply for the purposes of this ordinance:

(a) "Public Property," shall mean any supplies, equipment, or materials purchased by the City of Lacey through expenditures of City funds, regardless of the source of the funds.

(b) "Capital Equipment," shall mean any item of equipment with an acquisition cost of Two Hundred Dollars (\$200.00) or more, excluding state and local taxes, to ~~include~~ ^{exclude} allowance ^(P) for any trade-in, and which has a useful life expectancy of two (2) years or more.

(c) "Expendable," shall mean any supplies or equipment that through their nature are not re-usable. Expendable will be further defined into two classes: (1) those items which are completely consumed in use, such as office supplies and equipment, and (2) those items which are integrated into a system or systems such as a public utility and for which cost accounting is a necessity.

(d) "Person," is any City employee, elected, hired, or otherwise employed by the City in any official or quasi-official capacity.

Section 2. Under the provisions of RCW 35.24.300, the City Council is empowered to purchase, lease or otherwise acquire real estate and personal property necessary or proper for municipal purposes, and to control and dispose of the same. Under the provisions of RCW 35.23.352, any purchase of supplies, material, equipment or services, except for public work or improvement, where the cost exceeds Two Thousand Dollars (\$2,000.00), shall be made upon call for bids in the same methods and the same conditions as required on a call for public work or improvement.

Section 3. All supplies and equipment of an expendable nature, as defined herein, shall, insofar as practicable, be ordered in bulk under the Economic Order Quantity principle, wherein consolidation of projected requirements for the City will result in ordering sufficient quantities to qualify for competitive bidding at volume discount prices. Small purchases of the same items on a re-occurring basis (piece-mealing) to avoid the intent of this ordinance shall not be made.

Section 4. All capital equipment of a value greater than Two Thousand Dollars (\$2,000.00), and all capital equipment for which a lease-purchase agreement in the amount of Two Thousand Dollars (\$2,000.00) or more is involved, will be procured through competitive bidding as provided for in RCW 35.23.352. Specifications for such capital equipment may not be restrictive in nature so that only one manufacturer or

supplier can qualify as a responsive bidder, except where Federal or State specifications are restrictive to such a degree or where the equipment is so unique that only a sole supplier qualifies. The provisions of this section shall apply to acquisition of any capital equipment jointly with any other governmental agency. Acquisition under the provisions of this section shall require prior Council approval which may be in the form of a line item in the adopted budget.

Section 5. All capital equipment of a purchase price of more than Two Hundred Dollars (\$200.00) and less than Two Thousand Dollars (\$2,000.00) (excluding state and local taxes) shall be acquired, when practicable, in the manner prescribed in Section 4, preceding. When not included as a line item under capital outlay in the adopted budget, such acquisition shall require prior Council approval.

Section 6. Equipment of a value of less than Two Hundred Dollars (\$200.00), excluding state and local taxes, regardless of useful life expectancy, may be purchased by department heads, subject to any controls that the Chief Executive of the City may impose, and within the budgetary limitations of the adopted budget pertaining to that particular department.

Section 7. The Chief Executive shall establish a uniform system of property accountability within each department having custody and use of capital equipment which is

public property, and shall require strict accounting for any public property missing or damaged through neglect. The system shall require semi-annual inventories and shall include such safeguards as necessary to prevent use of public property for personal use or gain.

Section 8. Public property declared to be surplus to the needs of the City because of age, mileage, unserviceability, obsolescence, or other valid cause, shall be disposed of in accordance with procedures prescribed by law. No elected or appointed official, officer or employee of the City, members of their immediate families, or officers or employees of any business organization in which the City officer, official or employee has a financial interest shall be eligible to bid on or purchase such property.

Section 9. The Chief Executive of the City may waive the provisions of this ordinance to meet the exigencies of any emergency wherein the health, welfare or safety of the citizens may be endangered by failure to acquire equipment or services necessary to abate such emergency conditions.

Section 10. If any section, sub-section, paragraph, sentence, clause, or phrase of this ordinance is declared invalid for any reason, such invalidity shall not affect the validity of the remaining portions of this ordinance.

Section 11. This ordinance shall take effect five (5) days after its passage and publication as provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this
5th day of November, 1970.

A.B. Homann
MAYOR

ATTEST:

C. R. Ketchum
CITY CLERK

APPROVED AS TO FORM:

Arvid D. Bergvall
CITY ATTORNEY

PASSED: November 5, 1970

POSTED:

PUBLISHED: Nov. 11, 1970