

(Published in the *Phillips County Review* on November 17, 2010)1t

**ORDINANCE NO. 1366**

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

**WHEREAS**, the City of Phillipsburg Kansas (the "City"), is a City within the meaning of K.S.A. 12-1757 *et seq.*, as amended (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 PHILLIPSBURG, 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 Phillipsburg, Kansas Public Building Commission" (the "PBC").

**SECTION 2. Composition.** The PBC shall be composed of seven (7) members (the "Members"). The members of the Governing Body and the Mayor are hereby appointed as Members and the terms of office of the Members shall be co-terminus with such Members' terms of office as members of the Governing Body, or as Mayor, respectively. Future Members shall take office by virtue of election to the Governing Body, or as Mayor, respectively, and terms of office for such future Members shall be co-terminus with such Members' terms of office as members of the Governing Body, or as Mayor, respectively. In the event that the PBC provides buildings or structures that are leased to governmental entities other than the City, the composition of the PBC shall be modified by subsequent ordinance of the Governing Body to conform to the requirements of the Act.

**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 administrative staff shall provide administrative services to the PBC and the City's financial advisor, bond counsel and City Attorney shall provide services to the PBC.

**SECTION 5. Further Action.** The PBC shall have the authority to adopt bylaws, a seal, 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.

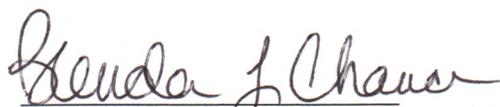
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**PASSED** by the Governing Body, and **APPROVED** and **SIGNED** by the Mayor of the City of Phillipsburg, Kansas, on November 15, 2010.

(Seal)

  
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Mayor

**ATTEST:**

  
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City Clerk