

ORDINANCE NO. 50-313

Date Adopted by City of Wichita: 09-06-2016
Date Published by City of Wichita: _____

RESOLUTION NO. 127-2016

Date Adopted by Sedgwick County: August 24, 2016
Date Published by Sedgwick County: _____

JOINT ORDINANCE AND RESOLUTION BETWEEN THE CITY OF WICHITA, KANSAS, AND THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, REGARDING JOINT PLANNING POWERS, DUTIES, AND FUNCTIONS, AND APPROVING AN INTERLOCAL AGREEMENT.

WHEREAS, pursuant to K.S.A. 12-744(c), a city and county may enter into an agreement providing for joint planning cooperation, and formation of a joint planning commission; and

WHEREAS, pursuant to K.S.A. 12-744(a), the number of members of a planning commission may be determined by ordinance or resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AND ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS THAT:

SECTION 1. Interlocal Agreement. Pursuant to K.S.A. 12-744(c) and K.S.A. 12-2901, *et seq.*, the governing bodies of the City of Wichita, Kansas (“City”) and Sedgwick County, Kansas (“County”) agree to enter into an agreement (“Interlocal Agreement”) to cooperate in the performance of joint planning powers, duties, and functions, and to establish a joint planning commission. Such joint activities extend to matters identified within K.S.A. 12-741, *et seq.*, as amended, and shall include the entirety of both parties’ geographical planning and zoning jurisdictions.

SECTION 2. Number of Members of the Metropolitan Area Planning Commission. Pursuant to K.S.A. 12-744, this Joint Ordinance and Resolution establishes that the Metropolitan Area Planning Commission (“Commission”), as described in more detail within the Interlocal Agreement, shall consist of fourteen (14) members, seven (7) of whom shall be appointed by the Mayor of the City by and with the consent of the City Council, and seven (7) of whom shall be appointed by a majority vote of the Board of County Commissioners, upon the recommendation of each individual County Commissioner for five (5) members and with two (2) at-large members.

SECTION 3. Effect of Joint Ordinance and Resolution. Pursuant to K.S.A. 12-2904(b), this Joint Ordinance and Resolution indicates approval by both governing bodies to enter into the Interlocal Agreement. The Interlocal Agreement will then be submitted to the Kansas Attorney General for approval pursuant to K.S.A. 12-2904(g). After approval by the Attorney General, the Interlocal Agreement will be filed with the Sedgwick County Register of Deeds and the Kansas Secretary of State pursuant to K.S.A. 12-2905.

SECTION 4. Impact on Prior Ordinances, and Resolutions. Any prior ordinances and resolutions for the parties pertaining to their joint planning authority shall be superseded and replaced by this Joint Ordinance and Resolution after the Interlocal Agreement has been approved by the Kansas Attorney General and filed with the Sedgwick County Register of Deeds and the Kansas Secretary of State, as described in the preceding section.

SECTION 5. Publication. This Joint Ordinance and Resolution shall be published once in the official County and City newspaper(s) upon adoption by both governing bodies.

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PASSED by the governing body of the CITY OF WICHITA, KANSAS, this 23rd
day of August, 2016.

JEFF LONGWELL, Mayor

ATTEST:

KAREN SUBLETT, City Clerk

APPROVED AS TO FORM:

JENNIFER L. MAGAÑA, City Attorney

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 24th day of August, 2016.

ATTEST:

KELLY B. ARNOLD, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

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

