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# Bylaws of the Riverside County Airport Land Use Commission

## 1. GENERAL PROVISIONS

### 1.1. Name

The name of the Commission shall be the Riverside County Airport Land Use Commission. The name may be abbreviated as ALUC or RCALUC.

### 1.2. Purpose

The fundamental purpose of the ALUC is to carry out the statutory responsibilities required by Sections 21670 et seq. of the California Public Utilities Code (PUC). The statutes describe these responsibilities as being “to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.”

### 1.3. Powers and Duties

(a) The powers and duties of the ALUC are as enumerated within and limited by PUC Section 21674.

(1) The ALUC’s specific powers and duties are:

=To prepare and adopt an airport land use compatibility plan for each of the airports within the commission’s jurisdiction.

=To review the plans, regulations, and other actions of local agencies and airport operators pursuant to PUC Section 21676.

=To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.

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= To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

- (2) An explicit limitation upon the ALUC's powers and duties is that the ALUC has no jurisdiction over the operation of any airport.
- (b) The ALUC may establish a schedule of fees necessary to enable it to fulfill its duties as defined by state law. The fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code

#### **1.4. Airport Land Use Compatibility Plan**

- (a) The ALUC has adopted a *Riverside County Airport Land Use Compatibility Plan* and certain other plans containing the policies to be used by the Commission in reviewing and acting upon matters submitted to it in accordance with state law. The procedures and compatibility criteria set forth in those plans are in addition to and shall be considered extensions of these Bylaws.
- (b) The ALUC shall update its review procedures and compatibility criteria as necessary to keep them current with airport conditions and state laws and guidelines.
- (c) Amendments to the *Compatibility Plan* may be instituted by the ALUC staff based upon changing conditions at an airport or may be requested by a local agency, airport operator, or affected agency. State law limits amendments to compatibility plans to once per calendar year. Although the *Riverside County Airport Land Use Compatibility Plan* is contained within a single volume, the section addressing each airport is to be considered a separate plan for the purposes of plan amendments. Thus, amendment of maps or specific policies for one airport does not preclude subsequent amendment of the maps or specific policies for another airport in the same year. Any change to the countywide policies would constitute amendment of all the individual airport plans.

#### **1.5. By Law Amendments**

Amendments to these Bylaws requires a majority vote of the full membership (i.e., four votes) of the entire ALUC membership, following at least seven days written notice of the proposed amendment.

#### **1.6. Severability**

If any portion of these Bylaws is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions.

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## 2. MEMBERSHIP AND STAFF

### 2.1. Members

- (a) The ALUC shall consist of seven members, selected as follows:
  - (1) Two members representing the cities in Riverside County, appointed by a city selection committee comprised of the mayors of all the cities within the county.
  - (2) Two members representing Riverside County, appointed by the Board of Supervisors.
  - (3) Two members having expertise in aviation, appointed by a selecting committee comprised of the managers of all of the public airports within the county. For the purposes of ALUC membership, a person having “expertise in aviation” is, as defined by the Public Utilities Code, “a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport.”
  - (4) One member representing the general public, appointed by the other six members of the Commission.
- (b) All members of the ALUC shall be residents of Riverside County.

### 2.2. Terms of Office

- (a) The term of office of each ALUC member shall be four years, ending on the first Monday in May of the fourth year. Terms of office shall be staggered so that no more than two members’ terms expire in any single year.
- (b) Commissioners serve at the pleasure of the appointing body and may be removed by that body at any time and for any reason. A Commissioner may be appointed to a new term of office at the option of the appointing body. The appointing body shall fill any vacancy in the ALUC membership by appointing a new member to serve the remainder of the term.

### 2.3. Proxies

- (a) Each Commissioner shall promptly appoint a single proxy to represent him or her in commission affairs and to vote on all matters when the Commissioner is not in attendance. The proxy shall be designated in a signed written instrument kept on file at the Commission offices.
- (b) The proxy shall serve at the pleasure of the Commissioner who appointed him or her. A Commissioner shall promptly appoint a new proxy to fill any vacancy in that position.
- (c) The proxy for a Commissioner appointed by the selecting committee of airport managers shall have expertise in aviation.

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## 2.4. Attendance Requirements

- (a) A Commissioner who is unable to attend a meeting shall be responsible for notifying his or her proxy and shall also notify the ALUC Executive Director that the proxy will be attending in his or her place.
- (b) If a Commissioner misses three consecutive regular meetings and the Commissioner's proxy does not attend in his or her place during that period, the Executive Director shall notify the body that appointed the Commissioner so that it may consider whether to replace that individual.

## 2.5. Election and Terms of Officers

- (a) The ALUC shall elect a Chairman and Vice-Chairman. Elections shall take place at the regularly scheduled meeting in April or, if a meeting is not held in April, at the next regularly scheduled meeting.
- (b) Officers shall take office beginning in May or, if a meeting is not held in May, at the next regularly scheduled meeting and shall serve until the following May or until their successors are elected at the next ALUC meeting thereafter.
- (c) In case of a vacancy in the office of either Chairman or Vice-Chairman, the ALUC shall, at the next regularly scheduled meeting of the Commission, elect a successor to serve the unexpired term.

## 2.6. Duties of Officers

- (a) The Chairman shall:
  - (1) Preside at all meetings of the Commission and conduct the business of the Commission in the manner prescribed by these Bylaws.
  - (2) Confer with the Executive Director regarding draft meeting agendas prior to their distribution.
  - (3) Perform other duties customarily performed by a Chairman.
- (b) The Vice-Chairman shall, in the Chairman's absence or inability to act, assume all powers and duties of the Chairman.
- (c) In the absence or inability to act of both the Chairman and Vice-Chairman, the Commissioners in attendance shall elect a Chairman Pro-Tempore. The Chairman Pro-Tempore shall then preside and shall exercise all of the powers and duties of the Chairman.

## 2.7. Staff

- (a) A staff member of the Aviation Division of the Riverside County Economic Development Agency shall serve as the Executive Director of the ALUC. The ALUC Executive Director shall be responsible for the following, either directly or with assistance of other staff:

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- (1) Receipt and review of proposed actions submitted to the ALUC for review in accordance with provisions of state law and the *Riverside County Airport Land Use Compatibility Plan*.
  - (2) Coordinate and consult with staffs of local government agencies regarding specific projects those agencies refer to the ALUC for review and the manner in which the ALUC policies apply thereto; also informal consultation with project proponents.
  - (3) Consult with the ALUC Chairman regarding meeting agendas and other matters of concern to the Commission.
  - (4) Public notice of matters before the ALUC as may be required by state law and normal practice of the County of Riverside.
  - (5) Prepare meeting agendas and staff reports and distribution of these documents to ALUC members and their proxies.
  - (6) Ensure staff attends each ALUC meeting or, if he or she cannot be present, making arrangements for other county staff to assume his or her duties during the meeting.
  - (7) Prepare draft resolutions for those agenda items requiring them.
  - (8) Prepare meeting minutes.
  - (9) Other matters pertaining to the business of the ALUC.
  - (10) The Executive Director shall ensure that a copy of the meeting agenda, together with staff reports and other material pertinent to the items on the agenda is delivered to each Commissioner and his/her proxy at least two days prior to the meeting date.
- (b) The Riverside County Office of County Counsel shall serve as or provide for legal staff for the ALUC.

### **3. MEETINGS ARRANGEMENTS**

#### **3.1. Meeting Schedule**

- (a) Regular meetings of the ALUC shall be held on the second Thursday of the month beginning at 9:00 a.m. If the regular meeting date falls on a holiday recognized by the County of Riverside, the Commission may by majority vote move the meeting. The Chairman may cancel a regularly scheduled meeting if there is no business to be conducted in that month.
- (b) Special meetings may be called by the Chairman or by a majority of the members of the Commission provided that written notice is mailed to all members at least seven days prior to the meeting.

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### **3.2. Meeting Location**

- (a) Meeting locations may vary depending upon the availability of meeting rooms and the need to hold public hearings in particular communities.
- (b) The location of the next regular or special meeting shall, if possible, be determined prior to the close of the previous regular meeting. If the meeting location has not been determined at that time, written notice shall be mailed to all members at least seven days prior to the meeting.

### **3.3. Meeting Agenda**

- (a) For each meeting of the ALUC, an agenda shall be prepared specifying the time, location, and order of business of the meeting.
- (b) Meeting agendas shall be accompanied by a staff report for each agenda item requiring ALUC action. The staff report shall provide background information regarding the matter at issue and indicate the Executive Director's recommendation.

### **3.4. Ad Hoc Committees**

- (a) An Ad Hoc Committee consisting of no more than three Commission members or their proxies may be formed to study specific issues before the ALUC.
- (b) The formation, purpose, membership, and subsequent dissolution of any Ad Hoc Committee shall be at the discretion of the Chairman or Acting Chairman presiding at a regular or special meeting of the Commission.

## **4. CONDUCT OF MEETINGS**

### **4.1. Rules of Order**

- (a) Except as otherwise provided in these bylaws and regulations of the Brown Act, meetings of the ALUC shall be open and public and all applicable requirements of the Brown Act shall apply.
- (b) The ALUC Chairman shall preserve order and decorum at meetings of the Commission and except as otherwise provided by 4.1 (c), shall decide rules of order.
- (c) The Commission may deliberate as to any item properly before it in accord with the Robert's Rules of Order upon a vote of the majority of those members present to deliberate an item in accord with these rules.
- (d) All questions of law shall be referred to the Office of County Counsel.

### **4.2. Order of Business**

- (a) The order of business at a regular meeting of the ALUC shall generally be as follows:
  - (1) Call to order.

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- (2) Pledge of Allegiance.
  - (3) Roll call.
  - (4) Approval of minutes.
  - (5) Public comments on items not on the agenda.
  - (6) Old business.
  - (7) New business.
  - (8) Executive Director's report.
  - (9) Commissioners' comments.
  - (10) Adjournment.

#### **4.3. Public Input**

- (a) When so required by state law, the ALUC shall hold a public hearing on agenda items under consideration. The order of presentation of hearings shall normally be:
  - (1) ALUC staff and, when applicable, consultant's presentations.
  - (2) Opening of public hearing.
  - (3) Presentation by submitting agency and/or project proponent.
  - (4) Comments by other interested parties.
  - (5) Commissioner questions and speaker responses.
  - (6) Close of public hearing.
  - (7) Commission discussion and deliberation.
  - (8) Motions and voting.
- (b) At the discretion of the Chairman, the ALUC may allow public comment on agenda items for which a formal public hearing is not required.
- (c) Any person desiring to address the ALUC shall submit a speaker request card to the ALUC staff, then, when recognized by the Chairman, step to the rostrum and state his or her name and address for the record.
- (d) In order to facilitate the business of the ALUC, the Chairman may limit the amount of time allowed for each speaker.

#### **4.4. Quorums and Voting**

- (a) A majority of the ALUC's seven members constitutes a quorum for the purposes of conducting business.
- (b) Any action taken by the ALUC requires a majority vote of the full membership (i.e., four votes). Actions may be voted upon by voice vote unless any seated Commissioner, or a proxy acting in the place of a Commissioner, demands a roll call vote. The Chairman may make or second any motion without stepping down from the chair.

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- (c) Proxies present at a meeting in place of a regular member shall be counted when determining the existence of a quorum or for voting purposes.
  - (d) A Commissioner shall not vote on an item continued from a previous meeting in which the Commissioner was not in attendance unless he or she has listened to the tape recording or reviewed the minutes of the previous discussion and reviewed materials pertaining to that item. This rule also applies to a proxy voting in place of the Commissioner.

#### **4.5. Conflicts of Interest**

- (a) A Commissioner shall disqualify himself or herself from participating in the discussion and action on any matter regarding which the Commissioner has a conflict of interest in accordance with the provisions of the Political Reform Act of 1975 as amended.
- (b) A Commissioner's past or pending participation, as an elected or appointed member of another body, in actions related to a matter before the ALUC shall *not* be regarded as a conflict of interest. However, when acting in their capacity as an ALUC member, Commissioners should recognize that their decisions should be based solely upon the airport land use compatibility and other aviation-related factors that are the purview of the ALUC.
- (c) A Commissioner's proxy may participate in the discussion of and action on an item for which the Commissioner has disqualified himself or herself unless the proxy also has a conflict of interest. A proxy may take the Commissioner's place for a single item at a meeting in which the Commissioner is otherwise participating.

#### **4.6. Minutes of Meetings**

- (a) The proceedings of ALUC meetings shall be tape recorded. However, a lack or malfunction of the tape recording equipment shall not prevent continuation of a meeting.
- (b) The ALUC Executive Director shall ensure that minutes are prepared for each meeting. Meeting minutes shall reflect actions taken by the ALUC, including motions made, the names of the Commissioners or proxies making and seconding the motion, and the vote tally. The minutes should not be limited to these actions.