



BYLAWS

of the League of Kansas Municipalities

Adopted October 9, 2001

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BYLAWS

The League Of Kansas Municipalities

ARTICLE 1. NAME

Section 1. Name. This instrumentality of the member cities of Kansas, established by 32 cities of Kansas on May 19, 1910 and ratified by K.S.A. 12-1610e, is named the League of Kansas Municipalities and it may be referred to as the League or as the instrumentality.

ARTICLE 2. CITY MEMBERSHIP

Section 1. Action to Join. Any city in Kansas may become a member of the League by action of its governing body and payment of the membership dues, research subscription and subscriptions to the *Kansas Government Journal*, as authorized by state law and as provided for in Article 11 of these bylaws. Payment of the current annual membership dues and subscriptions shall be the limit of liability of any member city for the acts and obligations of this instrumentality.

Section 2. Voting Delegates. When a city is a member of the League, any elected or appointed officers of such city may be elected by the city governing body as voting delegates and alternate voting delegates, in accordance with the provisions of Article 4 of these bylaws, to represent the city in any meeting of the voting delegates and in the conduct of any other affairs of the instrumentality requiring action of the member cities. Alternate voting delegates may vote on matters before a meeting of voting delegates in the absence of the regular delegate. A voting delegate or alternate shall qualify by having his or her name, city, title and address registered with the executive director and shall hold such position while qualified and until a successor is elected and qualified.

ARTICLE 3. OFFICERS AND GOVERNING BODY

Section 1. Governing Body Constituted. The officers of the League shall be a president, vice president, executive director, 12 elected directors, and each past president who continues to serve in the municipal office the officer held while president on an uninterrupted basis shall be eligible to serve as a voting ex officio director, except that no past president shall serve in such capacity if that official's city is otherwise represented on the governing body of the League. The officers shall constitute the governing body of the League. The Executive Director shall serve as a non-voting member of the governing body.

Section 2. Qualifications. The elected officers and the ex officio directors shall be appointed or elected officers of a member city. Such officers shall hold one of the following positions with a city: mayor, councilmember, commissioner, city manager, city administrator, clerk, treasurer, city attorney, or finance officer. All officers of the League, except the ex officio directors and the executive director, shall be elected at the annual meeting and shall hold office until their successors are elected and have qualified. No officer shall be eligible to serve if the officer's city is otherwise represented on the governing body. The executive director shall be appointed by the governing body.

Section 3. Terms of Office. The term of office of the president and vice president shall be one year. The terms of office of the elected directors shall be three years. Four of said elected directors shall be elected each year. The executive director shall hold office at the pleasure of the governing body.

Section 4. Vacancies. A vacancy shall occur on the League governing body when an officer submits a written resignation, or no longer holds municipal office. All vacancies in elective offices shall be filled by appointment by the president, with the consent of the governing body, for the unexpired term, except that of president and vice president. When a vacancy occurs in the office of president, the vice president shall become president for the unexpired term. A vacancy in the office of vice president shall be filled by appointment by the governing body from its membership for the unexpired term.

Section 5. Voting and Committees. All decisions of the governing body shall be made by a majority vote of the members thereof. The president shall preside at meetings of the governing body and the executive director shall be the secretary. The president shall have power to appoint the members of such committees as may be established by the governing body.

Section 6. Meetings. The regular meetings of the governing body, shall be held at such times and places as established by the executive committee with the approval of the governing body: *Provided*, That the president may call, or the executive director on receipt of request by five members of the governing body shall call, a meeting of the governing body upon three days notice in writing delivered personally or by mail to each member.

Section 7. Executive Committee. The president, vice-president, and immediate past president of the League shall constitute the executive committee of the governing body. The executive committee shall have the duties and responsibilities identified in Article 9, Section 3.

ARTICLE 4. ELECTION OF OFFICERS; CITY VOTES

Section 1. Election and Oaths. The election of officers, except the ex officio directors and the executive director, shall be held on the last day of the annual conference. The elected and appointed officers of the League shall subscribe to the oaths required of city officials by state law.

Section 2. Nominating Committee. Nominations for elected officers shall be made by a nominating committee which shall be chaired by the immediate past president and shall consist of not less than five officers of member cities who shall be appointed by the president with the consent of the governing body. The names, titles, and addresses of the members of the nominating committee shall be published in *Kansas Government Journal* at least 10 days before the meeting at which the officers are elected. The nominating committee shall make its report in writing to the annual conference at a time not later than 24 hours prior to the start of the annual business meeting. Such reports shall be available from the president or executive director. Additional nominations may be made in writing and must be presented to the president or executive director at least 12 hours prior to the start of the annual business meeting. Each such

additional nomination shall be supported by the signatures of 10 city voting delegates at the conference.

Section 3. Election Guidelines. The governing body shall adopt by resolution the guidelines to be utilized by the nominating committee when considering recommendations for the elected officers of the League.

Section 4. City Voting. Whenever the vote of the member cities is taken, each member city shall be entitled to one or more votes as provided by Section 5 of this Article and only a qualified voting delegate may vote. No city voting delegate may vote by proxy. A majority of the city votes cast shall be required for the approval of any matter submitted by letter ballot. The voting requirements at a meeting of voting delegates shall be as provided in Article 5 of these bylaws.

Section 5. Vote Allocation. Each member city of less than 2,501 population shall have 1 vote. Each city of over 2,500 shall have votes as follows:

Base vote for first 2,500 population or fraction thereof	1 vote
Next 5,000 or fraction thereof	1 vote
Next 10,000 or fraction thereof	1 vote
Next 20,000 or fraction thereof	1 vote
Each additional 40,000 or fraction thereof	1 vote

Section 6. Quorum and Vote by City. City delegates from 30 member cities shall constitute a quorum of a meeting of voting delegates. All decisions shall be made by a majority vote of the city voting delegates voting: Provided, that upon the request of 10 or more voting delegates in attendance, a majority of the number of votes held and cast by those cities represented by voting delegates in attendance shall be required. Whenever a vote by city is conducted, the voting delegates representing each city shall cast a single vote, either yes or no, of all such city's votes.

ARTICLE 5. ANNUAL CONFERENCE & CONVENTIONS

Section 1. Annual Meeting and Convention of Voting Delegates. An annual conference of the League and convention of the voting delegates of member cities shall be held at a time and place determined by the governing body; *Provided*, That the governing body by a three-fourths vote may call, or the executive director upon receipt of petitions requesting a meeting at a time and place therein designated signed by 10% of the city delegates registered in his or her office shall call a convention of voting delegates.

ARTICLE 6. KANSAS GOVERNMENT JOURNAL

Section 1. LKM Official Publication. The *Kansas Government Journal* shall be the official journal of the League. It shall be published by the executive director. The governing body shall establish the subscription rates by resolution. The governing body may enter into contracts

with organizations of political subdivisions and public officials for the adoption of *Kansas Government Journal* as their official publication.

ARTICLE 7. RESEARCH AND SERVICES

Section 1. Inquiries. Local government information research services, special services, and technical and advisory assistance shall be provided by the League as authorized by state law and these bylaws. The executive director and employees of the League shall comply with all reasonable requests for information and research relating to local government and administration made by the subscribers to the local government research services and publications of the League.

Section 2. Research Funds. The governing body may provide funds for financing local government research and other services of the League by soliciting and accepting gifts, grants, contributions, devises or bequests and by selling research subscriptions.

Section 3. Research Subscriptions. The governing body shall determine the kind and amount of research and information services which shall be rendered to the member cities and to other subscribing local governments, and shall establish a schedule of rates to be charged for research subscriptions.

ARTICLE 8. POLICY DEVELOPMENT

Section 1. Municipal Policies. Policy development, promotion and implementation services and activities shall be provided by the League. The League shall; **(a)** prepare and annually adopt by convention action a statement of municipal policy setting forth the common objectives of its member cities; **(b)** promote commitment to such policy objectives by municipal officials; **(c)** secure implementation of approved municipal policy objectives at federal, state, county, regional and local legislative levels; **(d)** promote legislation to preserve and enhance the fiscal powers and financial resources of cities; **(e)** advocate the interests of its member cities in state and federal administrative actions affecting cities; and **(f)** promote the effective use of our intergovernmental system in meeting the needs of the public. The League shall endeavor to responsibly and forcefully serve as the collective spokesman for municipal government objectives, championing the cause of local government and home rule.

Section 2. Local Participation. The League shall assist member cities and their governing bodies and chief administrative officials in performing their governing and local policy development and management responsibilities.

ARTICLE 9. ADMINISTRATION

Section 1. Governing Body. The governing body shall supervise and control the affairs of the League as authorized by state law and these bylaws.

Section 2. Executive Director. The executive director shall be the chief executive officer and shall manage the affairs of the League pursuant to these bylaws and policies established by

the governing body. The executive director shall: **(a)** appoint and fix the compensation for all the employees and be responsible for the proper and effective conduct of the work of the League; **(b)** keep an accurate record of accounts which shall be audited once each year by a licensed accountant selected by the governing body; **(c)** prepare a budget of the estimated revenues and expenditures, which shall be submitted to the governing body for its approval; **(d)** make all commitments and expenditures for the League pursuant to budget authority; **(e)** disburse the funds of the League by check, bearing two signatures of persons authorized so to sign by the executive director; **(f)** cause accurate minutes of the conventions and the meetings of the governing body to be kept; **(g)** mail notice of all conventions to the city clerk and registered city voting delegates of member cities unless notice of such meeting shall have been published in *Kansas Government Journal*; **(h)** collect and receive all League revenues and keep a record of accounts; **(i)** be the publisher of the *Kansas Government Journal*; and **(j)** furnish a surety bond approved by the governing body.

Section 3. Executive Committee. The executive committee of the governing body shall have general supervision of the affairs of the League between the regular meetings of the governing body. The executive committee shall serve as the review committee for the executive director and shall make recommendations to the governing body concerning the executive director's performance and compensation.

ARTICLE 10. PROPERTY AND CONTRACTS

Section 1. Titles. Title to all property belonging to this instrumentality shall be taken and held in the name of the League of Kansas Municipalities.

Section 2. Personal Property. Personal property of the League of value of \$10,000 or less may be sold, transferred or otherwise disposed of in the name of the League by the executive director as deemed advisable. Personal property of the League of value of more than \$10,000 may be sold, transferred or otherwise disposed of in the name of the League by the executive director when expressly authorized by the governing body. Personal property of the League may be pledged or mortgaged in the name of the League only by express authority of the governing body.

Section 3. Real Property. Real property belonging to the League shall be sold, transferred, conveyed or mortgaged only by express authority of the governing body. All deeds or mortgages of real property shall be executed in the name of the League by the president and attested by the executive director with the seal of the League affixed.

Section 4. Contracts. All other contracts for or on behalf of this instrumentality shall be executed in the name of the League as follows: **(a)** any contracts wherein the money consideration to be furnished by the League is \$10,000 or less may be executed by the executive director in his or her discretion *Provided*, pursuant to budget authority; **(b)** contracts wherein the total money consideration exceeds or may exceed \$10,000 may be executed by the executive director or the president only when expressly authorized to do so by the governing body; and **(c)** contracts wherein the League is obligated to furnish only information, research, special services, advertising space or publications of the League may be executed on behalf of the League by the

executive director subject only to the provisions of these bylaws and the rules and regulations of the governing body.

ARTICLE 11. MEMBERSHIP DUES AND SUBSCRIPTIONS

Section 1. Dues. The annual membership dues and research subscription for each member city shall be payable in advance of the first day of January in each year, and shall consist of: **(a)** a charge based on population; and **(b)** a charge based on assessed valuation, added together to comprise the base charge for each city.

a. Population Charge. The portion of the base charge calculated on the basis of population, as determined by the most recent state certified census, shall be as follows:

	<u>Per Capita Charge</u>
Cities under 1,000	.250
Cities of 1,000-1,999	.185
Cities of 2,000-4,999	.160
Cities of 5,000-19,999	.150
Cities of 20,000-49,999	.145
Cities of 50,000-149,000	.120
Over 149,000	.080

b. Assessed Valuation Charge. The portion of the base charge calculated on the basis of the tangible assessed valuation of each city, as reported by the county for the previous year, shall be as follows:

Assessed Valuation	Charge per \$10,000 of assessed valuation
\$1-999,999	.800
\$1,000,000-1,999,999	.650
\$2,000,000-4,999,999	.440
\$5,000,000-19,999,999	.370
\$20,000,000-49,999,999	.360
\$50,000,000-299,999,999	.340
\$300,000,000-699,999,999	.250
\$700,000,000-999,999,999	.165
\$1,000,000,000 and over	.140

c. Valuation Changes. The governing body of the League is authorized to adjust the valuation charge specified in subsection b if changes are made by state law, constitutional amendment or assessment practices which significantly affect local assessed valuations, and may also, beginning in 1992, levy surcharges on dues and research payments to reflect changes in the consumer price index, but no such change shall be made which annually increases the total of dues and research subscription payments in excess of 5%.

d. Building Assessment. Beginning with the 1995 dues assessment, the governing body of the League is authorized to levy a surcharge for a term of no more than 15 years on the annual dues of League member cities that do not elect to prepay their total proportionate share of the

cost of the acquisition, renovation and equipping of the League headquarters building and adjacent parking space located at 300 S.W. 8th Avenue in Topeka, Kansas, which was approved by vote of the League membership in 1994, in an amount sufficient to pay the annual proportionate cost thereof.

e. Major Policy Initiatives Fund. Beginning with the dues assessment for the 2003 calendar year and continuing through the dues assessment for the 2007 calendar year, the Governing Body of the League may levy a special surcharge on the annual dues and research assessments of member cities to be deposited in a separate Major Policy Initiatives Fund. The total amount budgeted for the Major Policy Initiatives Fund each calendar year shall not exceed 20% of the aggregate dues and research assessments of member cities for the same calendar year. The monies in such fund shall be expended to finance special studies, consulting services, and other projects as identified by the League Executive Committee as major policy initiatives. As of the effective date of this section, all monies in the Environmental Research Fund shall be deposited in the Major Policy Initiatives Fund.

Section 2. Division of Dues. The amount paid in dues and research subscriptions by each member city shall be credited 50% as annual dues and 50% as research subscriptions for said city. The governing body of the League may authorize special first-year membership rates to nonmember cities.

ARTICLE 12. MUNICIPAL ASSOCIATIONS

Section 1. Affiliates. The governing body is authorized to formally recognize associations which consist predominantly of municipal officials as affiliates of the League of Kansas Municipalities.

Section 2. Benefits and Privileges. Associations that are recognized by the governing body as affiliates of the League of Kansas Municipalities shall have the following benefits and privileges: (a) recognition as a League affiliate in the *Kansas Government Journal*; (b) the privilege of meeting as a municipal association in conjunction with the annual conference of the League of Kansas Municipalities; and (c) the privilege of having one of its officers participate as a voting member of the Legislative Policy Committee of the League of Kansas Municipalities, provided that the officer so designated shall be a municipal officer.

Section 3. Revocation. The governing body may revoke the recognition of a municipal association holding the status of affiliate.

ARTICLE 13. LITIGATION

Section 1. Appellate Cases. Assistance in litigation shall be limited to providing legal advice and information to member cities at the district court level and to the filing of *amicus curiae* briefs in the Kansas Court of Appeals, the Kansas Supreme Court, and the federal appellate courts.

Section 2. Advisory Committee. A litigation advisory committee is created for the purpose of advising League staff and the League governing body on whether or not to file an *amicus* brief when such request has been made by a member city. The final decision on whether to file a brief shall be made by the League governing body. The procedures for selecting the members of the litigation advisory committee and for submitting cases to the committee shall be established by resolution of the League governing body.

ARTICLE 14. AMENDMENTS

Section 1. Amendment Process. These bylaws may be amended by letter ballots submitted by mail to all qualified city voting delegates or by any meeting of city voting delegates by a majority vote of all the city votes cast thereon. Proposed amendments shall be submitted by the governing body, or by the executive director upon receipt of petitions requesting the submission of such amendment signed by 10% of the registered city voting delegates and shall be published in *Kansas Government Journal* on a date before the city delegates vote thereon; *Provided*, That consent to consider any amendment which has not been published as provided above may be secured upon written request of the governing body or upon written petition signed by 20 delegates present at an official meeting of voting delegates, and upon a three-fourths majority vote of the delegates present and voting therefore; *Provided*, That at least four hours shall elapse between the time the request or the petition for consent to consider such amendment is first proposed and read to the city delegates and the time a vote on such consent is taken.

Section 2. Counting Committee. The governing body shall appoint a counting committee of three of its members who shall count the votes cast by letter ballot on amendments to these bylaws and submit the same to the governing body who shall canvass the vote and announce the results, whereupon approved amendments shall be in effect; *Provided*, That the votes by letter ballots shall be counted not less than 45 days after the date of mailing the letter ballots to the city delegates.

Section 3. Bylaws Review. The governing body shall cause the bylaws to be reviewed every five years.

These bylaws were revised and readopted in their entirety on October 9, 2001.

Previous History: These bylaws were originally adopted by Resolution No.53-1 on September 23, 1953. They have been amended by Resolutions No. 53-3, No. 56-1, No. 61-7, No. 62-1, No. 64-1, No. 66-3, No. 69-3, No. 72-4, No. 73-4, No. 74-1, No. 77-1, No. 78-2, and No. 81-1. Further amended by ballot in 1993; 1997 and 2000.

STATE LAWS ESTABLISHING AND GOVERNING THE LEAGUE OF KANSAS MUNICIPALITIES

K.S.A. 12-1610e. Any city in the state of Kansas may have membership in the League of Kansas Municipalities by action of the governing body and payment of the annual membership dues and subscriptions. The League of Kansas Municipalities is hereby constituted an instrumentality of the member cities of said league. The member cities acting by, through and in the name of such instrumentality are authorized to maintain local government information and research services and facilities and the *Kansas Government Journal*. This act shall be supplemental to K.S.A. 12-1610a, 12-1610b, 12-1610c, and 12-1610d or any amendments thereto.

K.S.A. 12-1610f. The governing body of each member city may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities. Such city delegates shall have power to adopt resolutions and establish general policies for the conduct of the affairs of said league, to establish annual membership dues and subscriptions, and to provide for the necessary officers and a governing body and to prescribe the powers and duties thereof.

K.S.A. 12-1610g. The member cities of the League of Kansas Municipalities acting by and through such instrumentality and in its name shall have power to purchase, or to receive by gift; devise or bequest and to hold real and personal property, to sell and convey any such real or personal property; to make contracts; to have and use a seal for such instrumentality; to sue and be sued in the name of such instrumentality in relation to its property and affairs; and to do all other acts necessary to the exercise of the functions of such instrumentality: *Provided*, That the payments of the current annual membership dues and subscriptions shall be the limit of liability of any member city for the acts and obligations of said instrumentality: *Provided*, further, That in the event the League of Kansas Municipalities is dissolved or otherwise terminated, all of its files, records, assets and property whatsoever, shall be delivered to the secretary of state to be held in custody for the cities of this state.

K.S.A. 12-1610a. The governing bodies of the political subdivisions of the state of Kansas are authorized to purchase annual subscriptions to *Kansas Government Journal* for their officers and employees and to maintain at least one bound set of these journals in their archives for reference,

K.S.A. 12-1610b. The officers and employees of the political subdivisions of the state of Kansas may cooperate with the editor and the publishers of *Kansas Government Journal* in the compilation of statistical data and other information on the operation of their respective governments for publication in *Kansas Government Journal*.

K.S.A. 12-1610c. Any city is authorized to pay the annual city dues in the League of Kansas Municipalities and to pay the actual expenses of its officers or employees who are authorized by the city governing body to attend any meetings of such League.

K.S.A. 12-1610d. Any political subdivision of the state of Kansas is authorized to pay subscriptions to the local government research services and publications of the League of Kansas Municipalities.