

RESOLUTION NO. 103-2020

Date Adopted: 11/18/2020

Date Published: _____

Effective Date: _____

A RESOLUTION MODIFYING SECTIONS 16-36 AND 16-73 OF THE SEDGWICK COUNTY CODE TO REFLECT REVISIONS TO THE MEMBERSHIPS OF THE COMMUNITY CORRECTIONS ADVISORY BOARD AND THE JUVENILE CORRECTIONS ADVISORY BOARD

WHEREAS, the Board of County Commissioners of Sedgwick County (“County”) created the Sedgwick County Community Corrections Advisory Board by Sedgwick County Resolution No. 119-1980 (subsequently amended by Res. No. 158-2009), as authorized by K.S.A. 75-5297;

WHEREAS, the County created the Sedgwick County Juvenile Corrections Advisory Board by Sedgwick County Resolution No. 7-1999 (subsequently amended by Res. No. 164-2004 and Res. No. 102-2016), as authorized by K.S.A. 75-7044;

WHEREAS, the Sedgwick County Code, adopted by Res. No. 159-1993, delineates the Community Corrections Advisory Board and Juvenile Corrections Advisory Board membership information, including appointing authorities, as enacted in the above referenced resolutions;

WHEREAS, state law pertaining to the Community Corrections Advisory Board membership, K.S.A. 75-5297, and state law pertaining to the Juvenile Corrections Advisory Board membership, K.S.A. 75-7044, provide that “if there are two cities of the first class, the governing body of the larger city of the first class shall appoint two members and the governing body of the smaller city of the first class shall appoint one member;”

WHEREAS, Sedgwick County will soon have two cities of the first class when the City of Derby, Kansas is designated as a city of the first class;

WHEREAS, compliance with the above referenced state laws requires Derby to have authority to appoint a member to each board and requires reducing the City of Wichita appointees on each board from three (3) to two (2); and

WHEREAS, sections 16-36 and 16-73 of the Sedgwick County Code should be revised to reflect the change in membership as required by K.S.A. 75-5297 and K.S.A. 75-7044, effective only upon the City of Derby being designated a city of the first class by the State of Kansas.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AMENDS THE SEDGWICK COUNTY CODE AS FOLLOWS:

SECTION 1. Section 16-36 of the Sedgwick County Code is amended to read as follows:

Sec. 16-36. - Establishment, membership, qualifications.

A community corrections advisory board is hereby established for Sedgwick County, Kansas. The board, pursuant to K.S.A. 75-5297 and amendments thereto, shall consist of thirteen (13) members who shall be representative of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, the social services and the general public, and shall be appointed as follows:

- (1) The sheriff of Sedgwick County, Kansas, or such sheriff's designee;
- (2) The chief of police of the City of Wichita, Kansas, or such chief's designee;
- (3) The district attorney for the Eighteenth Judicial District, or such district attorney's designee;
- (4) The chief judge of the Eighteenth Judicial District, or such judge's designee who is a district court judge;
- (5) An educational professional appointed by the board of county commissioners;
- (6) A court services officer designated by the chief judge of the Eighteenth Judicial District;
- (7) Four (4) at-large members appointed by the board of county commissioners; (8) Two (2) members appointed by the City of Wichita; and
- (9) One (1) member appointed by the City of Derby.

If possible, of the seven (7) members appointed by the board of county commissioners of Sedgwick County and by the cities, such members shall be representative of one (1) or more of the following:

- (a) Parole officers;
- (b) Public or private social service agencies;
- (c) Ex-offenders;
- (d) The health care professions; and
- (e) The general public.

At least two (2) members of the board shall be representative of ethnic minorities and no more than two-thirds (2/3) of the members of the board shall be members of the same sex.

SECTION 2. Section 16-36 of the Sedgwick County Code is amended to read as follows:

Sec. 16-73. - Membership, appointments and qualifications.

(a) The board shall consist of seventeen (17) voting members who shall be representative of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, the social services and the general public.

(b) The board shall consist of the following positions:

- (1) The sheriff of the county, or such sheriff's designee;

- (2) The Chief of Police of the City of Wichita, or such chief's designee;
- (3) The District Attorney for the Eighteenth Judicial District, or such district attorney's designee;
- (4) An appointee of the Administrative Judge of the Eighteenth Judicial District, who is a district court judge assigned to the juvenile court docket;
- (5) An educational professional appointed by the board of county commissioners;
- (6) A court services officer designated by the Administrative Judge of the 18th Judicial District responsible for the juvenile court docket;
- (7) The executive director of the Comprehensive Community Care of Sedgwick County, or such director's designee;
- (8) One (1) member, a juvenile defense attorney, to be selected by the judge of the district court who is assigned the juvenile court docket;
- (9) Six (6) members appointed by the board of county commissioners;
- (10) Two (2) members appointed by the Wichita City Council; and
- (11) One (1) member appointed by the Derby City Council.

(c) If possible, members appointed by the board of county commissioners and the Wichita and Derby City Councils shall be representative of one (1) or more of the following:

- (1) Public or private social service agencies;
- (2) Ex-offenders;
- (3) The health care professions; and
- (4) The general public.

(d) At least two (2) members of the board shall be representative of ethnic minorities and no more than two-thirds (2/3) of the members of the board shall be members of the same gender.

(e) Members appointed pursuant to subsections (b)(1) through (8) shall continue to serve for as long as they hold their respective elective office or employment in the designated profession. Vacancies in the board shall be filled for the unexpired term in the manner that the position was originally filled.

(f) The board of county commissioners may appoint additional ex officio members to the board for such terms as the board of county commissioners shall deem appropriate.

SECTION 3. PUBLICATION and EFFECTIVE DATE.

Upon the adoption of this Resolution, the Sedgwick County Clerk shall publish this Resolution once in the official county newspaper. This Resolution shall take effect on the effective date the city of Derby, Kansas being designated by the Governor of the State of Kansas as a city of the first class or upon publication, whichever occurs later.

Commissioners present and voting were:

PETER F. MEITZNER
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
—
Aye
Aye
Aye

Dated this 18 day of November, 2020.

ATTEST:

[Signature]
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

[Signature]
PETER F. MEITZNER, Chairman
Commissioner, First District

[Signature]
LACEY D. CRUSE, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

[Signature]
KAREN L. POWELL
Deputy County Counselor

MICHAEL B. O'DONNELL, II
Commissioner, Second District

[Signature]
DAVID T. DENNIS
Commissioner, Third District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District