

CITY COUNCIL COMMUNICATION



MEETING DATE: January 26, 2010 **ITEM NUMBER:** 9E
TYPE OF ITEM: Consent O-2010-08
PRESENTED BY: Dale Rademacher, Director of Public Works & Natural Resources, 303-651-8355
Nick Wolfrum, PWNR Engineering Services Manager, 303-651-8307
Tim Barth, Airport Manager, 303-651-8431

SUBJECT/AGENDA TITLE: Ordinance Amending Section 2.94.020 of the Longmont Municipal Code Concerning the Composition of the Airport Advisory Board

EXECUTIVE SUMMARY:

The current code requires that City Council appoint six (6) at large members and one (1) member that is also a member of the Planning and Zoning Commission (P&Z), plus one (1) alternate member.

In reviewing the existing code, Staff believes the code can be modified to eliminate the P&Z representative and the alternate member and move forward with seven (7) at large members appointed by the City Council. This practice is more in line with the City's other advisory boards and commissions.

The Airport Advisory Board (AAB) reviewed this item at its January 14, 2009 regular meeting. The AAB unanimously supports amending the Longmont Municipal Code to reflect seven (7) at large members and eliminating the alternate member (Section B of 2.94.02) as well as the P&Z member.

The Planning and Zoning Commission did not meet in January, but an e-mail regarding this issue was sent to all P&Z members and alternates. As of the writing of this communication, all seven (7) of the regular members of the P&Z had responded, and all of them were in agreement with the proposed change to the AAB Composition eliminating the P&Z representative. In addition, two (2) of the three (3) P&Z alternates responded with the same agreement for the proposed change.

COUNCIL OPTIONS:

- 1) Approve Ordinance revising the membership to seven (7) at large members and eliminating the alternate member
- 2) Approve Ordinance and keep the alternate member
- 3) Make no change

RECOMMENDED OPTIONS:

Staff and the AAB recommend that this Ordinance be approved eliminating the P&Z representative and alternate member on First Reading and schedule Second Reading and Public Hearing on February 9, 2010.



BACKGROUND AND ISSUE ANALYSIS:

Since the Longmont Area Comprehensive Plan (LACP) was updated in 1998, rezoning the environs around the Airport to Business Light Industrial (BLI) and Economic Development (ED) there are few, if any, land use decisions that have to be made that would require the expertise of a P&Z representative to assist the AAB. When surrounding land use issues have an impact on the Airport, staff forwards the appropriate development application to the AAB via the Airport Manager for analysis, input and a formal recommendation. This has served well for the past 10 years.

In addition, if that are issues on the Airport that require the attention of the P&Z Commission, those items will individually be taken to the P&Z for their action or recommendations.

From a Staff perspective, there have not been any ongoing issues in recent years where the connection of having a joint member between the AAB and the P&Z has been necessary.

In regard to the alternate member, the composition of the AAB with seven regular members would eliminate the need for an alternate member as the AAB By-Laws only require four members be present to constitute a quorum. There are very few, only four, other City boards or commissions that have an alternate member.

ATTACHMENTS:

Ordinance

Airport Advisory Board By-Laws

1 ORDINANCE O-2010- 08

2 A BILL FOR AN ORDINANCE AMENDING SECTION 2.94.020 OF THE LONGMONT
3 MUNICIPAL CODE ON THE AIRPORT ADVISORY BOARD

4
5 THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

6 Section 1

7 The Council amends section 2.94.020 of the Longmont Municipal Code, by adding
8 italicized material and deleting stricken material, to read as follows:

9 2.94.020. Composition and terms of members--Quorum.

10 A. The airport advisory board shall consist of seven members appointed by city council
11 *with overlapping three-year terms.*, ~~six to be members at large and one who shall also be a~~
12 ~~member of the planning and zoning commission.~~ Additionally, there shall be a member of city
13 council appointed as a nonvoting member of the airport advisory board. ~~The new or reappointed~~
14 ~~at large members shall be appointed for three year terms, and the board members holding office~~
15 ~~prior to the enactment of this chapter shall continue to serve until the expiration of their~~
16 ~~respective terms; except that future appointments at the expiration of existing terms shall be so~~
17 ~~made as to provide overlapping terms.~~

18 B. ~~The city council shall also appoint one qualified elector of the city to serve as an~~
19 ~~alternate member of the airport advisory board, to serve an initial term and subsequent terms as~~
20 ~~specified for regular board members in subsection A of this section. The alternate member shall~~
21 ~~serve on the airport advisory board and sit during the temporary unavailability of regular~~
22 ~~members or until the replacement for a permanent member has been designated by the city~~
23 ~~council upon the resignation, removal or death of a permanent member.~~

1 €B. A quorum shall consist of four members. In the absence of a quorum no action shall
2 be taken other than to adjourn.

3 Section 2

4 To the extent only that they conflict with this ordinance, the Council repeals any
5 conflicting ordinances or parts of ordinances. The provisions of this ordinance are severable, and
6 invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance.

7
8 Introduced this _____ day of _____, 2010.

9
10 Passed and adopted this _____ day of _____, 2010.

11
12
13
14 _____
15 MAYOR

16 ATTEST:

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18
19 _____
20 CITY CLERK

21
22 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
23 7:00 P.M. ON THE _____ DAY OF _____, 2010, IN THE
24 LONGMONT COUNCIL CHAMBERS.

25
26 APPROVED AS TO FORM:

27
28
29 _____
30 ASSISTANT CITY ATTORNEY

_____ DATE

31
32
33 _____
34 PROOF READ

_____ DATE

35
36 APPROVED AS TO FORM AND SUBSTANCE:

37
38
39 _____
40 ORIGINATING DEPARTMENT

_____ DATE

41
42 CA File: 8168

AIRPORT ADVISORY BOARD

BY-LAWS

SECTION I MEETINGS

Regular meetings of the Vance Brand Airport Advisory Board shall be called by the Chairman. In the event of his or her absence or inability, this responsibility falls to the Vice Chairman. Regular Airport Advisory Board meetings will be held on the second Thursday of each month at 6:00 p.m. at the Public Works Maintenance Facility, unless agreed upon by a majority of the Board to hold the meeting at another public venue. Written notice of this meeting, its time and place to be held and agenda shall be given to all board members, interested parties and posted for public information in accordance with all City and State requirements.

Additionally, special meetings may be called by the Chairman from time to time, when deemed necessary. Alternatively, a duly constituted quorum of the Airport Advisory Board may call such a meeting. The quorum will be constituted of at least four (4) members who have full voting rights on the board as described by Title 2, Longmont Municipal Code, Chapter 2.94.020. Written notice of any special meeting, its time and place to be held and agenda shall be given to all board members, interested parties and posted for public information in accordance with all City and State requirements.

SECTION II ANNUAL MEETING

The annual meeting of the Airport Advisory Board shall be the first meeting of each year. Such meeting shall be devoted to the election of officers for the ensuing year, and such other business as shall be scheduled by the Airport Manager or the City Managers duly authorized appointee.

SECTION III QUORUM

At any meeting of the Airport Advisory Board a quorum shall consist of four (4) members of the board. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

**AIRPORT ADVISORY BOARD
BY-LAWS**

SECTION IV VOTING

Meetings of the Airport Advisory Board at which official action is required, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member shall have a direct personal interest in a matter then before the board, he shall disclose his interest to the board. The board shall consider the interest and by vote determine whether said member is qualified to participate in action on the matter then before the board. Any Board member may challenge the right of any other member to vote on any matter before the Board due to a conflict of interest by offering a motion to that effect. The Board shall dismiss or sustain the motion by a majority vote of the quorum present. The secretary shall record in the minutes the outcome of said vote. The affirmative vote of a majority of the quorum present shall be necessary for the adoption of any resolution or other voting matter.

SECTION V PROCEEDINGS

- A. At meetings of the Airport Advisory Board, the following shall be the regular order of business:
- 1. Roll Call**
 - 2. Minutes of the Preceding Meeting**
 - 3. Adjustment to the Agenda**
 - 4. Board Reports**
 - 5. Public Invited to be Heard**
 - 6. Old Business**
 - 7. New Business**
 - 8. Public Invited to be Heard**
 - 9. Adjournment**
- B. Each formal action of the Airport Advisory Board shall be embodied in a formal motion duly entered in the minutes after an affirmative vote as provided in Section IV.

**AIRPORT ADVISORY BOARD
BY-LAWS**

SECTION VI RULES OF PROCEDURE

Meetings of the Airport Advisory Board shall be conducted in accordance with Robert's Rules of Order.

SECTION VII OFFICERS

The officers of the Airport Advisory Board shall consist of a Chairman and a Vice-Chairman elected by the Board at the annual meeting for a term of one year. The Airport Manager, appointed by the City, shall be the Board liaison. In the event the Airport Manager is absent from any meeting, the Chairman will conduct the proceedings of the Board meeting based on material submitted by City Staff.

SECTION VIII DUTIES OF OFFICERS

The duties and powers of the Officers of the Airport Advisory Board shall be as follows:

A. Chairman

1. To preside at all meetings of the board.
2. To sign documents of the board.
3. To see that all actions of the board are properly taken.

B. Vice-Chairman

1. During the absence, disability or disqualification of the Chairman, the Vice-Chairman shall exercise or perform all the duties and be subject to all the responsibilities of the Chairman.

C. Airport Manager

1. To keep the minutes of all meetings of the Board.
2. To give or serve all notices required by law or by these By-laws.
3. To prepare the agenda for all meetings of the Board.
4. To be custodian of Board records.
5. To inform the Board of correspondence relating to business of the Board and to attend to such correspondence.
6. To sign in the absence of the Chairman and Vice Chairman at the direction of the Board.

**AIRPORT ADVISORY BOARD
BY-LAWS**

SECTION IX VACANCIES

Should any vacancies occur among the members of the Airport Advisory Board by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the City Clerk by the Secretary. Should any vacancy occur among the officers of the board, the vacant office shall be filled in accordance with Section VII of these By-laws, such officer to serve the unexpired term of the office in which such vacancy shall occur.

SECTION X ABSENTEEISM

Any member absent (due to various reasons other than illness) from three (3) successive regular meetings or from a total of four (4) meetings per calendar year, will by motion of the Board, be referred to City Council for dismissal from the board. The Chairman of the Board shall notify the City Council in acceptable written format that the Council should consider for removal such Board member and that the Council, at their discretion, shall appoint a new Board member from the available applicant list, or advertise for new members in accordance with City regulations and Code requirements.

SECTION XI ANNUAL REPORT

The Chairman of the Board shall at the first regular meeting in February of the City Council deliver an address or written summary on the activities of the board for the year.

SECTION XII AMENDING BY-LAWS

These By-laws may be amended at any meeting of the Airport Advisory Board provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.

Approved and adopted by the Airport Advisory Board on this 10th day of January, 2008.