

RESOLUTION NO. 08202025

A RESOLUTION OF THE CITY OF SEDGWICK, KANSAS PUBLIC BUILDING COMMISSION APPROVING AND ADOPTING BYLAWS.

WHEREAS, the City of Sedgwick, Kansas (the “City”), pursuant to its Ordinance No. 917, has heretofore created the City of Sedgwick, Kansas Public Building Commission (the “PBC”), a municipal corporation of the State of Kansas; and

WHEREAS, the PBC has been granted the authority to function as a public building commission pursuant to the authority of K.S.A. 12-1757 *et seq.* (the “Act”); and

WHEREAS, the PBC is authorized, and hereby finds it necessary and advisable, to approve and adopt bylaws to govern the internal affairs of the PBC.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SEDGWICK, KANSAS PUBLIC BUILDING COMMISSION:

Section 1. Approval and Adoption of Bylaws. The Bylaws presented with and attached to this Resolution as *Exhibit A* are approved and adopted by the PBC and shall govern the internal affairs of the PBC. The Bylaws may be amended as provided therein.

Section 2. Effective Date. This Resolution shall be effective from and after its adoption by the PBC.

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ADOPTED by the City of Sedgwick, Kansas Public Building Commission on August 20, 2025.

President

ATTEST:

Secretary

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. _____ of the City of Sedgwick, Kansas, Public Building Commission adopted on August 20, 2025 as the same appears of record in my office.

DATED: August 20, 2025.

Secretary

EXHIBIT A
PBC BYLAWS

**BYLAWS
OF THE
CITY OF SEDGWICK, KANSAS PUBLIC BUILDING COMMISSION**

ARTICLE I

AUTHORITY

The City of Sedgwick, Kansas Public Building Commission ("PBC") has been created pursuant to Ordinance No. 917 (the "Ordinance") of the City of Sedgwick, Kansas (the "City"), and it is authorized to adopt these bylaws pursuant to law and the Ordinance.

ARTICLE II

ORGANIZATION AND OFFICERS

A. The officers of the PBC shall be a President, a Vice-President and a Secretary, and they shall have the following authority:

- 1.** The President shall preside at all meetings of the PBC and shall sign, execute, act and deliver for the PBC all contracts, warrants, deeds, conveyances, leases, bonds and documents of any kind required or authorized to be signed or delivered by the PBC.
- 2.** The Vice President shall in the absence or disqualification or disability of the President perform the duties of the President and shall act in his/her place with the full power and authority which he/she would have were he/she present. In case of the resignation or death of the President, the Vice President shall perform such duties as are imposed on the President until such time as the PBC shall elect a new President.
- 3.** The Secretary shall keep the records of the PBC and act as secretary at the meetings thereof. The Secretary shall record all votes and shall keep all records of the proceedings of the PBC in a written journal. The Secretary shall keep and protect the seal of the PBC and shall have the power to affix such seal and attest to all contracts and documents authorized to be executed by the PBC.

B. The PBC shall appoint such other officers as may be required by law or ordinance or as the business of the PBC demands.

C. The officers of the PBC shall perform such other duties and functions as may from time to time be required by the PBC or the Bylaws and regulations of the PBC.

D. The President and Vice President shall be elected at the annual meeting of the PBC from among and by its number; and they shall hold office for one year or until their successors are elected and qualified. The City Clerk of the City of Sedgwick will hold the office of PBC Secretary.

E. Should an elective office become vacant, the Members of the PBC shall elect a successor from their membership at the next meeting or as soon as is reasonably possible; and such successor shall serve for the unexpired term of office.

F. The PBC may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by law, provided funds are available or made available by the City.

G. Members and officers of the PBC shall serve without compensation.

ARTICLE III

MEETINGS OF THE PBC

A. The annual regular meeting of the PBC shall be held in January of each year. The time and place of such meetings shall be determined by the President.

B. The Secretary, or other authorized officer, shall prepare a notice of the meeting and an agenda of all matters to come before the PBC and mail (either physically or electronically) same to the PBC Members no later than one week preceding the next regular meeting. A copy of the agenda shall also be furnished to the City Administrator and City Attorney for the City. Any Member of the PBC may cause matters to be placed on the agenda by advising the Secretary no later than 12:00 noon on the tenth day preceding the next scheduled meeting.

C. Special meetings of the PBC may be called by the President at any time by giving 48 hours' notice of the time and place of such meeting to all of the Members thereof, and such meetings may also be called upon the request of a majority of the qualified Members.

D. A majority of the qualified Members shall constitute a quorum.

E. All meetings of the PBC shall be conducted in accordance with Robert's Rules of Order, except as otherwise provided by these Bylaws or by procedures adopted by the PBC.

F. At the regular meeting of the PBC, the order of business shall be as follows:

1. Roll Call
2. Approval of Minutes of Previous Meeting
3. Communications
4. Reports
5. Unfinished Business
6. New Business
7. Adjournment

G. All matters of business shall be voted upon by voice vote. The yeas and nays shall be entered on the minutes of such meeting when the vote is other than unanimous. On motion and passage of a majority of the Members present, a roll call vote may be taken.

H. The PBC shall act by resolution in all formal matters. Resolutions may be adopted by a majority vote of qualified Members present and voting; provided that any resolution approving the issuance of Bonds (as hereinafter defined) shall be adopted by vote of a majority of all qualified Members of the PBC.

ARTICLE IV

POWERS AND DUTIES OF THE PBC

The PBC shall have authority, and be subject to the limitations thereto, prescribed in the Ordinance, including the power to:

A. Acquire real estate for purposes of constructing, reconstructing, equipping and furnishing, or purchase or otherwise acquire, a building or buildings or other facilities ("Land and Facilities") of a revenue producing character, including a building or buildings or facilities maintained and operated for (i) City offices or such other purposes as are commonly carried on in connection with such facilities and general City buildings, (ii) for public, municipal, community or recreational purposes of the City, (iii) for educational, recreational or administrative purposes for school districts (iv) housing and accommodation of county offices or county businesses or such other purposes as are commonly carried on in connection with such facilities and general county buildings and (v) for housing, accommodations and parking facilities for offices of state and federal agencies; and

B. Enter into leases to lease all or any part of such Land and Facilities to any nonprofit corporation organized under the laws of the State of Kansas, or any federal, state, city or county governmental agency, or any municipal corporation, quasi-municipal corporation, political subdivision or body politic, or agency thereof, doing business, maintaining an office or rendering a public service in the county seat or county in which the commission was organized and to rent any space as may not be needed by such governmental agencies for such service facilities as such public building commission may determine will primarily serve the comfort and convenience of the occupants of its buildings or other facilities; and

C. Acquire fee simple title to real estate, including easements and reversionary interests in roads, highways, streets, alleys and other public places, and personal property required for PBC purposes by purchase, gift, or devise and to take title in the corporation name of the PBC; and

D. Borrow money and issue revenue bonds ("Bonds") in the manner provided by law for the purpose of paying the cost or a portion of the cost of acquiring, constructing, equipping and furnishing Land and Facilities; to pledge the net revenues received from such Land and Facilities to secure such Bonds; and to make covenants with respect to the maintenance, operation, repair and insuring of improvements thereon; and

E. Adopt a seal; and

F. Convey title to governmental entities for which the PBC has held title, after Bonds issued for the purpose of acquiring Land and Facilities for the benefit of any such governmental entity have been retired. Conveyance may be made of portions of the Land and Facilities as portions of the Bonds are paid or retired, if provision for such conveyance is provided for in bond documents and in the lease between the PBC and the lessee; and

G. Pledge the interest in Land and Facilities acquired by the PBC to the payment of Bonds; and

H. Do all other things and acts authorized and necessary or convenient to carry out the powers granted to the PBC under the Ordinance, K.S.A. 12-1757 *et seq.*, as amended, and any applicable Charter Ordinances of the City; provided, however, that under no circumstance shall any income of the PBC inure to the benefit of any private person.

ARTICLE V

SUPPORT SERVICES

Unless otherwise approved by the PBC, the City, through the City Administrator, City Clerk and the City's Bond Counsel shall provide support services to the PBC. The City Attorney may provide legal representation to the PBC.

ARTICLE VI

REQUIRED NOTICES BY PUBLICATION

All notices required by law to be published shall be given by publication in the official newspaper of the City.

ARTICLE VII

SEAL

The seal of the PBC shall have the words "City of Sedgwick, Kansas Public Building Commission" in the outer circle.

ARTICLE IX

AMENDMENTS TO BYLAWS

The PBC may, by a two-thirds majority vote thereof, amend these Bylaws or any provisions or sections thereof at any time when the same is not in conflict with or in contravention of any of the laws of the State of Kansas or ordinances and resolutions of the City applicable thereto; provided, however, that notice of the proposed amendments be furnished by the Secretary to the PBC Members not less than ten days prior to the meeting at which said amendments are to be considered.

ARTICLE X

VESTING OF PROPERTY UPON DISSOLUTION

Upon dissolution of the PBC, title to all property owned by the PBC shall vest in and become the property of the City.

ADOPTED by the City of Sedgwick, Kansas Public Building Commission on August 20, 2025.

(Seal)

Secretary