

ORDINANCE NO. 084-043

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CALLING AND ORDERING AN ELECTION TO BE HELD IN THE TOWN OF ADDISON, TEXAS, ON THE 11TH DAY OF AUGUST, 1984, TO AMEND THE CHARTER OF THE TOWN OF ADDISON, FOR THE PURPOSE OF VOTING ON PROPOSITION 1. TO CREATE AN ELECTED AIRPORT BOARD COMPOSED OF ADDISON CITIZENS, WHICH BOARD SHALL HAVE NO TAXING AUTHORITY, SHALL SERVE WITHOUT PAY, AND SHALL HAVE THE POWER AND DUTY TO MANAGE THE ADDISON AIRPORT FOR THE PUBLIC BENEFIT; PROPOSITION 2. TO PROVIDE FOR THE CITY MANAGER TO APPOINT AN ASSISTANT CITY SECRETARY TO PERFORM THE DUTIES OF THE CITY SECRETARY IN HER ABSENCE OR DISABILITY; PROVIDING FOR APPOINTMENT OF ELECTION OF OFFICERS AND DESIGNATION OF VOTING PLACE; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That in accordance with the Charter of the Town of Addison, Texas, and in accordance with the laws and constitution of the State of Texas, an election be, and the same is hereby called and ordered to be held in the Town of Addison, Texas on Saturday, the 11th day of August, 1984, at which time there shall be submitted to the qualified voters of the City, the following Propositions for amendment to the Charter of the Town of Addison:

Proposition 1. Shall the Charter of the Town of Addison be amended to add Article XII to read as follows:

ARTICLE XII: AIRPORT BOARD

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Section 12.01. Creation, Membership and Qualification

There is created the Airport Board of the Town of Addison. The Airport Board shall consist of three elected Board Members, whose places shall be designated Place 1, Place 2 and Place 3. Board Members shall elect one of their number to serve as chairman. Board Members shall be qualified voters of the Town of Addison and shall hold no other public office except that of Notary Public.

Section 12.02. No Taxing Authority and No Compensation

The Airport Board shall have no authority to levy, assess, or collect taxes or issue bonds. Board Members shall serve without pay or compensation.

Section 12.03. Elections

Board Members shall be elected at large for two-year terms. The elections for Place 1, Place 2 and Place 3 shall be separate races on the ballot. The candidate receiving the highest number of valid votes for each place shall be declared elected. In case of a tie vote, the Council shall order a special election in the manner prescribed in Section 8.04 (f) of the Charter. The original election for all Places shall take place on the first election date available under the Texas Election Code following enactment of this Charter Amendment. Thereafter, elections for Places 1 and 2 shall take place during the next regular city election as provided for in Section 8.01 of the Charter and the election for Place 3 shall take place during the following year's regular city election; provided, that if the original Airport Board election takes place in the month of January, the original terms of Place 1 and Place 2 shall be fifteen month terms lasting until the regular city election of the next succeeding year, and the original term of Place 3 shall be a 27-month term lasting until the regular city election of the second succeeding year.

Section 12.04. Nominations, Removal and Vacancies

Candidates for the Airport Board shall be nominated in the manner prescribed for Councilmen in Section 8.03 of the Charter. A Board Member may be removed from office for any of the reasons set forth in Section 2.03 of the Charter. Vacancies in the Airport Board shall be filled pursuant to the terms of Section 2.05 of the Charter.

Section 12.05. Meetings and Rules of Procedure

The Airport Board shall hold at least one regular meeting during each two month calendar period, at a time to be fixed by it for such regular meeting, and may hold as many additional meetings as

may be necessary. All meetings of the Airport Board shall be public. The Airport Board shall determine its own rules of procedure. Two members shall constitute a quorum to do business, and the affirmative vote of a majority shall be necessary to take any official action. Minutes of the meetings shall be kept and made available as public records.

Section 12.06. Induction of Board Members Into Office

New Board Members shall be inducted into office at the meeting following each election. At such meeting, the first order of business shall be canvassing of returns, declaring the results and swearing in of newly elected Board Members. Following the original Airport Board election, the Board may hold its original meeting at any time agreed upon by two or more Board Members, who shall be informed of their election by the City Clerk. There is delegated to the Airport Board all powers and duties which the Texas Municipal Airports Act (Art. 46d-1, et seq. TEX. REV. CIV. STATS. ANN. (Vernon), as amended from time to time) permits to be delegated to a board. Specifically, but without limitation, the Airport Board shall have the power and duty to manage operations at the Addison Airport for the public benefit, to establish hours and terms of use, to regulate noise and pollution, to set user fees and enter into contracts.

Proposition 2. Shall Section 4.06 of the Charter of the Town of Addison be amended to add a phrase which would read as follows:

Section 4.06... To perform the City Secretary's duties during her temporary absence and disability, the City Manager may appoint an Assistant City Secretary until she shall return or her disability shall cease.

SECTION 2. Said election to be held in accordance with the constitutional laws of the United States and the State of Texas and all duly qualified resident electors of the Town of Addison, Texas, shall be qualified to vote.

SECTION 3. The ballots of said Election shall conform to the requirements of the Election Code of the State of Texas (Chapter 492, Acts of the Fifty-Second Legislature, Regular Session, 1941, as amended) and Article 1170, Vernon's Annotated Texas Civil Statutes, as amended, so that each voter may vote

"YES" or "NO" on such propositions as follows:

OFFICIAL BALLOT

Place an "X" in the square beside the statement indicating the way you wish to vote.

- YES Proposition 1. Shall Article XII be added to the Charter of the Town of Addison to create an elected Airport Board composed of Addison citizens, which Board shall have no taxing authority, shall serve without pay, and shall have the power and duty to manage Addison Airport for the public benefit.
- NO
- YES Proposition 2. Shall Section 4.06 of the Charter of the Town of Addison be amended to allow the City Manager to appoint an Assistant City Secretary to perform the duties of the City Secretary until she shall return or her disability shall cease.
- NO

SECTION 4. A Proposition approved by a majority of voters voting shall become effective upon adoption pursuant to Article 1170, Vernon's Annotated Civil Statutes, unless otherwise provided herein.

SECTION 5. The election shall be held at the following place in said City, and the following named persons are hereby appointed officers for said election. In Election Precinct No. 1173, at Addison Municipal Building, 4500 Belt Line Road in said City, with Mary Dolan as Presiding Judge, and said Presiding Judge shall appoint the necessary clerks to assist her which shall not exceed three clerks.

SECTION 6. The polls at the above designated polling place shall on said election day be open from 7 o'clock a.m. to 7 o'clock p.m.

SECTION 7. Greg Dunham is hereby appointed Clerk for absentee voting, and Rose Sekinger is hereby appointed Deputy Clerk

for absentee voting. The absentee voting for the above designated election shall be held at 5300 Belt Line Road within said City and said place of absentee voting shall remain open for at least eight hours on each day for absentee voting which is not a Saturday, a Sunday, or an official State holiday, beginning on the 20th day and continuing through the 4th day preceding the date of said election. Said place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m. on each day for said absentee voting. The above described place for absentee voting is also the absentee clerk's mailing address to which ballot applications and ballots voted by mail may be sent.

SECTION 8. That said election shall be held in accordance with the Election Code of this State and only resident qualified voters of said city shall be eligible to vote at said election.

SECTION 9. Notice of said election will be given in accordance with the terms and provisions of Article 4.05 of the Election Code and Art. 29e and the City Secretary is hereby instructed to have said notice posted and/or published in accordance with law.

SECTION 10. That immediately after said election is held, the officers holding the same shall make returns of the result thereof to the Mayor of this city as required by the Election Code of this State.

SECTION 11. A copy of this ordinance shall also serve as a writ of election which shall be delivered to the above appointed Presiding Judge for said election.

SECTION 12. This ordinance shall take effect immediately upon its adoption of the said caption, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 26th day of June, 1984.



MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



ATTORNEY FOR CITY

EFFECTIVE DATE: June 26, 1984

Perkins
7-18-87