

R# 228-1993

FIRST PUBLISHED IN THE DAILY REPORTER ON JANUARY 19, 1994

RESOLUTION NO. 228-1993

ORDINANCE NO. 42-252

JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AND ORDINANCE OF THE CITY OF WICHITA, KANSAS, PROVIDING FOR THE CONTINUATION OF THE WICHITA-SEDGWICK COUNTY EMERGENCY COMMUNICATIONS ADVISORY BOARD; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTMENT OF ITS MEMBERS, ITS POWERS AND DUTIES; PROVIDING FOR THE PAYMENT OF THE EXPENSE OF ITS OPERATIONS; AND PROVIDING FOR THE CONTINUATION OF AN EMERGENCY COMMUNICATIONS DEPARTMENT AND REPEALING THE ORIGINALS OF SECTIONS 2.12.1067, 2.12.1068, 2.12.1069, 2.12.1070, 2.12.1071, 2.12.1072, 2.12.1073, 2.12.1074, 2.12.1075, 2.12.1076, AND 2.12.1077 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

WHEREAS, on the 5th day of January, 1977, the Board of County Commissioners and on the 18th day of January, 1977, the governing body of the City of Wichita adopted a joint resolution and ordinance establishing a Wichita-Sedgwick County Emergency Communications Advisory Board and Wichita-Sedgwick County Emergency Communications Department for a period of 10 years; and

WHEREAS, on the 5th day of May, 1987, the Board of County Commissioners of Sedgwick County, Kansas, and the governing body of the City of Wichita, Kansas adopted a joint resolution and ordinance continuing the joint operation of the communications facilities; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, and the governing body of the City of Wichita now desire to modify and amend their agreement regarding the joint operation of the communications facilities.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, being assembled in regular session in its office in the County Courthouse in Wichita, Kansas, this 22nd day of December, 1993, and

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS,
this 11th day of January, 1994,

SECTION 1. The City Council of the City of Wichita, Kansas and the Board of County Commissioners of Sedgwick County, Kansas, agree to continue consolidation of their emergency communications as authorized by K.S.A. 12-2908.

SECTION 2. **Advisory Board Created.** There is created the Wichita-Sedgwick County Emergency Communications Advisory Board.

SECTION 3. **Same - Membership and Term of Office.** The Wichita-Sedgwick County Emergency Communications Advisory Board shall consist of the Sedgwick County Sheriff, the Sedgwick County Fire Chief, the Sedgwick County Director of Emergency Medical Services, the Sedgwick County Director of Disaster Management, the Chief of the Wichita Police Department and the Chief of the Wichita Fire Department. In addition, the County and the City Managers may each name a representative to this Board. The members of the Wichita-Sedgwick County Emergency Communications Advisory Board shall assume membership upon appointment or election to their respective positions. They will serve on the Emergency Communications Advisory Board as long as they hold their respective elected office or appointed position.

SECTION 4. **Same - Meetings, Officers, Recordkeeping.** The Wichita-Sedgwick County Emergency Communications Advisory Board shall convene for its meetings at such time and place as shall be fixed by the President of the Wichita-Sedgwick County Emergency Communications Advisory Board. The Wichita-Sedgwick County Emergency Communications Advisory Board shall elect one member as its president, one member as its first vice-president, and one member as its second vice-president. The terms of the president

and vice-presidents shall be for one year. The Director of the Emergency Communications Department will act as staff to the Advisory Board and serve in an ex officio capacity on the Advisory Board. The Director of Emergency Communications shall cause a proper record to be kept of all proceedings of the Emergency Communications Advisory Board.

SECTION 5. Same - Responsibilities Generally - Budget. The Emergency Communications Advisory Board shall be responsible for determining operational policies and procedures of the Emergency Communications Department and making recommendations on same to the Sedgwick County Manager for implementation. Annually, the Emergency Communications Advisory Board shall develop, along with the Director of Emergency Communications, an operating budget and recommend the same to the County Manager who will submit it for approval to the Board of County Commissioners. A copy of the proposed budget will be provided to the City via the City Manager's office.

SECTION 6. Same - Organization, Functions, Administrative Responsibility and Location of Operations. The Sedgwick County Manager will select a Director of Emergency Communications for the day-to-day operations of the Emergency Communications Department. The Emergency Communications Advisory Board may participate in the recruitment process if requested to do so by the County Manager. The Department of Emergency Communications upon the effective date of this agreement, and so long as it remains in effect, will continue to provide emergency communications for all County emergency communications as well as City police and fire at the same or higher level than existed at the effective date of this agreement. No charge shall be made to the City of Wichita for the provision

of such communication services unless and until (A) the Sedgwick County Manager shall have first consulted with the City of Wichita and with all other users of the emergency communications service herein described and (B) the service charge shall apply to all users of such service. The Department of Emergency Communications will continue to physically be located in the basement of the Sedgwick County Courthouse, but it may be moved to another location at the discretion of the Sedgwick County Manager so long as the moving costs are not charged to the City of Wichita. The administrative responsibility of the operation and employment of consolidated operating personnel of the Department of Emergency Communications is assigned to the County Manager of Sedgwick County. Upon request, administrative reports shall be provided to the City of Wichita.

SECTION 7. Same - Budget Requirements. On or before the first day of May of each year, the Emergency Communications Department shall submit to the Board of County Commissioners of Sedgwick County a budget of income and expenditures for the ensuing fiscal year. This budget shall be submitted for review and comment. After such review and comment, such budget shall be considered by the Board of County Commissioners, and such budget as may be submitted, or as the same may be amended, shall be approved and adopted by the Board of County Commissioners.

SECTION 8. Emergency Communications Department. The operation of the Emergency Communications Department, established January 1, 1977, is hereby continued except as modified by this agreement. The director of such department shall be appointed by the Sedgwick County Manager as herein provided for, and shall serve at the pleasure of the County Manager. The Director of Emergency Communications shall serve in the capacity of a

department head, and shall exercise day-to-day supervision over all subordinate employees within the department, who shall be appointed in accordance with, and be subject to, the provisions of the administrative code and personnel manual of the County. It shall be the responsibility of County Personnel Services to make such examinations, conduct such tests, obtain such records, and generally supervise the personnel recruitment efforts of the Emergency Communications Department as may reasonably be necessary in accordance with the general personnel practices and procedures of the County.

SECTION 9. ^{2.12.1974.1} **Same - Personnel.** On the effective date of this agreement all employees of the Department of Emergency Communications on such date shall become employees of Sedgwick County. These employees shall have such salary and benefits as shall be agreed upon in writing by the City Manager and County Manager by December 1, 1993, for implementation on January 1, 1994.

SECTION 10. **Same - Equipment.** All equipment presently utilized in emergency communications will be assigned to Sedgwick County which shall be solely responsible for providing all necessary space for use by the Emergency Communications Department. Title to all new equipment or real estate acquired by the Department of Emergency Communications shall be in Sedgwick County and shall be financed by Sedgwick County. Upon termination of this agreement, all equipment and real estate acquired or purchased for the Department of Emergency Communications on or prior to December 31, 1993 will be returned to the City and the County on the basis of seventy-three percent to the City and twenty-seven percent to the County; however, all equipment, personal property and real property acquired or

purchased for said Department on or after January 1, 1994 will become and remain the sole property of Sedgwick County. During the pendency of this Agreement, Sedgwick County shall have authority to sell, trade or otherwise dispose of any equipment, personal property or real property which, in the sole discretion of the County, is surplus or obsolete property; and the proceeds of such sale, trade or disposition shall become the sole property of Sedgwick County.

SECTION 11. Duration of Agreement. The term of this agreement shall be for one year commencing January 1, 1994. On December 31, 1994, and on each December 31 thereafter, this agreement shall automatically renew for another yearly term unless either the Board of Sedgwick County Commissioners or City Council of the City of Wichita, Kansas, shall terminate the agreement. Termination by either party, to be effective, must be in writing and provided to the other party prior to January 1st of the final year in which this agreement is to remain in effect.

SECTION 12. The originals of Sections 2.12.1067, 2.12.1068, 2.12.1069, 2.12.1070, 2.12.1071, 2.12.1072, 2.12.1073, 2.12.1074, 2.12.1075, 2.12.1076, and 2.12.1077 of the Code of the City of Wichita, Kansas, are hereby repealed.

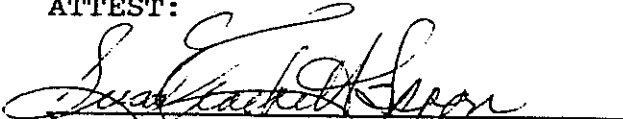
SECTION 13. Agreement and Effective Dates. This joint resolution and ordinance shall constitute an agreement between the City of Wichita and Sedgwick County and will take effect January 1, 1994, upon compliance with K.S.A. 12-2908 et seq. and its publication once in the official city and county newspaper. A fully executed and attested copy shall be filed with the County Clerk of Sedgwick County and the City Clerk of the City of Wichita.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS,
this 22nd day of December, 1993.

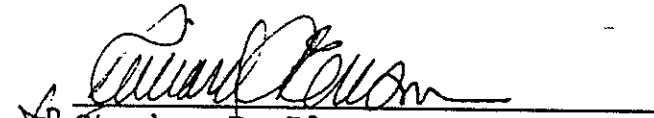


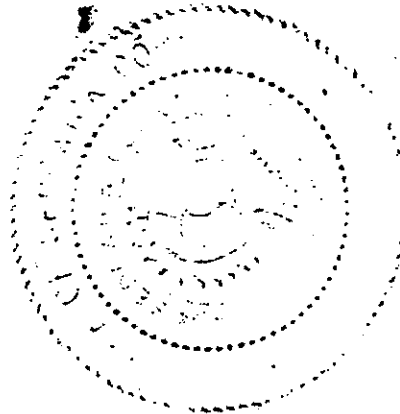
Mark F. Schroeder, Chairman

ATTEST:

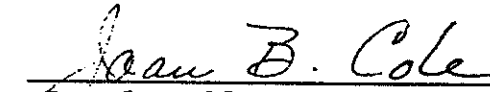

Susan E. Crockett-Spoon
County Clerk

Approved as to Form:


for Stephen B. Plummer
County Counselor



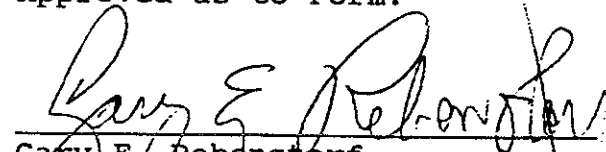
ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS,
this 11th day of January, 1994.


Joan B. Cole, Vice Mayor

ATTEST:


Pat Burnett
Deputy City Clerk

Approved as to Form:


Gary E. Rebenstorf
Director of Law

