

RESOLUTION NO. 169-2016

DATE 11 / 30 / 2016

A RESOLUTION MODIFYING CHAPTER 2 OF THE *SEDGWICK COUNTY CODE* PERTAINING TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD BY RESCINDING RESOLUTION NO. 33-2007 AND RESOLUTION NO. 58-2009, AND REDEFINING THE SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONER APPOINTMENTS, APPOINTMENT TERMS, AND PURPOSE OF THE ACCESS ADVISORY BOARD

WHEREAS, in February 2007 the City of Wichita and the Wichita Access Advisory Board invited Sedgwick County to add members to their Access Advisory Board, making it a joint board with the task of providing feedback to the City of Wichita and Sedgwick County on issues relating to access under the Americans with Disabilities Act (ADA), and;

WHEREAS, to enter into this joint board effort the Board of County Commissioners adopted Sedgwick County Resolution No. 33-2007 on February 7, 2007, providing for appointments, appointment terms, and purpose of the Wichita/Sedgwick County Access Advisory Board; and

WHEREAS, the Board of County Commissioners subsequently adopted Sedgwick County Resolution No. 58-2009 on April 1, 2009, which amended components of Resolution No. 33-2007; and

WHEREAS, further amendments to County appointments are needed so that they continue to be consistent with Wichita/Sedgwick County Access Advisory Board Operating Policies; and

WHEREAS, in order to avoid confusion, the Board of County Commissioners now desires to rescind both Sedgwick County Resolution No. 33-2007 and Sedgwick County Resolution No. 58-2009 and create a new resolution that defines the Sedgwick County Board of County Commissioner Appointments, Appointment Terms, and Purpose of the Access Advisory Board to be consistent with the Wichita/Sedgwick County Access Board Operating Policies dated October 28, 2015.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AMENDS THE *SEDGWICK COUNTY CODE* AS FOLLOWS:

SECTION 1. SEDGWICK COUNTY RESOLUTION NO. 33-2007 IS RESCINDED.

Sedgwick County Resolution No. 33-2007 is hereby rescinded. Any provisions of Chapter 2 of the *Sedgwick County Code* that pertain to this resolution are repealed.

SECTION 2. SEDGWICK COUNTY RESOLUTION NO. 58-2009 IS RESCINDED.

Sedgwick County Resolution No. 58-2009 is hereby rescinded. Any provisions of Chapter 2 of the *Sedgwick County Code* that pertain to this resolution are repealed.

SECTION 3. WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD

The text contained within Chapter 2, Article VI. Division 11, Sec. 2-311 through Chapter 2, Article VI. Division 11, Sec. 2-313 of the Sedgwick County Code is hereby changed to read as follows as of the effective date of this Resolution.

Sec. 2-311. Appointments.

Sedgwick County shall have seven appointments to the Wichita/Sedgwick County Access Advisory Board as follows:

One member shall be Sedgwick County's ADA Coordinator.

One member shall be appointed by the Sedgwick County Manager.

One member shall be appointed by each of the five (5) county commissioners.

When making appointments to the Access Advisory Board, the county will endeavor to include substantial representation by persons with disabilities, design professionals and representatives from businesses or organizations who provide goods or services to persons with disabilities.

Sec. 2-312. Terms.

The terms of appointments by the Board of County Commissioners shall be for a period of two (2) years and commencing June 1 of each year, and each member shall serve the full term and until his or her successor is appointed and qualified. All current board members appointed by the Board of County Commissioners shall continue to serve until new appointments are made pursuant to this resolution. The member appointed by the County Manager shall serve at his/her pleasure.

Sec. 2-313. Purpose.

The purpose of the Access Advisory Board for Sedgwick County is to:

Advise the County Manager and the Sedgwick County ADA Coordinator on the development of a new self-evaluation and transition plan;

Assist in the review of county policies to ensure that the requirements of the Americans with Disabilities Act are met;

Make recommendations to the County Manager on the access of persons with disabilities to programs and facilities in the county and help determine immediate access priorities; and

Advise the County Manager on any other matters concerning persons with disabilities as the Board deems appropriate.

SECTION 4. OTHER PROVISIONS.

All other portions of Chapter 2 of the Sedgwick County Code shall remain in full force and effect as written therein.

SECTION 5. SEVERABILITY.

Should any section, clause or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 6. PUBLICATION AND EFFECTIVE DATE.

The Sedgwick County Clerk is directed to publish this resolution once in the official county newspaper. This resolution shall take effect upon its publication in the official county newspaper.

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Commissioners present and voting were:

DAVID M. UNRUH	<u>AYE</u>
TIM R. NORTON	<u>AYE</u>
KARL PETERJOHN	<u>AYE</u>
RICHARD RANZAU	<u>AYE</u>
JAMES M. HOWELL	<u>AYE</u>

Dated this 30th day of November, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

JAMES M. HOWELL, Chairman
Commissioner, Fifth District

RICHARD RANZAU, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

ERIC R. YOST, County Counselor

DAVID M. UNRUH
Commissioner, First District

TIM R. NORTON
Commissioner, Second District

KARL PETERJOHN
Commissioner, Third District