

RESOLUTION NO. _____

**A RESOLUTION OF SEDGWICK COUNTY GRANTING THE CHAIRMAN OF THE
COUNTY COMMISSION AUTHORITY TO PROVIDE NOTICE TO THE SEDGWICK
COUNTY ZOOLOGICAL SOCIETY, INC. OF ITS INTENT TO TERMINATE
FUNDING AGREEMENT**

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, entered into a "Funding Agreement" with the Sedgwick County Zoological Society, Inc. ("Society") on the 11th day of September, 2013, to provide certain levels of funding to Society for the years 2014, 2015, 2016, 2017, and 2018; and

WHEREAS, the Board of County Commissioners and Society amended said Agreement on the 13th day of May, 2015 ("Amendment to Funding Agreement"), and amended it again on the 12th day of August, 2015 ("Second Amendment to Funding Agreement") in order to change the date of notice of termination pursuant to paragraph 9 of said Agreement; and

WHEREAS, the "Second Amendment to Funding Agreement" allowed either party to terminate the funding agreement by giving notice to the other party by December 1, of any year, which termination shall be effective the following January 1; and

WHEREAS, the Board of County Commissioners and the Society wish to continue discussions began during the 2016 budget process regarding future funding and operations for the Sedgwick County Zoo, and acknowledge that there is insufficient time to complete those discussions before December 1, 2015; and

WHEREAS, the Board of County Commissioners and Society are favorably disposed to terminating the funding agreement to allow more time to continue working toward a mutually agreeable funding agreement that provides adequate funding for the Sedgwick County Zoo; and

WHEREAS, the Board of County Commissioners and Society understand that \$5,617,889 budgeted for 2016 is fully allocated for personnel, to be used for salary and benefits for County employees at the Sedgwick County Zoo; and

WHEREAS, the Board of County Commissioners and Society understand that for 2016 \$150,000 will be held in the Board of County Commissioners Contingency Fund, contingent upon the Board of County Commissioners and Society reaching agreement on a new funding and operating agreement; and

WHEREAS, the Board of County Commissioners desires to terminate the "Funding Agreement" and provide the necessary notice pursuant to the "Second Amendment to Funding Agreement" dated August 12, 2015, by authorizing the Chairman of the County Commission to send written notice to Society of said intent; and

WHEREAS, attached to this resolution is a letter to be signed by the Chairman of the Sedgwick County Commission and delivered to Society prior to December 1, 2015, pursuant to the termination provision as contained in the August 12, 2015 "Second Amendment to Funding Agreement" and the notice provision contained in paragraph 25 of the Operating Agreement dated October 19, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that the following be adopted:

1. That the Board of County Commissioners of Sedgwick County, Kansas, hereby authorizes the Chairman to sign the letter as attached to this resolution and directs that said letter be delivered to Society no later than December 1, 2015, providing notice to Society of Sedgwick County's intent to terminate the Funding Agreement dated September 11, 2013, and as amended by the May 13, 2015 "Amendment to Funding Agreement" and the August 12, 2015 "Second Amendment to Funding Agreement."

Commissioners present and voting were:

DAVID M. UNRUH	_____
TIM R. NORTON	_____
KARL PETERJOHN	_____
RICHARD RANZAU	_____
JAMES M. HOWELL	_____

Dated this _____ day of _____, 2015.

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BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

RICHARD RANZAU, Chairman
Commissioner, Fourth District

KARL PETERJOHN, Chair Pro Tem
Commissioner, Third District

APPROVED AS TO FORM:



PATRICIA J. PARKER
Assistant County Counselor

DAVID M. UNRUH
Commissioner, First District

TIM R. NORTON
Commissioner, Second District

JAMES M. HOWELL
Commissioner, Fifth District