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ORDINANCE NO. 51-626

AN ORDINANCE AMENDING SECTION 2.12.010 AND CREATING SECTIONS 2.12.660, 2.12.661, 2.12.662, 2.12.663, 2.12.664 2.12.665 AND 2.12.666 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE WICHITA SUSTAINABILITY INTEGRATION BOARD.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 2.12.010 of the Code of the City of Wichita is hereby amended to read as follows:

**“Policies for boards and commissions—Minimum standards of conduct and qualifications of appointive members of boards and commissions.**

The following rules and regulations shall govern the qualifications and conduct of members appointed to the regulatory and advisory boards and commissions of the City, except as provided hereinafter:

1. All persons appointed to any board or commission shall be residents of the city or shall reside within the territory subject to the jurisdiction of the respective board or commission, except in the case of members of the technical boards hereafter identified. Persons appointed to the board of electrical appeals, the board of code standards and appeals, the board of appeals of air conditioning, refrigeration and warm air heating, the board of appeals of plumbers and gas fitters, or the

successors thereof, shall not be subject to residency requirements, provided that non-residents shall not make up more than two members less than a quorum of any such technical board, and provided further, that any non-resident member shall maintain a city-issued certificate or license pertaining to a trade covered by the board on which the non-member serves.

2. No person regularly employed on a full-time basis by the City shall be appointed to any board or commission except in the case of members of the personnel advisory board and the employee retirement board.
3. No member of the immediate family of any member of the city council shall be appointed to a City board or commission.
4. Except as otherwise provided, no person shall be appointed for service as a member of more than one board or commission of the City at the same time; provided, that persons selected to serve on the citizens advisory committee for the workable program for community improvement and members of the Wichita Sustainability Integration Board ~~the~~ shall be exempt from the provisions of this subsection.
5. No person shall be appointed to any board or commission who has served for eight consecutive years on such same board or commission unless two years have elapsed since the last service. Provided, that service prior to July 1, 1987, shall not be counted in determining eligibility for appointment under this provision.
6. Except when otherwise required by statute, as nearly as practicable, fifty percent of all members of City boards and commissions shall be public members whose

business or professions are not related directly to the affairs conducted by the board or commission to which such persons are appointed.

7. Voting. All City boards and commissions shall discharge the responsibility of their appointive office and shall vote on all matters coming before the board or commission, except in those particular cases of conflict of interest approved by the presiding officer, in which case a member may request permission and may be authorized to pass his vote. Unless a member of the board or commission votes audibly to the contrary, or unless a member of the board or commission is granted permission by the presiding officer to pass his vote on a particular matter, his silence in voting shall be recorded as an affirmative vote.
8. Conflict of Interest. Each board or commission member of the city shall refrain from violating any of the statutes of the state (K.S.A. 75-4301, *et seq.*) which regulate conflicts of interest of public officers and employees, where such statutes are applicable to the board or commission members.
9. Public Participation. It is the policy of the city to allow public participation on items coming before each board and commission in open meeting. Following the presentation of each item on the agenda, the matter shall be opened for discussion from the floor by members of the public. Each public member shall be subject to a limitation of five minutes for each presentation unless extended by a vote of the majority of the board or commission. The presiding officer shall have the discretion to reasonably limit public comment where such presentation is exercised in a dilatory manner, is unduly repetitious or is not pertinent to the agenda item. Such time standards shall not be construed to restrict public

discussion or hearings where otherwise controlled by ordinance or state or federal law. Rules of decorum as provided in this Code for members of the public before the City Council shall be observed where appropriate. Any members of the public shall be allowed to submit items for the agenda, except for items pertaining to personnel, litigation, and other matters subject to executive session. Members of the public desiring to so present matters to the board or commission shall submit a request in writing stating the name of the individual(s) desiring to be heard and the matter to be presented, which request shall be submitted in the time and matter provided by such board or commission for placing items on its agenda. Items for the agenda unusually detailed or complicated, thus requiring more than five minutes for presentation, may be presented in writing prior to the meeting to allow for duplication and distribution to the board or commission.”

SECTION 2. Section 2.12.660 of the Code of the City of Wichita is hereby created to read as follows:

**“Establishment of the Wichita Sustainability Integration Board.**

The Wichita Sustainability Integration Board is hereby established.”

SECTION 3. Section 2.12.661 of the Code of the City of Wichita is hereby created to read as follows:

**“Purpose of Wichita Sustainability Integration Board.**

The purpose of the Wichita Sustainability Integration Board is to advise the City Council and City staff on sustainability matters affecting the City’s long-term livability and economic vitality. The Board will collaborate with residents, schools, businesses and other partners to advance the City’s environmental goals, including:

1. Economic opportunities and energy use practices that optimize financial, health and environmental benefits, including demand reduction, energy efficiency, building and vehicle efficiency, emissions reduction, energy transition, public and active transportation, and renewable energy expansion.
2. Climate resiliency planning including resource conservation, air and water quality, transportation, land management, education, food systems and quality of life.
3. Waste and material management practices that optimize financial, health and environmental benefits, including waste reduction, recycling, composting and procurement policy.
4. Community outreach initiatives that help to educate residents and businesses on sustainability initiatives that enhance the quality of life in Wichita.
5. Affordability and resiliency of all services vital to quality of life.”

SECTION 4. Section 2.12.662 of the Code of the City of Wichita is hereby created to read as follows:

**“Duties of Wichita Sustainability Integration Board.**

The duties of the Wichita Sustainability Integration Board shall include, but not be limited to, the following:

1. Act in the interest of sustainable practices, recognizing all three aspects of sustainability, including environmental stewardship, social responsibility and economic development.
2. Make advisory policy recommendations to the City Council on environmental issues such as air quality, water quality, and resource conservation to protect the natural environment.

3. Advise the City Council, any other boards and commissions, and City staff in assessing the environmental impact of proposed undertakings, including physical projects as well as policy changes, that fall in part or in total under the City's jurisdiction.
4. Recommend to the City Council additional environmental policy provisions and ordinances for enactment, as well as actions and programs that will maintain or improve environmental quality and conservation of natural resources.
5. Request that the City Council authorize studies on matters pertaining to environmental quality and natural resources and recommend, when necessary, the employment of professional qualified persons to carry out such studies.
6. Establish educational programs and public forums to engage community residents, schools, businesses, and other institutions about sustainability and environmental issues.
7. Support environmental programs, volunteer opportunities and initiatives in which community residents, schools, and businesses can participate and contribute.
8. Identify and pursue local, regional, state and national programs and grants in support of sustainable practices.
9. Support the City of Wichita Comprehensive Plan and any other adopted long-range plans of the City of Wichita.”

SECTION 5. Section 2.12.663 of the Code of the City of Wichita is hereby created to read as follows:

**“Requirements.**

Individuals must possess the following qualifications to be appointed to the Board:

1. Be a resident of the City of Wichita.
2. Not be employed by the City of Wichita or be the immediate family member of an employee of the City of Wichita.
3. Not be a member of or the immediate family member of the Wichita City Council.
4. Be a citizen of the United States.”

SECTION 6. Section 2.12.664 of the Code of the City of Wichita is hereby created to read as follows:

**“Membership and Term.**

Membership on the Board shall consist of seven (7) residents of the City appointed by the City Council. These members should represent at least one of the following areas of expertise:

1. Business/industry.
2. Climate change and resilience.
3. Economic development.
4. Education.
5. Emergency management.
6. Energy use/conservation.
7. Finance.
8. Food systems.
9. Green building.

10. Local environmental issues.
11. Natural ecosystems.
12. Renewable energy.
13. Transportation.

In addition to the members appointed by the City Council, each of the following boards and commissions shall appoint a representative to the Board. Such member shall have the same duties and responsibilities of the appointed Board members, including the right to vote on matters coming before the board. These committees, boards and commissions include:

1. Bicycle and Pedestrian Advisory Board.
2. Board of Park Commissioners.
3. Diversity, Inclusion and Civil Rights Advisory Board.
4. Mayor's Youth Council.
5. Metropolitan Area Planning Commission.
6. Stormwater Advisory Board.
7. Transit Advisory Board.

The terms of office shall be as set forth in Section 2.12.020(1) of the Code of the City of Wichita. The Director of Public Works & Utilities shall serve as a non-voting ex officio member of the Board.”

SECTION 7. Section 2.12.665 of the Code of the City of Wichita is hereby created to read as follows:

**“Meetings and officers.**

1. The Board shall meet at least once quarterly at the times and places established by the Board. The meetings shall be subject to all applicable provisions of the Kansas

Open Meetings Act, K.S.A. 75-4317, *et seq.* The Board, after notice, may call additional meetings if necessary to address significant or time sensitive issues.

2. On or before July 1 of each year, the Board shall meet and organize its membership by electing a chairperson and vice-chairperson. The terms of such offices shall be for a period not to exceed two years.
3. Notice and minutes of all meetings shall be provided to the City Clerk.
4. The Board shall abide by the Kansas Open Meetings Act, K.S.A. 75-4317, *et seq.*, and the Kansas Open Records Act, K.S.A. 45-215 *et seq.*
5. The Board shall conduct meetings, elect officers and adopt bylaws in accordance with the policies for boards and commissions.
6. The Director of Public Works & Utilities shall provide the necessary staff support to ensure that the Board receives informational support and professional and technical assistance necessary to carry on its duties and conduct its meetings.”

SECTION 8. Section 2.12.666 of the Code of the City of Wichita is hereby created to read as follows:

**“Recommendations of the Board.**

Recommendations of the Board shall be approved by majority vote of the members present and voting. The quorum required for the Board to conduct business shall be the number of members representing at least one-half of the total number of members duly appointed to the Board. The Board may adopt lawful rules, regulations and bylaws consistent with the provisions of this section as it deems necessary for its operation.”

SECTION 9. The original of Section 2.12.010 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 10. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 14th day of September, 2021.

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Brandon J. Whipple, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Jennifer Magaña  
City Attorney and Director of Law