BYLAWS OF

WICHITA SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

ARTICLE I

PURPOSE AND ORGANIZATION

SECTION 1. The purpose of the Wichita Sedgwick County Metropolitan Area Planning Commission (hereinafter "Commission") shall be those set forth in the Joint Ordinance Resolution of the two Governing Bodies, and as set forth as Ordinance No. 50-313 and Resolution No. 127-2016, and an agreement recorded November 17, 2016, between the Board of County Commissioners of Sedgwick County and the City of Wichita, and those powers and duties delegated to the Commission by K.S.A. 12-741 et seq.

ARTICLE II

POWERS AND DUTIES OF THE COMMISSION

SECTION 1. Powers. That said Commission, as herein specified, shall be vested with the following powers and authority, to wit:

The Commission shall have such power and duties as may be prescribed by law from time to time, including but not limited to those responsibilities in K.S.A. 12-741 et seq., as amended, and any local ordinances and resolutions. As a primary function, the Commission shall have the responsibility for the preparation, adoption, recommendation and maintenance of a long-range comprehensive plan, pursuant to K.S.A. 12-747 et seq., as amended.

SECTION 2. Actions. In all formal matters, said Commission shall act by motion, unless a resolution is required by law or governmental regulations. All notices required by law to be given by publication shall be published in the official City or County paper as may be appropriate.

SECTION 3. Oath. Before entering upon the duties of the office, the members of said Commission shall subscribe to an oath of office, if required by the Governing Body appointing them.

SECTION 4. Seal. The Commission shall maintain a seal, and the same have the word "Seal" in the center thereof, and the words "Wichita Sedgwick County Metropolitan Area Planning Commission Kansas," in or around the outer circle.

ARTICLE III

MEETINGS OF THE COMMISSION

SECTION 1. Regular Meetings. Regular meetings of the Commission generally shall be held on the Thursdays of the 2nd and 4th full weeks of each month, in accordance with a schedule of meeting dates approved by the Commission each year. When the date of a regular meeting comes on a legal holiday, the Commission may designate another date for the next regular meeting. Unless otherwise publicly announced by the Chairman, all meetings shall be held in the Metropolitan Area Planning Commission Meeting Room, 2nd floor, The Ronald Reagan Building, 271 West Third Street, Wichita, Kansas, beginning at 1:30 p.m., provided the Commission may adopt another hour, date and place of holding its meeting by majority vote. Any such change shall be given wide publicity for the convenience of persons having business before the Commission.

SECTION 2. The Secretary or other authorized officer shall prepare an agenda of all matters to come before the Commission and furnish the same to the Commission members no later than the Monday preceding the next regular meeting. A copy of the agenda shall also be furnished to the governing bodies, their managers, and the news media. Any member of the Commission may cause matters to be placed on the agenda by advising the Secretary no later than 12 o'clock noon on the Wednesday preceding the next regular meeting. Off agenda items may be considered with the approval of a majority of the members present.

SECTION 3. Special Meetings. Special meetings may be called by the Chairman (or in his or her absence by the Vice Chairman) for whatever time and purpose determined. In the event a special meeting is called, notice as to time, date, place and reason for the meeting shall be given to all the members, the City Manager of the City of Wichita, the Chairman of the Board of Sedgwick County Commissioners, and the media, at least 24 hours before the meeting. Any such notice to each member of the Commission shall be by mail or personal service by the Secretary or the Secretary's representative, at the address given to the Secretary by such member. Announcement of a special meeting at a regular meeting shall constitute notice to those members present. Members not present, the City Manager of the City of Wichita and the Chairman of Board of Sedgwick County Commissioners shall be notified by the Secretary.

No matters other than those enumerated in the notice shall be considered at a special meeting.

SECTION 4. Open Meetings. All meetings of the Commission and its Committees shall be open to the public and to attendance by representatives of the news media.

SECTION 5. Recording of Minutes. The Commission shall cause the Secretary to keep and maintain complete records of all matters coming before the Commission. The Secretary shall also prepare and maintain permanent minutes to be kept in a binder available for public view and use during normal business hours. Permanent copies of minutes shall not be removed from the Office of the Secretary of the Commission except by order of the courts.

Copies of the minutes of the Commission shall be furnished to all persons or bodies making request for same to the Secretary. The Secretary may make such charges as are necessary to recover the cost of making such copies.

SECTION 6. Quorum. A quorum of the Commission shall be required to conduct official business. A quorum shall consist of a majority of the members of the Commission appointed and qualified at any given time; provided however, a commissioner who has submitted his/her resignation in writing to the appropriate governing body, the Chairman, Vice-Chairman or Secretary of the Commission, shall not be counted for purposes of the quorum. The affirmative vote of a majority of those members present and voting shall be sufficient for the passage of all motions; except that the adoption of or amendments to the long-range comprehensive plan, the Unified Zoning Code text, and the Subdivision Regulations shall require a majority of all members. In the absence of a quorum at any meeting, the presiding officer may adjourn the meeting to a specific time, date and place, which shall be publicly announced at the meeting.

SECTION 7. Recessed Meetings. Should the business before the Commission not be completed, the Chairman may recess the meeting to a specific time, date and place until the matters on the original agenda are acted on.

SECTION 8. Conduct of Meetings. The Chairman shall preside at all meetings of the Commission, except in his/her absence, disability or vacancy, the Vice Chairman shall preside. In the absence, disability or vacancies of both the Chairman and Vice Chairman, the Secretary shall preside for the purpose of electing an Acting Chairman.

SECTION 9. Parliamentary Procedure. All meetings of the Commission and of its committees shall be conducted in accordance with Robert's Rules of Order except insofar as modified by these bylaws and procedures adopted by the Commission.

a. The Commission may suspend the rules, provided that the motion to suspend the rules take precedence over other prime motions; provided a motion to suspend

the rules shall state the specific purpose and rule to be suspended; provided that no motion to suspend the rules shall be considered approved unless the length of time suspension will be in effect has been specified; provided that the motion to suspend the rules shall be approved by a majority of the members present; and provided that no suspension of the rules shall be considered permanent.

b. Presentations by the applicant and his/her representative(s) on zoning, subdivision, and vacation items shall be limited to ten minutes at the beginning of the hearing on that item, plus an additional two minutes for rebuttal at the end of the hearing. Presentations by other members of the audience shall be limited to three minutes. The time for presentations may be extended by up to two minutes by the Chairman and may be further extended by the Commission by majority vote. Prerecorded audio-visual presentations shall be included in the time limit of each speaker. All written and visual materials (or copies) used as part of a presentation to the Commission at the hearing shall be retained by the Secretary as part of the official record for that item. Debate from the floor (audience) on any matter may be limited at the discretion of the presiding officer when in his/her opinion such debate is repetitious, contains statements impinging the character, integrity or actions of the Commission or any Commissioner without support of such allegations, or when the course of business due to the number of matters to be considered and/or number of people requesting to be heard will not permit further debate. Each member of the Commission may speak to an issue as many times as may be desired.

c. Any member remaining silent on a vote shall be considered to have voted in the affirmative. The Chairman shall grant permission upon request for any member to refrain from participating in the discussion and voting on an item when said member advises the Chairman of matters arising under the provisions of Section 10.b pertaining to that item. Such member shall be recorded as abstaining on the vote but shall be counted for the purposes of determining a quorum.

SECTION 10. Conflict of Interest and Ethical Considerations.

a. Members shall not assist or represent applicants on zoning, subdivision, or vacation applications in the presence of the Commission. Members may appear and speak before the Commission under the provisions of subsection b. where the member owns property or is a prospective purchaser of property included in an application or the member owns property in the statutory notification area of an application.

b. A member shall not participate or vote on an issue before the Commission if:

1. the member has a substantial interest on a particular issue as defined by state law;

2. the member has expressed an individual opinion on the determination of a quasi-judicial matter or otherwise expressed himself or herself in a way that infers an opinion has been formed prior to the Commission's hearing on the matter;

3. the member owns property or is a prospective purchaser of property included in any application, or

4. the member owns property in the statutory notification area.

c. Members shall not make presentations to either governing body on a quasi-judicial item prior to the resolution of that item by the governing body, unless the member has abstained from participation on that item or the member has been designated by the Commission to make a presentation.

d. Prior to any motion on an application, Commissioners shall disclose the nature of any ex parte contacts and of any information obtained through those contacts that may have a bearing on their decisions.

ARTICLE IV

ORGANIZATION

SECTION 1. Officers. Officers of the Commission shall be the Chairman, Vice Chairman, and Secretary. The Chairman and Vice-Chairman shall be elected at the first meeting in September and shall serve for a term of one year. The Chairman and Vice Chairman shall be members of the Commission. The Secretary shall be the Director of the Metropolitan Area Planning Department or his/her designee.

The Chairman shall not succeed himself or herself the following year. The Chairman shall rotate between a City and County appointee each year.

The Chairman shall conduct all meetings and business, sign resolutions, subdivision plats, and other official papers and documents.

The Vice Chairman shall act in the manner and capacity as the Chairman in the absence of the Chairman.

The Secretary shall conduct all the business for the Commission as directed and set forth by these bylaws. The Secretary is hereby designated to act as the

"responsible agent" for the Commission in handling all Federal, State and local contracts and agreements. The Secretary or a designated appointee shall present Commission actions and recommendations to the governing bodies. The Secretary of the Commission shall, when required by law, authenticate by the seal of the Commission and the signature of the Secretary, the signature of the Chairman.

SECTION 2. Committees (Standing). The Chairman shall, within 30 days of his/her election, appoint from the Commission membership the following committees for a one year term:

SUBDIVISION COMMITTEE. Shall be comprised of six members, three from among the City appointed members and three from among the County appointed members, and shall recommend action to the Commission on all matters coming before it for final recommendation (administration of the Subdivision Rules and Regulations; changes thereto; establishing street names; review of vacations, dedications, access control issues and other direct land development issues relating to form and infrastructure) and to approve preliminary plats and authorize preparation of final plats.

ADVANCE PLANS COMMITTEE. Shall be comprised of six members, three from among the City appointed members and three from among the County appointed members, plus the Vice Chairman and shall provide guidance to staff in developing, formulating and considering projections, forecasts, goals and objectives, proposals, plans and policies that affect the long term physical, social and economic character of the planning area.

QUAD COUNTY PLANNING FORUM. Shall be comprised of one member who is recommended by the Chairman and appointed by the Sedgwick County Board of Commissioners. That member shall meet quarterly with elected officials representing Sedgwick, Harvey, Butler and Reno Counties to discuss planning and legislative issues of common interest.

SECTION 3. Committees (ad hoc). The Chairman with the consent of the Commission, may appoint ad hoc committees as may be needed to assist in the business of the Commission. The membership of such Committee(s) may include, or be all non-commission members. All such committees shall be provided a formal charge and shall report to the Commission its findings and recommendations, unless otherwise directed.

SECTION 4. Committees (general rules). The Chairman shall designate the Chairman for each committee appointed. The Chairman shall appoint at least one member to each committee who has not served on the same committee the previous year. No Committee Chairman shall succeed themselves the following year. Any member present shall constitute a quorum and may conduct such business when that

committee's action and recommendations are submitted to the Commission. Support material shall be furnished only to committee members unless specifically requested by other Commission members. Any Commission member may sit with the other committee members, but only appointed committee members may vote.

ARTICLE V

AMENDMENTS TO BYLAWS

SECTION 1. The Commission may, by a two thirds majority vote thereof, amend these bylaws or any provisions or sections thereof at any time when the same is not in conflict or in contravention of any of the laws of the State of Kansas or ordinances applicable thereto. Provided, however, that notices of the proposed amendments be furnished by the Secretary to the Commission members not less than five (5) days prior to the meeting at which said amendments are to be considered. A copy of the bylaws will be filed with the Office of the City Clerk of the City of Wichita and the Office of the County Clerk of Sedgwick County.

The above and foregoing bylaws are hereby adopted as the bylaws of the Wichita Sedgwick County Metropolitan Area Planning Commission.

Dated this 9th day of March, 2017.

Chairman, David W. Foster

ATTEST:

Secretary, Dale Miller