

ORDINANCE NO. 9637

RESOLUTION NO. 19-01

**A JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS,
AND RESOLUTION OF DOUGLAS COUNTY, KANSAS,
AMENDING CITY ORDINANCE NO. 8948 AND COUNTY
RESOLUTION NO. 13-32, PERTAINING TO THE DOUGLAS
COUNTY FOOD POLICY COUNCIL, AND REPEALING
EXISTING CITY ORDINANCE NO. 8948 AND COUNTY
RESOLUTION NO. 13-32.**

WHEREAS, the Douglas County Food Policy Council was established by the County in September 2009 by Resolution No. 10-14 to identify the benefits, challenges, and opportunities for a successful, sustainable local food system in Douglas County;

WHEREAS, the Lawrence City Commission requested that the Douglas County Commission consider a joint council structure for the Douglas County Food Policy Council, which was established in December 2013 by Joint Douglas County Resolution 13-32 and City of Lawrence Ordinance 8948, to recognize existing program overlap and allow for greater collaboration between the City and the County to support agriculture producers, grow food sector businesses, and increase resident access to healthy local food;

WHEREAS, the Board of County Commissioners of Douglas County and the Lawrence City Commission adopted the Douglas County Food System Plan in June and July 2017, respectively, to guide the community's local food system development forward, and for which the Food Policy Council plays a pivotal implementation role; and

WHEREAS, the Food Policy Council endorses changing the purpose, scope of work, size, and membership of the Food Policy Council based upon its past successes to date, expanded local food systems work by the Lawrence-Douglas County Sustainability Office, and to ensure the FPC's continued progress is policy-focused, meaningful, and sustainable.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, AND BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

SECTION 1. Reestablishment of Council. The Food Policy Council (henceforth FPC) is hereby established as a joint advisory council to the City and the County.

SECTION 2. Purpose of the Council. The FPC seeks to support a successful, sustainable local food system in Lawrence and Douglas County. To this end, the purpose of the FPC is:

- a) To advise elected officials on food-system related policy issues; and
- b) To provide a community forum for local food system development.

SECTION 3. Goals of the Council. The work of the FPC shall help advance community progress towards the following goals:

- a) Agricultural producers, food entrepreneurs, and food sector workers thrive in our regional economy.

- b) As our cities grow, we prioritize natural resource conservation and maintain working lands to promote soil health.
- c) We build and design our communities to ensure food access, foster health, and eliminate food deserts.
- d) Our community fosters an equitable food system.
- e) Our community eliminates waste in our local food system.

SECTION 4. Duties of the Council. The Food Policy Council shall provide a community forum and advise the Lawrence City Commission, the Douglas County Board of County Commissioners, and City and County staff in the following ways. The FPC should:

- a) Convene and engage diverse perspectives. In particular, the FPC shall give attention to two essential considerations:
 - i. Ensure balance across the County's urban and rural communities, with attention to the important voice of multiple agricultural producers from various sectors, production systems, and marketing channels.
 - ii. Advance equitable representation towards a just and fair food system, where all residents can participate fully, regardless of socioeconomic status, geography, race, ethnicity, gender identity, sex, religion, color, national origin, age, ancestry, familial status, sexual orientation, or immigration status. Equally, applying universal interventions may not address the specific needs of some populations facing systemic barriers and disadvantage.
- b) Identify and address pressing issues, challenges and policy opportunities related to the local food system. The FPC shall seek to understand and identify the following consideration as a primary means of advancing its work: (1) Local conditions, (2) Models of best practice and their relevance to Lawrence and Douglas County, (3) Possible timeline for implementation, (4) Financial implications and future impacts, (5) Consideration of who in the community will be impacted by potential policy changes, including who will be the most impacted, (6) Possible unintended consequences.
- c) Support implementation of the Douglas County Food System Plan (adopted on June 28, 2017 by the Douglas County Board of County Commissioners and on July 11, 2017 by the City of Lawrence Commission), in collaboration with city and county staff and community partners. This may include: (1) Prioritizing initiatives, (2) Clarifying responsibility for work on specific actions, (3) Assessing progress and identifying indicators to track progress, (4) Maintaining community engagement, (5) Ensuring accountability in meeting goals and objectives in the plan.
- d) Maintain regular communication with the Douglas County Board of County Commissioners, the Lawrence City Commission, and County and City staff regarding FPC activities and recommendations.

SECTION 5. Membership of the Council. There shall be sixteen (16) members on the FPC, nine (9) appointed by the County and seven (7) appointed by the City, and comprised as follows:

- a) County-appointed: **Five (5) members to serve as liaisons** with important food systems partners:
 - i. **One representative of the Douglas County Farm Bureau;**

- ii. **One representative of a Chamber of Commerce in Douglas County;**
 - iii. **One representative of a non-governmental organization working in the area of sustainable agriculture or local food systems;**
 - iv. **One representative of the K-State Research and Extension-Douglas County;**
 - v. **One representative of the Lawrence-Douglas County Health Department or other local public health organization;**
- b) County-appointed: **Four (4) members** bringing relevant local food systems professional or personal experience, as outlined in the Council's bylaws;
 - c) City-appointed: **One (1) member also currently appointed to the City of Lawrence Sustainability Advisory Board;**
 - d) City-appointed: **Six (6) members** bringing relevant local food systems professional or personal experience, as outlined in the Council's bylaws;

SECTION 6. Terms of Service. Term lengths and limits shall be governed as follows:

- a) Members shall be appointed by the Lawrence City Commission or the Douglas County Commission for a term of three (3) years.
- b) Terms of service will begin at the start of the first meeting of the calendar year.
- c) In the event of a member's inability to serve or resignation, the responsible body shall appoint another person to serve for the remainder of the unexpired term so created. Service of a partial term will not apply when calculating applicable term limits.
- d) No person shall serve more than two (2) consecutive terms as a member.

SECTION 7. Meeting Attendance. Council member attendance is expected at every meeting of the FPC. In the event of more than two (2) unexcused absences, or more than five (5) absences in a calendar year, a Council member may be asked to resign from the Council. Failure to notify of an absence at least 24 hours before an FPC meeting will constitute an unexcused absence.

- a) For those members appointed as liaisons in Section 5 (a) and 5 (c), a designee from the same organization may attend a Council meeting from time to time in the appointed member's place with full voting rights if previously approved by FPC to serve as said designee.

SECTION 8. Staff Support. Both the City and the County shall provide staff support to the FPC as available and necessary.

SECTION 9. Bylaws. The FPC shall prepare bylaws to govern the Council's structure and decision making process and shall submit said bylaws to the City and County for joint approval.

SECTION 10. Open Meetings and Open Records. All meetings of the FPC shall be held in compliance with the Kansas Open Meetings Act, and its records shall be subject to the Kansas Open Records Act.

SECTION 11. Withdrawal by City or County. Either the City or the County may withdraw its support of the FPC and terminate the FPC's role with respect to such body upon not less than thirty (30) days' notice to the other governmental body.

SECTION 12. Existing City Ordinance No. 8948 and County Resolution No. 13-32 are hereby repealed in their entirety, it being the intent of the Governing Bodies of the City and the County that the provisions of this joint ordinance and resolution supersede those sections and that Ordinance and Resolution.

SECTION 13. If any section, sentence, clause, or phrase of this joint ordinance and resolution is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this joint ordinance and resolution.

SECTION 14. This joint ordinance and resolution shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, this ____ day of February, 2019.

APPROVED:

Lisa Larsen
Mayor

ATTEST:

Sherri Riedemann
City Clerk

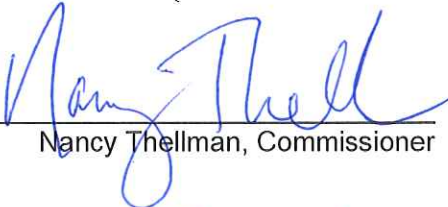
APPROVED AS TO FORM:

Toni R. Wheeler
City Attorney

ADOPTED by the Board of County Commissioners of Douglas County, Kansas, this 30 day of January, 2019

**BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS**


Michelle Derusseau, Chair


Nancy Thellman, Commissioner


Patrick Kelly, Commissioner

ATTEST:


Jameson D. Shew, County Clerk

NOTICE TO PUBLISHER

Publish once and return one Proof of Publication to the City Clerk, one to the City Attorney, and one to the County Clerk.