

ORDINANCE NO. 602

AN ORDINANCE CREATING THE CITY OF ST. FRANCIS, KANSAS PUBLIC BUILDING COMMISSION AND ESTABLISHING THE PURPOSE, COMPOSITION, POWERS, FUNCTIONS AND DUTIES THEREOF.

WHEREAS, the City of St. Francis Kansas (the "City"), is a City within the meaning of K.S.A. 12-1757 *et seq.*, as amended and supplemented, including by Charter Ordinance No. 2015-2 of the City (jointly, the "Act"); and

WHEREAS, the Act authorizes the City to create a public building commission under the conditions set forth in the Act; and

WHEREAS, the governing body of the City (the "Governing Body") hereby finds it advisable and necessary to formally create a public building commission and to establish the purpose, composition, powers, functions and duties of such public building commission all pursuant to the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. FRANCIS, KANSAS:

SECTION 1. Creation. Under the authority of the Act there is hereby created by the Governing Body a municipal corporation to be known as the "City of St. Francis, Kansas Public Building Commission" (the "PBC").

SECTION 2. Composition. The PBC shall be composed of seven (7) members (the "Members") all appointed by the Governing Body. Three Members shall be members of the Governing Body and shall have a term of office that is co-terminus with their Governing Body term of office; two Members shall be members of the St. Francis Recreation Commission and shall have initial terms expiring on April 1, 2018; and two Members shall be at-large members of the community and have initial terms expiring on April 1, 2017. Terms of office for Members that are not the Governing Body Members, after the expiration of the initial terms, shall be for four (4) years. In the event that the PBC provides buildings or structures that are leased directly to governmental entities other than the City, (a) the composition of the PBC shall be modified by subsequent ordinance of the Council to conform to the requirements of the Act and (b) the Governing Body shall approve such buildings or structures.

SECTION 3. Purpose, Powers and Functions. The PBC is created for the purposes of, and shall have the powers and shall perform the functions set forth in, the Act, as may be amended or supplemented, including by home rule action of the City. The Governing Body, by ordinance or charter ordinance hereafter taking effect, shall have the authority to limit, expand or otherwise alter the purposes, powers functions of the PBC.


SECTION 4. Support Services. Unless otherwise approved by the Governing Body, the City Attorney, City Superintendent and Gilmore & Bell, P.C., the City's bond counsel, are authorized and directed to provide services to the PBC.

SECTION 5. Further Action. The PBC shall have the authority to adopt bylaws, resolutions or other official actions authorized by the Act and not inconsistent with the provisions of this Ordinance to govern its actions.

SECTION 6. Severability. If any provision of this Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidation shall not affect any other provision of this Ordinance. This Ordinance shall be enforced and construed as if such illegal or invalid provision had not been contained herein.


SECTION 7. Effective Date. This Ordinance shall be effective from and after its passage, approval by the Mayor and publication in the official City newspaper, *The St. Francis Herald* as provided by law.

Passed by the Governing Body of the City of St. Francis, Kansas, this 11th day of April, 2016.



SCOTT SCHULTZ, Mayor
City of St. Francis, Kansas

ATTEST:



JENNIFER BLAIR, Assistant City Clerk
City of St. Francis, Kansas