RESOLUTION NO. 7660

A RESOLUTION introduced by Councilmembers Bill Haynes, Brett Blackburn, Jeff Preisner, John Nave, Richard Harmon, and Clark Duffy seeking the legal opinion of the Kansas Attorney General on certain matters pertaining to HB 2083 concerning the consolidation of Topeka and Shawnee County.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS that it requests the City Attorney to seek the legal opinion of the Kansas Attorney General on certain matters pertaining to HB 2083 concerning the consolidation of Topeka and Shawnee County, including, but not limited to, the following:

1. Whether or not townships will continue to exist after consolidation, given that Section 6(l) of HB 2083 declares that the consolidated city-county shall be a city of the first class and, pursuant to K.S.A. 80-1404, township territory is not included in cities of the first class?

2. Whether the exercise of city authority and power may lawfully be limited to the current geographic boundaries of the City of Topeka, given that the entire consolidated city-county is a city of the first class, and, as stated in Section 6(l) of the bill, with all of the powers of home rule granted by Art. 12, § 5 of the Kansas Constitution and other powers granted by statute?

ADOPTED and APPROVED by the City Council JUL 19 2005.

CITY OF TOPEKA, KANSAS

[Signature]
William W. Bunten, Mayor

ATTEST:

[Signature]
Iris E. Walker, City Clerk

LRES/HB 2083 07/11/05

APPROVED AS TO FORM AND LEGALITY DATE 7/11/05 BY