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Sedgwick County

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Legislation Details (With Text)

File #: 15-0767 **Version:** 1 **Name:**
Type: Resolution **Status:** New Business
File created: 11/6/2015 **In control:** Board of Sedgwick County Commissioners
On agenda: 11/18/2015 **Final action:** 11/18/2015
Title: ISLAND ANNEXATION REQUEST FOR CITY OF CLEARWATER PURSUANT TO CITY OF CLEARWATER RESOLUTION NO. 13-2015.
Presented by: Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Make the required statutory finding as set out below and direct the County Counselor to prepare an appropriate resolution to be placed on the next available consent agenda for approval and signature by the chair.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Clearwater Island Annexation Resolution 2015 File Stamped by Clerk, 2. DER2015-00008 Clearwater island annexation, 3. Resolution for Clearwater Island Annexation, 4. annex_CL_13-2015

Date	Ver.	Action By	Action	Result
11/18/2015	1	Board of Sedgwick County Commissioners	Passed	Pass

ISLAND ANNEXATION REQUEST FOR CITY OF CLEARWATER PURSUANT TO CITY OF CLEARWATER RESOLUTION NO. 13-2015.

Presented by: Justin Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Make the required statutory finding as set out below and direct the County Counselor to prepare an appropriate resolution to be placed on the next available consent agenda for approval and signature by the chair.

The City of Clearwater has adopted a resolution pursuant to K.S.A. 12-520c that requests the Sedgwick County Board of County Commissioners make a finding (via at least a 2/3 vote) that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County. Island annexations are done at the request or with the consent of the landowners whose land is being annexed. The area requested for annexation is generally located north of Clearwater, on 79th St. S. west of 135th St. W.

MAPD staff has reviewed the proposed annexation and recommends approving the annexation and finding that the annexation will not hinder or prevent the proper growth and development of the area or of any other city.

Alternatives:

A. Make a finding (with a 2/3 vote) that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and therefore approve annexation request.

B. Make a finding (with a simple majority vote) that the proposed annexation will either hinder or prevent the proper growth and development of the area; or that it would hinder or prevent the proper growth and development of any other city; or both, and therefore deny annexation request.

Financial Considerations: None.

Legal Considerations: County Resolution No. 109-2012 provides that following a finding by the Board of County Commissioners, a resolution is prepared, submitted to the Board for approval, and then after approval, the resolution is sent to the City. Pursuant to K.S.A. 12-520c, approval of the resolution will require a 2/3 vote by the Board of County Commissioners such that they would make a finding that the annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County.

Policy Considerations: None.