



Derby, Kansas



2012 Legislative Agenda

Summary Position

The 2012 legislative goals for the City of Derby seek to preserve both the funding and values that are essential to local governance. These goals ensure that services to Derby citizens remain intact, especially as it concerns state funding issues. The following legislative agenda identifies these and other core areas of legislative importance to the City of Derby as well as specific items the City is asking our representatives to address this session.



Legislative Priorities

Home Rule

The City supports self-governance by locally elected officials as provided for in the Kansas Constitution. Specifically, local governments should control their rights of way, have condemnation authority, be immune from tort liability, and be free to voluntarily cooperate with other public and private entities, as well as state government, to ensure the best level of service for our citizens. We do not support actions at the state level that erode representative democracy or local self-determination.

Annexation

The ability of Derby to promote and plan for growth is inherent to the ultimate success of our community. The City supports the ability of all cities to use their annexation powers as they are currently established in state statute. Significant changes were made by the 2011 Legislature to balance the interests of cities and those in areas to be annexed. Further amendment would shift this balance to impede equitable taxation and orderly growth. Derby opposes further changes.

Fair and Equal Taxation

Derby is committed to keeping property and sales tax rates low. Achieving this goal depends on state leaders maintaining the tax base. Sales tax exemptions and tax credits, regardless of the worthiness of the mission, erode the tax base. Each exemption creates winners and losers: the special interest is the winner, and everyone else who pays higher taxes to offset the exemption are losers.

KPERS/KP&F

We support efforts to better fund KPERS retirement programs for city, county, school, and state employees. Employer contributions have not kept up with needs, and the situation will worsen as baby boomers retire. If the state will not better fund its system, it should at least enable cities to make contributions at the level needed for city retirees to get their pensions.

Kansas Open Meetings Act (KOMA)

Making government decisions in public view is not always easy or the most efficient way to govern, but most citizens would not have it any other way. The City supports all levels of government being subject to the same open meetings requirements which promote citizen involvement without being unduly burdensome.



Kansas Open Records Act (KORA)

An open record is a public record that must be made available, unless specifically prohibited, to members of the public requesting access to such record. Open records laws should balance the public's right to access with the necessity of protecting the privacy of individual citizens and the ability of public agencies to conduct essential business functions.

Demand Transfers

The State continues to fail to meet its statutory obligation to local units of government with respect to demand transfers. The Local Ad Valorem Tax Reduction (LAVTR) Program funds core services for cities. If the legislature continues to withhold those payments to local governments, it is only shifting the state's tax burden onto local taxing units and their constituents. Since 2002, Derby has lost \$385,000 annually from LAVTR. Also, Derby lost \$50,000 in 2009, \$35,000 in 2010, and \$25,000 in 2011 from removing property tax from business machinery and equipment. The City of Derby opposes further cuts in transfers of liquor tax or motor fuels tax revenues. Derby receives approximately \$270,000 annually for street and park projects and other important city services from these two demand transfers.

Unfunded Mandates

The City of Derby opposes unfunded mandates. If the state or federal governments seek to promote particular policy objectives, an appropriate level of funding, a cost-benefit analysis and a reasonable implementation schedule should accompany such mandates. We oppose the unfunded mandate that requires full publication of ordinances in the newspaper. We support a compromise to allow cities to publish entire ordinances on a website and require cities to publish notice in the newspaper.

Eminent Domain

Eminent Domain is a fundamental municipal right. The City supports the use of eminent domain to acquire property for public improvement projects as legitimate and beneficial uses of this authority. The City encourages efforts to strengthen eminent domain authority for blight remediation. The authority to intervene in a timely and effective fashion to abate blighted conditions that are clearly a threat to the surrounding neighborhood is imperative. The City supports statutory safeguards to protect private property interests and encourage its delegation to enhance municipal authority to stop blight.

Derby Partnerships

There is strength in numbers. That's why the City of Derby acts in cooperative partnership with regional organizations such as the **Regional Economic Area Partnership (REAP)** and **Visioneering Wichita** to develop legislative agendas for state and federal legislators to represent the best economic interests of the region.

The interests of the City of Derby and our sister cities are also represented by the legislative priorities of the **League of Kansas Municipalities** whose mission is to advocate for the interests of Kansas municipalities to advance the quality of life and general welfare of all Kansas citizens.

The City of Derby endorses the legislative priorities of each of these groups as summarized in the following pages.

REGIONAL ECONOMIC AREA PARTNERSHIP (REAP)

Mission

The Regional Economic Area Partnership (REAP) is comprised of 43 city and county governments in nine counties of South Central Kansas, which include Butler, Cowley, Harper, Harvey, Kingman, McPherson, Reno, Sedgwick and Sumner counties. These jurisdictions have voluntarily joined together for two primary purposes:

First, to guide state and national actions that affect economic development in the region;
and

Second, to consider and adopt joint actions among member governments that enhance the regional economy.

Contact Information:

Joe Yager, Executive Director

Center for Urban Studies
Wichita State University
1845 Fairmount
Box 155
Wichita, KS 67260-0155

Phone: 316/978-6542
joe.yager@wichita.edu

www.reap-ks.org



Derby Partnerships, cont.

REAP LEGISLATIVE PRIORITIES

Affordable Airfares:

Maintain the Kansas Affordable Airfares Program to assure more flight options, more competition for air travel, and affordable airfares for Kansas.

Research:

Advance legislative and administrative action to secure state financial participation in:

- aviation research at the National Institute for Aviation Research (NIAR) at Wichita State University; and
- orthopedic research at the Center for Innovation for Biomaterials in Orthopedic Research (CIBOR) at Wichita State University.

Water:

Advance legislative and administrative action to secure state financial participation in:

- the Equus Beds Storage and Recovery (ASR) Project to preserve the aquifer for agricultural, industrial, and municipal use essential to the regional economy;
- sediment and nutrient reduction programs that protect and sustain the region's public water supplies;
- support a reevaluation of current state water policy including Kansas Water Authority representation, revenue sources and distribution for the state water plan fund, and the process for adopting the annual state water plan fund budget; and
- promote science-based, common sense policies that protect the safety of the region's water supply, recognizing that the region's job creation potential should not be unnecessarily jeopardized.

Energy:

- Support research and development efforts regarding renewable energy sources.

Technical Education:

- Support a stronger system of business-driven technical training and education in Kansas including enhanced funding support, better alignment and articulation of education and training programs, and transition programs to better serve adult learners.

Local Workforce:

- Support federal reauthorization of the Workforce Investment Act of 1998 to include maintaining local control through private sector and employer driven Local Workforce Investment Boards.

VISIONEERING WICHITA

Members of the Unified Legislative Strategic Alliance for Visioneering Wichita, which includes a diverse group of business leaders, county and city officials, area legislators and other community leaders, wrestle with issues and discuss common goals for the region. The vision of this Alliance is that by 2024 the Wichita area will be a national model for effective, efficient, inclusive and accountable governments that are representative of the community's needs and desires.

Goals:

- ◆ Provide citizen input in developing our future;
- ◆ Facilitate communications so reality and perceptions are aligned; and
- ◆ Create a strategic plan that ensures a quality of life and encourages our young

THE UNIFIED LEGISLATIVE AGENDA

Aviation:

- Keep the Kansas aviation industry competitive through continued state investments in the National Institute for Aviation Research (NIAR) at Wichita State University and through support of business-driven technical training at the National Center for Aviation Training (NCAT) at Jabara Airport. (*Ongoing support: \$5 million for each program since 2007.*)

Medical:

- State support for 25% expansion in the capacity of nursing programs in existing post-secondary public education institutions in South Central Kansas. (*Maintain funding for the Accelerated Nursing Program at Wichita State University.*)
- Support for a Kansas Center for Innovation for Biomaterials in Orthopedic Research (CIBOR) in south-central Kansas through the Kansas Bioscience Authority. (*Ongoing funding: \$1.5 million in 2011.*)

General Infrastructure:

- State support to maintain and expand low-cost commercial air service from Mid-Continent Airport. (*Maintain funding: \$5 million annually since 2007.*)
- Support for state funding for Equus Beds Aquifer Storage and Recovery Project and maintenance. (*Maintain funding: \$1 million annually since 2008 up to \$7 million total.*)
- Support for Kansas Small Business Development Centers (KSBDC) and maintenance of ongoing funding. (*Maintain funding to ensure the Center located in Wichita continues to serve the needs of 23 counties.*)

Contact Information:

Suzie Ahlstrand
350 West Douglas Ave.
Wichita, KS 67202

Phone: 316/265-7771
Fax: 316/265-7502

www.visioneeringwichita.com

LEAGUE OF KANSAS MUNICIPALITIES

Mission

To unify, strengthen, and advocate for the interests of Kansas municipalities to advance the general welfare and promote the quality of life of the people who live within our cities.

LEAGUE ACTION AGENDA

Home Rule

Local tax and revenue decisions are a foundation of local democracy. Consistent with Home Rule principles, we oppose any limitation on the ability of locally elected officials to make those decisions.

Collective Bargaining

We appose any federal or state mandate which would required collective bargaining at the local level.

Municipal Finance

We support the statutory requirement that a portion of the monies received from state-sponsored gaming in Kansas be used for property tax reduction.

Emergency Management

Because cities play a crucial role in effective emergency management we request that the Adjutant General and the State of Kansas review the role of cities in the state emergency management plan.

Contact Information:

Kim Winn, Director of Policy Development & Communications
300 SW 8th Avenue
Topeka, KS 66603-3951

Phone: 785/354-9565
Fax: 785/354-4186
Email: kwinn@lkm.org

www.lkm.org



City of Derby, Kansas
611 Mulberry Road
Derby, Kansas 67037
www.derbyweb.com
www.derbyks.com

Dion P. Avello, Mayor
Kathy Sexton, City Manager

Phone: (316) 788-3132
Fax: (316) 788-6067

www.derbyweb.com