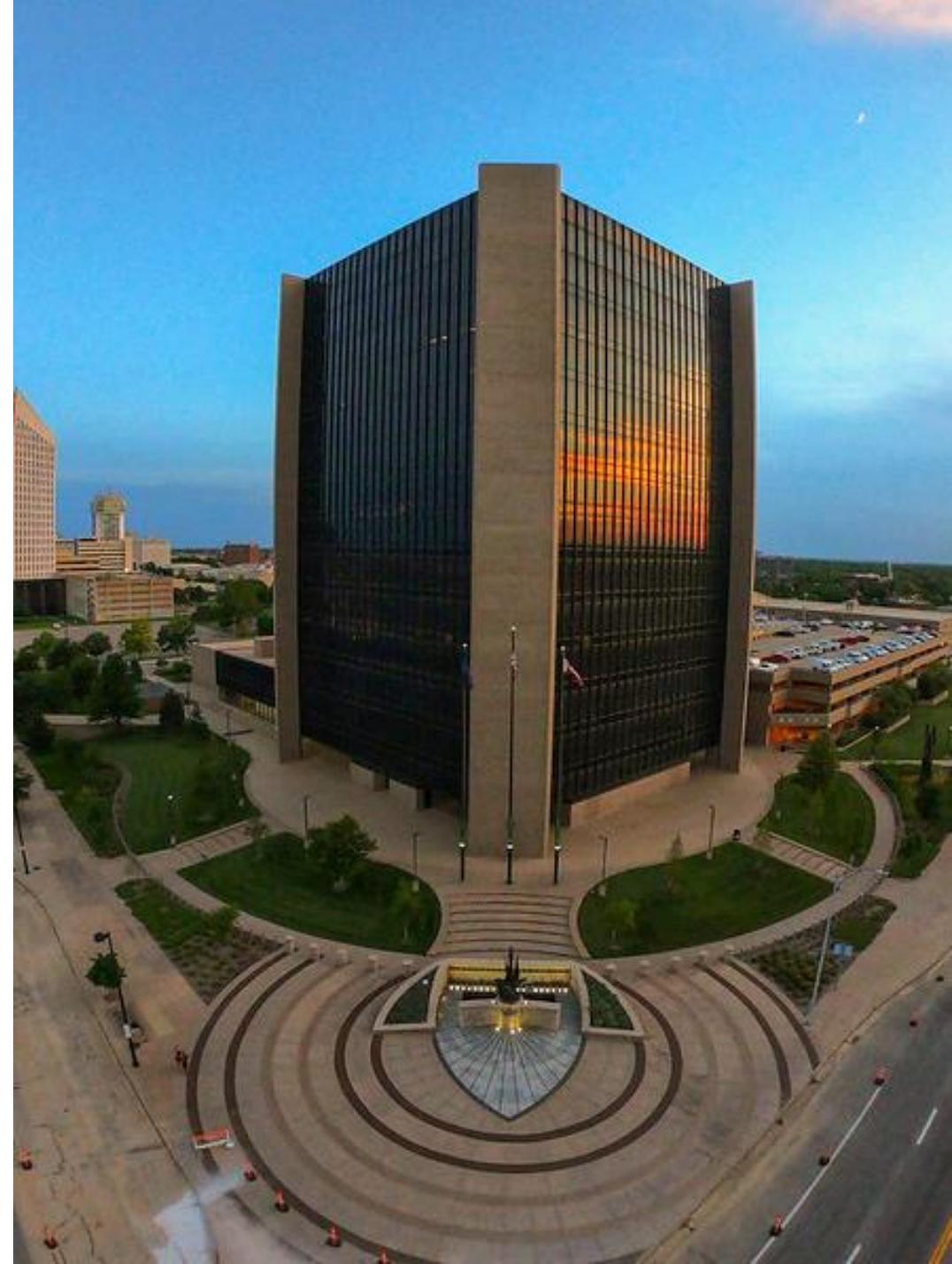


Charter Ordinance for Exemptions from Provisions of K.S.A. 13- 1209 & K.S.A. 13-1210



Law Department

September 8, 2020



Background



- In 2005, Wichita and Maize agreed that Wichita would be able to construct sewer improvements in a specified area inside the Maize boundaries.
- The Governing Body also approved Wichita Charter Ordinance No. 201, creating authority for Wichita to finance the sewer improvements with special assessments on the benefitted property within the Maize boundaries.



Background Continued



- In 2009, both cities approved an addendum to the 2005 agreement, allowing Wichita to construct water improvements in the area covered by the agreement.
- At the time, no action was taken to provide authority to finance the water improvements with special assessments on land within the Maize boundaries.



Charter Ordinance chartering from K.S.A. 13-1209 and 13-1210



- By passing a the Charter Ordinance the City of Wichita can create authority to allow assessments within the Maize boundaries for the cost of the water improvements made under the agreement between the two cities.
- Will require an affirmative vote of five City Council members, and will not become valid until 61 days after its final publication.
- If a petition is filed with the City Clerk within the 60 days and signed by 10% of the number of voters who voted in the last City election, the ordinance must be placed on the ballot for approval.



Financial Consideration



- Will allow the City of Wichita to finance water improvements made under the agreement in substantially the same manner as sewer improvements, so that the cost can be assessed against the benefitting property, rather than paid from bonds backed by Utility revenues.
- If a valid protest petition is filed, the City of Wichita would be responsible for any costs of the Special Election.



Legal Consideration



- The Charter Ordinance has been prepared by the City's Bond Counsel and has been reviewed and approved as to form by the Law Department.



Recommendation



- It is recommended that the City Council place the Charter Ordinance on the first reading and authorize the necessary signatures.



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Law Department

