



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.

4

Meeting Date: **OCTOBER 7, 2010**

Subject:

Amend Authority Policy 1.21, Authority Advisory Committee

Recommendation:

Adopt Resolution No. 2010 -0104 amending Authority Policy 1.21 Authority Advisory Committee.

Background/Justification

In early 2010, the leadership of the Authority Advisory Committee (AAC) proposed the formation of an Ad Hoc committee, composed of 14 volunteer members, to discuss restructuring the AAC, and required revising Authority Policy 1.21. One goal was to align AAC meetings with Authority Board meetings to provide more timely input on issues important to the Committee. The Committee currently meets on a quarterly basis and the meetings are not aligned with monthly Authority Board meetings.

Ms. Bella Heule, AAC Chair, reported at the June 3, 2010 Authority Board meeting that an inclusive Ad Hoc committee was formed to make recommendations to the Authority Board regarding AAC structure, composition and work plan. The Ad Hoc Committee met several times in June 2010 and identified five current challenges: the timing of meetings, Committee relevancy, Committee size, attendance, and quorum. At the July 1, 2010 Board meeting, Authority staff was directed to draft a revised SDCRAA Policy 1.21, Authority Advisory Committee, based on AAC's recommendations, and present it to the Board for approval.

The results of the collaboration between the Ad Hoc Committee and Authority Staff were presented to the AAC at a Special Meeting on September 16. The AAC discussed and considered proposed changes to Policy 1.21, including introduction of principles of participation as written commitments by Committee members, increased meeting frequency, revision of the categories of representative groups not mandated law, changes in the way a quorum is defined, and allowing designated alternate representatives to vote in the absence of a primary member.

000044

Current law, as Codified in Cal. Pub. Util. Code §170054 of the San Diego County Regional Airport Authority Act, provides:

(a) The Authority shall form an advisory committee to assist it in performing its responsibilities related to the planning and development of all airport facilities for the County of San Diego, including the airport activities and operations of the United States Department of Defense. In selecting members for the committee, the Authority shall include persons knowledgeable about airport management, passenger and freight air transportation operations and economic, general aviation, the natural environment, regional economic development business, including the technology sector of the economy.

(b) To the extent feasible, the advisory committee shall include representatives from the Department of Transportation, local public transit authorities, local governments, the campuses of the University of California and the California State University in the region, the United States Department of Defense, bi-national business, San Diego Unified Port District, San Diego International Airport neighboring communities, tourism and other groups and residents of San Diego County.

(c) When forming the advisory committee, the Authority shall make its selections for membership from individuals representing all elements of the County of San Diego.

By a majority vote, the AAC approved the new draft of SDCRAA Policy 1.21 (Attachment A) and forwarded it to the Board for consideration and possible adoption.

Fiscal Impact:

Increasing Advisory Committee meetings from quarterly to monthly will impact future year budgets. Current funds are sufficient to cover associated costs during this fiscal year.

Environmental Review:

A. CEQA Review: This Board action, as an administrative action, is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not Applicable

Prepared by:

DAN FRAZEE
DIRECTOR, AIRPORT NOISE MITIGATION

RESOLUTION NO. 2010 - 0104

**A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AMENDING AUTHORITY POLICY 1.21
AUTHORITY ADVISORY COMMITTEE**

WHEREAS, California Public Utilities Code §170054 requires the establishment of an Advisory Committee to assist it in performing its responsibilities related to the planning and development of all airport facilities for the County of San Diego, and

WHEREAS, the Authority Board desires to have timely, qualitative input in planning and development of airport facilities from a diverse community, and

WHEREAS, the Authority Advisory Committee proposes changes to Authority Policy 1.21, "Authority Advisory Committee", to facilitate more effective communication and interaction with the Authority Board.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the amendment to Authority Policy 1.21 Authority Advisory Committee (Attachment A); and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds that this Board action is not a "project" as defined by the California Environmental Quality Control Act (CEQA) Pub. Res. Code Section 21065; and is not a "development" as defined by the California Coastal Act Pub. Res. Code Section 30106.

000047

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 7th day of October, 2010, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
**DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK**

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

000048

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

POLICIES

- ARTICLE 1 - ADMINISTRATION AND GOVERNANCE**
PART 1.2 - ADVISORY COMMITTEE
SECTION 1.21 - AUTHORITY ADVISORY COMMITTEE
-

PURPOSE: To establish a policy for the governance of the Authority Advisory Committee in its role of assisting the Authority to plan and develop airport facilities for the County of San Diego.

Cal. Pub. Util. Code §170054 of the San Diego County Regional Airport Authority Act provides:

(a) The authority shall form an advisory committee to assist it in performing its responsibilities related to the planning and development of all airport facilities for the County of San Diego, including the airport activities and operations of the United States Department of Defense. In selecting members for the committee, the authority shall include persons knowledgeable about airport management, passenger and freight air transportation operations and economic, general aviation, the natural environment, regional economic development business, including the technology sector of the economy.

(b) To the extent feasible, the advisory committee shall include representatives from the Department of Transportation, local public transit authorities, local governments, the campuses of the University of California and the California State University in the region, the United States Department of Defense, bi-national business, San Diego Unified Port District, San Diego International Airport neighboring communities, tourism and other groups and residents of San Diego County.

(c) When forming the advisory committee, the Authority shall make its selections for membership from individuals representing all elements of the County of San Diego.

DEFINITIONS:

- (1) **Advisory Committee.** The Airport Advisory Committee as defined by Cal. Pub. Util. Code §170054.
- (2) **Authority.** The San Diego County Regional Airport Authority.

(3) **Board.** Board of Directors of the Authority.

POLICY STATEMENT:

(1) **Membership.**

(a) ~~The Advisory Committee shall have at least one primary and one alternate memberrepresentatives from each of the fourteen (14) classificationsareas of experience and knowledge identified below:~~

- ~~(i) Airport Management~~
- ~~(ii) Passenger & Freight Operations and Economics~~
- ~~(iii) General Aviation~~
- ~~(iv) Natural Environment~~
- ~~(v) Regional Economic Development~~
- ~~(vi) Business, including Technology Sector~~
- ~~(vii) Chambers of Commerce~~
- ~~(viii) Trade Associations~~
- ~~(ix) Department of Transportation plus Public Transit Authorities~~
- ~~(x) Local Governments~~
- ~~(xi) San Diego Campuses of University of California and California State~~

University

- ~~(xii) Military~~
- ~~(xiii) Neighborhoods~~
- ~~(xiv) NGO~~
- ~~(xv) Tourism~~
- ~~(xvi) Transportation~~
- ~~(xvii) Port District~~
- ~~(xviii) At large membership (if Board chooses)~~

(a)(b) ~~specified in §170054 of the Authority Act, but may have~~The Committee may have such additional members as the Board, in its discretion, may approve up to a maximum of 60 members. Authority Board Members (limited to no more than four (4) Board Members) may participate on the Advisory Committee as ex-officio members~~(d1)~~.

~~(b) To the extent feasible, the Advisory Committee shall include representatives from the Department of Transportation, local public transit authorities, local governments, the campuses of the University of California in the region, the United States Department of Defense, bi-national businesses, San Diego Unified Port District, San Diego International Airport neighboring communities, tourism and other groups and residents of San Diego County.~~

(c) Appointments.

(1) Primary Members. The Board shall make ~~or ratify~~ all appointments of primary members to the Advisory Committee. The Board may use one or more

of its standing committees to nominate and propose appointments of primary members to the Advisory Committee.

~~(2)~~ **(2) Alternate Members.** The President/CEO shall make all appointments of alternate members to the Advisory Committee. All alternate member appointments shall be reported to the Board at the general meeting of the Board following such appointments.

~~(3)~~ **(2) Vacancies.** Vacancies on the Advisory Committee shall be filled as they occur in the same manner as initial appointments by the Board as they occur. ~~Interim replacement appointments members shall complete the remaining term of the vacating member unless earlier removed as described herein. to fill vacancies may be made by the Board Chair, but to remain effective must be ratified by the Board at its next meeting.~~

~~(4)~~ **(3) Term of Members.** The term of each member's appointment to the Advisory Committee shall be for three (3) years, commencing in October of each year from the date of the Board's action approving or ratifying the appointment.

~~(5)~~ **(4) Chair/Vice Chair.** The Chair, First Vice Chair, and Second Vice Chair of the Advisory Committee shall be elected by a quorum of the Advisory Committee annually in February~~October~~ or at such earlier time as a vacancy may occur. The First Vice Chair or Second Vice Chair, as necessary, shall conduct meetings in the absence of the Chair. In the absence of the Chair, First Vice Chair and Second Vice Chair at any scheduled meeting, provided a quorum of Advisory Committee members are present, said members present shall elect a chair *pro tempore* to preside for that meeting. A Board Member or the President/CEO, if attending with the quorum present, shall call the meeting to order and preside during such election of a chair *pro tempore* and, following the election, shall immediately turn control of the meeting over to the chair *pro tempore*.

~~(6)~~ **(5) Attendance.**

(a) Advisory Committee members are encouraged to attend all Advisory Committee meetings. Roll call shall be taken at the beginning of the meeting to determine the members present. ~~Voting members shall be seated collectively in order for the public to recognize them as such. Non-voting alternates in attendance, if any, may participate in Advisory Committee discussions but shall not be authorized to vote on any item or matter.~~

(b) If an Advisory Committee member fails to attend three consecutive Committee meetings, a written communication letter will be sent by Authority staff to said member, ~~to the other Committee members,~~ and to the members of the Authority Board concerning the absences.

~~(b)(c)~~ The President/CEO shall report to the Board on the attendance of Advisory Committee members at least twice per year.

~~(7)~~ **Removal of Members.** The Board, in its sole discretion, may act to remove any member from the Advisory Committee. ~~upon advanced written notice to said member. Grounds for removal include, but are not limited to lack of attendance, one or more conflicts of interest, disruptive behavior, violation of the law or the Authority's codes or policies, ethical considerations, actions by the member not in the best interest of either the Advisory Committee or the Authority.~~

~~(6)~~ ~~(8)~~**(7) Quorum.** For the conduct of business and to constitute a quorum, the Advisory Committee must have physically present a majority of the represented classifications designated above all of its members. A quorum shall be required for the conduct of any and all business of the Advisory Committee.

~~(9)~~**(8) Voting.** Members shall vote on all Advisory Committee actions. Each seat from a specific classification shall have one vote. Alternate members shall have authority to vote only in the absence of Primary Members. Alternate Members attending with their Primary Member may participate in Advisory Committee discussions but shall not be authorized to vote on any item or matter. A simple majority of the quorum of voting members constitutes approval. There shall be no secret ballots or votes by the Advisory Committee. All votes shall be taken in public.

~~(10)~~**(9) Compensation.** Members of the Advisory Committee shall not be monetarily compensated for their participation.

~~(11)~~**(10) Meetings.** Advisory Committee meetings shall normally be held monthly on the thirteenth calendar day following the Boards regularly scheduled general meeting. ~~Fridays.~~ Meetings, however, may be called at any time by the Chair of the Advisory Committee, by the Board Chair, or be set by action of the Board. Roberts Rules of Order, Newly Revised, shall govern parliamentary procedure at all meetings. [d2]

~~(12)~~ **Committee Recommendations.** All recommendations from the Advisory Committee shall be presented to the San Diego County Regional Airport Authority Board for review and consideration. ~~No action will be taken on the day recommendations are submitted to the Board; however, if at any time the Board wants to bring back the recommendation for further review and consideration it will be placed on the agenda. The Board shall notify the committee of any decisions regarding their recommendations.~~

~~(13)~~ **Ralph M. Brown Act and the California Public Records Act.** The Advisory Committee, including each of its members and all of its meetings, shall be subject to the

provisions of the Ralph M. Brown Act ("Public Meeting Law") and the Public Records Act. [Cal. Gov. Code § 54950 *et seq.* and Cal. Gov. Code § 6254 *et seq.*]

- (14) **Working Groups & Subcommittees.** The Advisory Committee and the Board shall have the authority to form *ad hoc* working groups and standing subcommittees to accomplish specific tasks. Each may appoint members and alternates to serve on these bodies. Upon completion of a task or assignment, the applicable *ad hoc* working group or standing subcommittee shall disband. Standing subcommittees to carry out continuing functions, when appointed by the Board, are subject to the provisions of the Brown Act.

[Amended by Resolution No. 2009-0024 R dated March 5, 2009.]

[Amended by Resolution No. 2008-0090 R dated July 10, 2008.]

[Resolution No. 2008-0051 dated May 1, 2008 was rescinded by Resolution No. 2008-0090R.]

[Amended by Resolution No. 2007-0084 R dated July 5, 2007.]

[Adopted by Resolution No. 2005-0016 dated February 7, 2005.]

DRAFT

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

POLICIES

- ARTICLE 1 - ADMINISTRATION AND GOVERNANCE**
- PART 1.2 - ADVISORY COMMITTEE**
- SECTION 1.21 - AUTHORITY ADVISORY COMMITTEE**

PURPOSE: To establish a policy for the governance of the Authority Advisory Committee in its role of assisting the Authority to plan and develop airport facilities for the County of San Diego.

Cal. Pub. Util. Code §170054 of the San Diego County Regional Airport Authority Act provide:

(a) The Authority shall form an advisory committee to assist it in performing its responsibilities related to the planning and development of all airport facilities for the County of San Diego, including the airport activities and operations of the United States Department of Defense. In selecting members for the committee, the Authority shall include persons knowledgeable about airport management, passenger and freight air transportation operations and economic, general aviation, the natural environment, regional economic development business, including the technology sector of the economy.

(b) To the extent feasible, the advisory committee shall include representatives from the Department of Transportation, local public transit authorities, local governments, the campuses of the University of California and the California State University in the region, the United States Department of Defense, bi-national business, San Diego Unified Port District, San Diego International Airport neighboring communities, tourism and other groups and residents of San Diego County.

(c) When forming the advisory committee, the Authority shall make its selections for membership from individuals representing all elements of the County of San Diego.

DRAFT

DEFINITIONS:

- (1) **Advisory Committee.** The Airport Advisory Committee as defined by Cal. Pub. Util. Code §170054.
- (2) **Authority.** The San Diego County Regional Airport Authority.
- (3) **Board.** Board of Directors of the Authority.

POLICY STATEMENT:

(4) **Membership.**

(a) The Advisory Committee shall have at least one primary and one alternate member with an interest in assisting the Authority in planning and development of airport facilities from each of the classifications (each representing an area of expertise or group affiliation) identified below:

- (i) Airport Management
- (ii) Passenger & Freight Operations and Economics
- (iii) General Aviation
- (iv) Natural Environment
- (v) Regional Economic Development
- (vi) Business (including Technology Sector)
- (vii) San Diego County Chambers of Commerce
- (viii) Trade Associations
- (ix) California Department of Transportation and Public Transit Authorities
- (x) Local Governments
- (xi) San Diego Campuses of University of California and California State University
- (xii) Military
- (xiii) Neighborhoods surrounding San Diego International Airport
- (xiv) Tourism
- (xv) Transportation
- (xvi) San Diego Unified Port District

Additionally, at the Board's discretion, primary and alternate members may be added in the following classification:

- (xvii) At-Large Organizations
- (xviii) At-large (no specified area of expertise or group affiliation)

000055

DRAFT

(b) The Advisory Committee may have such additional members as the Board, in its discretion, may approve up to a maximum of 60 members. Each member shall be assigned to one of the designated classifications. Authority Board Members (limited to no more than four (4) Board Members) may participate on the Advisory Committee as ex-officio members.

(5) **Appointments**

(a) **Primary Members**. The Board shall make all appointments of primary members to the Advisory Committee and assign him/her to a classification designated in Paragraph (4) above. The Board may use one or more of its standing committees to nominate and propose appointments of primary members to the Advisory Committee.

(b) **Alternate Members**. Each primary member shall recommend to the President/CEO one alternate member of the Advisory Committee within the classification of the primary member. The President/CEO shall make all appointments of alternate members to the Advisory Committee. All alternate member appointments shall be reported to the Board at a regular meeting of the Board following such appointments.

(c) **Adherence**. Each member will acknowledge his/her adherence to participating in the work of the Advisory Committee.

(d) **Vacancies**. Vacancies on the Advisory Committee shall be filled as they occur in the same manner as initial appointments. Replacement members shall complete the remaining term of the vacating member.

(6) **Term of Members**. The term of each primary member's appointment to the Advisory Committee shall be three (3) years. To provide for staggered expiration of terms immediately following adoption of this policy, the Board may appoint members to terms of a shorter duration.

(7) **Chair/Vice Chair**. The Chair, First Vice Chair, and Second Vice Chair of the Advisory Committee shall be elected by the Advisory Committee annually in October or at such earlier time as a vacancy may occur. The First Vice Chair or Second Vice Chair, as necessary, shall conduct meetings in the absence of the Chair. In the absence of the Chair, First Vice Chair and Second Vice Chair at any scheduled meeting, the members present shall elect a chair *pro tempore* to preside for that meeting. A Board Member or the President/CEO shall call the meeting to order and preside during such election of a chair *pro tempore* and, following the election, shall immediately turn control of the meeting over to the chair *pro tempore*.

(8) **Attendance**.

(a) Advisory Committee members are encouraged to attend all Advisory Committee meetings. Roll call shall be taken at the beginning of the meeting to determine the

DRAFT

members present. Any primary member who anticipates absence at any meeting is expected to notify that member's designated alternate member so that the alternate member may know to attend the meeting. Voting members shall be seated so that the public may easily recognize them as such.

- (b) If either a primary or alternate member fails to attend three consecutive Advisory Committee meetings, a written communication regarding the absences will be sent by the President/CEO to said member, with copies of the communication sent to the Chair, First Vice-Chair and Second Vice-Chair of the Advisory Committee, and to the members of the Authority Board.
 - (c) The President/CEO shall report to the Board on the attendance of Advisory Committee members at least twice per year.
- (9) **Removal of Members.** The Board, in its sole discretion, may act to remove any member from the Advisory Committee.
- (10) **Quorum.** For the conduct of business and to constitute a quorum, the Advisory Committee must have physically present at least thirty-three percent (33%) of voting members including at least one member from a majority of the represented classifications designated in Paragraph (4) above. A classification shall not be considered for determining a quorum if, at the time of the meeting, there is not at least one primary member duly appointed in that classification. A quorum shall be required for the conduct of any and all business of the Advisory Committee.
- (11) **Voting.**
- (a) Primary Members in attendance shall vote on all Advisory Committee actions. Each primary member shall have one vote. An alternate member shall have the authority to vote on any action during which vote his or her designated primary member is not present. A simple majority of the quorum of voting members constitutes approval. There shall be no secret ballots or votes by the Advisory Committee. All votes shall be taken in public.
 - (b) Non-voting alternates in attendance (i.e. an alternate in attendance when the primary member is also in attendance), if any, may participate in Advisory Committee discussions but shall not be authorized to vote on any item or matter.
- (12) **Compensation.** Members of the Advisory Committee shall not be monetarily compensated for their participation.
- (13) **Meetings.** Advisory Committee meetings shall normally be held monthly on the thirteenth calendar day following the monthly regular meeting of the Board. Meetings, however, may be called at any time by the Chair of the Advisory Committee, by the

DRAFT

Board Chair, or be set by action of the Board. Roberts Rules of Order, Newly Revised, shall govern parliamentary procedure at all meetings.

- (14) **Committee Recommendations.** All recommendations from the Advisory Committee shall be presented to the Board for review and consideration.
- (15) **Ralph M. Brown Act and the California Public Records Act.** The Advisory Committee, including each of its members and all of its meetings, shall be subject to the provisions of the Ralph M. Brown Act ("Public Meeting Law") and the Public Records Act. [Cal. Gov. Code § 54950 *et seq.* and Cal. Gov. Code § 6254 *et seq.*]
- (16) **Working Groups & Subcommittees.** The Advisory Committee or the Board shall have the authority to form *ad hoc* working groups and standing subcommittees to accomplish specific tasks. Each may appoint members and alternates to serve on these bodies. Upon completion of a task or assignment, the applicable *ad hoc* working group or standing subcommittee shall disband. Standing subcommittees are subject to the provisions of the Brown Act.

[Amended by Resolution No. 2009-0024 R dated March 5, 2009.]

[Amended by Resolution No. 2008-0090 R dated July 10, 2008.]

[Resolution No. 2008-0051 dated May 1, 2008 was rescinded by Resolution No. 2008-0090R.]

[Amended by Resolution No. 2007-0084 R dated July 5, 2007.]

[Adopted by Resolution No. 2005-0016 dated February 7, 2005.]