

CITY OF WICHITA ORDINANCE NO. 51-959

SEDGWICK COUNTY RESOLUTION NO. 156-2022

Date Adopted by City of Wichita: October 18, 2022

Date Adopted by Sedgwick County: October 12, 2022

Date Published by City of Wichita: October 21, 2022

**A JOINT CITY ORDINANCE AND COUNTY RESOLUTION
ESTABLISHING THE WICHITA-SEDGWICK COUNTY
FOOD AND FARM COUNCIL**

WHEREAS, the Governing Body of the City of Wichita and the Board of County Commissioners of Sedgwick County, Kansas are empowered to determine their local affairs and government consistent with state law; and

WHEREAS, the Governing Body of the City of Wichita on January 4, 2022, and the Board of County Commissioners of Sedgwick County, Kansas on February 9, 2022, adopted the City of Wichita/Sedgwick County Food System Master Plan; and

WHEREAS, the Governing Body of the City of Wichita and the Board of County Commissioners of Sedgwick County, Kansas desire to establish a single advisory body to the City of Wichita and Sedgwick County to support implementation of the City of Wichita/Sedgwick County Food System Master Plan; to provide a forum for food system collaboration; to compile feedback from food system stakeholders and offer policy recommendations to governing bodies; to support awareness of funding opportunities among food system stakeholders; to ensure representation of traditionally marginalized communities in implementation of the City of Wichita/Sedgwick County Food System Master Plan; and

WHEREAS, the purpose of the Food and Farm Council shall be to support implementation of the City of Wichita/Sedgwick County Food System Master Plan and other matters as authorized by Kansas statute, as amended, the Code of the City of Wichita, as amended, and the Sedgwick County Code, as amended, with the creation and designation of the board to be considered the individual enactment of the City of Wichita and of Sedgwick County, Kansas, as applicable;

WHEREAS, this Joint Ordinance and Resolution shall create Sections 2.12.1190, 2.12.1191, 2.12.1192, 2.12.1193, 2.12.1194, 2.12.1195, 2.12.1196, and 2.12.1197 of the Code of the City of Wichita, as well as Sections 2-361, 2-362, 2-363, 2-364, 2-365, 2-366, 2-367, 2-368 of the Sedgwick County Code.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT:

SECTION 1. SECTION 2.12.1190 of the Code of the City of Wichita and SECTION 2-361 of the Sedgwick County Code are hereby created to read as follows:

“Establishment of Food and Farm Council.

The Food and Farm Council is hereby established.”

SECTION 2. SECTION 2.12.1191 of the Code of the City of Wichita and SECTION 2-362 of the Sedgwick County Code are hereby created to read as follows:

“Purpose of the Food and Farm Council.

The purpose of the Food and Farm Council (“Council”) is to convene diverse stakeholders to advocate for an equitable, sustainable and resilient food system in the City of Wichita and Sedgwick County and provide a forum to bring together stakeholders from diverse food-related sectors for discussions and coordination of community wide efforts to improve access, affordability, stability, and availability of local, culturally appropriate, and nutritionally adequate food for all. The Council will promote policies using a systems perspective in a manner that is consistent with the goals of the City of Wichita/Sedgwick County Food System Master Plan. Those goals include to:

1. Increase local food production;
2. Protect natural resources;
3. Increase access to healthy food;
4. Reduce food waste;
5. Foster social equity;
6. Grow our regional economy;
7. Build upon the community’s food culture; and
8. Support community health and wellness.”

SECTION 3. SECTION 2.12.1192 of the Code of the City of Wichita and SECTION 2-363 of the Sedgwick County Code are hereby created to read as follows:

“Food and Farm Council; Powers and Duties.

The powers and duties of the Food and Farm Council shall include, but not be limited to, the following:

1. Support implementation of the City of Wichita/Sedgwick County Food System Master Plan and any other adopted, relevant long-range plans of the City of Wichita and Sedgwick County, Kansas, which support any Purpose identified in Section 2 of this Joint Ordinance and Resolution.
2. Serve as an advisory body and make policy recommendations to the City Council of the City of Wichita and the Board of County Commissioners of Sedgwick County, Kansas on issues related to the City of Wichita/Sedgwick County Food System Master Plan and any other adopted, relevant long-range plans of the City of Wichita and Sedgwick County, Kansas, which support any Purpose identified in Section 2 of this Joint Ordinance and Resolution.
3. Provide assistance and advice to any other boards, commissions and staff of the City of Wichita and of Sedgwick County, Kansas in assessing the effect that actions taken or to be taken by the governing bodies would have on the food system in the City of Wichita and Sedgwick County.
4. Provide a forum for food system collaboration among stakeholders in the City of Wichita and Sedgwick County.

5. Compile feedback and other information from food system stakeholders in the City of Wichita and Sedgwick County and make recommendations to the appropriate governing bodies based on that feedback and other information.
6. Support education and awareness among food system stakeholders of the food system in the City of Wichita and Sedgwick County.
7. Support awareness of funding opportunities among food system stakeholders, including but not limited to local, regional, state and national programs and grants in support of food systems.
8. Support representation of historically disenfranchised communities in implementation of the City of Wichita/Sedgwick County Food System Master Plan.
9. Establish separate neighborhood or city advisory committees on an *ad hoc* basis to ensure engagement of diverse, community-reflective stakeholders in its initiatives and partnerships. In the case of subcommittees, the Council shall determine the members of each. The Council shall consult with each subcommittee as needed to review the operations and activities of the City of Wichita/Sedgwick County Food System Master Plan concerning any matter which comes before that particular committee
10. Exercise any other power which may be delegated to the Council by joint action of the City Council of the City of Wichita and the Board of County Commissioners of Sedgwick County, Kansas.”

SECTION 4. SECTION 2.12.1193 of the Code of the City of Wichita and SECTION 2-364 of the Sedgwick County Code are hereby created to read as follows:

“Food and Farm Council; Organization and Dissolution.

1. The Council and its members shall be subject to the provisions of Sections 2.12.010, 2.12.020 and 2.12.030 of the Code of the City of Wichita, except as otherwise stated herein.
2. Members of the Council shall serve a term of two years. All Council appointments shall begin on April 1st of each year. In the event a member of the Council does not complete their term, any member appointed to fill such vacancy shall be appointed to serve the remainder of the unexpired term.
3. Except as set forth below, no member shall serve more than four (4) consecutive full terms. Any partial term a member may serve due to a vacancy shall not count as a term for purposes of this term limitation.
4. Members of the Council shall serve at the pleasure of the respective governing body that appointed them. In addition, any member of the committee who misses three (3) consecutive meetings or attends less than half of the meetings held over a consecutive 12-month period, shall be subject to removal.
5. No member of the Council who is appointed by a Sedgwick County Commissioner shall continue serving on the Council after the appointing Commissioner's term of office ends.
6. Each member of the Council shall disclose any conflict of interest, as defined in the bylaws to be adopted by the Council, as may arise in connection with matters being considered by the Council of which they are a member and shall refrain from discussing or voting on any such matters. No member of the Council shall participate in the discussions and/or vote related to a matter for which the member has a conflict of interest.

7. Members of the Council shall not receive compensation, nor shall they be reimbursed for personal expenses.
8. All appointments to the Council shall be made by written notice of appointment, which notice shall clearly state that such appointment is made subject to all the provisions outlined within, the term of the appointment, and that members so appointed may be removed by the appointing governing body for violation of any of the rules and regulations hereby established.
9. Primary staff support to the Council will be provided by the City Manager and County Manager or designee. City and County staff will provide technical and professional support for Food and Farm Council programming operations on an as-needed basis.
10. The Food and Farm Council may be dissolved by ordinance of the City Council or Resolution by the Board of County Commissioners.”

SECTION 5. SECTION 2.12.1194 of the Code of the City of Wichita and SECTION 2-365 of the Sedgwick County Code is hereby created to read as follows:

“Food and Farm Council; Membership.

1. The Food and Farm Council members should reflect the diversity of residents of the City of Wichita and Sedgwick County, including ethnicity, race, gender, ability, gender identity, religion, sexual orientation, socio-economic status and age.
2. No person shall be appointed a member of the Council unless he or she is a resident of such county at the time of the appointment, nor shall any member continue to serve if he or she ceases to be a resident of such county. If a member of the Council

no longer meets the member eligibility specifications, such member shall submit their resignation from the Council to the governing board who appointed them.

3. There shall be fourteen (14) voting members on the Food and Farm Council, with appointments to be distributed as follows:
 - a. One (1) voting member of the Food and Farm Council shall be appointed by each of the seven (7) members of the City Council of the City of Wichita, consistent with sub-section 3 below.
 - b. One (1) voting member of the Food and Farm Council shall be appointed by each of the five (5) members of the Board of County Commissioners of Sedgwick County, with two (2) voting members of the Food and Farm Council appointed as representatives at-large who shall reside within Sedgwick County, consistent with subsection 4 below.
 - c. All appointments will be nominated and appointed by a simple majority of the governing body.
 - d. The Food and Farm Council may conduct business so long as both the City of Wichita and Sedgwick County have made at least half of their respective appointments.
4. The seven (7) voting members appointed by the City Council of the City of Wichita shall serve on the Food and Farm Council as subject matter experts and liaisons to important food systems partners with consideration from the following groups: urban food producers, urban food retailers, emergency food assistance programs, food justice and equity groups, food distributors, institutional food purchasers, and coalitions or organizations in health, food systems and community development.

- a. The City Manager will assign staff to serve as *ex officio* Food and Farm Council members as needed for purposes of gathering data from City departments, maintaining records, minutes and the handling of administrative matters without the right to vote or to perform any other function than provide administrative services.
5. The seven (7) voting members appointed by the Board of County Commissioners of Sedgwick County shall serve on the Food and Farm Council as subject matter experts and liaisons to important food systems partners with consideration from the following groups: rural food producers, rural food retailers, natural resources/conservation organizations, health/nutrition groups, small food processors and value added product manufacturers, workforce and business developers, and food and farm training and education programs.
 - a. The County Manager will assign staff to serve as the *ex officio* Food and Farm Council members as needed for purposes of gathering data and the handling of administrative matters without the right to vote or to perform any other function than provide administrative services.
6. In the event that an appointment to the Food and Farm Council cannot be made consistent with subsections 3 and 4 above, another qualified person may be substituted as an appointee. Such substitution should only occur when an appointment cannot be made consistent with subsections 3 and 4 above, and only so long as the substitute appointee represents one or more of the following:
 - a. Persons bringing significant experience related to building a thriving food economy, range of production systems, sectors, and marketing channels

(including but not limited to producers of animal protein, producers of specialty crops, commodity producers, and/or producers engaged in direct marketing of products);

- b. Persons bringing significant experience related to healthy food access (including but not limited to neighborhood residents or leaders, engineers, planners, transit riders and professionals, community gardeners, health professionals, dieticians, neighborhood retailers, local wellness organizations, those experiencing food insecurity and urban/rural grocers);
- c. Persons interested in Food Systems policy and governance.”

SECTION 6. Section 2.12.1195 of the Code of the City of Wichita and SECTION 2-366 of the Sedgwick County Code are hereby created to read as follows:

“Food and Farm Council; Meetings.

1. The Council shall fix the time and place at which its meetings shall be held. Meetings shall be held within Sedgwick County and shall be subject to the Kansas Open Meeting Act, K.S.A. 75-4317 *et seq.*, and amendments thereto. Notice and minutes of all meetings shall be provided to the City Clerk and the County Clerk.
2. The Council shall abide by the Kansas Open Meeting Act, K.S.A. 75-4317 *et seq.*, and the Kansas Open Records Act, K.S.A. 45-215 *et seq.*
3. The quorum required for the Council to conduct business shall be the number of members representing at least one-half of the total number of members duly appointed to the Council. No action of the Council shall be binding unless taken at a meeting at which at least a quorum is present. Recommendations of the Council shall be approved by majority vote of the members present and voting.

4. The Council shall conduct meetings, elect officers and adopt by-laws in accordance with the policies for boards and commissions.
5. The members of the Council shall be subject to the provisions of the laws of the State of Kansas relating to conflicts of interest of city officers and employees, including, but not limited to, K.S.A. 75-4301 *et seq.*, and amendments thereto.”

SECTION 7. Section 2.12:1196 of the Code of the City of Wichita and SECTION 2-367 of the Sedgwick County Code are hereby created to read as follows:

“Food and Farm Council; Severability.

If any provision or section of this Joint Ordinance and Resolution is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Joint Ordinance and Resolution. This Joint Ordinance and Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.”

SECTION 8. Section 2.12.1197 of the Code of the City of Wichita and SECTION 2-368 of the Sedgwick County Code are hereby created to read as follows:

“Food and Farm Council; Effect.

The Sedgwick County Clerk is directed to publish this Joint Ordinance and Resolution once in the official County newspaper. This Joint Ordinance and Resolution shall take effect upon its publication in the official City and County newspaper.”

Commissioners present and voting were:

| | |
|-------------------|------------|
| DAVID T. DENNIS | <u>Aye</u> |
| SARAH A. LOPEZ | <u>Aye</u> |
| PETER F. MEITZNER | <u>Aye</u> |
| LACEY D. CRUSE | <u>Aye</u> |
| JAMES M. HOWELL | <u>Aye</u> |

Dated this 12th day of October, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

[Signature]
KELLY B. ARNOLD, County Clerk



[Signature]

DAVID T. DENNIS, Chairman
Commissioner, Third District

[Signature]

SARAH A. LOPEZ, Chair Pro Tem
Commissioner, Second District

[Signature]

PETER F. MEITZNER
Commissioner, First District

APPROVED AS TO FORM:

[Signature]
CHELSEA ANDERSON
Assistant County Counselor

[Signature]

LACEY D. CRUSE
Commissioner, Fourth District

[Signature]

JAMES M. HOWELL
Commissioner, Fifth District

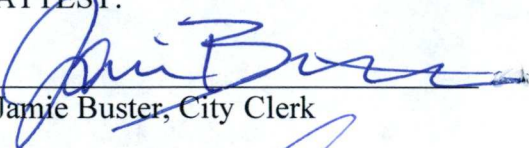
PASSED by the governing body of the City of Wichita, Kansas, this 18th day of October,
2022.





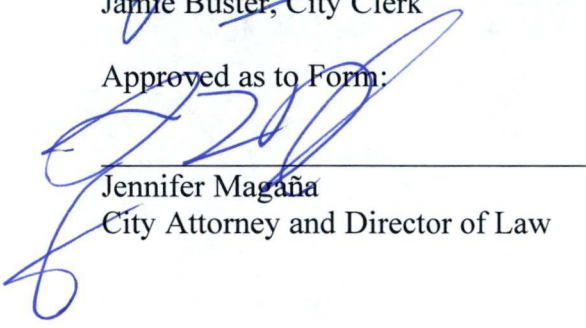
Brandon J. Whipple, Mayor

ATTEST:



Jamie Buster, City Clerk

Approved as to Form:



Jennifer Magaña
City Attorney and Director of Law