

RESOLUTION NO.2854

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS, DESIGNATING CERTAIN PORTIONS OF PHOENIX HOUSE, 16600 W. 126TH STREET, OLATHE, KANSAS UTILIZED FOR THE OVERLAND PARK WEEKEND INTERVENTION PROGRAM AS A CONFINEMENT FACILITY.

WHEREAS, Article 12, Section 5 of the Kansas Constitution grants the cities in this state the authority to determine their local affairs, and

WHEREAS, O.P.M.C. §12.04.030 requires individuals who have been convicted of driving under the influence of alcohol and/or drugs to serve a sentence of imprisonment, and

WHEREAS, O.P.M.C. §11.56.140 requires individuals who have been convicted of possession of a controlled substance to serve a sentence of imprisonment, and

WHEREAS, the Governing Body of the City of Overland Park desires to enter into an agreement with Charles Stebbins Counseling Services allowing for the utilization of the Phoenix House facility located at 16600 W. 126th Street, Olathe, Kansas to conduct the Overland Park Weekend Intervention Program.

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

SECTION 1. That those designated portions of the Phoenix House facility located at 16600 W. 126th Street, Olathe, Kansas utilized in the Overland Park Weekend Intervention Program, at the time when the program is being conducted, shall be deemed a confinement facility, for purposes of satisfying statutory sentencing requirements.

SECTION 2. Resolution 2640 is hereby repealed effective September 30, 1996.

SECTION 3. This Resolution shall be effective October 7, 1996.

PASSED by the City Council this 14<sup>th</sup> day of October 1996

APPROVED by the Mayor this 14<sup>th</sup> day of October, 1996

ATTEST:

Ed Eilert, Mayor

Norma Moffet  
City Clerk

APPROVED AS TO FORM

J. Bart Budetti  
J. Bart Budetti, Senior Assistant City Attorney

