

ORDINANCE NO. 18-02-15-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ARTICLE 9.600 OF CHAPTER 9 OF THE LAGO VISTA CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; SEVERABILITY CLAUSE; EFFECTIVE DATE, OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Lago Vista, Texas is a Home Rule City; and

WHEREAS, the City Council of the City of Lago Vista has previously established an Airport Advisory Board within Chapter 9, Article 9.600 of the Lago Vista Code of Ordinances; and

WHEREAS, the Airport Advisory Board currently consists of five regular members and two alternates; and

WHEREAS, the City Council finds that they would be better served by an Airport Advisory Board consisting of seven regular members.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. FINDINGS. All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

SECTION 2. MODIFICATION. The City Council of the City of Lago Vista, Texas, does hereby amend Chapter 9, Article 9.600, Code of Ordinances as shown in Exhibit "A."

SECTION 3. SAVINGS CLAUSE. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 6. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 15th day of February, 2018.



ATTEST:

Sandra Barton

Sandra Barton, City Secretary

Ed Tidwell
Ed Tidwell, Mayor

On a motion by Councilman Weatherly, seconded by Councilman Sullivan, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

CHAPTER 9

PERSONNEL

ARTICLE 9.600 AIRPORT ADVISORY BOARD

Sec. 9.601 Creation and Purpose

An airport advisory board was created in order to accomplish the following purposes:

- (1) To identify needs and to advise the city council of their short-range and long-range implications for the total development of the municipal airport;
- (2) To recommend achievable goals as a basis for long-range planning and development programs of the municipal airport; and
- (3) To recommend plans, programs, policies and priorities that will aid the airport in achieving its defined goals.

Sec. 9.602 Membership and Appointment

- (a) The airport advisory board shall be composed of seven (7) members and shall be organized and exercise such powers as prescribed hereunder and by city ordinances. The city council will consider for appointment to the board only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in aviation-related matters, and availability to prepare for and attend meetings. An appointed board member shall:
 - (1) Be a member in good standing of the Rusty Allen Airport Property Owners' Association (RAAPOA); or
 - (2) Be a resident of the city and have resided therein for at least twelve (12) consecutive months preceding his/her appointment; and
 - (3) Not be in financial arrears to the city for any reason.
- (b) The above provisions shall not preclude the council from waiving the voter and residency requirements for less than a quorum of the members of the board when it is deemed to be in the best interests of the city.
- (c) The Rusty Allen Airport Property Owners Association, through a majority vote of their membership, may recommend four (4) members to be appointed to the airport advisory

board. The city council may, at their discretion, appoint these nominees to the board. All members of the airport advisory board shall serve without compensation.

Sec. 9.603 Terms of Office

Unless waived by the council in accordance with Section 9.602 above, all members of the board shall meet the requirements of Section 9.602. All members of such advisory board shall be appointed for two-year terms, and until their successors are appointed and qualified. The terms of three (3) members shall expire in odd-numbered years and the terms of four (4) members shall expire in even-numbered years. There shall be no limits on the number of terms a person may serve on the board. If a membership vacancy exists, the term of office may be filled by a person appointed by the city council to fill the vacancy for the time remaining for that vacancy. Newly appointed members shall be installed at the first regular board meeting after their appointment.

Sec. 9.604 Organization

Officers shall be elected annually from among the board's membership at its first meeting in the new calendar year, with it being the first agenda item, and at such other times as these offices may become vacant. In the absent of both the chair and vice-chair, the board shall elect a chair pro tem. The secretary shall be responsible for the official minutes of all public hearings and meetings of the board and these will be presented to the city secretary for official recording. The board shall meet whenever necessary as determined by the board and shall designate the time and place of its meetings. The board shall keep a record of its proceedings consistent with the provisions of this article.

Sec. 9.605 Duties and Powers

The airport advisory board is hereby charged with the duty and invested with the authority to:

- (1) Inspect city-owned premises at reasonable hours where required in the discharge of its responsibilities under the laws of the state and of the city.
- (2) Formulate and recommend to the city council for its adoption a comprehensive plan for the orderly growth and development of the airport and its environs, and from time-to-time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the city. Such comprehensive plan shall be submitted to the planning and zoning commission as necessary.
- (3) Maintain working knowledge of legislation as it pertains to the airport.
- (4) Conduct periodic studies, inspections and other analysis of city-owned premises, as well as any other unannounced inspections at all reasonable hours as the board deems necessary.
- (5) Advise the city council as to rules and regulations of the Federal Aviation Administration.
- (6) Receive any and all status reports of the management or lessors of the airport, concerning damages, maintenance, traffic, facilities, building, rates and fees, and other reports as directed by the city council.

- (7) The airport advisory board shall not have any authority to expend city funds except as provided in the annual city budget; hire, appoint or terminate staff; or create any other obligation on the part of the city.

Sec. 9.606 Meeting and Quorum

- (a) A quorum shall consist of a chairperson or vice chairperson or acting chairperson and three (3) additional members present at a called regular or special meeting.
- (b) A motion may be made by any member other than the chairperson or presiding officer.
- (c) A motion to approve any matter before the board or to recommend approval of any request requiring city council action shall require favorable votes from a majority of the members present. The minutes of the board's proceeding shall show the vote of each member or, if absent or failing to vote, shall indicate that fact.