

# HEBER CITY AIRPORT ADVISORY BOARD BYLAWS

Adopted June 16, 2006

Amended \_\_\_\_\_, 2016

## **Article I:**

### **Authority**

These rules and procedures are amended by Resolution 2016-\_\_ of the Heber City Council.

## **Article 2:**

### **Jurisdiction**

The physical jurisdiction of the Airport Advisory Board (Board) is the Heber City/Russ McDonald Airport field boundaries and any infrastructure, safety zones, and the like appertaining thereto.

## **Article 3:**

### **Appointment and Terms of Members**

- A. The Airport Advisory Board shall consist of (7) members and (2) alternates;
- B. Membership shall be as follows:
  - 1. Two City Council Members. Said two Council Members shall be alternate Board Members, and once approved by the consent and advice of the City Council may serve at the pleasure of the Mayor for the duration of their term as Council Members. However, with the advice and consent of the City Council the Mayor may rotate these Council Members with other Council Members every two years, but this is not required, and left to the discretion of the Mayor. The alternates shall participate in the meeting and have all the other rights of regular board members, except voting; but if any voting members are absent or recused on a particular agenda item, such that the voting requirement for a quorum is not met, then one or both of the alternates may vote to fill the quorum.
  - 2. Three permanent Heber City Residents and shall be voting Board Members.
  - 3. Three at-large permanent Wasatch County Residents. Said Wasatch County Resident Members may, but are not required to be Heber City Residents, and shall be voting Board Members.
  - 4. One member that is a permanent resident of Daniel, Wasatch County; and shall be a voting member.
  - 5. A Quorum shall consist of a minimum of four voting Board Members.

6. A Technical Assistance Committee will be formed as needed to help understand technical and other issues associated with the Airport or other entities that might be affected by it. During the time they serve on said Technical Assistance Committee, any such Committee Member shall not be paid or receive any compensation from the City.
7. For the purposes of this Article and provisions, Permanent Residency shall be defined as a person who meets the following criteria:
  - a. is a citizen of the United States at least 30 days immediately prior to their appointment;
  - b. has been a resident of Utah for at least the 30 days immediately before the appointment;
  - c. will be at least 18 years old on the day of the appointment to the Board; and
  - d. currently resides within the voting district or precinct in which the person would apply to register to vote. It is not a requirement of Board Membership that said Member votes, is registered or registers to vote.
  - e. whose home and primary residence is located in Wasatch County and is recognized as a primary residence by the County Assessor.
8. Members shall be required to attend at least 60% of the publicized meetings of the Board.
9. In the event a membership term is ended, and there is no immediate replacement and the Council does not approve or consent to a replacement, the person last serving in that position for said term shall continue to serve until the Mayor and Council come to an agreement or replace. However, any term of any Council Member shall terminate when they no longer serve as City Council Members.
- C. The Airport Advisory Board will interface with and be supported by the Airport Manager. Heber City will also provide a secretary and staff support as needed.
- D. Subject to Provision B(1) above regarding Heber City Council Members, and Provision 8 above, the terms of office for the seven appointed Airport Advisory Board Members shall be four years. The initial appointments shall be for, three positions two years, two positions three years, and two positions four years from January 1, 2005. The term of the alternate shall be two years. Any vacancies in these positions shall be filled by a recommendation from the Mayor and confirmation by the City Council. The appointment will be for the remaining time of the member whose vacancy is being filled.
- E. Improper conduct and non-performance of duties shall result in a recommendation to the Heber City Council for removal of said member. Members may be removed after a public hearing, by a majority vote of the City Council.

## **Article 4:**

### **Airport Advisory Board Officers and their Duties**

#### **A. Chairperson**

1. The Airport Advisory Board shall elect a Chairperson and a Vice-Chairperson from among its members at the first regular meeting in January.
2. The Chairperson and Vice-Chairperson shall serve for a term of two years, beginning the first regular meeting in February.
3. The Chairperson shall preserve order, and decide all points of order, subject to appeal of the membership. Such appeal shall be decided by a majority vote of the members present. The Chairperson may vote on all matters before the Airport Advisory Board.
  - a. The Chairperson with the concurrence of a majority vote of the Airport Advisory Board and the City Council may create such special subcommittees as he/she may, from time-to-time, deem necessary or desirable.
  - b. In the event of absence or disability the Chairperson, the Vice-Chairperson shall preside. In the absence of both, the members shall appoint a Chairperson for that meeting.

#### **B. Vice-Chairperson**

1. Perform all of the above duties in the absence of the Chairperson;
2. Conduct the annual review of the Airport Advisory Board actions;
3. Coordinate and conduct the annual meeting of the Board; and
4. Provide orientation to new Airport Advisory Board Members.

#### **C. Secretary**

1. Assure true recording and maintenance of the public record, record the proceedings of all hearings and meetings; and prepare the minutes of the Board. Minutes shall include:
  - a. The date, time, and place of the meeting;
  - b. The names of members present and absent;
  - c. The substance of all matters proposed, discussed, or decided, and a record, by individual members of votes taken;
  - d. Findings and conclusions;
  - e. The names of all citizens who appeared and who gave comments and the substance in brief of their testimony;
  - f. Any other information that any member requests be entered in the minutes.

2. All recommendations to the City Council, involving changes in the City ordinances shall be submitted by the Secretary to the City Attorney for review. After the review, the proposed ordinance shall be returned to the Airport Advisory Board to evaluate any comments or suggestions before being submitted to the City Council.

## **Article 5:**

### **Staff of the Board and their Duties**

- A. Airport Manager and Secretary with whatever assistance is required from the Airport Advisory Board.
  1. Shall advise the Airport Advisory Board regarding regulation of and requests for development and re-development, financial concerns, and other matters;
  2. Coordination and supervision of work preparation by staff;
  3. Prepare all documents for presentation to the Airport Advisory Board; and
  4. Assist the Chairperson and Vice-Chairperson of the Board in the exercise of their duties.
- B. Legal Counsel

The City Attorney or his designee shall be the legal counsel for the Airport Advisory Board and its subcommittees.

## **Article 6:**

### **Meetings**

- A. The Airport Advisory Board shall meet as set forth in the annual notice of meeting schedule to conduct its duly appointed business.
- B. A special meeting for any purpose may be held on the call of the Chairperson or four members of the Airport Advisory Board. Board members and public shall be notified of such meetings by the Secretary, in accordance with the provision of City and State law.
- C. A Quorum of the Airport Advisory Board shall consist of four voting members, including one or two alternate members filling in as set forth in Article 3(B)(1), above. A quorum shall be necessary to conduct business.
  1. Any agenda item must receive at least four (4) affirmative votes for approval or recommendation to City Council for approval.
  2. A failure to vote by a member shall be counted as an abstention.
- D. Order of Business for Regular Meetings

Unless approved by majority of the quorum, the Airport Advisory Board will follow the published Agenda.

1. Deadline for Filing and Removal of Agenda Items:

- a. **Deadline for the General Public:** All items submitted by the general public to be presented at the Airport Advisory Board Meeting must be in writing. The deadline for submitting an item to the Airport Board secretary is 5:00 p.m. one week + one day prior to the regular Airport Advisory Board meeting at which the item(s) are to be presented.
- b. **Deadline for Airport Advisory Board Members, City Council Members, and City Staff:** Items submitted by Airport Advisory Board Members, City Council Members, and City Staff to present at the Airport Advisory Board meeting must be in writing. The deadline for submitting an item to the Airport Board secretary is by 5:00 p.m. two day prior to the Airport Advisory Board meeting.
- c. **Removal of Agenda Items:** Individuals may remove any item they submitted from the agenda at any time.
- d. Each agenda item shall be accompanied with any support material needed for Board members to take action.
- e. While matters not on the agenda may be discussed, no final action can be taken on any matter not on the written agenda.

#### **Article 7:**

##### **Participation by Staff and Public**

- A. No person shall be permitted to speak unless recognized by the Chairperson, who shall designate time limits to persons permitted to speak on any matter properly before the Board. Each person speaking before the Airport Advisory Board shall first state his name, address and then the substance of his remarks.
- B. Matters before the Airport Advisory Board shall be presented in the following manner:
  1. Presentation by staff;
  2. Presentation by applicant;
  3. Comments from the public, where appropriate, (decided by the chair);
  4. Comment and questions from the Airport Advisory Board;
  5. Further comments by applicant and public; and
  6. Concluding comments and recommendations from the staff.
- C. Roberts Rules of Order will be applied as necessary.

#### **Article 8:**

##### **Findings, Conclusions and Recommendations**

- A. **Form and Character of Motions**
  1. Upon review of the public record on a request and due deliberation among the members of the Airport Advisory Board, any member of the Board,

except; the Chairperson, may make a motion. The motion shall include not only the direction of the motion (approval, approval with conditions, or denial), but also a recitation of the specific findings and conclusions supporting such motion.

2. A second shall be required for each motion.
  3. A motion shall die in absence of a second.
  4. Discussion and amendments on the motion.
  5. Where a motion to deny a request shall be been defeated, a member of the Board initially in opposition shall have first right to make a motion to:
    - a. Approve the request;
    - b. To table, or
    - c. To continue the matter for further study or investigation.
- B. Forwarding the Airport Advisory Board recommendations to the City Council
1. Recommendations made by the Airport Advisory Board will be prepared by staff and scheduled for presentation to the City Council. Recommendations will be forwarded as approved by the Airport Advisory Board (without alteration).
  2. The Airport Manager supported by the Chairman and other members of the Airport Advisory Board will present it to the City Council.
  3. Airport Advisory Board Secretary will notify Board Members when Board matters are being presented to the City Council.

#### **Article 9:**

##### **Requirements for the Submission of Requests**

- A. The Airport Advisory Board may adopt standard forms for the submission of requests. All requests shall have reasonable advance time requirements;
- B. The Airport Manager or his designee shall certify completeness of requests;
- C. Any request denied shall not be resubmitted for a maximum period of six months or as requested by the Chairman; and
- D. The Airport Advisory Board may recommend to the City Council a fee schedule for the submission of requests to cover processing, duplication, notices and, distribution of requests and related documents.

#### **Article 10:**

##### **Documents of the Board**

- A. Any and all materials submitted to the Airport Advisory Board regarding a request shall be entered into the public record by a motion to “accept for the record”.

- B. All notices, agendas, requests, agency or consultant letters or reports, staff reports, minutes of meetings, and resolutions or record shall constitute the documents of the Airport Advisory Board and shall be indexed as public record.

**Article 11:**

**Administrative Calendar**

- A. Notice for all public hearings, work sessions and regular meetings shall conform to requirements of law.
- B. Regular meeting schedule for the calendar year following shall be determined at the annual meeting of the Airport Advisory Board.
- C. The Airport Advisory Board shall have an annual public meeting, to review the work of the previous year and plan the work program for the coming year.

**Article 12:**

**Conduct of Members of the Airport Advisory Board**

- A. Members of the Airport Advisory Board shall prepare themselves for hearings and meetings.
- B. Appointed members of the Airport Advisory Board shall attend at least 60 percent of all meetings within a calendar year. Failure to do so may be deemed by the Airport Advisory Board as cause for removal.
- C. An Airport Advisory Board member with a conflict of interest in a matter before the Board must state that such a conflict of interest exists and withdraw from participation in the public hearing, work session, or regular meeting on such matters. Participation of a member of the Airport Advisory Board with a conflict of interest may be cause for removal. The interests of that Airport Advisory Board member may be represented before the Board by agenda or legal representative at the public hearing, regular meeting, or work session and entered into the public record. The prohibition from “participation” does not exclude an Article 7.B.2 presentation or a response solicited from one of the other Board members.

**Article 13:**

**Changes Affecting the Airport Master Plan**

Anytime the Airport Advisory Board would make a decision affecting the Airport Master Plan, the Board shall hold a public hearing to make an amendment to the Plan.

**Article 14:**

**Adoption and Amendment of Bylaws; Airport Minimum Standards Amendments; Airport Rules & Regulations Amendments; Airport Lease Rates & Charges Policy Amendments; & Airport Fees**

- A. Bylaw adoption, or amendment, Airport Minimum Standards Amendments, Airport Rules & Regulations Amendments, Airport Lease Rates & Charges

Policy Amendments, and Airport Fees shall be recommended to the Heber City Council by the Airport Advisory Board or City Council members following review by the City's legal counsel.

- B. The City Council shall review the proposed bylaws amendment(s), Airport Minimum Standards Amendments, Airport Rules & Regulations Amendments, Airport Lease Rates & Charges Policy Amendments, and Airport Fees and make one of the following actions:
1. Adopt as submitted;
  2. Reject as submitted; or
  3. Amend/revise and adopt

The bylaw or amendment proposal(s), Airport Minimum Standards Amendments, Airport Rules & Regulations Amendments, Airport Lease Rates & Charges Policy Amendments, and Airport Fees shall take effect immediately upon adoption by resolution of the City Council.