

RESOLUTION NO. 2641

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTIONS 33.25 THROUGH 33.28 TO CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON, CREATING PAYSON'S AIRPORT COMMISSION, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

WHEREAS, the Code of the Town of Payson was declared to be a public record by Resolution Number 1536 of the Town of Payson; and

WHEREAS, the Code of the Town of Payson was adopted as a public record by Ordinance Number 588 of the Town of Payson; and

WHEREAS, it is the intention of the Town of Payson to create the Payson Airport Commission by adding Sections 33.25 through 33.28 to Chapter 33 of the Code of the Town of Payson relating to Town Boards, Committees, and Commissions; and

WHEREAS, such amendment may be enacted by reference, pursuant to A.R.S. § 9-802,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. Sections 33.25 through 33.28 (Airport Commission) of Chapter 33 of the Code of the Town of Payson are hereby added, declared to be a public record, and shall read as set forth in Exhibit A, attached hereto.

Section 2. If any section, subsection, or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Town Council of Payson declares that it would have adopted this Resolution and each section, subsection, or portion thereof, irrespective of the fact that any one (1) or more sections, subsections, or portions may be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 13<sup>th</sup> day of December, 2011, by the following vote:

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_ ABSENT \_\_\_\_\_

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Kenny J. Evans, Mayor

DEC 13 2011 Sp. 3.a

ATTEST:

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Silvia Smith, Town Clerk

APPROVED AS TO FORM:



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Timothy M. Wright, Town Attorney

## *AIRPORT COMMISSION*

### 33.25 ESTABLISHMENT.

There is established an Airport Commission for the Town.

### 33.26 ELIGIBILITY; COMPOSITIONS.

- (A) At least four (4) members of the Airport Commission shall be pilots or persons otherwise having a financial interest in aviation.
- (B) Notwithstanding Section 33.02(E), all members of the Airport Commission shall reside within the geographic area served by the Payson Airport.
- (C) Employees of the Town shall not be eligible to serve on the Airport Commission.
- (D) No more than two (2) persons who contract with the Town shall be eligible to serve on the Airport Commission. For the purposes of this subsection, a person who has a month to month hangar lease or who pays tie down fees shall not be treated as contracting with the Town.

### 33.27 MEETINGS.

- (A) The Airport Commission shall meet at least four times each year.
- (B) The Airport Commission's meetings shall be conducted in conformity with the requirements of Arizona's Open Meeting Law, A.R.S. §§38-431, et. seq.

### 33.28 RESPONSIBILITIES, POWERS, AND DUTIES.

The Airport Commission shall, with the assistance of and in coordination with the staff advisor, have the following responsibilities, powers, and duties:

- (A) Recommend and monitor strategic and long term planning for the Airport.
- (B) On or before December 31<sup>st</sup> of each year, review and recommend changes (if necessary) to Airport Fees and Charges, Rules and Regulations, and Minimum Standards.
- (C) Make recommendations in the establishment of essential policies, rules, and regulations relating to the planning, acquisition, disposition, operation, and maintenance of areas and structures owned, leased or otherwise acquired by the Town for use in aviation activities. Upon request of the Commission, such recommendations shall be submitted for Council consideration with sixty (60) days.

- (D) Review and advise concerning safety matters under jurisdiction of the Airport.
- (E) Advise in the development of the Airport Capital Improvement Plan and any other Airport plans.
- (F) Recommend budget priorities relating to the Airport.
- (G) Assist in establishing policies to assure compliance with FAA and ADOT grant assurances.
- (H) Recommend persons eligible for appointment to Commission vacancies.
- (I) Review and make recommendation on all leases prior to submission of any such lease to the Council.
- (J) Establish rules as deemed necessary for the Commission's operation.
- (K) Review and approve the official minutes of all of its meetings prior to transmittal of the minutes to the Council.
- (L) Perform any other function as may be determined from time to time by the staff advisor or the Mayor and Council.