

## **Ordinance No. 4476**

### **AN ORDINANCE APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LIBERAL, KANSAS, AND UNIFIED SCHOOL DISTRICT NO. 480, SEWARD COUNTY, KANSAS (LIBERAL) REGARDING THE REMITTANCE OF THE EDUCATIONAL SALES TAX REVENUES TO THE DISTRICT, ALL SUBJECT TO THE APPROVAL OF THE KANSAS ATTORNEY GENERAL.**

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**WHEREAS**, K.S.A 12-2901 *et seq.* (the “Act”) provides that, in order for public agencies to make the most efficient use of their powers, such public agencies may cooperate with other public agencies and private agencies on a basis of mutual advantage to provide services and facilities in a manner that will best accord with geographic, economic and other factors influencing the needs and development of such public and private agencies; and

**WHEREAS**, the Act authorizes public agencies to enter into Interlocal Agreements with one or more other public agencies or private agencies for joint or cooperative action pursuant to the provisions of the Act; and

**WHEREAS**, the City of Liberal, Kansas (the “City”) is a “public agency” within the State of Kansas (the “State”) and pursuant to the Act the City has determined it is necessary and advisable to enter into an Interlocal Agreement with Unified School District No. 480, Seward County, Kansas (Liberal) (the “District”), also a “public agency” within the State, in order to collectively provide for certain matters regarding the construction of certain educational facilities, as more fully set forth in the April 6, 2014 Interlocal Agreement, which was approved by the Attorney General on April 16, 2014; and

**WHEREAS**, the City has determined it is necessary and advisable to enter into an First Amended Interlocal Agreement with Unified School District No. 480, Seward County, Kansas (Liberal) (the “District”), also a “public agency” within the State, in order to facilitate the Educational Facilities Project, as more fully set forth in the April 6, 2014 Interlocal Agreement, which was approved by the Attorney General on April 16, 2014.

**THEREFORE, BE IT ORDAINED BY THE GOVERNINIG BODY OF THE CITY OF LIBERAL, KANSAS:**

**SECTION 1.** Subject to the approval of the Kansas Attorney General, the City is hereby authorized to enter into a “ First Amendment to Interlocal Cooperation Agreement” between the City and the District, dated as of this date (the “Agreement”) to collectively

provide for the remittance of Educational Sales Tax Revenues to the District, subject to the terms and conditions as set forth in the First Amendment to Interlocal Agreement. The form of the agreement presented to the governing body of the City this date is hereby approved and substantially the form presented, and the Mayor and Clerk are hereby authorized to execute the agreement in that form, with such changes as may be approved by the Mayor and the City Manager or the City Attorney, and the Mayor's execution of the Agreement shall evidence any such approval.

**SECTION 2.** This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City newspaper.

PASSED by the governing body of the City of Liberal, Kansas, on December 13, 2016, and signed by the Mayor.

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Joe Denoyer, Mayor

(SEAL)

ATTEST:

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Alicia Hidalgo, City Clerk

**CERTIFICATE**

**I HEREBY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ORDINANCE; THAT SAID ORDINANCE WAS PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, THAT THE RECORD OF THE FINAL VOTE ON ITS PASSAGES IS FOUND IN THE OFFICIAL MINUTE BOOK; AND THAT IT WAS PUBLISHED IN THE HIGH PLAINS DAILY LEADER AND TIMES ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, DATED: \_\_\_\_\_**

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Alicia Hidalgo, City Clerk