

RESOLUTION NO. 7442

A RESOLUTION introduced by Mayor James A. McClinton expressing the opposition of the City of Topeka to House Bill 2654 concerning the annexation authority of cities in Kansas.

WHEREAS, House Bill (HB) 2654 is under consideration by the State of Kansas House Local Government Committee; and

WHEREAS, HB 2654 would require sixty percent (60%) of individuals residing in an area proposed for unilateral annexation by a city to vote in favor of the annexation before the annexation could proceed; and

WHEREAS, the voting requirement would apply even when the affected property owners had contractually consented to annexation as a condition for receiving city services; and

WHEREAS, the voting requirement of HB 2654 would restrict or eliminate much development outside city limits in Kansas by eliminating the contractual consideration given to a city for extending water and sewer services to these developments; and

WHEREAS, HB 2654 would also require that a city provide planned services and improvements to an annexed area within one (1) year of its annexation, instead of the current five (5) year requirement provided by Kansas law; and

WHEREAS, planning, design and construction requirements for infrastructure improvements for newly annexed areas generally require significantly more than one (1) year to complete; and

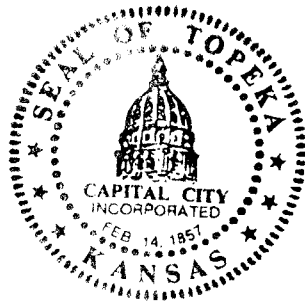
WHEREAS, by requiring a one (1) year deadline for the provision of services to newly annexed areas, HB 2654 would make the annexation of territories requiring infrastructure improvements very difficult if not impossible; and

27 WHEREAS, HB 2654 is a transparent effort by its sponsors to end all unilateral
28 annexations in Kansas.

29 NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Topeka,
30 Kansas that the City of Topeka strongly opposes HB 2654 as an attempt to end all
31 unilateral annexations and forever change the ways cities are able to expand and grow.

32 ADOPTED and APPROVED by the City Council FEB 10 2004.

33 CITY OF TOPEKA, KANSAS



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James A. McClinton
James A. McClinton, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE <u>2/10/04</u> BY <u>[Signature]</u>