

Approved February 4, 1992
Date

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Senator Audrey Langworthy at
Chairperson

9:05 a.m./~~p.m.~~ on Tuesday, January 28, 1992 in room 531-N of the Capitol.

All members were present except: Senator Gaines

Committee staff present: Theresa Kiernan, Revisor of Statutes
Mike Heim, Legislative Services
Elizabeth Carlson, Committee Secretary

Conferees appearing before the committee:

Cathie Holdeman, City of Wichita
Ron Wilson, Huck Boyd National Institute for Rural Development
Willie Martin, Sedgwick County
Ernie Mosher, Resource Counsel, League of Kansas Municipalities

Cathie Holdeman, city of Wichita, spoke about the number of departments in Wichita which have already been consolidated. (Attachment 1.) She stated the city of Wichita and Sedgwick County have contracted with Wichita State University to conduct a study of (1) an inventory of all revenue sources and types of expenditures, (2) summarize the statutory authority for consolidation and (3) provide an inventory of state mandates on city and county governments. Senator Montgomery stated in the area of privatization, a law was passed a few years ago in regard to water, sewer and solid wastes, and he asked if any city had taken advantage of this law. Ernie Mosher, League of Kansas Municipalities, stated the only community he knew about was Dodge City.

Senator Petty asked if any cost analysis has been done regarding a savings in the consolidation. Ms. Holdeman replied they are looking at this in the consolidation of the pistol range. Ms. Holdeman also presented the testimony by Chris Cherces, City manager, Wichita, given before the interim committee. (Attachment 2.)

Willie Martin, Sedgwick County stated consolidation discussion is critical to the future of the state. (Attachment 3.) The ultimate goal of consolidation is to provide the best services without increasing the tax base. She requested they be given the tools to bring all county officials together. She said with the advancement of computers, some county offices have 3 sets of records. They would like to not send people to several different offices within the county for one business transaction. In some offices, a function cannot be changed without some change in the law, but first all the departments have to agree to the change.

Ron Wilson, Huck Boyd Institute for Rural Development, spoke about a poll of rural Kansas regarding city-county mergers. (Attachment 4.) He discussed the over 70% of support for a city county merger. This poll was completed in 1990, a second poll will be taken in March with results probably available in late spring. He was asked if these were informed opinions and he stated they were just polled, no other questions asked. However, they had no idea the support for merger was so high. He stated he had heard of a consolidation of townships in Phillipsburg. He will produce a written report in the spring. This information was not given to the interim committee. He also stated one of the problems with a merger of any kind is the question of liability.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

room 531-N Statehouse, at 9:05 a.m./~~p.m.~~ on Tuesday, January 28, 1992

Ernie Mosher, Resource Counsel, League of Kansas Municipalities, requested that a process be established conducive to voluntary change in local government. (Attachment 5 and 6.) Senator Steineger asked what is the primary impediment to city-county consolidation? Mr. Mosher stated the statute is cumbersome procedurally with verification required by every agency. He said there is a lack of political will but incentives would be most helpful. The incentive is to encourage the government to improve their structure and to provide more and better services. He said you must try to sell the public on better services rather than savings. It is difficult to prove any savings.

The minutes of January 21, 1992, were approved. Motion made by Senator Montgomery and seconded by Senator Frahm. Motion carried.

Meeting adjourned at 9:55 a.m.

SENATE LOCAL GOVERNMENT COMMITTEE
TESTIMONY REGARDING CITY COUNTY CONSOLIDATION
JANUARY 23, 1992

CHAIRPERSON LANGWORTHY, AND MEMBERS OF THE SENATE LOCAL GOVERNMENT COMMITTEE, I AM CATHY HOLDEMAN, INTERGOVERNMENTAL RELATIONS DIRECTOR FOR THE CITY OF WICHITA. TODAY I AM APPEARING BEFORE YOU TO DISCUSS THE ISSUE OF CITY-COUNTY CONSOLIDATION. THIS ISSUE WAS DISCUSSED DURING THE 1991 INTERIM SESSION IN SOME DETAIL.

THE FOCUS OF THE INTERIM COMMITTEE WAS TO SEE IF THE EFFICIENCY AND EFFECTIVENESS OF UNITS OF GOVERNMENT COULD BE IMPROVED BY ADMINISTRATIVE CONSOLIDATION. ADDITIONALLY, THE COMMITTEE EXAMINED WHETHER FINANCIAL INCENTIVES COULD BE OFFERED BY THE STATE TO ENCOURAGE UNITS AND SUBDIVISIONS OF LOCAL GOVERNMENT TO VOLUNTARILY JOIN TOGETHER INTO MORE ECONOMIC CONFIGURATIONS.

TODAY, I WILL PROVIDE YOU WITH AN OVERVIEW OF THE THOUGHTS THE CITY MANAGER SHARED WITH THE INTERIM COMMITTEE. I AM ALSO PROVIDING YOU WITH A WRITTEN COPY OF THE COMMENTS PRESENTED IN JULY, BECAUSE THEY INCLUDE A DETAILED SUMMARY OF THE DEPARTMENTS AND FUNCTIONS THAT HAVE ALREADY BEEN CONSOLIDATED AS WELL AS EXISTING COOPERATIVE ARRANGEMENTS. ALSO INCLUDED ARE A NUMBER OF CONDITIONS THAT IMPEDE CONSOLIDATION, AND SUGGESTIONS REGARDING INCENTIVES THAT COULD BE UTILIZED TO ENCOURAGE COOPERATIVE ARRANGEMENTS.

CONSOLIDATED DEPARTMENTS, FUNCTIONS AND COOPERATIVE ARRANGEMENTS

THE CITY OF WICHITA AND SEDGWICK COUNTY HAVE ALREADY CONSOLIDATED A NUMBER OF DEPARTMENTS. THEY INCLUDE HEALTH, PLANNING AND EMERGENCY COMMUNICATIONS. IN ADDITION, WE HAVE NUMEROUS CONSOLIDATED FUNCTIONS. THEY INCLUDE: FLOOD CONTROL; A JOINT TRAINING CENTER FOR LAW ENFORCEMENT; JAIL AND BOOKING OPERATIONS; SPIDER - WHICH IS A LAW ENFORCEMENT DATA RETRIEVAL AND INFORMATION SYSTEM; A MISSING CHILDREN'S SERVICE, AND LANDFILL OPERATIONS. WE ALSO HAVE COOPERATIVE ARRANGEMENTS. THEY INCLUDE A FIRST RESPONSE AGREEMENT FOR FIRE SERVICE AND A JOINT PURCHASING ARRANGEMENT WITH THE CITY, COUNTY, AND SCHOOL DISTRICT.

THE CITY IS CONTINUALLY WORKING WITH THE COUNTY IN AN EFFORT TO DO MORE TOGETHER. OTHER POSSIBILITIES INCLUDE JOINT ANIMAL CONTROL, AMBULANCE SERVICES, A JOINT CITY-COUNTY FIRE SERVICE - OR POSSIBLY EVEN A COMBINED PUBLIC SAFETY DEPARTMENT. OTHER POSSIBILITIES INCLUDE CONSOLIDATING HOUSING AND BUILDING INSPECTION SERVICES. ONE OTHER FUNCTION UNDER ANALYSIS RIGHT NOW IS THE FEASIBILITY OF CONSTRUCTING A PISTOL RANGE TO SERVE THE NEEDS OF THE CITY, COUNTY, AIRPORT AUTHORITY AND OTHER PUBLIC SAFETY ENTITIES WITHIN THE COMMUNITY.

IN SUM, I BELIEVE IN THE PAST THE CITY AND THE COUNTY HAVE DONE A GOOD JOB OF COMBINING DEPARTMENTS AND FUNCTIONS, AND WE WILL CONTINUE TO LOOK AT THE FEASIBILITY OF DOING THIS WITH OTHER SERVICES IN THE FUTURE. I THINK WE CAN ALL AGREE WITH CHARLES WARREN WHEN HE SUGGESTED TO THE INTERIM COMMITTEE THAT FOUR GENERAL CRITERIA SHOULD BE MET BY UNITS OF LOCAL GOVERNMENT WHEN THEY MAKE DECISIONS TO CONSOLIDATE. THEY INCLUDE: 1) EFFICIENCY; 2) EQUITY;

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3) EFFECTIVENESS OR QUALITY AND; 4) ACCOUNTABILITY OR ACCESSIBILITY. THESE APPEAR TO BE GOOD CRITERIA THAT WILL ENABLE US TO MAKE GOOD, LOGICAL DECISIONS IN THIS ARENA.

THE WICHITA STATE STUDY

DURING THE INTERIM PERIOD, THERE WAS SOME DISCUSSION LOCALLY REGARDING CITY-COUNTY CONSOLIDATION. IN SEPTEMBER THE CITY AND THE COUNTY CONTRACTED WITH WICHITA STATE UNIVERSITY TO CONDUCT A STUDY. THIS STUDY IS NOT A "BLUEPRINT" FOR THE CONSOLIDATION, OR MERGER OF TWO LARGE GOVERNMENTS. HOWEVER, IT WILL PROVIDE A BETTER UNDERSTANDING OF EXISTING GOVERNMENT ENTITIES AND HOW THEY OPERATE.

BRIEFLY, THE STUDY WILL DO THREE THINGS: FIRST IT WILL PROVIDE AN INVENTORY OF ALL REVENUE SOURCES AND TYPES OF EXPENDITURES OF LOCAL UNITS OF GOVERNMENT IN SEDGWICK COUNTY. SECOND, IT WILL SUMMARIZE THE STATUTORY AUTHORITY AND CONSTITUTIONAL AUTHORITY BY WHICH CITY AND COUNTY GOVERNMENTS MAY CONSOLIDATE, COORDINATE, AND COOPERATE IN THE DELIVERY OF SERVICES. FINALLY, THE STUDY WILL PROVIDE AN INVENTORY OF STATE MANDATES ON CITY AND COUNTY GOVERNMENTS. THIS INVENTORY WILL IDENTIFY PROGRAMMATIC, PROCEDURAL, AND CONSTRAINING STATE MANDATES ON CITY AND COUNTY GOVERNMENTS, AND ESTIMATE THE COST TO LOCAL UNITS OF GOVERNMENTS FOR IMPLEMENTING STATE MANDATES.

THE CITY COUNCIL AND THE COUNTY COMMISSION WILL RECEIVE THE FIRST COMPONENT OF THE STUDY THE WEEK OF FEBRUARY 3. THE SECOND ELEMENT SHOULD BE PRESENTED APPROXIMATELY TWO WEEKS LATER, AND THE THIRD WILL FOLLOW IN MARCH.

AS YOU CAN SEE, THIS STUDY IS A BASIC FRAMEWORK FOR GETTING A HANDLE ON WHAT EACH UNIT OF GOVERNMENT IS DOING - WHAT IS THE SOURCE OF REVENUES, AND HOW ARE THEY BEING SPENT. IT WILL TELL US WHAT STATUTES ARE IN EXISTENCE TO ALLOW US TO WORK TOGETHER. IT WILL ALSO POINT OUT CONSTRAINTS CITY AND COUNTY GOVERNMENTS OPERATE UNDER BECAUSE OF STATE MANDATES. WE BELIEVE THIS STUDY WILL PROVIDE SOME STARTLING FACTS ON HOW MANY DOLLARS ARE BEING SPENT IN OUR COMMUNITY TO PROVIDE PUBLIC SERVICES. IT WILL ALSO POINT OUT THAT IN MANY INSTANCES LOCAL GOVERNMENT HAS NO CHOICE. THESE SERVICES ARE REQUIRED DUE TO STATE MANDATES.

STATUTORY CHANGES NECESSARY FOR CONSOLIDATION

IN TESTIMONY PRESENTED DURING THE INTERIM, COMMITTEE MEMBERS WERE INFORMED BY DRS. ED FLENTJE AND CHARLES WARREN THAT IT IS NECESSARY TO HAVE A STATUTORY CHANGE BEFORE A CITY AND COUNTY CAN MERGE INTO A COMBINED CITY-COUNTY GOVERNMENT. BOTH OF THESE INDIVIDUALS SAID THAT AUTHORIZATION NEEDS TO BE PROVIDED TO ESTABLISH A CHARTER COMMISSION TO EXAMINE THE STRUCTURE OF COUNTY GOVERNMENT AND PROPOSE A GOVERNING STRUCTURE THAT BEST MEETS THE NEEDS OF THE ENTIRE COMMUNITY. IT WAS SUGGESTED THAT SUCH A COMMISSION COULD BE ESTABLISHED BY THE GOVERNING BODIES OF THE CITY AND COUNTY, OR BY PETITION OF THE VOTERS, TO PLACE THE CREATION OF A CHARTER COMMISSION ON THE BALLOT SUBJECT TO APPROVAL BY THE VOTERS. BOTH OF THESE INDIVIDUALS SUGGEST THAT THE PROPOSAL OF THE CHARTER COMMISSION RECOMMENDING THE FORM OF GOVERNMENT SHOULD GO DIRECTLY TO THE VOTERS FOR APPROVAL.

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THIS RESEARCH INDICATES THAT THE CITY AND THE COUNTY CANNOT AUTOMATICALLY MERGE AND BECOME ONE UNIT OF GOVERNMENT. THERE IS NO STATUTORY AUTHORITY FOR THIS. STATUTES GOVERN THE CREATION AND MANAGEMENT OF CITIES AND COUNTIES, BUT CURRENT STATUTES DO NOT ADDRESS THE MERGING OF TWO GOVERNMENTS INTO ONE TO OPERATE AND MANAGE THE GOVERNMENTAL AFFAIRS OF AN ENTIRE COUNTY.

INCENTIVES/DISINCENTIVES FOR CONSOLIDATION

DURING THE INTERIM PERIOD, THE COMMITTEE ASKED UNITS OF LOCAL GOVERNMENT TO SHARE OUR THOUGHTS ON INCENTIVES AND DISINCENTIVES FOR CONSOLIDATION. IN PAST TESTIMONY WE SUGGESTED THAT THE STATE MIGHT WANT TO LOOK AT STATE AND LOCAL SHARED TAXES AS AN INCENTIVE TO PROMOTE CONSOLIDATION. CURRENT FORMULAS FOR THE MOTOR VEHICLE TAX, THE LOCAL AD VALOREM TAX REDUCTION FUND, AND COUNTY SHARED TAXES SUCH AS THE COUNTYWIDE SALES TAX, ARE BASED ON MILL LEVY RATES AND, AS A RESULT, REWARD THOSE COMMUNITIES WHO INCREASE THEIR MILL LEVIES AS THEY ARE ABLE TO RECEIVE A GREATER AMOUNT OF SHARED TAX REVENUES.

THE CITY OF WICHITA HAS ALSO SUGGESTED STATE GRANT PROGRAMS ARE ANOTHER AREA WHERE INCENTIVES CAN BE OFFERED. THE ADOPTION OF RULES AND REGULATIONS THAT PROVIDE FUNDING PREFERENCE TO THOSE COMMUNITIES THAT JOIN TOGETHER TO SOLVE A REGIONAL PROBLEM, SHOULD BE ENCOURAGED.

PRIVATIZATION OF SERVICES

THE DISCUSSION OF CONSOLIDATION STEMS FROM A NEED TO PROVIDE SERVICES IN A MORE EFFICIENT AND EFFECTIVE MANNER. STATE AND LOCAL GOVERNMENTS RECOGNIZE THAT THE PUBLIC DOES NOT WANT ANOTHER TAX INCREASE, THEREFORE, IF GOVERNMENTS CAN MERGE THE DELIVERY OF SERVICES, LESS TAX DOLLARS MAY BE REQUIRED. IT IS THE CITY OF WICHITA'S BELIEF THAT PRIVATIZATION OF SERVICES MAY ALSO BE ANOTHER WAY TO MORE COST EFFECTIVELY DELIVER PUBLIC SERVICES.

THE CURRENT PRIVATIZATION STATUTE NEEDS TO BE BROADENED TO ALLOW FOR MULTI-YEAR CONTRACTS FOR A WIDE ARRAY OF PUBLIC SERVICES, NOT JUST WATER, SEWER, AND SOLID WASTE. COMPANIES WILL NOT (AND CANNOT) MAKE EXTENSIVE CAPITAL EXPENDITURES WITHOUT SOME ASSURANCE THAT CONTRACTS WILL EXTEND FOR A PERIOD BEYOND ONE YEAR. THUS, THE CITY OF WICHITA ASKS THAT YOU LINK THE CONCEPT OF PRIVATIZATION WITH THE IDEA OF CONSOLIDATION BECAUSE WITH BOTH ISSUES THE INTENT IS TO PROVIDE THE BEST LEVEL OF SERVICE AT THE LOWEST COST.

FUTURE DIRECTIONS FOR CONSOLIDATION

WHETHER THE CITY OF WICHITA AND SEDGWICK COUNTY WILL JOIN TOGETHER AND BECOME ONE UNIT OF GOVERNMENT IS UNKNOWN AT THIS TIME. HOWEVER, THE CITY AND THE COUNTY WILL CONTINUE TO LOOK AT CONSOLIDATING DEPARTMENTS, FUNCTIONS, AND ENTERING INTO COOPERATIVE ARRANGEMENTS WHENEVER PUBLIC SERVICE NEEDS CAN BE MET IN AN EQUITABLE, COST EFFECTIVE MANNER.

AS THE DISCUSSION OF CONSOLIDATION MOVES FORWARD, I WOULD LIKE TO SUGGEST OTHER AREAS FOR CONSOLIDATION THAT COULD BE EXPLORED. THEY INCLUDE:

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1. CONSOLIDATION OF COUNTIES -- IN THE PAST, COUNTY GOVERNMENTS TRADITIONALLY SERVED AS THE "ADMINISTRATIVE ARMS" OF THE STATE GOVERNMENT WITH LIMITED RESPONSIBILITIES. HOWEVER, THIS ROLE HAS CHANGED DRAMATICALLY OVER THE PAST THIRTY YEARS, AND NOW COUNTIES PROVIDE MANY URBAN SERVICES SUCH AS PUBLIC SAFETY PROTECTION, ROAD REPAIR, HUMAN SERVICE FUNCTIONS, AMONG MANY OTHERS. THE WICHITA METROPOLITAN STATISTICAL AREA INCLUDES THE COUNTIES OF SEDGWICK, HARVEY, AND BUTLER. BY DEFINITION, AN MSA IS ONE ECONOMIC REGION, THUS, IT MAY BE FEASIBLE TO GROUP LIKE COUNTY FUNCTIONS. THERE MAY BE SIMILAR REGIONAL BENEFITS FOR COUNTIES IN OTHER PARTS OF THE STATE TO GROUP TOGETHER FOR SERVICE DELIVERY PURPOSES.

2. CONSOLIDATION OF TOWNSHIPS -- I ANTICIPATE THE WICHITA STATE STUDY WILL POINT OUT THE LARGE NUMBER OF TOWNSHIPS IN EXISTENCE - EACH WITH SEPARATE TAXING POWER. THE PRIMARY PURPOSE OF TOWNSHIPS IS TO MAINTAIN AND UPGRADE ROADS. WITH THIS COMMON PURPOSE, IT MAY BE FEASIBLE AND COST-EFFECTIVE TO CONSOLIDATE THIS FUNCTION OR PLACE IT UNDER COUNTY GOVERNMENT.

3. SPECIAL DISTRICTS -- SPECIAL DISTRICTS AND AUTHORITIES ARE THE MOST NUMEROUS FORM OF GOVERNMENT IN THE UNITED STATES, AND POSSIBLY THE LEAST UNDERSTOOD. THEY ARE LEGAL GOVERNING UNITS WITH INDEPENDENT POWERS. THEY RELY ON EITHER PROPERTY TAXES OR REVENUE BOND AND USER-CHARGES FOR THEIR SOURCE OF INCOME. SPECIAL DISTRICTS ARE LIKE A LOCAL UNIT OF GOVERNMENT IN THAT CERTAIN PEOPLE LIVING IN CLOSE PROXIMITY TO EACH OTHER CONSTITUTE A GOVERNMENT IN ORDER TO HAVE IT PROVIDE THEM WITH A PARTICULAR PUBLIC FUNCTION. AS THE USE OF SPECIAL DISTRICTS EXPANDS, IT BECOMES MORE AND MORE DIFFICULT TO CONSOLIDATE. THE FORMATION OF THE CITY OF BEL AIRE IS SUCH AN EXAMPLE. THIS CITY STARTED OUT AS AN IMPROVEMENT DISTRICT, RESISTED ANNEXATION BY THE CITY OF WICHITA, AND BECAME AN INDEPENDENT MUNICIPALITY. IT LIES ON THE FRINGE OF WICHITA'S CITY LIMITS, BUT IT IS A SEPARATE ENTITY PROVIDING ITS OWN MUNICIPAL SERVICES. LEGISLATIVE CONSIDERATION SHOULD BE GIVEN TO ENCOURAGE CONTIGUOUS GROWTH UNDER THE UMBRELLA OF ONE CITY.

4. ISLAND CITIES -- THE EXAMPLE OF AN ISLAND CITY THAT IS ON THE FOREFRONT OF DISCUSSION IS THE CITY OF EASTBOROUGH. THE CITY OF WICHITA TOTALLY SURROUNDS EASTBOROUGH. THE AUTONOMY OF THIS CITY IS DIFFICULT TO MAINTAIN GIVEN THAT A MAJOR EAST-WEST ARTERIAL RUNS DIRECTLY THROUGH THIS CITY. RESIDENTS WITHIN THIS COMMUNITY PAY MORE TAXES THAN SIMILAR PROPERTIES IN CLOSE PROXIMITY WITHIN THE CITY OF WICHITA. AT THIS TIME IT MAY NOT BE POLITICALLY FEASIBLE TO INCORPORATE THE CITY OF EASTBOROUGH INTO THE CITY OF WICHITA EVEN THOUGH AN ANALYSIS WILL SHOW IT WOULD BE LESS COSTLY TO TAXPAYERS. HOWEVER, SHOULD A SIMILAR SITUATION ARISE IN THE FUTURE, THE LEGISLATURE MAY WANT TO CONSIDER LEGISLATION THAT REQUIRES CITIES TO MERGE WHEN TOTALLY BOUNDED BY ANOTHER LARGER CITY.

CONCLUDING COMMENTS

THE CITY OF WICHITA ENCOURAGES THE STATE TO LOOK FOR WAYS TO ASSIST LOCAL GOVERNMENTS WITH CONSOLIDATION. WE ENCOURAGE YOU TO PASS LEGISLATION THAT PROVIDES INCENTIVES FOR GOVERNMENTS TO WORK TOGETHER SO THAT SERVICES CAN

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BE PROVIDED IN THE MOST ECONOMICAL MANNER. OBVIOUSLY, THERE IS NO SINGLE SOLUTION TO THIS TOPIC AND THERE WILL ALWAYS BE THE NEED FOR LOCAL DISCRETION. WE ASK THAT YOU CONTINUE TO ALLOW LOCAL UNITS OF GOVERNMENT TO MAKE THOSE DECISIONS BASED ON INDIVIDUAL SITUATIONS.

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CHRIS CHERCHES, CITY MANAGER, WICHITA, KANSAS
REGARDING PROPOSAL #3 - LOCAL CONSOLIDATION
SPECIAL COMMITTEE ON ASSESSMENT AND TAXATION
JULY 22, 1991
AIRPORT HILTON HOTEL

Members of the Special Committee on Assessment and Taxation, my name is Chris Cherches, and I am the City Manager. Thank you all for coming to Wichita today; it is a pleasure to have you in our community.

This afternoon you are looking at the topic of consolidation, examining whether the efficiency and effectiveness of units of local government would be improved by administrative consolidation. You are also charged with examining whether regional taxing districts, made up of several counties, would produce a stronger and more diversified tax base, and a more equitable sharing of wealth.

Today I would like to relate to you the City of Wichita's experience in the area of consolidation. The City has already consolidated a number of services, and I will briefly mention what those are. We are also looking at the feasibility of consolidating other functions. Finally, we would like to share with you a number of conditions that impede consolidation, and point out how the use of incentives could encourage this effort.

I. Existing Consolidated Departments

A. Health Department

The Wichita-Sedgwick County Health Department is a City-County Department funded 60% by the City and 40% by the County. This department operates health clinics, immunizations, child and adult care licensing, food service and facility inspection, regulation of solid waste collection, air and water quality, vector control, hazardous waste control, and public health education.

B. Planning Department

The Wichita-Sedgwick County Planning Department provides planning services to both the City of Wichita and Sedgwick County, and is funded equally by both units of government. Activities include long range planning, zoning and platting, and intergovernmental cooperation. The Department is also responsible for historic preservation, Tri-County planning assistance (Harvey and Butler, along with Sedgwick), and transportation planning.

C. Emergency Communications

The Wichita-Sedgwick County Department of Emergency Communications provides emergency communication to the City of Wichita Police and Fire Departments, Sedgwick County Sheriff, and Fire Districts. It also provides emergency communication services to other cities in Sedgwick County. The Department is funded 73% by the City, and 27% by the County.

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II. Consolidated Functions

A. Flood Control

Flood control maintenance is a function that is funded equally by the City of Wichita, and Sedgwick County. This program is housed under the City of Wichita's Department of Public Works and is responsible for the prevention of flooding through inspection, operation and maintenance of the Wichita-Valley Center Flood Control Project; the public waterways within the metropolitan area, and meeting standards established by the Corps of Engineers.

B. Joint Training Center for Law Enforcement

The City of Wichita and Sedgwick County jointly operate a facility for law enforcement training. (As a side note the building is a former elementary school converted to this use.) Police and Sheriff recruits, along with reserve officers, are provided classroom and physical fitness training. Additionally, the facility houses a simulated shooting range. The law enforcement center is funded 75% by the City and 25% by the County. It is managed jointly by both governments.

C. Jail and Booking Operations

In 1984, legislation was passed which allows Sedgwick County to levy a tax not to exceed one mill to pay the costs of operating a jail facility and maintaining the prisoners. Prior to this time, the City of Wichita either operated a separate jail facility or utilized the County's facility and reimbursed the County for the costs of maintaining prisons. It was determined to be more economically feasible to house all Sedgwick County prisoners in one facility.

The City of Wichita and Sedgwick County have also consolidated booking facilities on the first floor of the Sedgwick County jail. Admittance includes mug shots and finger prints which are also done at this location. The County funds this operation in its entirety, however, the City does employ one person who serves as a liaison to ensure that forms are completed properly, and procedures are followed correctly.

D. SPIDER - Law Enforcement Information System

SPIDER (Special Information Data Retrieval and Information System) is a computerized information network that serves both the City and the County. It allows a law enforcement officer to radio in a request for information on suspects or vehicles. This service is housed in the City of Wichita's Records Division. The County pays for 15% of the cost.

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E. Exploited and Missing Children's Unit (EMCU)

EMCU is a community service funded 25% by the City of Wichita, 25% by Sedgwick County, and 50% by SRS. Its purpose is to handle cases associated with child abuse and neglect, and missing children. It is staffed by City and County detectives and social workers.

F. Landfill Operations

The City of Wichita is responsible for operation of the only landfill that serves all of Sedgwick County. Management of the landfill is done through a contractual arrangement between a private landfill operator and the City of Wichita. The costs of operation are funded through user fees paid for by residential, business, commercial, and industrial users.

III. Existing Cooperative Arrangements

A. Fire Service - First Response Agreement

The City of Wichita has entered into a first response agreement with Sedgwick County for the provision of fire service within a one-mile radius outside the City limits. This agreement states that the fire station closest to the location will be the first responder. Depending on the severity of the fire, the appropriate jurisdiction - either City or County - will then arrive on the scene and take command of the situation.

City of Wichita data indicates that the City has a 3-1 response ratio, responding three times as often as the County in this periphery area. The reason for this ratio is that City fire stations are in closer proximity. The County has a need to provide fire service in the less populated areas of the County and thus, their stations have been strategically placed.

B. Purchasing Agreement

The City of Wichita has adopted both an ordinance and a resolution that relates to cooperative purchasing policies. The ordinance, approved in 1982, states that the Purchasing Manager is authorized to purchase supplies, services, and equipment from contracts and agreements approved by other governmental entities. This means that if another unit of government has taken bids for a good or service, the City of Wichita may utilize the bid if they so choose. Additionally in 1984, a joint resolution was approved by the City, County, and School Board which sets forth the procedures for joint purchases. It also allows for one unit of government to sell supplies from their warehouse or supply store to another unit of government.

Common examples where joint purchasing occurs include the purchase of light bulbs, automotive supplies, and travel services. The procedure has been for one purchasing department to notify the other purchasing departments regarding favorable bids.

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The City of Wichita has also worked with cities outside the State of Kansas on cooperative purchases. Several years ago Wichita, Dallas, Fort Worth, and five other cities joined together to purchase fire trucks. Substantial savings were received by working together.

There are several problems that should be mentioned with cooperative purchase arrangements. One problem is with vendors attempting to undercut bids. For example, if the School District receives a bid for light bulbs that is 60% of list cost, a second vendor may contact another governmental unit, and offer a 62% discount. In order for cooperative purchasing to work, a vendor must be assured that their bid will be honored by all governmental units involved.

As second problem relates to incompatible laws governing purchasing policies. The City of Wichita's policy is set by ordinance. Sedgwick County has their own policy as set forth in a resolution, and the School District's purchasing policies are governed by the State of Kansas. An example of where policies differ is in the amount that can be spent before a competitive bid is required.

A third area where problems can arise relates to equal employment opportunities (EEO). Many governments enforce EEO requirements through purchasing policies. This has not been a real problem when the City, County, and School District have a joint purchase, as EEO requirements for all three entities mirror State statutes. However, it has been a problem when Wichita has cooperated with cities in other states. Different states have different EEO laws, and these requirements must be worked out when cooperative purchases are undertaken.

Finally, the City of Wichita has investigated joint purchasing with the State of Kansas as the State often receives favorable pricing due to the magnitude of its purchases. To date, the State has not allowed municipal units of government to buy goods and services based upon their contracts. The State cites notification problems, and differentials in shipping costs from one location to another. The City of Wichita would like to have the opportunity to utilize State contracts if it is price advantageous.

IV. Services that Could be Consolidated

A. Animal Control

In the past, the City and the County consolidated animal control services. Approximately six years ago a decision was by the County to provide this service separately. Now both the City and the County provide field services such as eliminating animal nuisances, enforcing vaccination and dog permit requirements, investigating animal bites, and correcting leash law violations. However, there continues to be only one animal shelter utilized by both units of government.

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B. Ambulance Service

Both the City of Wichita and Sedgwick County provide ambulance service. Operation of the Emergency Medical Service is under the jurisdiction of the County and they provide service to the City of Wichita, other communities in Sedgwick County, and the unincorporated area. However, City of Wichita fire fighters are also trained in emergency medical care, and participate with the County in a first response agreement. The City's capabilities are more limited than those of EMS, with fire fighters being primarily responsible for basic life support, whereas EMS can also provide advanced life support, and transport.

Currently there are 16 fire stations located throughout the City, and there are 8 ambulance stations within the County. Only one City fire station houses an EMS ambulance. In the future, it may be feasible to examine consolidation of EMS and fire station operations. However, several of the City of Wichita fire stations do not have the physical capacity to house other ambulance vehicles and thus, it may not be economically feasible to combine operations at those sites.

C. Metro Fire Service

In the past there has been limited discussion of consolidation of fire service operations. Most likely there would be some command and operational advantages if there was a single entity serving the entire county. However, there are a number of negatives that would need to be overcome, if consolidation were to be economically feasible.

Staffing levels by the County do not have to be equivalent to City levels, and if City employment standards were to be met, there would be additional personnel costs. The City of Wichita also has more modern fire equipment. For example, County fire trucks have limited riding space and fire fighters are now prohibited from riding on the backs and sides of fire trucks. If County equipment is utilized in conjunction with City equipment, it may be necessary to eventually upgrade. Finally, financing a metro fire department may simply be a shift in terms of which government entity levies the tax to support this service. Currently, the County levies approximately 15 mills for fire districts. If the City were to take over this service in the County, there would have to be an increase in the City mill levy (the City levys approximately 5 mills for fire service). This would be an additional tax burden for the 80 percent of the county residents who reside within Wichita's corporate limits.

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Finally, it should be noted that the City of Wichita has one of the lowest costs per capita (\$55 per capita), for fire service for communities with a population between 150,000 to 800,000. Wichita fire fighters protect over 300,000 residents in 119 square miles, utilizing 16 fire stations, with a budget of approximately \$17 million. In comparison, Kansas City spends \$123 per capita for fire protection. Kansas City's population is approximately 160,000, protecting 111 square miles, with a budget of nearly \$20 million, utilizing 17 fire stations.

C. Health and Human Services

The City of Wichita operates a Human Services Department which assists citizens-clients in achieving economic self sufficiency through job training, and other support services. Additionally, this department oversees a housing program for low-to-moderate income households, operates a weatherization program, and administers civil rights services.

The Health Department is a joint City/County operation providing environmental and personal health services. There may be efficiencies to clients served if services were consolidated. The agencies have a similar mission with both involved in securing the health and well being of citizens in need.

V. Impediments to Consolidation

A. Annexation Statutes Relating to Improvement District

In 1987, legislation was passed (SB 246) which limits a city's ability to unilaterally annex territory. The bill as passed contains a number of provisions that preserve special improvement districts, which in turn reduces a city's ability to engage in consolidation efforts.

One provision in this bill stipulates that a city may not annex any improvement district or any land within such improvement district created before 1987. A second provision requires more detailed plans and cost estimates on services for the proposed areas to be annexed. The plan must ensure that the level of service will be equal or better than the level of services provided prior to annexation. A third provision in the bill allows the county commission review and approval of bilateral annexations based on specific factors.

Kansas Statutes provide improvement districts with broad based powers (K.S.A. 19-2765) including the ability to purchase or construct water, sewer, street, and recreational public improvements. Districts have the ability to finance such improvements by levying taxes, and issuing bonds - the same powers granted to municipalities. If the authority for these districts is strengthened, it then becomes easier for improvement districts to remain separate entities. This in turn makes it more difficult to ensure orderly growth patterns which results in inefficiencies, prevents economies of scale, and thus makes service delivery more costly.

*Attachment 2-6
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It is the City of Wichita's understanding that one of the reasons this bill was introduced was to address a situation in Topeka - prevention of the annexation of the Sherwood District. Although this bill may have solved a pressing local concern, the outcome was a policy decision that encourages pockets of development thereby making it more difficult for local government to consolidate services.

B. Increased Special Assessment Authority

This past legislative session HB 2450 was passed which provides Sedgwick County with greater special assessment authority. The legislation enacted is patterned off of general improvement special assessment law applicable only to cities. The County requested this legislation because the provisions set forth in an adopted County home rule Resolution relating to special assessment powers were placed in question. This was the result of a recent Kansas Supreme Court ruling on a home rule known as the Blevins Case.

The County cited specific instances where a project may have significant countywide benefit, and also provide a special benefit to property within the defined district. Thus, it would be a prudent financial decision to be able to partially assess the benefitors of a project. Existing special assessment statues for counties do not provide them with this power, and in most instances they are limited to assessing 100% of the costs, or funding the entire project from their general fund.

The City of Wichita recognizes the County's need to have financial flexibility, and supports their ability to allocate costs based on the benefit received from the project. However, if other counties were to receive this authority and use it improperly, it could promote the creation of special districts.

For example, the sharing of costs for municipal services such as water systems, storm drainage systems, or sanitary sewers, could make a public works project affordable which may not be the case if 100 percent of the cost was to be paid for by those determined to benefit. When subdivisions within a county are allowed to develop and include these services, there is the opportunity for pockets, or enclaves of development that could result in non-contiguous growth, or urban sprawl outside the normal urban area.

VI. Incentives/Disincentives for Consolidation

A. State and Local Shared Taxes

State shared tax revenues such as those from the Motor Vehicle Tax, and the Local Ad valorem Tax Reduction Fund, and county shared taxes such as the countywide sales tax, utilize mill levy rates in the distribution formula. Therefore, if a city makes a concerted effort to hold the line on spending and thereby keep the mill levy rate constant, the city is then penalized by these distribution formulas.

*Attachment 2.7
Senate Local Govt
Jan 25, 1992*

It is suggested that these formulas be re-evaluated to see if there is means to distribute shared funds based upon criteria other than taxing effort. The formula as it currently exists rewards those communities who increase their mill levy as they are then able to receive a greater amount of revenue from shared taxes. This is clearly a disincentive and does not promote cost effectiveness. However, if the funding formula was changed, it could serve as a viable incentive for encouraging cost effective practices.

B. State Grant Programs

A second area where incentives can be offered is through state grant programs. The recently enacted bill which places a tax on the sale of tires is an example of how the State could use a grant program as an incentive to consolidate. The rules and regulations associated with this program could award additional funds to communities who join together and offer a multi-jurisdictional approach for the disposal of tires.

It is suggested that when future grant programs are developed, or the rules and regulations are changed which govern existing programs, some thought is given to examining if it is feasible to reward communities who pool their efforts and offer a consolidated approach to meet a need.

VII. Privatization of City Services

The charge to the Committee is to examine consolidation in an effort to determine if services can be provided more efficiently and effectively. However, it is the City of Wichita's belief that efficiency and effectiveness, and correspondingly cost reduction, can also be accomplished through privatization of services. In other words, just as it may be cost-effective to have working relationships with other units of government for the provision of services, it may also be cost effective to contract out for such services. Further cost savings may be possible if the City, County, School District, or other municipal units of government join together in a privatization effort.

In 1989 an Ad Hoc Task Force completed a study on privatization and finalized their recommendations to the Wichita City Council. The study noted a number of functions that are already being privatized such as engineering services, landfill operations, some services at the four City golf courses, and water department functions such as the drilling of wells, installation of new distribution lines, and water main extensions.

Other services mentioned in the study as viable candidates in the future for consolidation include Police functions such as lab and photo services, bomb squad; Law Department activities such as prosecution and litigation work; employee training currently done by personnel; and Public Works Department functions such as street sweeping, weed abatement, and fleet maintenance.

*attachment 2-8
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The City of Wichita would be supportive of a statutory change to broaden the authority for privatization. The 1990 Legislative Session approved SB 14 which allows units of local government to enter into multi-year contracts with private companies for limited capital intensive services - water, sewer, and solid waste. If municipalities are to strive for cost-effective service delivery, this authority should be expanded.

VIII. Concluding Comments

Today I have tried to share with you the City of Wichita's actions and thoughts on consolidation. There are those who hear the word consolidation and immediately think of combining units of government. In the Wichita area, this word often triggers "metro government" in many peoples minds. However, consolidation can also mean combining functions, or in the Wichita/Sedgwick County case, combining departments. In many instances actions to consolidate have allowed us to more efficiently provide a service to our public, and thereby reduce costs.

I would like to caution you that bigger does not always mean better. For example, a metro fire department may not be the most cost-effective way to provide this service. It would certainly not be viewed as cost-effective for the people who reside within the corporate limits of the City of Wichita as they would end up subsidizing this service for the residents in the more suburban and rural areas. As I stated earlier, a combined department could simply be a shift in who bears the burden of financing this service. If consolidation cannot be shown to save money, it becomes very difficult to sell this concept to policy makers.

The Wichita/Sedgwick County community has made a conscious decision to evaluate consolidation based upon the individual merits of the function as opposed to an overall concept. We have found this to be far more beneficial because it brings to the forefront the costs and benefits of a specific service and provides a basis for determining if we are getting the "best bang for our buck."

We believe we have a number of success stories that demonstrate that we can provide better services to our constituents when we have combined our efforts with those of other units of government. As I mentioned earlier, this combination of effort can be through shared funding for the operation of departments, or it can be for specified activities such as a training center, or flood control. Additionally, the use of cooperative agreements in another way where we have worked with other units of government to reduce our actual expenditures - as in the case of the joint purchasing agreements - or to provide better service delivery - as in the case of fire and medical first response agreements.

The idea of offering incentives to governments that work together to provide services has merit. The City of Wichita sets forth the suggestion of changing shared revenue formulas to recognize a community's effort to hold down property taxation as one possible incentive.

*Attachment 2-9
Serve Local govt
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Local Consolidation
July 22, 1991
Page 10

The City of Wichita has every intention of continuing to look for ways to work with the County and others to provide more cost-effective service delivery. We also have every intention of utilizing the private sector for the provision of services if it results in reducing our costs. I would again like to stress that if the ultimate goal of this committee is to look for ways to be more efficient and effective in the provision of public services, and thereby contain costs, I believe that you cannot overlook the issue of privatization. It is as strong a player in this arena as consolidation.

Finally, the City of Wichita requests that you do not mandate consolidation but give local decision makers the necessary tools to make local decisions about consolidation which are in the best interest of their local constituencies.

*Attachment 2-10
Devote Local govt
Jan 28, 1992*



SEDGWICK COUNTY, KANSAS

INTERGOVERNMENTAL COORDINATOR

WILLIE MARTIN

COUNTY COURTHOUSE • 525 N. MAIN • SUITE 315 • WICHITA, KANSAS 67203 • TELEPHONE (316)383-7552

January 22, 1992

TO: Senate Local Government Committee

FROM: Willie Martin, Intergovernmental Relations,
Sedgwick County

RE: Consolidation and Administrative Reorganization

Madam Chair and Members of the Committee, I am Willie Martin, representing the Sedgwick County Board of Commissioners. I appreciate the opportunity to speak to you on the issue of Consolidation and Administrative Reorganization of Local Government.

Discussion of local government consolidation is important, in fact, critical to the future of our state. However, in Sedgwick County ultimate efficiencies and effective consolidation cannot take place until Sedgwick County puts it's house in order.

There are some inherent impediments for County Government. Kansas has 105 counties, with populations ranging from less than 2,000 to over 400,000, and budgets ranging from \$1 million to \$150 million; they are rural, urban and dependent upon a divergent economic base. It is therefore apparent that one solution will not fit all.

In addition to the wide diversity, Counties in Kansas have operated under the same organizational structure for 130 years. Imagine, if you will, state government operating today with the same organizational structure that it had in 1861. I feel sure antiquated is one definition that would come to mind.

Sedgwick County continues it's effort to address the many and varied problems faced by local government. There are no easy and simple answers. For instance, dependency on property tax cannot be magically addressed with one

*Attachment 3-1
Senate Local Govt
Jan 28, 1992*

solution, but will require a variety of actions. In some part, the package of solutions is going to vary from county to county.

In a multi-step process such as the tax system, offices are headed by elected officials--none of whom have authority over any more than one step in the process. The current structure of our county organization restricts and limits the Commission in addressing redundant records and procedures, duplication of services, procedural conflicts and handling of information throughout the property tax system.

County government should be administratively organized and staffed to efficiently and effectively perform public services of countywide importance, with authority centralized in the Board of County Commissioners.

The Sedgwick County Commission is held accountable by the residents of Sedgwick County. They are expected to manage and oversee all county functions. They need the ability to respond to change and the flexibility to implement modern procedures whether they be functional or organizational. The missing and vital ability is the authority to organize.

I can assure you that we do not seek change just for the sake of change itself. That is not a luxury that local government can afford, but neither can we afford the luxury of "but we've always done it this way".

Let me make it perfectly clear that our ultimate goal is not, and I repeat is not, the elimination of the "other" elected officials. The ultimate goal of the Sedgwick County Commission is to provide the best service possible with the least amount of tax dollars. The statutory requirement that the reorganization or functional consolidation of county government be an election issue automatically makes it a political football.

To request legislation that would make major changes on a statewide basis is unrealistic. We suggest that you make Sedgwick County a pilot project. Allow us to change from the system that has been in place for 130 years to a system tailor-made to the needs of Sedgwick County in the 21st century.

We would respectfully suggest that a reasonable and prudent process would be to statutorily set out what Sedgwick County may do and the manner in which they may do it. We would request that this include the same process for passing a Charter Resolution. Therefore requiring three publications, public hearings, and a 60-day protest period.

*Attachment 3-2
Senate Social govt
Jan 28, 1992*

The Commission would bear the responsibility and burden of proof. Thus requiring public education of the benefits that such proposed action would have. If these efforts were inadequate or not convincing to a majority of the constituency, then an election by protest would be held.

Even if we were to receive such enabling legislation, that would only be the first step in a long process. You would have lit the oven, but we have to bake the cake and there isn't any recipe. We do know that it will require the cooperative effort, participation and interaction of all elected officials and administrative staff within our county organization. We have no doubt that the goal will be worth the effort.

We respectfully request that you give us the tools to be public entrepreneurs and the incentive to bring all County officials to the table to discuss and determine Sedgwick County's future.

*Attachment 3-3
Senate Local Govt
Jan 28, 1992*

TESTIMONY OF
RON WILSON, DIRECTOR
HUCK BOYD NATIONAL INSTITUTE FOR RURAL DEVELOPMENT

before the
SENATE COMMITTEE ON LOCAL GOVERNMENT
TOPEKA, KANSAS
January 28, 1992

Madam Chair and Members of the Committee, I am Ron Wilson, Director of the Huck Boyd National Institute for Rural Development. The Institute office is in Manhattan, Kansas.

The Institute is a partnership between the State of Kansas, Kansas State University, and the Huck Boyd Foundation of Phillipsburg. Our mission is to enhance rural development by helping rural Kansans help themselves. Specific objectives are to:

1. Strengthen the roles of the private sector, entrepreneurship, and local leadership in rural development.
2. Encourage cooperation among rural development providers.
3. Identify emerging rural policy needs and communicate/facilitate needed strategies for the future through outreach to rural communities.
4. Articulate and promote the important benefits of agriculture and rural life and an appreciation of their vital importance to the nation.

The office is named for Huck Boyd, the long-time western Kansas newspaper publisher and rural leader.

I appreciate the opportunity to comment on the topic of consolidation. My purpose today is not to advocate a position, but to present information. I might also update the Committee on our study of multi-county cooperation.

"Rural Kansas: An Agenda for the Future" is our rural policy report from July 1991. It includes policy recommendations, demographic information, and the results of the first-ever Kansas Rural Issues Poll (KRIP). These poll results are particularly interesting in terms of the subject you are considering.

KANSAS RURAL ISSUES POLL

The first KRIP was conducted November 4-15, 1990 through the Institute for Social and Behavioral Research at Kansas State University. The poll was sponsored by the Kansas Center for Rural Initiatives, the KSU Institute for Social and Behavioral Research, the KSU

*Attachment 4-1
Senate Local govt
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Agricultural Experiment Station, the KSU Department of Human Development and Family Studies, the Kansas Department of Commerce, the Huck Boyd Foundation, and the Huck Boyd Institute.

Results of the 1990 KRIP are based on a random sample of 728 Kansans living in households with telephones in the state's counties with populations of 20,000 or less. This involves residents in 79 of Kansas' 105 counties in the survey, approximately 25 percent of the state's population. 90 percent were successfully contacted and 486, or 74 percent, of those contacted agreed to participate in the poll. An adult was randomly chosen within each of these households and interviewed through the use of a computer-assisted telephone interviewing system. On average, the interviews lasted approximately ten minutes. Assuming no systematic bias among non-respondents, the results of surveys such as these are accurate within plus or minus 5 percent in 19 out of 20 cases.

Callers from the computer lab at KSU contacted individuals in randomly-selected rural households and asked them a series of questions. Their responses were entered directly into the computer, where results were compiled. Respondents were informed that they had the option of answering, or choosing not to answer, any question.

Among the topics covered in the poll were policy alternatives for dealing with declining rural population. These included economic development, selective government assistance, and consolidation.

The poll showed strong support - more than 95 percent - for economic development. More than 87 percent of respondents support the use of local funds for such development.

Asked if government assistance should only be given to communities with the best chance to prosper, 74 percent of respondents said no. A majority also believe that economic development programs should not be limited only to locally owned and operated businesses.

I found the response to possible consolidations particularly interesting. Let's focus on that.

CONSOLIDATIONS AND MERGERS

Respondents were asked:

"The next group of questions deals with the issue of population decline and the ways in which some communities are trying to respond to this situation.

"One suggestion which has been made is that cities and counties should merge their activities. This would mean that counties and cities would jointly provide public services. Would you support or oppose a city-county merger in your area?"

1. Support
2. Oppose

"Another suggestion that has been made is that counties should merge and jointly provide public services. Would you support or oppose the merger of your county with one or more of the neighboring counties?"

1. Support
2. Oppose

Among those who stated an opinion, a city-county merger was supported by more than 70 percent (see figure 1). A county-county merger received more opposition, but still received support from more than 55 percent of respondents (see figure 2). As the charts show, younger population groups are even more supportive of mergers.

Another way of presenting these results (see figure 3) takes into account the non-response rate. For example, if a respondent chooses not to answer a question, it is recorded as "no opinion." The percentage of "no opinion" was relatively higher on these questions than on other questions in the poll. Even with this relatively higher level of non-response, nearly 60 percent supported city-county mergers.

Overall, the level of support for such significant changes in local government responsibilities is noteworthy.

FURTHER STUDIES

In the course of our studies, one specialist described "consolidation" as the emerging issue in rural Kansas. Another expert said, "The rural crisis of the 1990's will be in local government."

In the report mentioned earlier, the Huck Boyd Institute made several policy recommendations dealing with local government, based on an extensive process of involvement with rural development specialists from the universities, state and federal agencies, local government, and the private sector, plus a "grass-roots" public forum. Attached is that part of our report dealing with local governments. In general, these recommendations endorse voluntary actions that cities and counties can take to streamline operations and work together voluntarily, perhaps on a regional basis. One specific recommendation is the creation of an advisory commission on inter-governmental relations.

We currently have another study underway on the topic of regional, multi-county approaches to promoting economic development and providing public services. This study is made possible by the Southwestern Bell Foundation. We will be looking at alternative approaches to cooperative local government activities in the following areas (a more complete list with examples is attached):

Administration
Planning
Economic Development

Human Resources
Public Facilities
Public Services

In regard to consolidation, rural residents appear to believe that any initiative should be:

- 1) voluntary - locally initiated, grass-roots, bottom-up;
- 2) based on a compelling reason - a vague, academic notion of "need for reform" is not enough, citizens need to know the purpose of consolidation with specifics on savings or efficiencies to be attained; and
- 3) decided by an informed, involved citizenry - an open and inclusive process should be followed, with adequate presentation of information - including trade-offs between cost reduction and access.

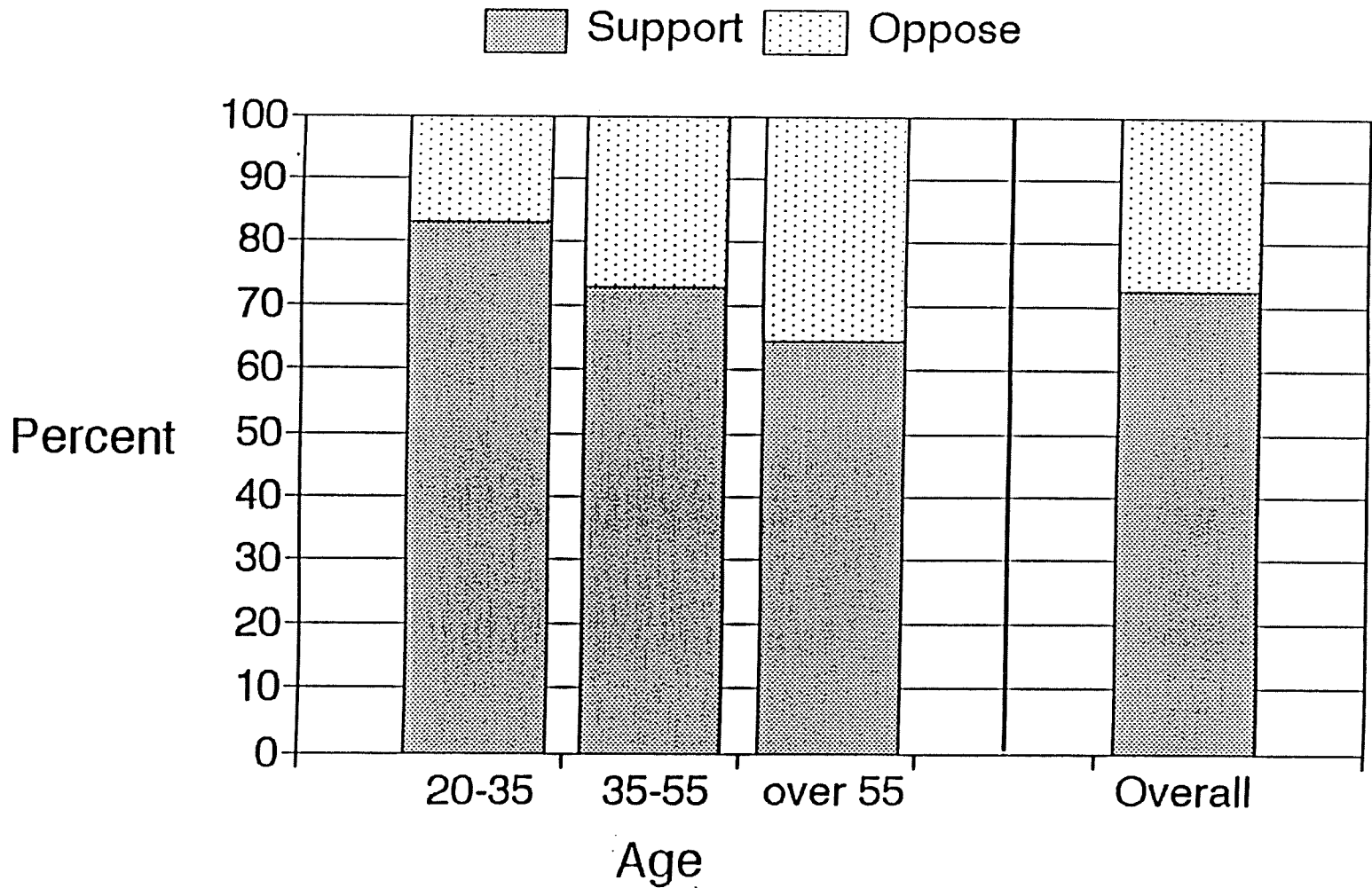
Many cities and counties already have cooperative strategies at work. More can be done. Attached is a schematic depicting the spectrum of types of intergovernmental interaction. In coming weeks, we will be holding community meetings in different regions of the state to learn more about successful collaborative efforts on the local level which could be used to benefit rural citizens in other regions of the state.

SUMMARY

The Kansas Rural Issues Poll demonstrated a surprisingly high level of support for mergers and consolidations. Clearly, local governments and taxpayers face many pressures. Many taxpayers are seeking relief from higher tax burdens, which leads to the need to focus on efficiencies in government. Our studies show a very strong belief that changes should come about from the "bottom-up" through local leadership. Many local governments are already pursuing practical steps to work more cooperatively and efficiently, and these should be studied and supported.

FIGURE 1

Support/Oppose a City-County Merger



*Attachment 4-3
Senate Social Joint
Jan 3-8, 1992*

FIGURE 1

KSU Institute of Social and Behavioral Research

Support/Oppose County-County Merger

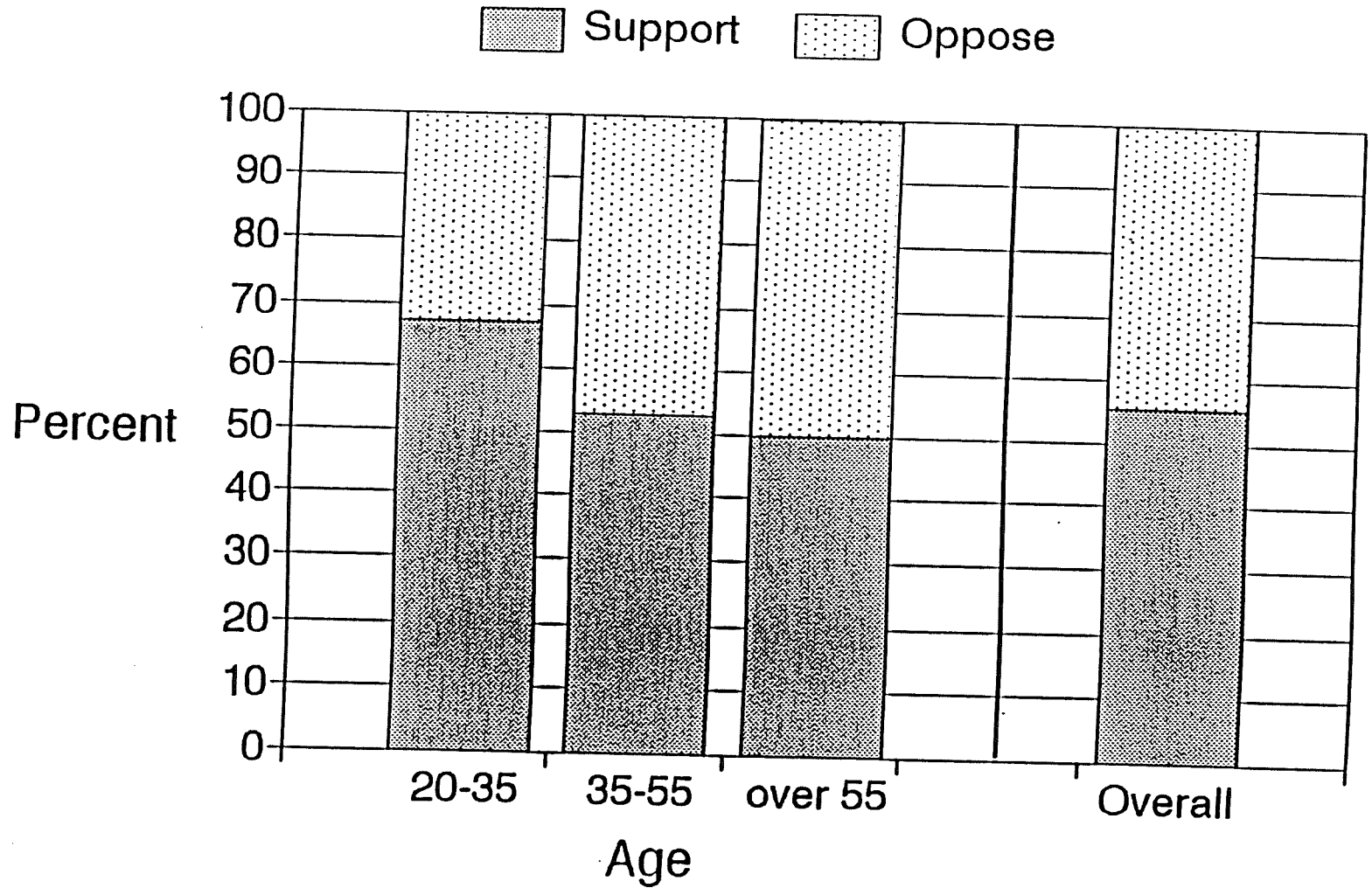


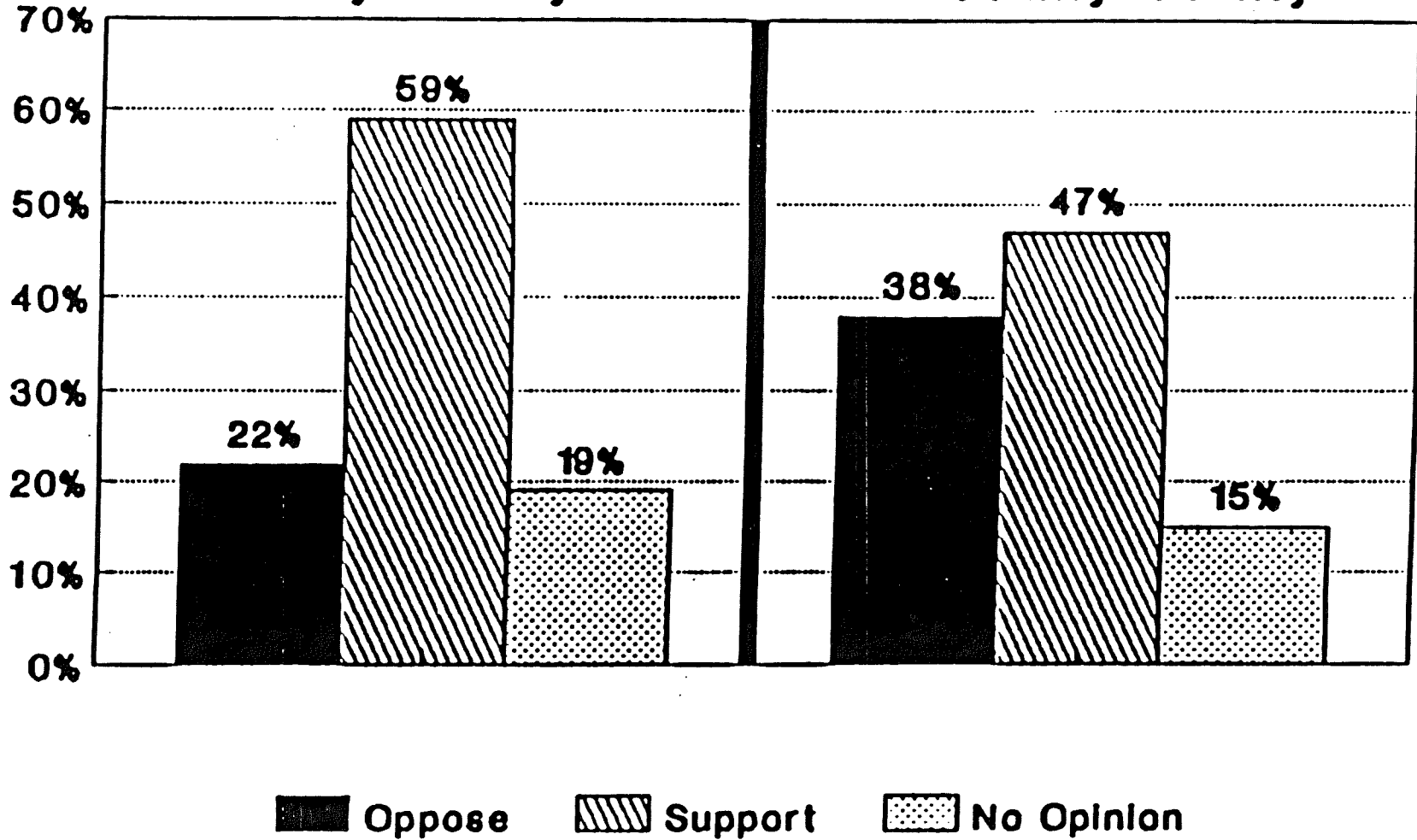
FIGURE 2

KSU Institute of Social and Behavioral Research

FIGURE 3

Merger Policy Options

City-County County-County



Attachment 4-4
Senate Social Oppt
Jan 28, 1991
FIGURE 3

EXCERPT FROM "RURAL KANSAS: AN AGENDA FOR THE FUTURE"

Policy: Help local governments and others sustain and enhance their ability to provide necessary services efficiently and cost-effectively. Such efficiencies should be insisted upon, and instigated by, local citizens, rather than having requirements forced upon them and their local government units by federal or state actions.

Strategy: Encourage cooperation and sharing among local governments in order to maintain quality service and minimize cost. Efficiency and cost effectiveness should begin with health care and education.

- Actions:**
1. Look for ways to provide incentives for shared governmental services, such as providing a salary bonus for a county staff person who serves more than one county such as a "roving city manager". Eliminate barriers to inter-governmental cooperation and creative financing.
 2. Build awareness of the cooperation and sharing among governmental units which has already begun in rural Kansas. Examples include SRS offices, mental health services, and law enforcement activities — such as the recent cooperative agreement between the City of Phillipsburg and the Phillips County Sheriff's office.
 3. Counties should seek to share and consolidate services among themselves. For instance, one county governmental function could be provided for several counties, and be located in that one particular county, with another governmental function being housed in another, different county, and not in the first county of service.
 4. Find cooperative ways for needed services to be provided (such as a small town accessing a rural water district rather than building its own water system). In making grants, the State should encourage communities to develop such cooperative arrangements, rather than building separate, independent projects.
 5. Encourage counties to develop multi-entity, multiple system solid waste management plans.
 6. Utilize state financial assistance programs to encourage inter-governmental cooperation.
 7. Establish an advisory commission on inter-governmental relations, to bring together representatives of cities, counties, schools, and the state to study how such governments can interact more effectively.

REGIONAL COOPERATION FOR ECONOMIC PROGRESS

Alternative Approaches for Local Government Collaboration

Administration
Planning
Economic Development

Human Resources
Public Facilities
Public Services

Administration:

Budgeting
Purchasing supplies - with city, county, school
Sharing office equipment
Co-location of offices, such as city & county
Data processing
Revenue/tax administration

Planning:

Regional Planning Commissions
Strategic planning grants
Inter-governmental communication, formal and informal
Infrastructure coordination - telecommunications
Multi-purpose boards (county commissioners also serve as the board of the rest home, for example)
Joint building commission (including public school, community college, city and county, to plan future building needs and projects)

Economic Development:

Certified Development Companies
Regional Planning Commissions
Tourism (districts, U.S. Highway 36 Association, joint displays at trade shows/exhibitions, promotion of events and festivals)
Industrial tours
Grant acquisition
School entrepreneurial programs - students starting businesses where need exists

*attachment 4-5
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Human Resources:

Leadership Development

Personnel

Joint employment of specialists - county attorney, engineer/director of public works, appraiser

Shared technical training

Employee benefits - expand the pool

Health insurance

Employee assistance program

Child care

Public Facilities:

Corrections - jail, juvenile center

Parks and recreation

Solid waste management - regional landfills

Water & sewer systems

Health care - regional comprehensive hospitals

Library

Airport

Shared shop/garage for vehicle repair and maintenance

Public Services:

Law enforcement - 911, Dispatch, Training, Personnel, EMT/ambulance

Fire protection

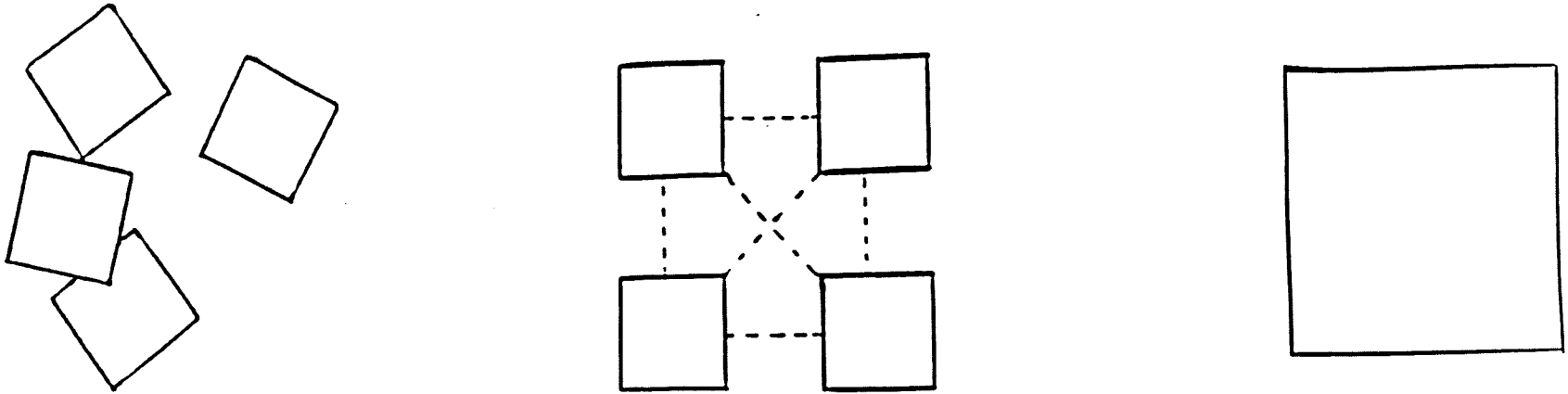
Maintenance of streets, roads & bridges - sharing maintenance and paving equipment

Education - star schools, sharing media center/library

Social Services - aging, crisis center, food pantry for the needy

SPECTRUM OF INTER-GOVERNMENTAL STRUCTURE

"The C-Words"



Co-existence/
competition:
independent
autonomous
units

Collaboration/
cooperation:
independent units
in cooperative
networks

Consolidation:
merger of
political
units

*Attachment 4-6
Senate Social Govt
Jan 28, 1992*



League of Kansas Municipalities

January 28, 1992

PUBLISHERS OF KANSAS GOVERNMENT JOURNAL 112 W. 7TH TOPEKA, KS 66603 (913) 354-9565 FAX (913) 354-4186

Some Observations About the Kansas Local Government System

- (1) Kansas has 4,025 local governmental taxing units, exceeded only by Illinois as to the number of local units with taxing powers.
- (2) The fragmented structure and dispersed method of delivering local public services in Kansas is the product of incremental changes occurring over the past century, which developed according to the perceived needs of the time.
- (3) Changes to this present fragmented and dispersed system will likely only occur gradually. There are few indications that the Kansas Legislature is likely to mandate or force the consolidation of local governments or their functions.
- (4) As a general rule, it appears that two or more Kansas municipalities are now empowered to do jointly or by intergovernmental contract most everything that they are empowered to do separately. Some changes to enabling statutes may be necessary to further facilitate cooperation or consolidation.
- (5) A great deal of intergovernmental cooperation now exist in Kansas--probably more than in most states. Further research on intergovernmental cooperation is needed. The League has a research program on cooperation scheduled to begin this summer, the components of which will be dependent in part on the agenda of the Kansas Advisory Council on Intergovernmental Relations, which may be created by the 1992 Legislature.
- (6) The state has a legitimate role in encouraging and facilitating change in our system of local government, to help assure that local governments are reasonably efficient and effective, and accountable to the public, under changing future conditions.
- (7) In the absence of state mandated governmental or functional consolidation, which is generally considered an unaccepted alternative by state legislators as well as the general public, the principal opportunity that state government has to facilitate change is to establish a process conducive to voluntary change.
- (8) The primary, current opportunity the Kansas Legislature has to facilitate this process would be to create an advisory council on intergovernmental relations.
- (9) In addition to the functions and duties assigned to such a body by HB 2663, the advisory council should be requested to examine whether state financial incentives to encourage local change are feasible, and whether the formation of local government study commissions in each county are appropriate.
- (10) The Senate Committee on Local Government may wish to introduce bills (drafts attached) to:
 - (a) Clarify the consolidation of services act (K.S.A. 12-3904).
 - (b) Broaden the application of the interlocal services contract act (K.S.A. 12-2908).
 - (c) Broaden the privatization act to include wastewater (K.S.A. 12-5501).

*Attachment 5-#
Senate Local Govt
Jan 28, 1992*

Consolidation of Services Act

12-3904. Same; petition by electors; procedure; election. Whenever a petition, signed by not less than 10% of the qualified electors of any political or taxing subdivision of this state or any two or more political or taxing subdivisions of this state, shall be filed with the governing body of such subdivision or subdivisions requesting that a proposition for the consolidation of specified operations, procedures and functions of designated offices or agencies of such subdivision or subdivisions be submitted to the electors thereof, such governing body or governing bodies shall submit such proposition at an election called and held for such purpose in the manner provided by the general bond law. If such proposition eliminates an elective office by consolidation, the governing body of such subdivision or subdivisions shall provide for the hearing and submit such proposition at the next regular general election of the county in which the office of governor is elected in accordance with K.S.A. 12-3903, and amendments thereto.

History: L. 1974, ch. 426, § 4; L. 1988, ch. 80, § 2; April 28.

The wording of such a petitioned-for proposition affecting the functions of two or more subdivisions shall be expressed in general terms. If the proposition is approved by a majority of the electors voting thereon, the governing body or governing bodies shall develop and implement a plan for the consolidation consistent with the intent of the proposition.

as required by K.S.A. 12-3903.

Attachment 5-2
Senate Social Govt
Jan. 28, 1992

Interlocal Services Contract Act

12-2908. Contracts between cities and counties; authorization. (a) Any ~~city or county~~ municipality may contract with any other ~~city or county~~ municipality to perform any governmental service, activity or undertaking which each contracting ~~city or county~~ municipality is authorized by law to perform. The contract shall be authorized by the governing body of the ~~city and county~~ municipality and shall state the purpose of the contract and the powers and duties of the parties thereunder. For the purposes of this act, "municipality" means a city, county or township.

(b) A contract entered into pursuant to this section shall not be regarded as an interlocal agreement under the provisions of K.S.A. 12-2901 *et seq.*, and amendments thereto.

History: L. 1982, ch. 58, § 1; L. 1983, ch. 69, § 1; May 12.

Attachment 5-3
Senate Local Govt
Jan 28, 1992

Privatization of Public Services

12-5501. Privatization of public services; definitions. As used in this act:

(a) "Capital intensive public service" means a public service which requires the investment of capital by a private contractor in physical facilities which would be amortized over a period exceeding one year;

(b) "public service" means (1) the collection, transportation, processing, recycling or disposal of solid wastes; ~~or~~ (2) the acquisition, treatment or distribution of water; _____

(c) "municipality" means any city or county or two or more cities or counties acting jointly;

(d) "private contractor" means one or more persons who are not a municipality;

(e) "service agreement" means any contract between a municipality and a private contractor under which the private contractor agrees to furnish to the municipality or to any other user a capital intensive public service and the municipality agrees to pay or cause to be paid to the private contractor a service fee for such service setting forth the terms and conditions thereof;

(f) "service fee" means the payment the municipality is required under the service agreement to make, or cause to be made, to the private contractor, including payments made by third parties to the private contractor for products or services and credited against payments the municipality otherwise would have to make or cause to be made under the service agreement;

(g) "user" means the municipality and all other persons who use the capital intensive public service furnished by the private contractor.

History: L. 1990, ch. 64, § 1; July 1.

or (3) the collection, transportation, processing or disposal of sanitary sewage or wastewater.

Attachment 5-4

Senate Local Govt

Jan. 28, 1992

RESEARCH / INFORMATION BULLETIN

League of Kansas Municipalities / 112 West Seventh Street / Topeka, Kansas 66603 / 913-354-9565

Vol. XIII, No. 569
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INTERGOVERNMENTAL COOPERATION An Inventory of Legal Authority in Kansas

Kansas local governments have broad legal authority to cooperate as to the performance of public functions and services. The purpose of this report is to identify and briefly summarize those Kansas statutes relating to intergovernmental cooperation. It deals primarily with the legal aspects of formal interlocal cooperation actions, rather than the more informal type of cooperation, such as occurs through organizations typified by the League of Kansas Municipalities.

The report is divided into the following parts, based on the kind of legal authorization required for formal cooperative ventures:

- 1) Interlocal Cooperation Statute
- 2) Interlocal Service Statute
- 3) Functional Consolidation Statute
- 4) General Highway and Public Works Statutes
- 5) Specific Cooperation Statutes

It should be noted that there are sometimes three or more laws which may be used to accomplish the same objective. In some cases, there are lengthy state laws which specifically authorize local units to do something cooperatively as to a certain function or service which is also covered by a general state law. In this case, local units presumably have an option as to which statutory procedure they choose to follow.

Interlocal Cooperation Statute

Probably the single most important general statute on intergovernmental cooperation is found in K.S.A. 12-2901 *et seq.* It essentially permits any two or more local units to do cooperatively or jointly that which they are empowered to do separately. In addition, the agencies involved in the intergovernmental cooperation venture may include this state, any other state, the United States or any private agency.

As a result of a number of amendments which have been made to the statute since its enactment in 1957, the purposes specified in the statute as permissible areas of cooperation have been expanded. In addition, a League-sponsored bill enacted in 1979 provided that the specified areas of such agreements **include but are not limited to** those mentioned functions. As a result, the present statute permits cooperation in such areas as "economic development, public improvements, public utilities, police protection, libraries, data processing services, educational services, building and related inspection services, flood control and storm water drainage, weather modification, sewage disposal, refuse disposal, park and recreational programs and facilities, ambulance service, fire protection, the Kansas tort claims act or claims for civil rights violations." However, it is again emphasized, these specified areas are illustrative, and agreements under this statute are not limited to these specified functions.

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Written agreements entered into under this statute are to be reviewed by the attorney general to determine if they are in proper form and compatible with the laws of the state. Agreements between two or more public agencies establishing a council or other organization of local governments for the promotion of intergovernmental cooperation need not be submitted for review by the attorney general. While the interlocal cooperation statute applies to all governments, K.S.A. 72-8230, relating to interlocal cooperation by school districts, contains supplemental provisions which apply when only such districts are involved in exercising their powers under K.S.A. 12-2901 *et seq.*

Interlocal Service Contracts

A second general law, originally passed in 1982, provides broad authority for any city or county to contract with any other city or county to perform any governmental service, activity or undertaking, which each contracting city or county is authorized to perform by law. The statutes are found in K.S.A. Supp. 12-2908:2909. The approval of the attorney general is not required. The contract must be authorized by the governing bodies and must set forth the purpose, powers, rights, objectives and responsibilities of the contracting parties.

K.S.A. 12-2908. (a) Any city or county may contract with any other city or county to perform any governmental service, activity or undertaking which each contracting city or county is authorized by law to perform. The contract shall be authorized by the governing body of the city and county and shall state the purpose of the contract and the powers and duties of the parties thereunder.

(b) A contract entered into pursuant to this section shall not be regarded as an interlocal agreement under the provisions of K.S.A. 12-2801 *et seq.*, and amendments thereto.

K.S.A. 12-2909. (a) The board of county commissioners of any county and the governing body of any city located within the county may enter into a contract providing for the enforcement of the city's ordinances by the sheriff of the county or other officers of the sheriff's department. Any contract entered into pursuant to this section shall be submitted to and approved by the county sheriff. Failure of the sheriff to approve a contract within 30 days of its submission shall constitute disapproval thereof. All monetary consideration paid by a city to a county as part of the contract shall be expended by the county solely for law enforcement purposes. The sheriff and any officers of the sheriff's department assigned responsibility for enforcing a city's ordinances under the contract shall be designated therein and shall have all the powers of any other police officer of the city by virtue of the existence of the contract.

(b) A contract entered into pursuant to this section shall not be regarded as an interlocal agreement under the provisions of K.S.A. 12-2901 *et seq.*, and amendments thereto.

Because of its broad authorization and simplicity, this statute is being increasingly used when only cities and/or counties are involved in a service arrangement. When a joint public agency is needed, or where the joint or cooperative performance of a service is required, the interlocal cooperation act is commonly used.

Functional Consolidation Statute

A third general state law, passed in 1974, gives counties, townships, cities, school districts, library districts, park districts, road districts, drainage or levee districts, sewer districts, water districts, fire districts, and other taxing subdivisions created under state law, broad authority to consolidate operations, procedures and functions in the interest of efficiency and effectiveness. It is found in K.S.A. 12-3901 *et seq.*, and is entitled, Governmental Organization.

Consolidation under this statute can be effected within a single governmental unit (internal consolidation), or through joint action of two or more governmental units (external consolidation). The governing body or governing bodies must first find by resolution that duplication exists and that operations, procedures or functions can be more efficiently and effectively exercised, and then designate the office or agency to perform the consolidated function, and the time, form and manner of implementation of the consolidation. Identical resolutions must be passed by each governing body when more than one

governmental unit is involved in a consolidation. A public hearing must be held before a governing body on the elimination of an elective office.

Elimination of an elective office must be approved by a majority of the electors voting at an election called and held in the manner provided by the general bond law (K.S.A. 10-120). An election is also required if a proposed consolidation is "protested" by a petition signed by 10 percent of the qualified electors. Provision is also made for state agency review and approval or disapproval of consolidations of those functions or operations which are subject to control by a state officer or agency.

General Highway and Public Works Statutes

In addition to the above three statutes, there are two general statutes relating to highways and to public works generally.

K.S.A. 19-4501, *et seq.*, enacted in 1972, grants counties with departments of public works broad powers to provide a variety of public works services to local units within the county, under written agreement (see Public Works Services in the listing of specific statutes).

In addition, K.S.A. 68-169, relating to cooperation as to highways, roads and streets, was amended and enlarged in 1975. This statute is reproduced below. It would permit, for example, county expenditures for streets and roads even if the street or road is not under the county's legal jurisdiction.

K.S.A. Supp. 68-169. Any county, city or political subdivision of this state shall have the authority to enter into written agreements with each other or with the secretary of transportation with respect to the planning, designing, financing, constructing, reconstructing, maintaining, acquiring of right-of-way or establishing the controlled access facilities of any existing or proposed highway, road, street or connecting link, including bridges, traffic control devices and other such improvements located thereon. Expenditures made pursuant to such agreements shall be considered proper expenditures of public funds, including state funds, notwithstanding the location of such improvement or facility outside the boundary or jurisdiction of such county, city or political subdivision. This section shall not be construed as amending or repealing any existing law relating to the same subject but shall be construed as supplementary thereto.

Specific Cooperation Statutes

In addition to the four general acts reviewed above, there are many specific statutes which authorize two or more governmental units to cooperate as to a certain function or service. The following is a list of statutory authorizations based on an inventory of provisions of Kansas Statutes Annotated. Excluded from this list are interlocal cooperation practices and opportunities not specifically provided for by statute or law. Also excluded are references to those state laws which require local units to act together and prescribe the procedure to be followed; compulsory joint actions are not considered cooperation for the purpose of this report. With limited exceptions, this list does not show the statutory authority for local units to cooperate with the state, other states, or the federal government.

The inventory includes a brief description of matters subject to cooperation, in alphabetical form, together with a citation to the applicable statute of authority. The latest K.S.A. Supplement and session laws should be checked to insure the statutory authority is current. The statute should be referred to in all cases.

Agriculture; County Extension Agents. Counties may jointly employ an extension agent. 2-615.

Air Pollution. See Health.

Airports. Any city and county may jointly operate, own or lease airports. 3-119a, 3-120.

Airports; Federal Aid. Cities and counties acting jointly may submit project applications under federal airport act. 3-606.

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Ports. See Port Authorities.

Ambulances. Any municipality operating an emergency medical service may contract with any person or governmental entity for any emergency medical services. 65-6116.

Ambulances; Interlocal Cooperation. Any public agency may join with any other in cooperating on ambulance service. 12-2901 *et seq.*

Assessors; Appraisers. Any county may unite with another county or counties to employ an appraiser. 19-428.

Audits. Authorizes local units other than cities, schools and other counties to contract with county to have audit done at time of county audit. 12-150.

Bonds. Two or more public agencies may enter into interlocal agreements to create a joint and separate legal entity to issue bonds for any purpose for which each of the units is authorized to issue bonds (e.g. highways, buildings, disposal plants). 12-2904a.

Bridges. See Highways.

Buildings; City and School Community Buildings. Any city and the school district in which the city is located may jointly construct and operate community buildings. 12-1769.

Buildings; General City Authority. Any city may jointly provide and equip public buildings with any other city or county. (See also 19-15, 115 *et seq.*) 12-1769 *et seq.*

Buildings; General County Authority. Any county may jointly provide any public building with any other county or city. (See also 12-1736 *et seq.*) 19-15,115 *et seq.*

Buildings; General Public Improvements. Any public agency may join with any other in cooperating on public improvements. 12-2901 *et seq.*

Buildings; Joint Township Authority. Any two or more adjoining townships in the same county may construct and use a joint township hall. 81-107.

Buildings; Public Building Commission. Any city or county may create a public building commission to construct and operate buildings and issue bonds for county business, city business, school district offices, parking facilities for state or federal offices and property constituting a part of the campus of any state university. 12-1757 *et seq.*

Buildings; Inspection Services. Any public agency may join with any other in cooperating on building and related inspection services. 12-2901 *et seq.*

Bus Transportation. See School Bus Transportation.

Data Processing; Interlocal Cooperation. Any public agency may join with any other in cooperating on data processing services. 12-2901 *et seq.*

Data Processing; Joint School District Agreements. Any two or more school districts may enter into cooperative agreements for operation and maintenance of data processing centers. 72-8227.

Disaster Emergencies. Authorizes creation of interjurisdictional disaster agencies upon certain findings by Governor. 48-930.

Economic Development. Any public agency may undertake programs to promote economic and area development. 12-2901 *et seq.* (Counties; also see 19-4101 *et seq.*)

Education. See School Districts.

Educational Services. Interlocal Cooperation. Any public agency may cooperate. 12-2901 *et seq.*

Educational Services; Interlocal Cooperation. Two or more boards of education may enter into agreements for interlocal educational services. 72-8230 and 12-2901 *et seq.*

Emergency Medical Services. See Ambulances.

Employees. See Intergovernmental Personnel.

Energy; Joint Municipal Energy Agencies. Any two or more cities may create a municipal energy agency for the purpose of securing electricity or other energy and transmitting the same to the cities belonging to the agency. 12-885, *et seq.*

Engineering; County Engineer. Any county may unite with adjoining county or counties for hiring a county engineer for highway district subject to certain limitations. 28-118.

Fire Protection; Emergency. During emergencies, city and township fire departments may go anywhere in state to assist. 12-111.

Fire Protection; County District. Any county, by board action or by petition of the residents, may organize one or more fire districts in the county. County may contract with cities for fire protection. Cities may be included in district. Contracts may be made with any township or city of adjoining county or with rural fire protection districts of adjoining counties of another state. Agreements between district and any city may be made for joint construction, equipping and maintenance of buildings for housing fire equipment. 19-3601 *et seq.*

Fire Protection; Interlocal Agreements. Any public agency may join with any other in cooperating for fire protection by written agreement. 12-2901 *et seq.*

Fire Protection; Miscellaneous. In addition to general statutes above, see: Districts, 80-1501 *et seq.*, 80-1512, 19-3613 *et seq.*; Townships, 80-1535 *et seq.*, 80-1539.

Flood Control; Interlocal Agreements. Any unit of government may enter an interlocal agreement with any other governmental unit to provide for flood control. 12-2901 *et seq.*

Flood Control; Stormwater Drainage Districts. Any city and the county in which city is located may form a stormwater drainage district including area inside city and in unincorporated areas. The district may construct and maintain main and lateral drains and provide for special assessments and bonds to finance the improvements. 12-6,102.

Garbage and Trash Disposal. See Refuse.

Health; Air Pollution. Any city, county, or combination thereof may conduct tests of air purity and establish local air quality conservation authority under state supervision. 65-3016.

Health; Board of. Any two or more cities and/or counties may establish a joint board of health. 65-205 *et seq.*

Health; Control of Contagious Disease. Joint action by counties and cities of the second or third class to control contagious diseases. 65-301.

Health; General. City-city, city-county and county-county agreements and contracts as to health services are generally authorized by 12-2901, 12-2908 and 12-3901; see part 1 of this report.

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Health; Mental Health Centers. Counties may establish a community mental health center and/or facility for mentally retarded. 19-4001.

Health; Mental Health Clinic. Where joint health board exists, mental health clinic may be operated by such joint board. 65-211.

Health; Students; Inspections. The local health officer makes sanitary inspections of school buildings, provides certain tests and inoculations to students. 65-202, 72-5210.

Highways; Agreements for Arterial Highways. Counties may assume responsibility for the construction, reconstruction, maintenance and repair of city streets designated primary arterial highways, or secondary arterial highways if they are connecting cities between county roads. Counties and cities may agree upon the cooperative financing as to the construction, reconstruction, maintenance and repair of city streets designated as a primary arterial highway, or as a secondary arterial highway if such streets are connecting links between county roads. 68-580 *et seq.*

Highways; Bonds for County-City Projects. Bonds issued by counties or cities issued for projects authorized by 68-584 may be used for county roads or city streets.

Highways; City-County Boundary Streets. A city and county may enter into an agreement to authorize the city to construct or reconstruct roads or streets on the city boundary limits and assess the cost against an improvement district which includes property both inside and outside city limits. 12-693, 68-506, 63-572.

Highways; County Line Roads. Where a road forms the boundary line between two counties, the counties may divide the work of maintaining and repairing. 68-507.

Highways; General Agreements. Any county, city or political subdivision of the state has the authority to enter into agreements with each other and with the state with respect to financing, construction, maintaining or acquiring right of way for highways, roads and streets whether within or without the boundary or jurisdiction of the county, city or political subdivisions. 68-169.

Highways; Agreements for Construction Maintenance. County, township, and/or city may enter into agreements for the construction, reconstruction or maintenance of any roads or streets. 68-572, 68-560.

Highways; General Bridge Agreement. Any two counties, cities or townships separated by a stream may join in the construction of a bridge and agree upon the share of the cost. 10-204.

Highways; Maintenance of County Connecting Links. Any county and city with population under 5,000 may enter into an agreement to maintain connecting links within the city. 68-506f.

Highways; Rental of Machinery and Equipment. Any county and any township is authorized to rent to each other or to a city located within the county. 68-141a *et seq.*

Highways; Miscellaneous. See also: Bridges, 13-1024b, 68-1410 *et seq.*, 68-1404, 68-1412 *et seq.*, 68-1122; line roads, 68-109, 68-716, 68-572, 68-582.

Hospitals. Permits two or more adjoining subdivisions to create a hospital district. 80-2503, see also 14-6,110, 19-4603 *et seq.*

Housing; Financing. Cities and counties may join together in issuance of bonds for residential housing. 12-5231.

Housing Authorities; Joint Operation. Any two or more cities or counties or combination thereof may join or cooperate in the financing, planning, construction or operation of projects under the public housing act. 17-2348.

Industrial Development. See Port Authorities.

Insurance; Group-Funded Risk Pooling. Any five or more municipalities may enter into agreements to share their liability for various public risks, excluding accident, health or life insurance. 12-2616 *et seq.*
Insurance; Worker's Compensation. Five or more common interest employers may establish group worker's compensation pools. 44-581. See also Tort Claims.

Intergovernmental Personnel. Authorizes voluntary interchange of employees among federal, state, and local government for periods up to two years with two-year extensions possible. 75-4401 *et seq.*

Jails; Construction for Joint Usage: Any county may appropriate up to \$1,000 to assist in construction of a joint city-county jail in a city other than the county seat, with certain limitations. 19-1923.

Jails; Contract for Usage. Any county may contract with any city for use of the city jail. 19-1929.

Jails. See Police Protection, Buildings.

Law Enforcement. See Police Protection.

Libraries; Board Contracts. Any county, city, school or township library board may contract with any other to furnish or receive library service. 12-1225, 12-1230, 72-1033, 72-1033a. See also School Libraries.

Libraries; Interlocal Cooperation. Any public agency may join with any other in cooperating on libraries. 12-2901 *et seq.* See also 75-2575.

Libraries; Regional Libraries. Any two or more adjoining counties or townships may establish and maintain a regional library, if approved by voters. 12-1231.

Libraries; Regional System of Cooperating Libraries. Any one or more library boards may petition the state library advisory commission for the establishment of a regional system of cooperating libraries. 75-2547 *et seq.*; 12-1234.

Machinery. See Highways, Interlocal Cooperation Act.

Mental Health. See Health.

Museums; Maintenance. Any county may maintain museums in any city, park district, or township used by county residents under agreements with the governing bodies thereof. 19-2801.

Oregon Trail. The state will cooperate with cities and counties to mark the route of the Oregon Trail. 68-1032.

Parks and Recreation; City-School District. Any city or school may cooperate to operate a recreation program or create a joint recreation commission. 12-1922 *et seq.*

Parks and Recreation: Interlocal Cooperation. Any public agency may join with any other in cooperating on park and recreational programs and facilities. 12-2901 *et seq.*

Parks and Recreation: Cooperation by Counties. Counties may contract for services or cooperate with another governmental agency to provide recreation activities and acquire property for same. 19-2801.

Parks and Recreation: Programs for Aging. Counties may contract for services or cooperate with another governmental agency to provide recreational activities and programs for aging. 19-2801.

Parks and Recreation; Miscellaneous. See also: 19-2844a, 19-2833a, 19-2841 *et seq.* 13-1356 *et seq.*, 15-914 *et seq.*

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Planning; Area. Any two or more cities or counties having adjoining planning jurisdictions or any county or cities within or adjacent to the county may jointly cooperate in the exercise and performance of planning powers. 12-716 *et seq.* See also 12-2901 *et seq.*

Planning; Board of Zoning Appeals. Any two or more cities or counties which have established a joint planning commission under 12-716 are authorized to establish a joint board of zoning appeals. 12-722 *et seq.*

Planning; County Use of City Planning Commission. Counties adopting zoning regulations for the unincorporated area may use the planning commissions of the county or cities located therein. 19-2933.

Planning; Subdivision Regulations Outside City. Any county and any city located therein shall establish a joint committee for subdivision regulation for the land area outside the city and within three miles of the city limits, if both the city and county seek to regulate such land. 12-705a, 19-2918b.

Police Protection; Interlocal Cooperation. Any public agency may join with any other in cooperating on police protection. 12-2901 *et seq.*

Police Protection; Contracts for Service. Any city or county may contract with any other city or county to perform governmental services; 12-2908. Cities may contract with counties as to the enforcement of city ordinances; 12-2909.

Police Protection; Consolidated Agencies. A county and cities therein may form a countywide law enforcement agency if approved by referendum. (limited application). 19-4401 *et seq.*

Police Protection; Joint Police and Municipal Judges. Authorizes two or more cities or city and county to appoint the same person as a law enforcement officer. Except in cities of first class, two or more cities may appoint the same person as municipal judge. 13-2102, 14-205, 15-1502, 15-209, 15-1602.

Police Protection; Use of Vehicles and Equipment (Johnson County). The county and cities therein may enter into agreements for the use or joint purchase of vehicles, broadcast equipment and other machinery used by law enforcement agencies. 19-2644 *et seq.*

Port Authorities. Cities and counties may establish joint port authorities to promote industrial development and commerce. 12-3401 *et seq.*

Public Improvements. Any public agency may join with any other in cooperating on public improvements. 12-2901 *et seq.*

Public Improvements. See also Buildings.

Public Works Services; County Department of. Any county public works department may provide public works services to political subdivisions in county under written agreements. Services that may be provided include: maintenance of public buildings, grounds, facilities, parks and recreation facilities; construction and maintenance of sewers, drainage and flood control, airports; solid waste; building, planning and related inspection services for land use purposes; maintenance and custody of machinery, equipment and other public works functions authorized by law. 19-4501 *et seq.*

Recreation. See Parks and Recreation.

Refuse Disposal; Interlocal Cooperation. Any public agency may join with any other in cooperating on refuse disposal. 12-2901 *et seq.*

Refuse; Solid Waste Disposal. All counties may provide for the disposal of refuse through contract with cities therein. County may provide site or use city site. 19-2658 *et seq.*

Refuse; Disposal in Sedgwick County. Authorizes joint county and city garbage and trash disposal. 65-3418.

Refuse; Resources Recovery. Cities or counties or combinations may establish resource recovery facilities. 65-3418.

Refuse; Solid Waste Management. Any two or more cities, counties, or combination of cities and counties may jointly plan and provide for the collection and disposal of refuse. 65-3410.

Roads. See Highways.

Sales Tax; Joint County Vote. The boards of any two or more contiguous counties by joint resolution may submit the question of imposing a sales tax to the voters of the involved counties on the same date. 12-187(c).

School Bus Transportation. Boards of education may contract with other units and with recreation commissions as to use of school buses for various purposes. 72-8302(b). See also 72-8307.

School Census. Boards of education may use any reasonable method of obtaining the annual census of all children under the age of 21. 72-1110.

School Districts, General. Board of education of two or more school districts may cooperatively perform any services, duties or functions required by law. 72-8230.

School Districts; Bilingual Education. Two or more boards of education may enter into agreements as to bilingual education. 72-9503.

School District; Data Processing. Two or more school districts may enter into agreements as data processing. 72-8227.

School Districts; Elementary Guidance. Two or more boards of education may enter into agreements as to elementary guidance programs. 72-9301.

School District; Special Education. Two or more school districts may enter into agreements as to special education services. 72-968.

School Districts; Vocational Education. Two or more school districts may enter into agreements as to vocational education. 72-4421.

School Libraries. School boards may contract with library boards as to public use of school library facilities. 72-1033. See also Libraries.

Sewage Disposal; Interlocal Cooperation. Any public agency may join with any other in cooperating on sewage disposal. 12-2901 *et seq.*

Sewerage; Water Pollution Act. Any city, county, township, township sewer district or other political subdivision authorized to levy taxes may improve their sewer system through a joint contract with one another. 12-3101 *et seq.*

Sewerage; Storm Water. See Flood Control.

Sewerage, Miscellaneous. In addition to general statutes above see: 14- 714, 13-10,107, 12-631g.

Sewer Districts. Governing body of county sewer districts (wastewater and storm water) may enter into interlocal agreements. 19-27a01 *et seq.*

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Waste. See Refuse.

Storm Water Control. See Flood Control.

Streets. See Highways.

Swimming Pools. See Parks and Recreation.

Taxes, Distribution. County board may enter into agreements with taxing subdivisions as to the distribution of taxes and interest thereon. 12-1678a(d).

Taxes, Delinquent Special Assessments. Cities and counties may agree on distribution of interest on delinquent special assessments. 79-2401a.

Tax Foreclosure. City may assist county in foreclosure action on delinquent tax liens or special assessments. 79-2801.

Tort Claims; Joint Insurance and Pooling. Any local unit through the interlocal cooperation act and the group-funded pool act may enter into agreements with other local units to provide for the purchase of insurance for the defense of employees and for liability claims under the tort claims act. 75-6111(b)(1) and (2); 12-2901 *et seq.*; 12-2616 *et seq.*

Township Roads. See Highways; also 68-560.

Traffic Control Devices. Any county, city, or other political subdivision may enter into agreements as to traffic control devices, even if outside their boundary or jurisdiction. 68-169.

Trash. See Refuse.

Utilities; Interlocal Cooperation. Any public agency may join with any other in cooperating on public utilities. 12-2901 *et seq.* See also Energy.

Water. See Flood Control, Utilities.

Water; Ports. See Port Authorities.

Weather Modification. Any public agency may join with any other in cooperating on weather modification. 12-2901 *et seq.*