

ORDINANCE NO. 18

**AN ORDINANCE PLEDGING THE GENERAL PURPOSES FOR THE FUTURE
USE OF THE REVENUES TO BE RECEIVED BY THE CITY OF BASEHOR FROM
THE ONE PERCENT (1%) COUNTY WIDE SALES TAX IF THE SAME IS APPROVED
BY THE VOTERS.**

WHEREAS, the Board of County Commissioners of Leavenworth County, Kansas, has adopted a resolution providing for a one percent (1%) county wide retailer's sales tax and directing submission of the question to the electors of the county at the election to be held on the 5th day of November, 1996; and

WHEREAS, the Board of County Commissioners has also adopted a Resolution providing that the county share of the county wide retailer's sales tax shall be used to pay for bonds issued to acquire a site, construct and/or equip a jail and judicial center; and

WHEREAS, the Governing Body of the City of Basehor, Kansas desires to pledge, pursuant to the provisions of K.S.A. 12-137, all of the city's share of the sales tax funds to be received by the City from such tax if the same is approved by the voters for specific projects;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
BASEHOR, KANSAS:**

Section 1. That the general purposes for the future use of the city's share of the county-wide sales tax is pledged as follows:

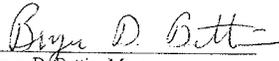
- a. The City shall annually remit to the Leavenworth County Treasurer an amount prorated in amount prorated in conjunction with the incorporated cities of Leavenworth County and by the county the county to finance the judicial center, said bonds to be amortized over ten years and not to exceed \$21,700,000.00 in principal amount.

b. The City shall use its share of the sales tax revenues for street, sidewalk, storm sewer construction and other capital improvement projects; and

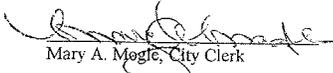
Section 2. That this ordinance shall be passed in accordance with the requirements of K.S.A. 12-137 requiring two-thirds (2/3) vote of the members elect of the Governing Body and shall be published once each week for two (2) consecutive weeks in the official city newspaper.

Section 3. That this ordinance shall take effect sixty (60) days after its final publication and, if within sixty (60) days of its final publication, a petition signed by a number of electors of the city equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular city election shall be filed with the county election officer demanding that such ordinance be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Section 4. That this ordinance shall be effective on passage and publication as provided by law.


Bryce D. Bettin, Mayor

ATTEST:


Mary A. Mogie, City Clerk

Passed and Approved: 8/19/96

Published: 8/28/96

INTERLOCAL AGREEMENT

AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS AND THE GOVERNING BODIES OF THE INCORPORATED CITIES LOCATED IN LEAVENWORTH COUNTY, KANSAS PROVIDING FOR THE USE OF THE PROCEEDS OF A COUNTYWIDE ONE CENT (1%) SALES TAX FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY TO FINANCE THE CONSTRUCTION OF A COUNTY JUSTICE CENTER AND CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE INCORPORATED CITIES WITHIN THE COUNTY, ALL PURSUANT TO THE PROVISIONS OF K.S.A. 12-2901 ET SEQ.

WHEREAS, K.S.A. 12-2901 and 12-2904 allows for cooperation between local governmental units for the purpose of providing public improvements; and

WHEREAS, the County of Leavenworth has identified the public need for a County justice center; and

WHEREAS, the incorporated Cities within the County have identified needed capital improvement projects; and

WHEREAS, the County and the Cities are committed to funding those public improvement projects through the proceeds generated by a ten year countywide one cent (1%) sales tax; and

WHEREAS, the County Justice Center Project requires that the incorporated Cities within the County contribute to the County a share of the sales tax proceeds which would ordinarily be distributed to the Cities.

IT IS THEREFORE AGREED THAT:

1. The County of Leavenworth, Kansas, agrees to construct a justice center facility at an estimated cost of Twenty-three Million Four Hundred and Fifty Thousand Dollars (\$23,450,000.00). The County further agrees to issue such General Obligation Bonds as are necessary to finance the construction costs attributable to the justice center in an amount up to Twenty-one Million Seven Hundred Thousand Dollars (\$21,700,000.00) to be amortized over ten years, as per Exhibit A. The County shall proceed with the construction of said justice center with due diligence and shall provide to the City Members to this agreement information

relevant to the design, construction and use of said justice center facility.

2. The Board of County Commissioners of Leavenworth County, Kansas, shall cause a ballot question to be placed on the November 5, 1996, general election ballot calling for the approval or disapproval of a ten (10) year countywide one cent (1%) retail sales tax.

3. The County agrees to commit one hundred (100%) percent of sales tax revenues collected by the County pursuant to the terms of this agreement and the countywide one cent (1%) retail sales tax to the purpose of the construction costs of the Justice Center Project and the debt service on General Obligation Bonds issued to finance the project. The Cities who are members to this agreement agree to remit to the Leavenworth County Treasurer an amount prorated in conjunction with the incorporated Cities of Leavenworth County an amount sufficient to provide to Leavenworth County, Kansas, adequate sales tax revenue to cover annual principal and interest obligations of the County with regards to bonds issued to finance the Justice Center Project in a principal amount up to Twenty-one Million Seven Hundred Thousand Dollars (\$21,700,000.00), amortized over ten years. It is estimated that approximately fifty-five percent (55%) of the total countywide retailers sales tax will be needed to retire the General Obligation Bonds issued to finance this project.

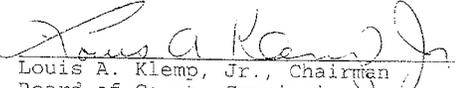
4. The member cities to this agreement shall adopt such ordinances and/or resolutions as are necessary to effect the modification to the statutory retailers sales tax distribution formula so as to effect the terms of this agreement. The City Members to this agreement shall further adopt such ordinances and/or resolutions as are necessary to detail the use of the remaining sales tax revenue obtained by the Cities pursuant to the countywide one cent (1%) retailers sales tax.

5. That the term of this agreement shall be from the date of adoption by the parties to January 1, 2007.

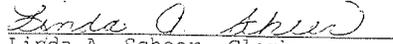
6. The City of Leavenworth shall, by separate agreement, covenant to provide to the County such additional revenues, exclusive of revenues discussed herein, as to reimburse the County for the cost of the portion of the justice center facility to be occupied and used by the City of Leavenworth for law enforcement purposes.

7. That in the event that any provision of this is found to be invalid, such invalidity shall not effect the remainder of the agreement.

WHEREFORE, IT IS AGREED this 19TH day of AUGUST, 1996.


Louis A. Klemp, Jr., Chairman
Board of County Commissioners
Leavenworth County, Kansas

ATTEST:


Linda A. Scheer, Clerk
Leavenworth County, Kansas