

CITY OF LAWRENCE, KANSAS RESOLUTION NO. 6553

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS
RESOLUTION NO. 04-22

A JOINT RESOLUTION OF THE CITY COMMISSION
OF THE CITY OF LAWRENCE, KANSAS (THE "CITY") AND THE BOARD OF
COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS (THE "COUNTY")
ESTABLISHING THE ECO² COMMISSION

WHEREAS, the Lawrence Chamber of Commerce has facilitated the formation of a committee consisting of Douglas County residents, some having economic development interests and some having preservation of open space interests, seeking to reach a consensus among them on future economic development and open space needs in Douglas County (the "Initiative").

WHEREAS, the Initiative has been referred to alternatively as the "ECO² Initiative," the "ECO2 Initiative," and the "ECO Squared Initiative," which is short for the Economy-Ecology Initiative, because the committee has determined that economic health and quality of life go hand in hand and that the Initiative should have a dual purpose of advancing economic development opportunities and also encouraging sound ecology in the form of preservation, access, and management of open space in Douglas County, Kansas.

WHEREAS, the City and County desire to formally recognize the Initiative and the work that has been done pursuant to the Initiative and to encourage additional work for and advice to the City and County.

NOW, THEREFORE, be it jointly resolved by the City and the County as follows:

Section 1. Establishment of Commission. The ECO² Commission (pronounced "ECO Squared Commission") is hereby established as a joint advisory commission to the City and the County.

Section 2. Purpose of Commission. The ECO² Commission shall report to and advise both the City and the County on matters relating to its dual goals of (i) preservation, access, and management of open space, and (ii) acquisition of land, facilities and other supports to expand job opportunities in Douglas County, Kansas, including financing of both purposes.

Section 3. Guiding Principles. The ECO² Commission shall be guided by the following three principles: (i) participation of landowners should be wholly voluntary and the ECO² Commission shall not recommend the involuntary taking of private property; (ii) to the extent possible and in order to maximally leverage available funds, the ECO² Commission shall emphasize partnerships with developers, land trusts, and other parties positioned to advance the dual goals of economic development and open space preservation; and (iii) the ECO² Commission should not break the dual goals of economic development and open space preservation and pursue either separately.

Section 4. Advisory Commission; Additional Duties. The ECO² Commission shall initially serve in an advisory capacity. The City, the County, and other incorporated cities within Douglas County may, by separate agreement between themselves, assign additional duties and responsibilities to the ECO² Commission, including but not limited to preparing, approving and implementing the annual operating budget; managing acquired funding and real assets; hiring administrative staff; and entering into contracts in furtherance of the goals of the ECO² Commission.

Section 5. Number and Qualification of Members. The ECO² Commission shall be comprised of eight members, each of whom shall reside within the geographic boundary of Douglas County, Kansas and none of whom shall hold either a salaried position or elective office with any City government in Douglas County or the County government. Membership on the ECO² Commission shall be voluntary and no member shall receive payment for service on the Commission.

Section 6. Appointments. The Mayor of the City and the Chair of the County Commission shall jointly appoint the members to the ECO² Commission upon recommendation of the ECO² Commission. In each case, appointments shall be made with the consent of a majority of each respective body. The appointments shall consist of the following: three members representing economic development interests, three member representing open space interests, and two members representing farm advocacy interest.

Section 7. Regular Terms; Term Limits. ECO² shall recommend to the City and County Commissions a staggered term structure that provides for both continuity and the periodic introduction of new members and ideas.

Section 8. Initial Terms. ECO² shall recommend to the City and County Commissions initial term lengths that set in motion the staggered term structure noted in Section 7.

Section 9. Initial Meeting. The ECO² Commission shall initially convene at such time and place as shall be fixed by the Chair of the County and the Mayor of the City and shall thereupon proceed to organize and elect a Chair and Vice-Chair and to fix and determine times and places of future meetings.

Section 10. Bylaws. The ECO² Commission shall prepare bylaws to govern the Commission's structure and decision making process and shall submit said bylaws to the City and County for joint approval. At a minimum, the bylaws shall require the same representative structure of the Commission's members as set forth in this Resolution and shall further require the affirmative vote of at least three-fourths of all then-current members appointed and serving on the Commission to recommend project funding or take other significant Commission-related action. Until such time that the bylaws are prepared and approved by the City and County, the Commission shall have a Chair who shall call and preside over all meeting of the Commission and a Vice-Chair who shall serve in the absence of the Chair.

Section 11. Open Meetings and Open Records. All meetings of the ECO² Commission shall be held in compliance with the Kansas Open Meetings Act and its records shall be subject to the Kansas Open Records Act.

Section 12. Withdrawal by City or County. Either the City or the County may withdraw its support of the ECO² Commission and terminate the ECO² Commission's role with respect to such body upon not less than thirty (30) days notice to the other governmental body.

Section 13. Evaluation of Commission. Both the County and City shall, approximately five years from the effective date of this Resolution, review whether the continued existence of the ECO² Commission is necessary or desirable, and if so, whether any amendments should be made to this Resolution or to the responsibilities of the ECO² Commission. If neither the County or the City takes formal action to terminate the continued existence of the ECO² Commission or make any amendments to this Resolution or the ECO² Commission's responsibilities, the ECO² Commission shall continue according to the provisions of this Resolution.

Section 14. Effective Date. This Resolution shall only take effect and shall be in full force from and after its adoption by the last to adopt this Resolution of either the City or the County.

THIS RESOLUTION is passed and adopted by the City this 22ND day of JUNE, 2004.

LAWRENCE CITY COMMISSION:

Mike Rundle
By: Mike Rundle, Mayor

ATTEST:

Frank Reeb
Frank Reeb, City Clerk

THIS RESOLUTION is adopted by the County this 21st day of June, 2004.

BOARD OF COUNTY COMMISSIONERS:

Charles Jones
Charles Jones, Chair

Bob Johnson
Bob Johnson, Member

Jere McElhaney
Jere McElhaney, Member

ATTEST:

Patty Jaimes
Patty Jaimes, County Clerk