

ORDINANCE NO. 19-XX

AN ORDINANCE AMENDING OLATHE MUNICIPAL CODE SECTIONS 2.34.020 AND 2.34.050; PERTAINING TO THE OLATHE COMMUNITY FOUNDATION; AND REPEALING THE EXISTING SECTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Section 2.34.010 of the Olathe Municipal Code is hereby amended to read as follows:

“2.34.020 Directors – Appointment, Terms, Ex Officio Directors.

(A) The Olathe Community Foundation Board of Directors consists of a maximum of seven (7) Directors, excluding ex officio Directors. Directors will be nominated by the Mayor and confirmed by the Governing Body. Directors must be residents of the City. Directors will serve without compensation. The Governing Body may serve as the Board of Directors until the members of Board of Directors are appointed.

(B) Directors will serve for ~~a~~s terms of three (3) years. ~~No~~ Directors will usually serve no more than two (2) consecutive three (3) year terms, except that a Director may serve an additional term or terms if reappointed by the Governing Body ~~the immediate past President may continue to serve an additional three (3) year term immediately following that person's term as President.~~ A Director may be removed from office at any time by the Mayor or the majority vote of the Governing Body.

(C) A vacancy or vacancies on the board exists in case of the death, resignation, or removal of any Director. The Governing Body is not required to fill a vacancy. Any filling of vacancies will be done in the manner described in this Section and will be for the remainder of the unexpired term of the previous Director. No

reduction of the authorized number of Directors will have the effect of removing any Director prior to the expiration of such Director's term of office.

(D) The Mayor, the City Manager, and a Councilmember appointed by the Governing Body will serve as ex officio Directors. The Mayor and the City Manager will serve as long as they hold their positions with the City. Upon termination of their positions with the City, their positions as ex officio Directors are terminated and their successors at the City will be their successors as ex officio Directors. The Councilmember will serve at the discretion of the Governing Body and may be replaced by the Governing Body at its discretion. The ex officio Directors have all the rights and privileges of the other Directors. Ex officio members may be added to the Board with Governing Body approval."

SECTION TWO: Section 2.34.050 of the Olathe Municipal Code is hereby amended to read as follows:

**"2.34.050 Greater Kansas City Community
Foundation.**

(A) A donor advised fund will be established at the Greater Kansas City Community Foundation to hold and invest the contributions and disbursements of the Olathe Community Foundation.

(B) Directors must deposit cash contributions and other monies received by the Foundation in the name of and to the credit of the Foundation in the donor advised fund maintained with the Greater Kansas City Community Foundation. Directors who disburse the Foundation's funds will render to the Foundation an account of all such disbursements. The Treasurer will periodically report to the Directors on all financial transactions and the financial condition of the Foundation's donor advised fund with the Greater Kansas City Community Foundation.

(C) Directors will make recommendations to the Greater Kansas City Community Foundation and request the expenditure of funds in the donor advised fund established and maintained by the Foundation for projects and activities in furtherance of the purpose of the Foundation as described in OMC Section [2.34.010](#). Such requests and

ATTACHMENT A

recommendations may only be made by a majority vote of the Board of Directors. ~~The Governing Body must approve any expenditure from the donor advised fund which is requested by the Directors.~~"

SECTION THREE: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body this _____ day of _____, 2019.

SIGNED by the Mayor this _____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.

ATTACHMENT A