

RESOLUTION

A RESOLUTION ESTABLISHING A STORMWATER MANAGEMENT ADVISORY BOARD; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTING ITS MEMBERS AND ESTABLISHING ITS RESPONSIBILITIES.

WHEREAS, PURSUANT TO K.S.A. 19-101, ET SEQ., THE SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS MAY EXERCISE THE POWERS OF HOME RULE TO DETERMINE ITS LOCAL AFFAIRS AND GOVERNMENT; AND

WHEREAS, THE SEDGWICK COUNTY BOARD OF COUNTY COMMISSIONERS, WISHES TO OBTAIN ADVISORY SERVICES OF A **STORMWATER MANAGEMENT ADVISORY BOARD (SMAB)**;

WHEREAS, THE PURPOSE OF THE SMAB IS TO PROTECT LIVES AND PROPERTY WITHIN SEDGWICK COUNTY BY PROMOTING BETTER STORMWATER MANAGEMENT AND PROVIDING FINANCIAL, TECHNICAL AND OTHER ASSISTANCE TO ALL ENTITIES WITHIN SEDGWICK COUNTY THAT ARE CONCERNED WITH STORMWATER MANAGEMENT.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS:

Section 1. CREATION. There is hereby created the **STORMWATER MANAGEMENT ADVISORY BOARD (SMAB)**.

Section 2. RESPONSIBILITIES OF THE SMAB. The SMAB shall serve as an advisory board to the County Commission on all matters related to stormwater management. The County Commission will retain final authority over all budget matters and over all plans and policies relating to stormwater management. The County Commission may direct the SMAB, in its sole discretion, to review specific issues or concerns relating to stormwater management.

The SMAB may determine what matters with which it will concern itself and which activities it will undertake, including, but not limited to:

- A) Promotion of stormwater basin planning and inter-jurisdictional cooperation;
- B) Master planning for stormwater management (including coordination of existing basin studies and additional basin studies, as needed);
- C) Serving as a technical clearinghouse for stormwater management projects;
- D) Recommending a long-term dedicated source of funding for stormwater management projects that would supplement funding provided by implementing entities;
- E) Establishing priorities (using project selection criteria) to implement basin studies (a Capital Improvements Plan) and stormwater management projects;
- F) Development of recommended minimum standards for facility design, construction and maintenance;
- G) Development of recommended minimum drainage standards and processes for new urban development, and encouraging participating entities to adopt such standards;
- H) Public awareness and education programs;
- I) Creation and maintenance of GIS mapping of flood-prone areas and stormwater management projects; and
- J) Participation in the Cooperating Technical Partners Program (regarding FEMA map revisions).

Section 3. RESPONSIBILITIES OF THE PARTICIPATING ENTITIES. It is the expectation of the County Commission that the municipalities and active watershed or drainage districts that wish to be represented on the SMAB will accept the following responsibilities as participating entities:

- A) To participate in inter-jurisdictional watershed plans, when needed;
- B) To adopt recommended minimum drainage standards and processes for new urban development at such time that those standards and processes are established;
- C) To design and build stormwater management facilities that are recommended for funding by SMAB, as subsequently approved by the County Commission, in accordance with recommended facility standards at such time that such funding and standards are established;
- D) To provide local funding match for projects at such time that funding is provided by the County Commission; and
- E) To maintain facilities in accordance with recommended maintenance standards at such time that such standards are established;

Section 4. APPOINTMENTS TO THE SMAB. The SMAB shall consist of representatives of all entities within Sedgwick County that are concerned with stormwater management that agree to comply with all of the responsibilities as outlined in Section 3. Each municipality and each active watershed district or drainage district that wishes to participate may nominate one representative to be appointed by the County Commission. Each County Commissioner shall appoint one representative.

Section 5. OTHER APPOINTMENTS.

5a) The **SMAB** may appoint a **Technical Advisory Committee (TAC)** to advise it composed of staff and consulting engineers from the participating entities who have appropriate technical expertise.

5b) The **County Commission** hereby directs the Department of Public Works and the Metropolitan Area Planning Department (MAPD) to provide staff support to the **SMAB** and the **TAC**.

Section 6. TERM OF OFFICE. Advisory Board members shall assume membership upon appointment to their positions of office, and shall serve thereon as long as they hold their said respective positions. Advisory Board members appointed by individual commissioners shall serve at the pleasure of the commissioner and those appointed by each entity shall serve at the pleasure of that entity.

In event the commissioner nominating the appointment of said member leaves office for any reason, said term shall expire, except that a member so appointed may continue to serve until a successor has been duly appointed. A vacancy shall be filled in the same manner as the original appointment.

Section 7. MEETINGS, OFFICERS, RECORDS. The **SMAB** shall elect one member as its Chair, and one member as its Vice-Chair. The terms of office of the Chair and Vice-Chair shall be for one year. The Director of the MAPD shall serve as Secretary of the **SMAB**. The **SMAB** shall convene for its regular meetings at the location designated by the Chair. The Chair may call special meetings, in which case all **SMAB** members shall be notified. The Secretary shall cause a proper record to be kept of all proceedings of the **SMAB**, and minutes of the meetings shall be provided to the Sedgwick County Board of County Commissioners.

Section 8. Effective Date. This resolution shall become effective upon its passage and publication once in the Official County Newspaper.

Commissioners present and voting were:

DAVID M. UNRUH	<i>Aye</i>
TIM R. NORTON	<i>Aye</i>
THOMAS G. WINTERS	<i>Aye</i>
KELLY PARKS	<i>Aye</i>
GWEN WELSHIMER	<i>Aye</i>

DATED this 21 day of April, 2007



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Don Brace
 for DON BRACE, County Clerk

David M. Unruh
 DAVID M. UNRUH, CHAIRMAN
 First District

Thomas G. Winters
 THOMAS G. WINTERS, CHAIR PRO TEM
 Third District

APPROVED AS TO FORM:

Robert W. Parnacott
 ROBERT W. PARNACOTT,
 Assistant County Counselor

Tim R. Norton
 TIM R. NORTON, Commissioner
 Second District

Kelly Parks
 KELLY PARKS, Commissioner
 Fourth District

Gwen Welshimer
 GWEN WELSHIMER, Commissioner
 Fifth District