

Mono County Airport Land Use Commission

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SPECIAL MEETING AGENDA

Monday, April 27, 2015 - 9:00 a.m.
Town/County Conference Room, Minaret Village Mall
Mammoth Lakes, California

1. Call to order & pledge of allegiance
2. Minutes: Review and approve minutes of Special Meeting March 30, 2015 - p. 1
3. Review requirement for and responsibilities of Airport Land Use Commission:
Gerry Le Francois, ALUC staff - p. 4
4. 9:10 A.M.
Public Hearing: Determine consistency of the Mammoth Yosemite Airport Layout Plan (ALP) with Mammoth June Lake Airport Land Use Plan: *Gerry Le Francois, ALUC staff - p. 8*
5. Review and consider amending ALUC rules and procedures: *Gerry Le Francois, ALUC staff - p. 12*
6. Adjourn to next meeting as needed

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the ALUC secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

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DRAFT MINUTES

March 30, 2015

COMMISSIONERS: Tim Fesko & Fred Stump, Mono County; Colin Fernie, Town of Mammoth Lakes; Jeff Walters & Grady Dutton, airport representatives **ABSENT:** Michael Raimondo

STAFF: Scott Burns, Gerry Le Francois, Garrett Higerd, C.D. Ritter

GUESTS: Grady Dutton, Brian Picken & Jen Daugherty, Town of Mammoth Lakes; John Urdi, Mammoth Lakes Tourism; Dave Harvey, Mammoth Lakes Planning Commission; Pat Foster, Hot Creek Aviation; Tom Hodges & Eric Clark, MMSA; Angela Evans, *The Sheet*

1. **Call to order:** Scott Burns called the meeting to order at 10:07 a.m. at the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes.

2. **Membership review & election of officers:** Michael Raimondo was nominated chair in absentia. Chair for today was Fred Stump, who asked Scott Burns to lead pledge of allegiance.

3. **Public comment:** None

4. **Roles/responsibilities of Airport Land Use Commission (ALUC):** Scott Burns noted ALUC goes back to mid-1980s proposal for golf course, condos, etc. at Doe Ridge. An Airport Land Use Plan (ALUP) was required, also for Bryant Field in Bridgeport and Lee Vining airport. The ALUP was more for surrounding lands than airport itself, for concerns such as noise, lighting, glare, height, obstructions, etc. Commission meets as needed, not every third Thursday. Work was delegated to staff so Commission didn't need to meet. Look at ALUP for Mammoth/June Lake Airport. As review all three, pursue funding for an update, last done in 1980s-'90s.

Stump: Time to review ALUP for Mammoth? *Yes, including any adjustments. Intent is to catch up, look at existing and proposed documents, check consistency in plans.*

5. **Mammoth Yosemite Airport Layout Plan:** Grady Dutton, Town Public Works, reported significantly more development since 2000 plan – reconstruction of west general aviation apron; three-gate terminal east of existing; and airport apron expansion. The Federal Aviation Administration (FAA) in August 2014 issued conditional letter of approval for FAA funds (90% of airport funding). All information is posted on Town's website. Narrative goes 10-20 years,. Projected as far out as could, but focused on five years. Planning made finding in keeping with General Plan, direction from Town Council. Request for Qualifications (RFQ) for consultants OK to issue. Environmental Assessment (EA) or Environmental Impact Statement (EIS)? If EA, Town would hire consultant; if EIS, FAA would hire.

Picken: Runway: maybe extend 1,000' in future, but no immediate consideration. Q400 = critical aircraft. Focusing on three aforementioned projects. Terminal is undersized, with one gate and sometimes three to four aircraft on ground. Built auxiliary structure, but disconnected. Terminal holds 60+, planes hold 70+. Could increase if had larger terminal.

Stump: Runway expansion not included? *Correct. How get airlines to fly Q400? Depends on what airline has what plane, subsidize to come in. Dependent on resort draw.*

Dutton: Enplanements last year were 27,000, down from 30,000 a couple years ago. Immediate need based on schedules.

Urdi: Will work with any airline that has CRJ. Alaska has two Q400s in Los Angeles.

Picken: Other types B3 and C3 aircraft (Q400 is C3) which refers to landing speed. C3 starts at 93. The FAA designated Mammoth as B3. However, with waivers or after review can bring in larger (Q400). More physical changes needed to be C3. Accommodate flight schedules from different airlines. Forecast is from 30,000 to 85,000. Need terminal to accommodate markets trying to serve.

Walters: Other airports? Most mountain airports have similar square footage. Gates on one side when done will meet architectural and fire codes.

Stump: Waiver to land Q400 by FAA? *Yes, indefinitely.*

Dutton: Every airport has waivers, very typical. *Approaches limit waiver.*

Stump: Propose more lighting on obstacles? *Looking at obstruction lights on north side (blinking red), light post at Benton Crossing and US 395. Ramp lighting in front of new terminal. No more lights on Doe Ridge. Have 1,300-1,400 operations/year. Busy airports land/take off every 3-6 minutes.*

Stump: Emergency operations? B3 firefighting capacity now. *Dutton: 10-yr-old, new costs \$800,000.* Stump had requested Inyo Supervisors give it back for redundancy in system. Concern with general aviation at Whitmore, with more development. Hosting hundreds of people. Restrict growth of Whitmore?

Daugherty: Keep the condition, comply.

Burns: Would ALUP affect flight patterns? *Picken: No, general aviation does not have significant growth.*

Night departure? *Picken: Working with FAA, runway 27 off to west, not used at night. Instrument departure off 9 and 27, use 24/7. Voluntary noise restrictions, most pilots comply.*

Stump: Constituent complaints about general aviation overflight. Would appreciate renewed diligence.

Walters: *How is non-aviation use managed (RV, boat storage)? Picken: Parking fee, money stays at airport. FAA prefers aviation uses. Looking for money sources.*

Stump: Hangars were designed to support hangar contractor. Town did not impose stricter zoning.

Fesko: Neither EA nor EIS is cheap. Bring it [runway extension] in now so have document that already talks about it.

Dutton: Did think about it. Brought up at FAA last month; told to stick with aircraft have today.

Stump: Mono looking at STIP funding for Hot Creek and Airport Road (Mono responsibility). If road moved, would be on Town to fund.

Dutton: Coordinated with Mono staff.

Walters: Secondary access to Benton Crossing? Dutton: FAA did not see need except emergency access, not paved. FAA said take care of current need first.

Picken: Significant project ~\$30 million, focusing on what's most needed.

Stump: Mowing brush along highway when winds blowing, not use water truck, spark jumped.

Burns: No significant changes in aircraft operations, flight patterns similar? Yes, more than double existing over next decade.

Dutton: ESCOG and ESTA meetings talked regional emphasis. Need to talk to Bishop, etc. on region's needs. Lots of discussion to be had. Larger community talk about long-term use.

Stump: Competitive or collaborative? Dutton: Corrected claim of 50% cancellations as stated in Bishop to 8% cancellations. However, FAA dollars are competitive.

Fernie: Decision is up to FAA. Critical piece of economic development of both counties. Airports typically 30-40 mi away, lucky to have Mammoth Yosemite so close.

Burns: Need consistency determination at next meeting.

6. Bryant Field and Lee Vining Airport Layout Plans: Garrett Higerd, Mono County Public Works, indicated insufficient staff to monitor enplanements, so guesses only. Both airports recently were reconstructed mostly with FAA funds. Now on long-term maintenance strategy.

Cessna 182 level design aircraft. B1 is small for FAA. Runway extensions, obstruction lights for Bryant Field along SR 182, Starting conditional ALUP.

Fesko: Consider motion detector to come on momentarily. Higerd: Common for runway lights. Same standards as Mammoth Yosemite. Bryant's previous ALUP showed no runway extension into Bridgeport reservoir. Significant concern to add extension at that site: require a lot of fill, cost, and incur environmental issues.

Stump: Lee Vining opposed expansion except emergency operations. Hangar construction? *LADWP land, negotiating 30-yr lease renewal or potential purchase if not need water rights for property. FAA regulations run with land a long time. Occasional calls regarding hangars, but no demand.*

Stump: Premature to consider new ALUP when don't own property? Bishop is in same situation on LADWP land. *Can't finalize till have secured lease or purchase agreement.*

Stump: Extension at Lee Vining airport? *Historically, yes. Conflict was created with fill at end of runway. Community does not want, doesn't make sense. Take off extension on new ALUP. FAA does not give money to fund hangars.*

Stump: Hangars to Planning Commission? *Sublease to Board of Supervisors (BOS).*

Burns: Land use designation is Public Facility. BOS would determine if it wanted Planning Commission review.

Higerd: Updating compatibility plan for Mammoth Yosemite. Approving funding for ALUCP for Orange County. May make sense for countywide package if grant funding covers all three airports.

7. **Airport Land Use Plans:** Scott Burns: Continue to next meeting. Combined policies for Bryant and Lee Vining into General Plan. Have each General Plan consistent with ALUCPs. Review status of dated plans. Update terminology, changes in law.

8. **Informational:** Draft minutes from last meeting, May 5, 2011

9. **Upcoming agenda items:** 1) Mammoth Yosemite Compatibility Review; 2) rules of procedure; 3) review ALUCPs.

Stump: Is ALUC a legally mandated commission? Burns: Could opt out. Formed years ago in reaction to land use proposal.

10. **Adjourn** at 10:13 a.m. to April 27.

Prepared by C.D. Ritter, ALUC secretary

Overview of ALUC

Airport Land Use Commission
March 30, 2015

Purpose & Authority

The purpose of an Airport Land Use Commission (ALUC) is to conduct airport land use compatibility planning.

- ALUCs protect public health, safety, and welfare by ensuring the orderly expansion of airports and
- Adopts land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports (PUC 21670 – 21679.5).

An ALUC has the following powers and duties:

1. 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,
2. 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,
3. To prepare and adopt an airport land use compatibility plans,
4. To review the plans (Airport Master Plans -AMPs, Airport Layout Plans - ALPs), regulations, and other actions of local agencies and airport operators,
5. The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport, and
6. In order to carry out its responsibilities, the commission may adopt rules and regulations in order to promote orderly development of the area surrounding airports, and maintain the utility and economic viability of airport facilities

Review of Plans

ALUC review of three categories of airport plans under state law:

- (1) adoption or amendment of an airport master plan (AMP);
- (2) proposed construction and establishment of a new airport; and
- (3) adoption or amendment of airport expansion plan. This review requirement is not affected by, and is independent of, any previous action by the local jurisdiction regarding its local plans.

Airport Master Plans—PUC Section 21676(c) mandates that “each public agency owning any airport within the boundaries of an airport land use commission plan shall, prior to modification of its airport master plan, refer such proposed change to the airport land use commission.” The commission must then determine whether the proposed AMP is consistent or inconsistent with the adopted ALUP for that airport.

- Future meeting of the ALUC in late April to discuss compatibility review of Mammoth Yosemite Airport Layout Plan (ALP) and Mammoth / June Lake Airport Layout Plan

Next Steps

- ALUC to discuss compatibility review of Mammoth Yosemite Airport Layout Plan (ALP) and Mammoth / June Lake Airport Layout Plan,
- Changes to the Mammoth Yosemite Airport Layout Plan,
- Current Mammoth/June Lake ALUP is from 1987 and staff is currently seeking grant opportunities to update this plan

Questions ?

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April 27, 2015

To: Mono County Airport Land Use Commission

From: Gerry Le Francois, Principal Planner

RE: Review of Mammoth Yosemite Airport Layout Plan (ALP) compatibility with Mammoth June Lake Airport Land Use Plan (ALUP)

RECOMMENDATION

Find the Mammoth Yosemite ALP is consistent with the Mammoth June Lake ALUP.

BACKGROUND

Among the duties of an Airport Land Use Commission (ALUC) is to prepare and adopt airport land use compatibility plans, and to review the Airport Master Plans (AMPs), Airport Layout Plans (ALPs), regulations, and other actions of local agencies and airport operator.

The Mammoth Yosemite ALP was recently updated with various projects to support current air service including: 1) new three-gate commercial terminal building; 2) aircraft parking apron; and 3) associated improvements. All of these improvements are within the jurisdiction of the Town of Mammoth Lakes.

According to Mammoth Lakes' staff, a new commercial terminal is critical to support current air service. The current terminal can accommodate only one flight at a time (approximately 80 people). Due to the limitations of the current terminal, a temporary holding facility installed in 2011 accommodates approximately 120 people prior to being screened through TSA security. The size of these facilities not only limits flight schedules, but also is a problem when flights are delayed. A new terminal that is appropriately sized and allows flexibility will solve these issues. Construction on the new terminal is anticipated to begin as early as late 2018 after funding, environmental review, and design/engineering are complete.

ALUC CONSISTENCY REVIEW

The ALUP consistency review focuses on four main areas: airport safety zones, overflight zones, height restriction policies, and noise. The applicable ALUP policy sections are stated below, together with consistency determinations that the Mammoth Yosemite ALP is either **consistent with**, **not applicable**, and/or **outside the jurisdiction of the Airport Land Use Commission**.

A) Safety Zone (p. 18 of ALUP)

The airport safety zone includes a Clear Zone adjacent to the runway and the Approach/Departure Surface. It is the most critical zone where aircraft operations might affect the safety of people and property in the airport environs.

1. The safety zone shall be kept free of all unrelated airport land uses. **ALP is consistent**
 2. No permanent structures or other objects projecting above the level of primary surface of any runway will be permitted unless directly related to a necessary airport operation. **ALP is consistent**
-

3. No residential land uses are permitted. *Not applicable - none proposed*
4. No industrial land uses are permitted. *Not applicable - none proposed*
5. No use that may result in short- or long-term concentration of people. *Not applicable. The ALP proposes a terminal building within the airport facility, which the ALUC does not regulate.*
6. No use that would result in large concentrations of people. *Not applicable. Other than the terminal building, the ALP proposes no uses concentrating people. The airport terminal building is not within the purview of the ALUC.*

B) Overflight Zone (p. 19 of ALUP)

The overflight zone consists of normal approach/departure traffic patterns and lands within overflight areas. The ALUP restricts development to prevent incompatible land uses in these zones that are outside of the Mammoth Yosemite Airport.

1. The following are considered incompatible land uses within the airport traffic pattern zone:
 - a. Any use that would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial climb following takeoff or toward a landing at an airport: *Not applicable - none proposed*
 - b. Any use that would cause sunlight to be reflected toward an aircraft: *Not applicable - none proposed*
 - c. Any use that would generate large amounts of smoke or steam that may be detrimental to the operation of aircraft: *Not applicable - none proposed*
 - d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or instrumentation: *Not applicable - none proposed*
 - e. Other uses that may affect safe air navigation within this area: *Not applicable - none proposed*
 - f. Uses that would attract large concentrations of birds: *Not applicable - none proposed*
 - g. Uses within the primary traffic pattern zone that on a regular basis would result in concentrations of people exceeding 25 persons/acre, or 50 persons/acre over a period of two hours or more within the primary traffic pattern zone. Particularly unacceptable uses are shopping centers, restaurants, schools, hospitals, stadiums/arenas, and office complexes, industries and factories that would exceed the 25 persons per acre requirements: *Not applicable - none proposed*
2. Uses or land divisions, which on a regular basis would result in a concentration of people exceeding 25 persons per acre over a 24-hour period, or 50 persons per acre over a period of two hours or more within the primary traffic pattern zone. *Not applicable - none proposed*
3. Single-family residential or multiple-family uses, or land divisions, which would result in a density greater than one dwelling unit per acre may be permitted. *Not applicable - none proposed*
4. The ALUC shall restrict the development of all new non-compatible land uses. *Not applicable - none proposed*
5. All land uses or land use characteristics that may affect safe air navigation or which, because of their nature and proximity to an airport, may pose high risks to the land users shall be avoided/prohibited in the vicinity of an airport. *Not applicable - none proposed*
6. All residential uses shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45dB CNEL in any habitable room with windows closed. *Not applicable - none proposed*

7. Development or Airport Master Plans, or Layout Plans, or changes to existing plans of any public use airport that involves significant changes in land use, noise sources, or policy changes in size or type of aircraft to use the airport will, prior to finalizing or modifying the plans, be referred to the ALUC for consideration, as required by PUC 21676(c). ***The ALP proposed is consistent with the Mammoth June Lake ALUP in areas outside the Town of Mammoth Lakes, Mammoth Yosemite Airport's jurisdiction.***
8. No hazardous installations such as above-ground oil, gas or chemical storage facilities, excluding facilities for non-commercial, private domestic or private agricultural use shall be permitted. ***Not applicable - none proposed***
9. Except when overriding circumstances exist, a condition for approval of any project, subdivision, zoning change, or land exchange shall be subject of the dedication of an aviation easement to the airport. The aviation easement shall contain and/or address the following:
 - a. Right of flight at any altitude above acquired easements surfaces;
 - b. Right of cause noise, vibrations, fumes, dust, and fuel particle emissions;
 - c. Right of entry to remove, mark or light any structures or growths above easement surfaces; and
 - d. Right to prohibit creation of electrical interference, unusual light sources, and other hazards to aircraft flight. ***Not applicable - none proposed***

C) Airport Height Restriction Policies (p. 22 of ALUP)

The airport height restriction area is defined by Approach and Clear Zone Plan that is specified by Federal Aviation Regulation (FAR) part 77. The ALUP regulates height within the Airport Planning Area to ensure that objects will not impair flight safety or decrease the operational capability of the airport.

Height Restriction Policies:

1. No structures or obstructions are permitted within the designated primary runway surface, approach surfaces or clear zones. ***Not applicable - none proposed***
2. No structures over 35 feet in height are permitted within the ALUC Planning Boundary. ***Not applicable - none proposed***
3. The ALUC shall review any applicable development proposals and strict the erection or growth of objects that penetrate the established airport height restriction areas. ***Not applicable - none proposed***
4. Rotating beacons, spot lights, or similar aircraft navigation hazards markers that are not part of airport operations are prohibited within the entire overflight zone. ***Not applicable - none proposed***
5. Any structure, either within or outside the ALUC Planning Boundary, is not in conformance if it:
 - a. Penetrates the height restriction surfaces adopted by the ALUC (unless determined not a hazard by the FAA);
 - b. Would result in a loss in airport utility, such as causing the usable length of the runway to be reduced;
 - c. Would conflict with the VFR airspace used for the airport traffic pattern of enroute navigation to and from the airport; or
 - d. Is determined to be a hazard by the FAA. ***Not applicable. The ALP proposes a terminal building, but the ALUC does not have jurisdiction over construction projects at Mammoth Yosemite Airport.***

D) Noise (p. 23 of the ALUP)

Within the Airport Planning Area, the impact of noise is considered in addition to height restriction and safety. The impact of aircraft noise on surrounding land uses is at its peak on or near the airport property. The ALUP has the following requirements for uses within the Airport Planning Area:

- Non-residential development may be permitted within the 65 dB CNEL contour if structures are soundproofed to limit interior noise levels to 45 dB CNEL; and
- The maximum noise exposure considered acceptable for non-residential land uses without special sound reduction construction is 60 dB CNEL.

Not applicable. The ALP proposes a terminal building, but the ALUC does not have jurisdiction over Mammoth Yosemite Airport.

1. Noise and aviation easements, as necessary, shall be required before approval of any land trade or approval of any project with the Planning Boundary. ***Not applicable***
2. No residential development is permitted within the 65 dB CNEL contour. Non-residential development may be permitted within the 65 dB CNEL contour if structures are soundproofed to limit interior noise levels to 45 dB CNEL. ***Not applicable***
3. The maximum noise exposure considered acceptable for non-residential land uses without special sound reduction construction is 60 dB CNEL. ***Not applicable. The ALP proposes a terminal building, but the ALUC does not have jurisdiction over construction projects at Mammoth Yosemite Airport.***
4. The maximum noise exposure considered acceptable for residential land uses is 55 dB CNEL. All residential structures shall include soundproofing construction to limit interior noise levels to 45 dBA in any habitable room. ***Not applicable***
5. If a noise analysis, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less than shown herein, then the lower exposure level may be used for the land use evaluation at the discretion of the ALUC. ***Not applicable***

CEQA REVIEW

The Town of Mammoth Lakes filed an exemption from the California Environmental Quality Act Guidelines section 15262 (Planning Studies). The ALUC review of the ALP is ministerial, and thus no CEQA action is necessary under CEQA Guidelines section 15300.1.

MONO COUNTY AIRPORT LAND USE COMMISSION

RULES OF PROCEDURE

Article 1

General Provisions

- Section 1.1 Name of Agency. The name of the agency is “Mono County Airport Land Use Commission.”
- Section 1.2 Purpose of Rules. The purpose of these rules is to provide for orderly and fair conduct of the hearings and other business of the Commission, **consistent with applicable laws.**

Article 2

Definitions

- Section 2.1 Commission. “Commission” means the Mono County Airport Land Use Commission.
- Section 2.2 Meeting. “Meeting” means any regular, special or adjourned meeting of the Commission.
- Section 2.3 Member. “Member” includes each of the seven regular members appointed to the Commission. “Member” also includes a proxy when acting in place of a member as provided in these Rules.

Article 3

Meetings, Quorum

- Section 3.1 Regular Meetings. Regular meetings of the Commission shall be held on the **third** Thursday of ~~each~~ the month **as needed**, commencing at the hour of ~~40:00~~ **9:00** a.m. **at the Town/County Conference Room County Planning Department office** in the Minaret ~~Office complex~~ **Village Mall** in Mammoth Lakes, California, unless an alternative time or place is designated by the Commission.
- Section 3.2 Special Meetings. A special meeting may be called at any time by **consultation by staff with** the Chair or by a majority of the members of the Commission, by

delivering personally or by mail **or email** written notice to each member. Special meetings shall be noticed and conducted in compliance with the Brown Act.

- Section 3.3 Adjourned Meetings. The Commission may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided for special meetings, unless such notice is waived as provided for special meetings.
- Section 3.3.1 Cancellation of Meetings. The Commission may cancel any regular or special meeting in advance of the meeting date. Any Commissioner, or the Secretary, may recommend a cancellation **if due to** the lack of timely business, or the unlikelihood of **raising reaching** a quorum.
- Section 3.4 Effect of Holiday. If any meeting or adjourned meeting day falls upon a holiday, the meeting of the Commission shall be held at the same place upon the next Thursday commencing at the same hour; in which event, all hearings, applications, petitions, and other matters before the Commission are continued to that time and place.
- Section 3.5 Quorum. Four members of the Commission constitute a quorum for the transaction of business. No act of the Commission shall be valid or binding unless three members concur therein.
- Section 3.6 Meetings Open to the Public. All meetings of the Commission are open to the public **and shall be conducted in compliance with open meeting laws (Brown Act)**.
- Section 3.7 Disqualification of members. Members having a conflict of interest shall be disqualified from voting on any Commission action (a) adopting a proposed or final Comprehensive Use Plan; (b) fixing the planning boundaries therefor; or (c) determining if an action or regulation of a public agency is inconsistent therewith, or in the best interests of the airport and the adjacent area.

A conflict of interest shall be deemed to exist if a member is (a) an officer or employee of a public agency directly affected by any action enumerated above; (b) an officer or employee of the owner of any airport directly affected by any such action; (c) the owner of any interest in any real property directly affected by any such action; (d) under a contractual or professional relationship with the owner of an interest in any real property directly affected by any such action (including that of an independent contractor, attorney, accountant, etc.).

Each member shall advise the Commission of any other actual or potential conflict of interest not enumerated above.

Consider deleting the following:

Section 3.8 Proxy. Each member shall promptly upon his selection appoint a single proxy to represent him/her in Commission affairs and to vote on all Commission matters when the member is not in attendance. The proxy shall be designated in a signed written instrument which document that shall be kept on file with the Secretary. The proxy shall serve at the pleasure of the appointing member. Any vacancy in the office of proxy shall be filled promptly by the appointment of a new proxy by the member. In the event that a member shall resign, die, or be removed from the Commission, his/her proxy shall serve until a new member has been appointed by the appointing authority.

Article 4

Presiding Officer

Section 4.1 Successor to Chair and Vice-Chair. ~~Commencing in 1986, and annually thereafter, at the first regular meeting of the Commission held in~~ At the first meeting of the year following May, members of the Commission shall elect a Chair and Vice-Chair to serve one year and/or until the election of their successors.

Section 4.2 Duties of Chair. The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission in the manner prescribed by these Rules. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.

Section 4.3 Duties of Vice-Chair. In the absence, ~~or inability to act,~~ of the Chair, the Vice-Chair shall act as Chair, ~~and when so acting shall have with~~ all of the powers and duties of the Chair.

Section 4.4 Duties of Chair Pro-Tempore. In the absence, or inability to act, of both the Chair and the Vice-Chair, the Commissioners in attendance shall elect a Chair Pro-Tempore. The Chair Pro-Tempore shall then preside and shall ~~exercise~~ assume all of the powers and duties of the Chair.

Article 5

Conduct of Business

Section 5.1 Order of Business. The business of each meeting of the Commission shall be transacted as ~~far as possible in the following order~~ follows:

a) Approval or Correction of Minutes

- b) Public Comment
- c) Old Business
- d) New Business

- Section 5.2 Minutes. The Secretary or his/her designee shall transcribe the minutes of each meeting and ~~mail send~~ copies ~~thereof in the agenda packet~~ to all members prior to the next meeting.
- Section 5.3 Voting. Each question before the Commission may be ~~voted upon~~ decided by voice vote, or may be ~~put~~ summarized by the Chair and a unanimous vote recorded if there is no objection. The Chair may make or second any motion without stepping down from the chair.
- Section 5.4 Public Hearings. Any affected city or ~~if~~ unincorporated ~~territory area in is affected,~~ the County shall be notified by mail ~~or email~~. The Chair may allocate time for ~~testimony comment~~ by interested parties as ~~s/he deems~~ deemed necessary for ~~the expedition of~~ the Commission's business.
- Section 5.5 Ad Hoc Committees. Ad Hoc Committees may be established for ~~the further~~ study of issues before the Commission. The formation, membership, purpose, and subsequent dissolution of any Ad Hoc Committee shall be at the discretion of the ~~Chair, Vice-Chair, or Chair Pro-Tempore,~~ officer presiding at any regular or special meeting.
- Section 5.6 Acceptance of Referrals. Matters referred to the Commission for review shall be deemed accepted upon ~~the date of the~~ first consideration of the matter at a regular or special meeting. Such acceptance of a referral shall initiate the ~~sixty-day~~ 60-day review period provided for by Public Utilities Code Section 21676(d). Upon receipt of a complete referral for Airport Land Use Commission acceptance and consideration, the Commission Secretary shall schedule said referral for an Airport Land Use Commission meeting not less than 14 days or more than 49 days thereafter.
- Section 5.7 Obligatory Referrals. By adopting this section, the Commission ~~declares~~ states its intention to exercise all of the powers granted to it by section 21676.5 of the Public Utilities Code (PUC). When the Commission finds that a local agency is subject to the provisions of PUC section 21676.5, the local agency shall be notified by mail. The type of project or action to be referred to the Commission by the local agency, and the scheduling of any such submittal, shall be governed by PUC section 21676.5, by section 5.6 of the Commission Rules of Procedure, and the pertinent guidelines of the Airport Land Use Plan.

Article 6

Secretary

Section 6.1 Duties and Responsibilities. The Secretary of the Commission has the following duties:

- a) ~~To~~ Attend each meeting of the Commission;
- b) ~~To~~ Maintain a record of all proceedings of the Commission;
- c) ~~To~~ Prepare an agenda **packet** for each meeting;
- d) ~~To~~ Notify all Commission members of the time and place of any special meeting; **and**
- e) ~~To~~ Perform other duties directed by law or by the Commission.

Section 6.2 Agenda. The agenda shall include those matters addressed to the Commission requiring its action on file with the Secretary, and all matters ~~which~~ **that** have been set previously for hearing at such meeting.