

2018 Kansas Statutes

27-325. Same; dissolution of authority, when; disposition of property; transfer of property and obligation to city of Pratt, when. (a) Except as provided in subsection (b), an authority created and established by a city may be dissolved at any time by such city by adoption of an appropriate ordinance effecting a dissolution. The authority established hereunder shall continue for a period of not less than 10 years. An authority established shall not be dissolved until all of its liabilities, bonds and other valid indebtedness have been paid in full or have been otherwise discharged. Upon dissolution, the city shall acquire the property of the authority subject to any leases or agreements duly and validly made by the authority.

(b) An authority created and established by the city of Pratt may be dissolved at any time by the city by adoption of an appropriate ordinance effecting the dissolution thereof. Upon such dissolution the city shall acquire the property of the authority subject to any leases or agreements duly and validly made by the authority. The ordinance shall provide for the following:

(1) The provisions of the ordinance shall be deemed to be adequate for the payment or retirement of any authority debts or obligations. All property, funds and assets of the authority shall be vested in the city of Pratt.

On the effective date of the ordinance:

(A) All of the powers, duties and functions of the authority shall be transferred to and conferred and imposed upon the city of Pratt.

(B) All balances for all funds or accounts for the authority shall be transferred to the city of Pratt.

(C) All liabilities of the authority, including, without limitation, accrued compensation or salaries of officers and employees who are transferred to the city of Pratt under this ordinance, shall be assumed by the city of Pratt.

(D) All assets of the authority shall be vested in the city of Pratt.

(2) The city of Pratt shall be the successor in every way to the powers, duties and functions of the authority in which the same were vested prior to the effective date of the ordinance. Every act performed in the exercise of such transferred powers, duties and functions by the city, shall be deemed to have the same force and effect as if performed by the authority in which such powers, duties and functions were vested prior to the effective date of the ordinance.

(3) Whenever the airport authority, or words of like effect, are referred to or designated by a contract or other document and such reference is in regard to any of the powers, duties and functions transferred to the city of Pratt, such reference or designation shall be deemed to apply to the city as the context requires.

(4) The city of Pratt shall have the legal custody of all records, memoranda, writings, entries, prints, representations, electronic data or combinations thereof of any act, transactions, occurrence or event of the authority.

(5) The city of Pratt shall be the continuation of the authority. The city of Pratt shall make adequate provisions for the payment or retirement of all authority debts or obligations.

(6) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against the authority prior to its dissolution or by or against any officer of the authority, prior to its dissolution in such officer's official capacity or in relation to the discharge of such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of the ordinance. The court may allow any such suit, action or other proceeding to be maintained by or against the successor of the authority or any officer affected.

(7) All officers and employees who, immediately prior to the effective date of the ordinance, were engaged in the performance of powers, duties or functions of the authority and who, in the opinion of the city of Pratt, are necessary to perform the powers, duties and functions of the city, shall be offered the opportunity to become officers and employees of the city.

History: L. 1965, ch. 117, § 11; L. 2018, ch. 39, § 1; Apr. 12.