Solano County
Airport Land Use Commission
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Fairfield, California 94533-6341
www.solanocounty.com

Department of Resource Management
Phone: (707) 421-6765 / Fax: (707) 421-4805

Ray Schoch
Chairman

May 12, 2011

MEMORANDUM:

To: Solano County Airport Land Use Commission

From: Jim Leland, Principal Planner

Subject: **Item 7:** Adoption of By-Laws

Discussion

The Commission reviewed and agreed on certain amendments to the By-Laws for the ALUC at the April 14th Special Meeting. Staff has distributed a copy of the previously discussed and amended By-Laws for the Commission's review and adoption.

Staff is also distributing a proposed Public Hearing Procedure for the Commission's consideration.

Recommendation

It is recommended that the Commission review the attached By-Laws, conduct a public hearing and adopt the By-Laws.

Exhibits:

Exhibit A: Draft By-Laws
Exhibit B: Resolution
Exhibit C: Public Hearing Procedure

SOLANO COUNTY AIRPORT LAND USE COMMISSION BYLAWS

(Adopted by the Solano County Airport Land Use Commission on _____, 2011.)

SECTION 1. NAME. The name of this organization is the Solano County Airport Land Use Commission ("Commission").

SECTION 2. AUTHORITY. These Bylaws are adopted pursuant to the authority provided by the State Aeronautics Act, California Public Utilities Code, section 21674, subdivision (f). Together with the *Solano County Airport Land Use Compatibility Review Procedures*, as currently in effect and as may be amended from time to time, these Bylaws constitute rules and regulations for the carrying out of the Commission's responsibilities.

SECTION 3. ELECTION AND TERMS OF OFFICERS.

3.01 Organizational Meeting. At the regular meeting of the Commission in May of each year, or if no regular meeting is held in May the first regular meeting of the Commission thereafter, the Commission shall hold an organizational meeting, at which time the Commission shall elect a Chair and a Vice-Chair who shall serve until their successors are elected the following May or thereafter.

3.02. Conduct of Elections. Elections shall be by nomination and roll-call vote. The member receiving the highest number of votes shall be declared elected.

SECTION 4. DUTIES OF OFFICERS AND STAFF.

4.01. Chair. The Chair shall preside at all meetings of the Commission and perform all other duties necessary or incidental to the office.

4.02. Vice-Chair. In the event of the absence of the Chair or his/her inability to act, the Vice-Chair shall take the place and perform the duties of the Chair.

4.03. Presiding Officer. The Chair, or in his or her absence, the Vice-Chair, shall call the Commission to order and act as presiding officer. In the absence of the Chair and Vice-Chair, the senior member of the Commission then present shall call the Commission to order, and act as temporary presiding officer.

4.04. Clerk. The Clerk of the Commission shall be the Director of the Solano County Department of Resource Management. The Clerk shall discharge the functions of commission secretary and administrative officer, shall furnish professional and technical advice and support, and shall assist the Commission in the discharge of its duties and responsibilities. The Clerk shall certify each official document and resolution of the Commission, maintain records of operation, and perform such other duties as the Commission assigns. The Clerk shall call the roll, keep minutes of each meeting and shall record the official actions taken. The Clerk may designate or deputize members of his/her staff to perform these functions.

SECTION 5. MEETINGS OF THE COMMISSION.

5.01. Regular Meetings. The Commission shall hold regular meetings on the second Thursday of each month at 7:00 p.m. in the first-floor Multi-Purpose Room or the first-floor Board of Supervisors' Chambers of the Solano County Administrative Center, 675 Texas Street, Fairfield, California, or at such other date(s) and time(s) as designated by the Chair and affirmed by the majority vote of the Commission.

5.02. Change of Meeting Place. Upon order of the Commission, adopted at least five (5) days in advance, the place of the next succeeding regular meeting may be changed to

another location within Solano County, provided that the changed location is stated in the agenda or meeting notice.

5.03. Cancellation of Meetings. The Clerk with concurrence of the Chair may cancel a regularly scheduled meeting if it is determined that there is insufficient business or other reason to not meet. A copy of the order or notice of cancellation shall be posted at least 24 hours before the regularly scheduled hearing date at the Solano County Administrative Center, conspicuous to the public.

5.04. Special Meetings. Special meetings may be called by the Chair or at the request of a majority of the Commission members, with notice posted at least 24 hours prior to the special meeting and conforming to other applicable requirements.

5.05. Closed Meetings. All meetings shall be open meetings, except such closed meetings that the law permits.

5.06. Adjournment of Meetings. The Commission may adjourn (i.e., continue) any meeting to any later date, time and place when necessary for the transaction of business. Any adjourned regular meeting is part of a regular meeting.

5.07. Scheduling Agenda Items. During preparation of the agenda, the scheduling of items on the agenda shall be the responsibility of the Clerk after consultation with the Chair and, if necessary, the Commission.

The Chair, or by majority vote the Commission, may direct an item to be scheduled, or change the order of agenda items.

5.08. Quorum. A quorum for conducting business shall be a majority of the members then appointed. The late arrival time of any commissioner shall be entered into the minutes in order to document which part of the proceedings were missed.

5.09. Absenteeism. Members unable to attend a meeting should notify the Clerk in advance of the meeting, so that a determination can be made if a quorum can be established at the planned meeting. In the event that a member is absent from three (3) consecutive regular monthly meetings, the Clerk will notify that member's appointing authority.

5.10. Order of Business. At regular meetings, the order of business shall be as follows:

a. Opening of the Meeting ("Call to Order");

b. Pledge of Allegiance;

c. Roll Call;

d. Approval of Agenda;

e. Approval of Minutes;

f. Reports of Committees;

g. Comments From the Public (regarding any matter that is within the jurisdiction of the Commission but is not an item on the agenda);

h. Old Business;

i. New Business;

j. Adjournment.

The above Order of Business may be suspended or varied at any time upon order of the presiding officer.

5.11. Brown Act. The Ralph M. Brown Act (Government Code, § 54950 et seq.) applies to the Commission, as and to the extent provided by law.

SECTION 6. COMMISSION PROCEDURES.

6.01. Action by Motion. Action of the Commission shall be initiated by motion. Any action of the Commission may be proposed by motion of any member.

6.02. Second Required. If seconded by any member, a motion shall be on the floor for consideration. In the absence of a second, the motion fails.

6.03. Official Action. Except as provided by general law, every official action taken by the Commission shall be by motion or resolution adopted by the affirmative and recorded vote of a majority of the full membership of the Commission. On all official actions where a vote is taken, the Clerk shall take the vote by roll call, in order of seniority, with the Chair voting last, or in such other order that may be prescribed by the Commission. Any motion on which the vote is tied is deemed to have failed.

The vote of a member who has abstained for any reason shall not be counted as an affirmative vote. However, if the member is legally entitled to vote and has not recused himself or herself from consideration of the matter, the member shall be deemed present for the purpose of determining if there is a quorum of the Commission to consider the matter.

Voting by proxy shall not be allowed. However, if the County Board of Supervisors and the selection committee of mayors of the County determine in the future to appoint alternate members (i.e., proxies) in addition to Commission members, any appointed alternate may vote in person at meetings when properly substituting for the Commission member.

6.04. Procedure in Absence of Rule. In the absence of a rule to govern a point of procedure, “Robert’s Rules of Order, Newly Revised” shall be used to decide a point of procedure.

6.05. Overruling the Chair. A decision of the Chair with respect to the interpretation, applicability or enforcement of these Bylaws may be overruled by a majority vote of the members of the Commission.

SECTION 7. COMMITTEES.

7.01. Committees. When desirable, standing or ad hoc committees may be established when necessary for technical or advisory purposes or the conduct of the Commission’s business. Committees may be composed of Commission members, staff members, and members of the public. The Ralph M. Brown Act applies to certain standing committees, pursuant to Government Code, section 54952(b).

7.02. Appointment. The Chair shall appoint all standing and ad hoc committee members, and a chair of such committees.

7.03. Tenure of Standing Committees. Members of standing committees shall serve in that capacity for one (1) year and shall serve thereafter until their successors are appointed.

7.04. Ad Hoc Committees. Ad hoc committees shall be discharged at the conclusion of their assignment.

SECTION 8. POLICIES.

8.01. General Law Provisions. It shall be the policy of the Commission to comply with all applicable provisions of Federal, State, and local laws, ordinances, rules, and regulations.

8.02. Conflict of Interest. A Commission member shall be considered temporarily disqualified from participating in the review or adoption of a proposal before the Commission if the Member has a disqualifying conflict of interest under applicable law.

SECTION 9. AMENDMENTS AND NOTICES OF AMENDMENT. These Bylaws may be amended by a 2/3 majority of the Commission at any regular or special meeting, provided that notice of the proposed amendment or amendments, including the exact text of same, shall have been delivered to each Commission member at least ten (10) days prior to the meeting date.

SOLANO COUNTY
AIRPORT LAND USE COMMISSION
RESOLUTION NO. 11-__

RESOLUTION REGARDING ADOPTION OF REVISED BYLAWS

WHEREAS, pursuant to the State Aeronautics Act, California Public Utilities Code, section 21674, subdivision (f), the Solano County Airport Land Use Commission has the power to adopt rules and regulations for the carrying out of the Commission's responsibilities;

WHEREAS, pursuant to such authority, the Commission has duly considered the proposed amended Bylaws attached hereto as Exhibit A, at its regular meeting, on May 12, 2011; and

WHEREAS, the Commission's current Bylaws are those which the Commission adopted pursuant to Resolution 08-03 on June 26, 2008.

RESOLVED, that the Solano County Airport Land Use Commission amends its Bylaws by adopting the Bylaws attached hereto as Exhibit A and replacing the text of the Bylaws set forth in Resolution 08-03.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on May 12, 2011, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

By _____
Ray Schoch, Chairman
Solano County Airport Land Use Commission

Attest:

By: _____
Bill Emlen, Clerk to the Commission

Exhibit B

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Ray Schoch
Chairman

Public Hearing Procedure

In the conduct of any public hearing, the order of presentation and consideration of such items shall ordinarily be as follows, but may be suspended or varied at any time upon order of the presiding officer:

1. Presiding officer calls for agenda item and declares time limits for speakers, which ordinarily will be:

   The applicant or project proponent's initial presentation will be limited to fifteen (15) minutes or as otherwise permitted by the Chair; others who wish to speak on the matter, either for or against, will be limited to five (5) minutes or as otherwise permitted by the Chair; the applicant or project proponent's closing statement will be limited to five (5) minutes, or as otherwise permitted by the Chair;
2. Staff presents staff report and staff recommendation;
3. Questions/Discussion between Commission and staff;
4. Presiding officer declares public hearing open;
5. Applicant or project proponent presents proposal;
6. Members of the public speak;
7. Commissioners can ask questions at all stages of the hearing;
8. Applicant or project proponent provides concluding statement;
9. Presiding officer closes public hearing;
10. Commissioners discuss matter and take action by offer of resolution;
11. Discussion of resolution and amendments, if any;
12. Vote by roll call;
13. Where the matter before the Commission requires a determination of either consistency or inconsistency, if the first motion voted upon fails, then the presiding officer shall call for a motion for a resolution adopting the inverse proposition from that first voted upon (i.e., either consistency or inconsistency respectively).