

RESOLUTION NO. 26-1063

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF OLATHE,
KANSAS, SELECTING A MEMBER OF THE GOVERNING BODY AS THE
APPOINTING AUTHORITY FOR PURPOSES OF REVIEWING THE CRIMINAL
HISTORY RECORD CHECK OF A SELF-APPOINTED MAYORAL MEMBER OF
THE KANSAS SPORTS FACILITIES AUTHORITY, PURSUANT TO 2026 HOUSE
BILL NO. 2466**

WHEREAS, during the 2026 session, the Kansas Legislature enacted House Bill No. 2466, which, among other things, establishes the Kansas Sports Facilities Authority Act (New Sections 1 through 8 of House Bill No. 2466) creating the Kansas Sports Facilities Authority (the “Authority”) to provide for the construction, financing, and management of certain sports facilities and sports facility infrastructure; and

WHEREAS, New Section 3(b) of House Bill No. 2466 provides that the Authority shall consist of eleven voting members, including, as provided by New Section 3(d), up to two members appointed by the mayors of cities where a sports facility of the Authority is located; and

WHEREAS, New Section 3(d)(1) of House Bill No. 2466 permits the mayor of such a city to appoint a member of the Authority who may be the mayor themselves, subject to the conditions set forth in that section; and

WHEREAS, the Mayor of the City of Olathe, Kansas (the “City”), has made a self-appointment to the Authority pursuant to New Section 3(d) of House Bill No. 2466; and

WHEREAS, New Section 3(a)(2) of House Bill No. 2466 requires that, before the appointment of any person as a member of the Authority, the appointing authority shall require such person to be fingerprinted and submit to a state and national criminal history record check in accordance with K.S.A. 2025 Supp. 22-4714, as amended; and

WHEREAS, New Section 3(d)(3) of House Bill No. 2466 provides that, in the event of the self-appointment by a mayor to the Authority, the governing body of such mayor’s city shall select a member of such governing body as the appointing authority for purposes of review of the criminal history record check required by New Section 3(a)(2); and

WHEREAS, the Governing Body of the City desires to select and designate a member of the Governing Body to serve as the appointing authority for the limited purpose of reviewing the criminal history record check information pertaining to the Mayor’s self-appointment to the Authority, as required by New Section 3(d)(3) of House Bill No. 2466.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Designation of Appointing Authority. Pursuant to New Section 3(d)(3) of House Bill No. 2466, the Governing Body hereby selects and designates Councilmember Robyn Essex as the appointing authority for purposes of reviewing the state and national criminal history

record check required by New Section 3(a)(2) of House Bill No. 2466 in connection with the self-appointment of the Mayor as a member of the Authority.

SECTION TWO: Scope of Designation. The designation made in Section One is limited solely to the review of the criminal history record check information obtained pursuant to New Section 3(a)(2) and (a)(3) of House Bill No. 2466 with respect to the Mayor's self-appointment to the Authority, and confers no other appointing, supervisory, or decision-making authority upon Councilmember Essex with respect to the Authority or the Mayor's membership on it.

SECTION THREE: Confidentiality. Councilmember Essex shall maintain the confidentiality of any criminal history record check information received in connection with this designation, consistent with New Section 3(a)(3) of House Bill No. 2466, which provides that the Kansas Bureau of Investigation shall remain in custody and control of such information and shall allow only the appointing authority and certain legislative leaders to view it.

SECTION FOUR: Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Governing Body this ____ day of _____, 2026.

SIGNED by the Mayor:

CITY OF OLATHE, KANSAS

Mayor

ATTEST:

Brenda Swearingian, City Clerk

APPROVED AS TO FORM:

City Attorney