

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING
TITLE 2, CHAPTER 1 OF THE HURRICANE CITY CODE GOVERNING THE
AIRPORT AUTHORITY BOARD.**

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 2, Chapter 1 of the Hurricane City Code governing the Airport Authority Board; and

WHEREAS, said City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY ORDAINED by the City Council of Hurricane Utah that Title 2, Chapter 1 is hereby amended to read as follows:

CHAPTER 1. AIRPORT AUTHORITY BOARD

Sec. 2-1-1. Establishment and authority.

- A. *Establishment.* There is hereby created and established the City Airport Authority Board (hereafter referred to as "Board"), which shall function in an advisory capacity to the City Council on all issues regarding the operation of the Dick Stout Airport (hereafter referred to as the "Airport").
- B. *Authority.* The Airport Authority Board created hereby shall operate solely as an advisory board to the City Council and shall have no power or authority to take any action or make any decision which would or which may have the effect of creating a liability for the City.

Sec. 2-1-2. Purpose.

The Board shall be responsible for ensuring that the Airport is operated in a safe, efficient manner in order to protect the users and residents of the City. Specifically, the Board shall make such recommendations to the City Council, as may be necessary in the judgment of the Board, to ensure that: a) all current and future uses, structures and improvements at the Airport are harmonious and compatible with existing structures and surroundings; b) all current and future uses, structures and improvements at the Airport are operated and maintained in accordance with any lease agreement which may have been approved by the City Council and City Attorney and all applicable local, state and federal laws, rules and regulations pertaining to the operation of airports, including any rules and regulations promulgated by the federal aviation authority. It shall be the duty of the Board to review and recommend approval or disapproval of any agreement for the lease of property at the Airport and the proposed use of each parcel of leased land. Prior to consideration by the City Council, any person or entity desiring to lease property at the Airport or otherwise conduct any activity at the airport shall first submit a copy of the proposed lease or description of the activity, accompanied by an architectural drawing of the building or site use proposed, to the airport manager for review by the Board. The Board shall forward its recommendation to the City Council as part of the proposed lease of property.

Sec. 2-1-3. Appointment, term, vacancies.

- A. The Airport Authority Board shall consist of seven voting members, as appointed by the Mayor with the advice and consent of the City Council. In addition, the Board shall include two ex officio, non-voting members: the airport manager and a member of the City Council assigned to be liaisons between the Board and the City Council. The two ex officio members shall make recommendations

for board membership to the Mayor. Furthermore, the City Council shall designate a City staff member to assist in the coordination of Airport matters between the Board, City Council, and City staff. A quorum shall consist of four voting Board members. The term of voting Board members shall be four years. The term of the ex officio members shall coincide with the term of elected office or employment. Any Board member may be reappointed by the Mayor with the consent and approval of the City Council. Vacancies on the Board shall be promptly filled by the Mayor with the consent and approval of the City Council for the unexpired term. No vacancy on the Board shall impair the right of the remaining members to exercise all the powers of the Board. Any voting Board member may be removed without cause by the City Council at any time. To be appointed to the Board, a person must either: (1) be a resident of the City and 18 years of age or older or (2) be eligible for consideration for appointment to the Board pursuant to a valid and enforceable contract with the City. A minimum of five voting Board members shall have an aviation background.

- B. Members of the Airport Authority Board shall select one of its members as chairperson to oversee the proceedings and activities of the Board and shall adopt rules for the transaction of business and the conduct of its proceedings. An ex officio, non-voting member shall not serve as chairperson. The chairperson shall serve for a term of one year. The chairperson, with the advice and consent of the Board, shall appoint one of the voting Board members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

Sec. 2-1-4. Meetings.

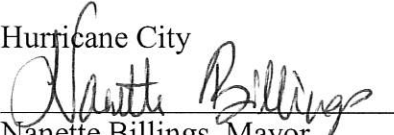
- A. The Board shall adopt reasonable rules for the conduct of its meetings.
- B. Meetings shall be held at least quarterly and more often if deemed necessary by the voting board members or the airport manager. Meeting location(s) will be determined as the agenda warrants and will be decided upon and forwarded to the members by the airport manager. Meetings may be called by an ex officio member or by a consensus of two voting board members. All board meetings shall be open to the public, but inasmuch as the Board shall have no authority to make any decision or take any action except as authorized by the City Council, the Board shall not be required to comply with the requirements of the Utah Open Meeting Law.

Sec. 2-1-5. Compensation.

All voting board members shall serve without compensation for the performance of their duties. However, board members may be reimbursed for their reasonable expenses incurred in carrying out their duties, provided said expenses are approved and provided for by the City Council prior to the time any said expenses are incurred.

BE IT FURTHER ORDAINED that this Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 21st day of July, 2022.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag
Cindy Beteag, City Recorder



The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 21st day of July, 2022. Whereupon a motion to adopt and approve said Resolution was made by Joseph Prete and seconded by Dave Sanders. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	<u>X</u>	—	—	—
David Sanders	<u>X</u>	—	—	—
David Hirschi	<u>X</u>	—	—	—
Kevin Thomas	<u>X</u>	—	—	—
Doug Heideman	<u>X</u>	—	—	—

Cindy Beteag
Cindy Beteag, Recorder