



Council Agenda Report

From: Dick McKinley, Public Works Director

Subject: Airport Commission – Establishment Ordinance and Conceptual Direction on Bylaws

Date: September 20, 2016

Facts

1. On May 7, 1973, the County of San Luis Obispo transferred ownership of the Paso Robles/San Luis Obispo County Airport to the City of El Paso de Robles. The City then adopted a series of resolutions establishing the required governing authorities for operation of the Airport, including renaming it to the Paso Robles Municipal Airport, and establishing an Airport Advisory Committee (AAC) to advise the City Council in matters of airport operation and long-term planning.
2. The AAC has served effectively for more than 40 years in its assigned duties and functions to foster airport development. The City sincerely appreciates the efforts and contributions of the many Paso Robles citizens who have donated their time and served on the AAC over these many years for the benefit of the airport and the overall Paso Robles community.
3. Over the past several years, the City has undertaken a comprehensive effort to review its policies and procedures, in an effort to ensure the most cost-effective Airport (1) governance, (2) management and leasing, and (3) economic development.
4. In its efforts to provide for more effective and responsive governance of the Airport, the AAC reviewed a number of possible governance models. After significant analysis and discussion, the AAC reached a consensus to recommend formation of an Airport Commission.
5. On May 26, 2016, the AAC met with the City Council in a joint workshop session to review the governance concept and the recommended organizational structure. On July 19, 2016, the City Council referred this matter back to the Committee for further review and recommendation. The AAC met on August 11, 2016 and again on September 22 to undertake that review, the results of which are incorporated into Attachment 2. Several AAC subcommittees invested considerable effort and time as well. The AAC repeatedly asked for input from all stakeholders.
6. Under the City's Municipal Code (PRMC), formation of a new commission is a multi-step process. The first few steps center on an ordinance that abolishes any old structures (in this case, the AAC) and creates the new commission; this is formalized by adoption of an ordinance, which requires two readings. In addition, the Council adopts bylaws for the new Commission; this is formalized by approval of a resolution, which generally occurs contemporaneously with the second reading of the ordinance (which, in this instance, is scheduled for October 18).
7. Primary questions related to the formation of any Commission that require resolution generally include, among others, the:
 - a. appropriate role(s) of the Commission;
 - b. mix of expertise and affiliations on the Commission;
 - c. balance of advisory and decision-making responsibilities, in relation to staff, other commissions, and the City Council.

8. Creation of a “commission” does not necessarily imply an approach to roles, membership, and responsibilities any different from those authorized for a “committee.” Given that (a) there is likely to be a different approach than that followed by the AAC for over 40 years, and that (b) the Council has already called for applications, the change in name from “committee” to “commission” appears appropriate nonetheless.
9. As there were diverging opinions on the AAC and among members of the public as to the best approaches with respect to each of those primary issues, it makes sense for the Council to not commit to creating an Airport Commission until and unless the Council and community are knowledgeable and comfortable with the proposed approach to addressing each of these three primary questions.
10. As a result, drafts of proposed Bylaws and a Governance Matrix are attached and addressed in detail later in this staff report. The intent is not for Council to feel it must adopt these at the same time as its first reading of the ordinance. Instead, the intent is twofold:
 - a. To ensure the Council and community are comfortable with the general direction prior to the Council introducing and holding first reading of the ordinance.
 - b. To provide an opportunity for the Council to provide any feedback and direction to staff, so improvements can be incorporated into the proposed resolution adopting the bylaws that is to be brought to Council for approval on October 18.These issues are of importance for the establishment of the Commission’s bylaws, which is not scheduled for formal Council consideration and adoption until October 18.

Options

1. Do nothing. If this option is selected, the AAC would continue in operation; no Commission would be formed.
2. Accept the roles, membership, and responsibilities recommended herein.
3. Direct staff and/or the AAC to re-examine certain matters and return with additional information or recommendations.

Analysis & Conclusion

Advisory boards and commissions can assist the City Council in a variety of important ways, as they can:

- Provide additional expertise and technical experience to support the Council’s efforts;
- Provide opportunities for examination of and deliberation on specific issues to a depth and breadth not always able to be accommodated on crowded Council agendas;
- Hold public hearings and otherwise elicit public ideas and input on important matters;
- Advise the Council; and
- Fulfill responsibilities delegated by the Council.

There are a number of important Airport-related matters that would benefit from a commission that served to advise the Council and to which the Council could delegate certain functions. The Airport is a major economic engine for the City; decisions concerning the Airport can have significant impacts on the entire community. The City has leased significant portions of Airport property to aviation interests and to commercial interests without direct aviation connections. In addition, the Airport is a venue for special events (like the recent Airfest), is a major transportation hub for the City, and meets military, Calfire, CHP, and recreational needs.

Thus, among other duties, the Commission could assist the Council in the development of:

- A long-term development plan for the Airport;
- Well-vetted lease policies, rates, and practices to ensure that all tenants are treated equitably;
- A full range of aviation-related events and other events to be held every year;
- Policies and practices that bring together the commercial and aviation interests on matters of mutual concern; and

- Maintenance standards and monitoring that increase the cost-effectiveness and provide a desirable look and feel to the Airport.

Two different approaches for addressing the roles, membership, and responsibilities of the Commission are provided, as a means of identifying for the Council the variations available to it. The first approach is recommended by the AAC, and is included as Attachment 2. The second approach is offered as an alternative, to provide the Council with a feel for the different approaches that might be selected, and is included as Attachment 3. The Council may, of course, select either, mix and merge various components of each, or take an entirely different approach. By providing feedback and direction on October 4, the Council can ensure that its concerns and preferences will be reflecting in the version of the resolution prepared for Council consideration on October 18.

Regardless of which approach the Council takes, the City will be able to go to school on the successes and difficulties faced over the next six months.

Fiscal Impact

None.

Recommendation

1. Introduce Ordinance No. ____ N.S for First Reading (by title only) establishing Section 13.02 of Title 13 of the Municipal Code.
2. Provide direction to staff on Council preferences regarding the roles, membership, and responsibilities of the Commission, so that such preferences can be reflected in a revised resolution, Bylaws, and Governance Matrix, to be returned to the Council on October 18.
3. Direct staff to schedule an opportunity for the Council to review progress and outcomes in no later than 12 months, to provide for refinements.

Attachments

1. Ordinance No. ____ N.S.
2. Proposed Bylaws and Governance Matrix, as recommended by the AAC
3. Alternative Proposed Bylaws and Governance Matrix

ORDINANCE XXX N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES ADDING SECTION
13.02 OF TITLE 13 OF THE MUNICIPAL CODE, TO CREATE AN AIRPORT
COMMISSION

WHEREAS, on May 7, 1973, the County of San Luis Obispo did, by Resolution, transfer the Paso Robles/San Luis Obispo County Airport (the "Airport") to the City of El Paso de Robles; and

WHEREAS, the City has continued to operate the Airport for the good and benefit of the community; and

WHEREAS, the City has maintained an Airport Advisory Committee, appointed by the City Council to provide advice and comment on all manner of airport operations issues; and

WHEREAS, the Airport Advisory Committee has considered various forms of Airport governance to further enhance and promote the Airport; and

WHEREAS, on April 28, 2016, the Airport Advisory Committee recommended the creation of an Airport Commission which would replace the Airport Advisory Committee, together with certain specific assigned functions and authority as reflected in an Airport Governance Matrix; and

WHEREAS, on May 26, 2016, the City Council met with the Airport Advisory Committee in a joint workshop session to review the proposed creation of the Airport Commission; and

WHEREAS, on July 19, 2016 the City Council directed the Airport Advisory Committee to review the draft ordinance, resolution and bylaws, and on August 11, 2016 the Airport Advisory Committee recommended some language changes and clarifications which are incorporated into this Ordinance. Changes to the Bylaws, and confirming the May 26, 2016 Matrix were adopted by the Airport Advisory Committee on September 22, 2016; and

WHEREAS, the establishment of the Airport Commission is accomplished by ordinance, while the composition, functions, and authorities shall be contained in bylaws for the Airport Commission that will be adopted by resolution; and

WHEREAS, a resolution to adopt the Airport Commission Bylaws will be considered by the City Council concurrently with its second reading of this Ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles, State of California, does ordain as follows:

SECTION 1. Section 13.02 of Title 13 is hereby added to the City of El Paso de Robles Municipal Code, to read as follows:

Chapter 13.02 – AIRPORT COMMISSION

13.02.010 Airport Commission. The Airport Commission is hereby established. It shall consist of seven members appointed by the City Council.

Effective concurrently with the creation of the Commission, the Airport Advisory Committee shall be dissolved and cease to exist.

13.02.020 Commission Bylaws. Bylaws to regulate and govern the composition, functions, operations, and authority of the Commission shall be adopted and updated from time to time by City Council resolution.

13.02.030 Commission Authority. The Commission shall have certain duties delegated to it by the City Council and shall be advisory to the City Council on certain matters, as prescribed in the Commission Bylaws.

13.02.040 Appeals; City Council Review. Except as specified in the Commission Bylaws, all Commission decisions shall be final unless appealed to the City Council or called up for review by the City Council, as set forth below. The City Council review and action shall be final and conclusive.

A. Any decision of the Airport Commission may be appealed to the City Council by any interested person. Such appeal shall be made in writing and accompanied by a fee, to be established by resolution of the City Council, and received by the City Clerk no later than 15 calendar days following the decision being appealed. The written application shall specify the person making the appeal and the decision being appealed, and shall state in clear and concise language the reasons for the appeal. The City Clerk shall schedule the appeal for City Council review at its next available regular meeting. Notice of such review shall be the same as that required for the action taken by the Airport Commission.

B. Any member of the City Council shall have the authority to request a review of any decision of the Airport Commission for final decision by the City Council, provided that such request is filed no later than 15 calendar days following the decision being called up. Such request must be made either in writing, and received by the City Clerk, or orally stated during the public portion of a scheduled City Council meeting. The City Clerk shall schedule the City Council's review at its next available regular meeting. Notice of such review shall be the same as that required for the action taken by the Airport Commission.

SECTION 2. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

SECTION 3. Publication. The City Clerk will certify to the passage of this Ordinance by the City Council of the City of El Paso de Robles, California and cause the same to be published once within 15 days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Government Code section 36933.

Introduced at a regular meeting of the City Council held on September 20, 2016, continued to the regular meeting of the City Council held on October 4, 2016 and passed and adopted by the City Council of the City of El Paso de Robles on the ___ day of _____, 2016 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk

BYLAWS OF THE PASO ROBLES AIRPORT COMMISSION

INDEX

ARTICLE I - THE COMMITTEE.....	1
SECTION 1: NAME OF COMMITTEE	1
SECTION 2: PURPOSE	1
SECTION 3: MEMBERSHIP	1
SECTION 4: CONFLICT OF INTEREST	2
SECTION 5: TERMINATION OF MEMBERSHIP	2
SECTION 6: REMOVAL OF MEMBERS	3
SECTION 7: RESIGNATION	3
SECTION 8: FILLING OF VACANCIES	3
SECTION 9: REMUNERATION	3
ARTICLE II - OFFICERS	3
SECTION 1: OFFICERS	3
SECTION 2: CHAIRPERSON	3
SECTION 3: VICE-CHAIRPERSON	3
SECTION 4: ADDITIONAL DUTIES	3
SECTION 5: ELECTION	3
SECTION 6: REMOVAL OF OFFICERS	4
SECTION 7: VACANCIES	4
ARTICLE III - MEETINGS	4
SECTION 1: REGULAR MEETINGS	4
SECTION 2: SPECIAL MEETINGS	4
SECTION 3: ADJOURNED MEETINGS	4
SECTION 4: ALL MEETINGS TO BE OPEN AND PUBLIC	4
SECTION 5: POSTING AGENDAS/NOTICES	4
SECTION 6: RIGHT OF PUBLIC TO APPEAR AND SPEAK	4
SECTION 7: NON-AGENDA ITEMS	5
SECTION 8: QUORUM	5
SECTION 9: UNEXCUSED ABSENCES	5
SECTION 10: ORDER OF BUSINESS	5
SECTION 11: MINUTES (ACTION)	5
SECTION 12: RECOMMENDATIONS TO CITY COUNCIL	5
ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES	6
ARTICLE V - COMMITTEES.....	6
ARTICLE VI - AMENDMENTS.....	6
EXHIBIT A	
CODE OF ETHICS.....	7
PREAMBLE.....	7
PUBLIC INTEREST	7
CONDUCT	7
CONFLICT OF INTEREST	7
POLICY ROLE.....	8
COMPLIANCE & ENFORCEMENT	8
EXHIBIT B	
GOVERNANCE MATRIX	9

BYLAWS OF THE PASO ROBLES AIRPORT COMMISSION
Adopted _____, 2016 by City Council Resolution 16-AA

ARTICLE I - THE COMMISSION

Section 1: Name of Commission

The name of the Commission shall be the PASO ROBLES AIRPORT COMMISSION. (hereinafter referred to as the "Commission"). The Airport Commission serves with certain delegated decision-making authority as specified herein, and as an advisory body to the City Council. With the creation of the Airport Commission, the Airport Advisory Committee shall be dissolved by ordinance. The Paso Robles Municipal Airport, hereinafter referred to as the "Airport."

Section 2: Purpose

The Commission serves at the pleasure of the City Council as a means to aid the City Council in gathering public input by providing a forum through which airport users and private citizens may offer advice and input on the operation and future development of the Paso Robles Airport. In order to accomplish this purpose, the Commission may consult with and advise the City Council on those matters which deal with:

1. Airport Master Plan
 2. The Paso Robles Airport Business Improvement Plan.
 3. Airport Land Use and Capital Improvement planning, in accordance with established procedures involving the City Community Development Department and the City Planning Commission.
 4. Airport Rules and Regulations and related governing documents.
 5. Airport construction projects, in cooperation with City staff assigned for contract and grant administration.
 6. Airport Promotion and Advertising
 7. Airport Leases
 8. Airport Special Events
 9. Advice and recommendation into the City budget and staffing processes.
1. The assigned duties and authorities of the Commission are identified in the Airport Governance Matrix, herein attached and included as Exhibit 'B' of these bylaws. The Commission may approve or disapprove procurement of goods and services financed under the Airport Enterprise Fund, within the framework of the City Procurement Rules.

The Commission shall be and remain established following the adoption of these Bylaws unless otherwise abolished by an affirmative vote of the majority of the City Council.

Section 3: Membership

a. Membership Categories and Qualifications.

Airport users and persons having a financial interest served by the airport need to be represented on the Commission. In addition, the airport is an overall community asset, serving the community as a whole; persons who don't have any significant financial interest related to the airport also need to be represented. As a result, to be eligible to serve on the Commission, a person must qualify under one of the following two categories - at least four of the members shall be Airport Stakeholders:

- (1) Airport Stakeholder: To qualify under this category, the person shall be an

aviation or non-aviation tenant, operating and occupying leased premises on the Airport for either private enjoyment or commercial gain, or have a demonstrated interest in Airport business, its promotion, development and continued operation.

- (2) Community Resource: To qualify under this category, the person shall possess skills and expertise in professional fields of business or related fields that are determined to be of benefit to Airport development, including but not limited to: real estate promotion and development, property leasing and management, financial planning and resources, government regulation (such as Federal Aviation Administration), and compliance.

b. Affiliation

No member shall be appointed by virtue of his or her affiliation with or to represent any specific group, organization, or special interest. All members shall serve for the good and benefit of the City, the Airport, and all Airport users.

c. Residency

Persons who are not residents of the City of Paso Robles may be appointed to the Commission if they have a financial stake in the airport, so long as a majority of the Commission members are residents of the City, and meet the membership category requirements of Section 3a.

d. Open Membership

Criteria and selection for membership shall not discriminate based upon sex, race, religion, creed, color, national or ethnic origin, or any other classification protected by law.

e. Total Membership and Term of Appointment

The total membership of the Commission shall be seven regular members. No Alternate member shall be appointed. A member's regular term of appointment shall be three years. Appointments shall have staggered terms.

- (1) No person shall be eligible for appointment for more than three consecutive terms, exclusive of prior appointment to fill an unexpired term of office.
- (2) Persons who have served three full consecutive terms may be reappointed following a one-term absence.
- (3) Appointees may only serve on one Council-appointed Advisory Body or Commission at a time.

f. Member Code of Ethics

Each Commissioner shall adhere to the City Council's Code of Ethics (Exhibit A) and such other policies that apply to City staff, City Council, or members of City Commissions or Committees.

Section 4: Conflict of Interest

a. Commissioners shall be subject to the conflict of interest rules set forth in the Political Reform Act (Gov. Code § 81000 *et seq.*) and its implementing regulations (2 Cal. Code Regs. § 18110 *et seq.*), Government Code section 1090 and the common law.

b. Commissioners shall not engage in any *ex parte*¹ communication with any member of the City Council, commission, board or committee regarding any *quasi-judicial*² matter pending, or reasonably expected to come, before such a body.

Section 5: Termination of Membership.

Membership on the Commission shall terminate in the event that:

- a. The member no longer meets the eligibility criteria or other requirements specified in Article 1, Section 3 for membership on the Commission; or
- b. The member has exceeded the number of unexcused absences as set forth in Section 9 of Article III of these Bylaws; or
- c. The member shall have served three consecutive full terms.

Section 6: Removal of Members.

A member may be removed by an affirmative vote of a majority of the City Council, if, after a hearing, it is found and determined that any one of the grounds for termination specified in Section 5 of this Article I exists.

Section 7: Resignation

A Commission member may resign at any time by giving written notice to the Chairperson, who shall forward such notice to the assigned City staff person, who shall inform all appropriate City staff and members of the Commission. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 8: Filling of Vacancies

In the event of a vacancy on the Commission, the City Council shall select an individual to fill such vacancy as soon as reasonably practicable. New members must meet the qualifications set forth in Section 3 of Article I.

Section 9: Remuneration

Members shall serve without pay except for reimbursement for travel expenses to meetings outside of the City. Such expenditures shall be subject to pre-approval by City management.

ARTICLE II - OFFICERS

Section 1: Officers

The officers of the Commission shall consist of a Chairperson and a Vice Chairperson, who shall be elected in the manner set forth in this Article II.

Section 2: Chairperson

The Chairperson shall preside at all meetings of the Commission, and may submit such agenda, recommendations and information items as are reasonable and proper for the conduct of the business affairs and policies of the Commission. Such items are submitted to the City staff member assigned to the Commission for inclusion into the published agenda. The Chairperson may sign documents necessary to carry out the business of the Commission.

Section 3: Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties until such time as the Commission shall elect a new Chairperson.

Section 4: Additional Duties

The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

Section 5: Election

The Chairperson and Vice Chairperson shall initially be elected from among the members of the Commission at their first regular meeting. Thereafter, the Chairperson and Vice Chairperson shall be elected from among the members of the Commission annually. Such officers shall hold office for one year following their election and until their successors are elected and in office. Any such officer shall not be prohibited from succeeding him or herself, but no person shall be elected as an officer for more than three consecutive terms.

Section 6: Removal of Officers

Upon an affirmative vote by a majority of the members present at a regular or special meeting of the Commission at which a quorum is present any officer may be removed from office, and a successor elected pursuant to Section 7 of this Article II.

Section 7: Vacancies

Should the offices of the Chairperson or Vice Chairperson become vacant, the members shall elect a successor from among the Commission members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III - MEETINGS

Section 1: Regular Meetings

The Commission shall meet regularly on the 4th Thursday of each month, at the hour of 7:00 PM at the Paso Robles Airport Terminal building, 4900 Wing Way, Paso Robles, CA, except for the months of November and December of each year. The Commission may call a Special Meeting during the first part of December as needed. An alternate meeting place may be designated if duly noticed by prescribed procedure. A notice, agenda and other necessary documents shall be delivered to the members, personally or by mail, at least 72 hours prior to the meeting and posted in accordance with the Brown Act (Gov. Code § 54950 et seq.).

Section 2: Special Meetings

Special meetings may be held upon the call of the Chairperson, or an affirmative vote by a majority of the members present at a regular or special meeting of the Commission at which a quorum is present, for the purpose of transacting any business designated in the call, after notification of all members by written notice personally delivered or by mail at least 24 hours before the time specified in the notice for a special meeting. At such special meeting, no business other than that designated in the call shall be considered.

Section 3: Adjourned Meetings

Any meeting may be adjourned to a date, time and place specified in the order of adjournment. Commission members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the time and place of the adjourned meeting. Agendas for adjourned meetings shall also be prepared and posted in accordance with the requirements of the Brown Act.

Section 4: All Meetings to be Open and Public

All meetings of the Commission shall be open and public to the extent required by law. All persons shall be permitted to attend except as otherwise provided by law.

Section 5: Posting Agendas/Notices

The City staff member assigned to the Commission or his or her authorized representative shall post an agenda for each regular meeting or a notice for each special meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at the Paso Robles City Library and at the front Terminal entrance at least seventy-two hours in advance of each regular meeting and at least 24 hours in advance of each special meeting. Staff shall maintain a record

of such posting.

Section 6: Right of Public to Appear and Speak

At every regular meeting, members of the public shall have an opportunity to address the Commission on matters within the Commission's subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Chairperson may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda. The Chairperson may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.

Section 7: Non-Agenda Items

Matters brought before the Commission at a regular meeting that were not placed on the agenda of the meeting shall not be acted upon by the Commission at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Commission that the Commission determines will require consideration and action, and where action at that meeting is not so authorized, shall be placed on the agenda for a future meeting once a City staff report concerning the matter is prepared.

Section 8: Quorum

The powers of the Commission shall be vested in the members thereof in office from time to time. Four of the Commission members then in office shall constitute a quorum for the purpose of conducting the Committee's business, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members present and eligible to vote at a regular or special meeting at which a quorum is present shall be required for approval of any questions brought before the Commission.

Section 9: Unexcused Absences

If a member shall be absent without the consent of the Commission from three meetings, whether regular or special, within six consecutive calendar months, such absence shall be cause for termination of that member's seat on the Commission. A member's absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chairperson of his or her intent to be absent and the reasons therefore; provided, however, that a member shall be entitled to only two excused absences within 12 consecutive calendar months. At each meeting, after the roll has been called, the Chairperson shall report to the Commission the name of any member who has provided notice of his or her intent to be absent and the reason for such absence.

Section 10: Order of Business

All business and matters before the Commission shall be transacted in conformance with the City Council's established practice.

Section 11: Minutes (Action)

Minutes of the Commission shall be prepared in writing by the assigned City staff. Copies of the minutes of each meeting shall be made available to each member and the City. Approved minutes shall be filed in the official book of minutes of the Commission and forwarded to the City Council for information.

Section 12: Recommendations to City Council

Recommendations and reports by the Commission to the City Council shall be prepared in writing

by the assigned City staff member. Recommendations may be presented to the City Council during a public meeting once the assigned staff prepares a staff report summarizing key facts, analysis, cost/benefit considerations, fiscal impact, and policy implications and options, and after the report has been reviewed by the City Manager. The official minutes of the Commission documenting recommendation(s) shall be attached to the staff report.

ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES

The Chairperson, the Vice-Chairperson in the Chairperson's absence, or a member of the Commission may make official representations on behalf of the Commission before the City Council if so specifically designated by the Commission.

ARTICLE V - COMMITTEES

The Commission may establish any standing and/or special committees it deems necessary consistent with, and to fulfill, its stated purpose as established in Article I, Section 2 of these Bylaws.

ARTICLE VI - AMENDMENTS

These Bylaws may be amended upon an affirmative vote by a majority of the City Council.

EXHIBIT A CODE OF ETHICS

PREAMBLE

The residents and businesses of Paso Robles are entitled to have fair, ethical, and accountable local government. Such a government requires that:

- ▶ Public officials comply with both the letter and spirit of the laws and policies affecting operations of the government;
- ▶ Public officials be independent, impartial, and fair in their judgment and actions;
- ▶ Public office be used for the public good, not for personal gain; and
- ▶ Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Paso Robles City Council has adopted this Code of Ethics to encourage public confidence in the integrity of local government and its operation.

PUBLIC INTEREST

Advisory Body Members will work for the common good of the people of Paso Robles and not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

Advisory Body Members shall comply with the laws of the nation, the State of California, and the City in the performance of their public duties.

CONDUCT

Advisory Body Members are expected to exercise a duty of care in carrying out their responsibilities, which includes devoting sufficient time to carefully review and fully understand the matters that come before them.

Advisory Body Members shall act with civility towards all and shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of others.

Advisory Body Members shall perform their duties in accordance with the processes and rules of order established by the City Council.

Advisory Body Members shall inform themselves on public issues; listen attentively to public discussions before the body; and focus on the business at hand.

Advisory Body Members shall base their decisions on the merits and substance of the matter at hand.

Advisory Body Members shall publicly share substantive information that is relevant to a matter under consideration that they may have received from sources outside of the public decision-making process.

CONFLICT OF INTEREST³

Advisory Body Members shall not use their official positions to influence government decisions in which they have a financial interest, or where they have an organizational responsibility or personal relationship that would present a conflict of interest under applicable State law.

In accordance with the law, members shall timely file with the City Clerk a Statement of Economic Interests (Form 700) and, if they have a conflict of interest regarding a particular decision, refrain from participating in that decision, unless otherwise permitted by law.¹ Advisory Body Members shall participate biennially in Ethics Training seminars as required by state law.

Advisory Body Members shall not take advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised.

Advisory Body Members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

Advisory Body Members shall not use public resources (such as City equipment, staff and facilities) not available to the public for private gain or personal purposes.

No Advisory Body Member shall appear before the body on which that member serves to advocate on behalf of or to represent the private interests of third parties.

Advisory Body Members shall represent the official policies and positions of the Advisory Body if authorized by the Advisory Body. When presenting their personal opinions and positions, members shall explicitly state they are doing so in their personal capacity, and not as a representative of the Advisory Body or the City.

Advisory Body Members shall refrain from using their position to unduly influence the deliberations or decisions of City commissions, boards or committees.

POLICY ROLE

Advisory Body Members shall respect and adhere to the Council-Manager structure of Paso Robles City government as provided in State law and the Municipal Code.

Advisory Body Members shall support the maintenance of a positive and constructive environment for residents, businesses, and City employees.

COMPLIANCE & ENFORCEMENT

Advisory Body Members themselves are primarily responsible for ensuring they understand and meet the ethical standards set forth herein.

³ State laws governing conflicts of interest are written to ensure that actions are taken in the public interest. These laws are very complex and highly fact dependent. Advisory Board Members should notify the City Manager if they have a question about the conflict of interest rules or should consult with the Fair Political Practices Commission for guidance in advance.

EXHIBIT B - PASO ROBLES MUNICIPAL Airport Governance Matrix

PASO ROBLES MUNICIPAL
Airport Governance (Draft)

(5/26/16)

FUNCTION	CITY STAFF		COMMISSION		CITY COUNCIL
	HANDLES	DRAFTS	APPROVES	RECOMMENDS	APPROVES
Planning (Note 1.)					
Master Plan (FAA)		X		X	X
Capital Improvement Plans		X		X	X
Local Project Planning		X	X		
Airport Land Use Plan		X		X	X (ALUC Adopts)
Long-range Conceptual Planning		X	X		
Regulations (Note 2.)					
Rules & Regulations Development		X		X	X
Minimum Standards Development		X	X		
Additional Rules Recommendation		X	X		
Routine Enforcement	X				
Construction (Note 3.)					
Project Design		X	X		
Grants and Contracts		X		X	X (\$)
Project Management (Note 12)	X		X		X (\$)
Operations Interface	X				
Advertising and Promotion (Note 4,9,11)		X	X		
Leases (Notes 5, 6.)					
Policy Development		X		X	X
New Lease Development (Proposal)		X	X		
New Lease Negotiation		X	X		
New Lease Approval and Execution		X	X		X (Based on size)
Existing Lease Minor Modification	X		X		
Existing Lease Major Modification		X	X		X
Lease Management/Enforcement	X		X		
Special Events (Note 7.)					
Application Review	X				
Approval with No Operations Impact	X				
Approval with Operations Impact		X	X		
Approval with Airport Closure or City Expense		X		X	X (\$)
Operations (Note 8.)					
Flight Rules & Traffic Patterns	X				
General Maintenance	X				
Facility Inspection and Compliance	X				
Routine Operations	X				
Transient Use Agreement	X				
Operating Budget (Note 13.)		X	X	X	X
Business Plan Objectives			X		

Staffing (Note 10.)		X		X	X
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Airport Governance

Page 2

Notes:

1. FAA requires the Airport Master Plan document to be adopted by City Council. Additional planning documents are reviewed and recommended by the Commission to their appropriate governing bodies.
2. The Commission reviews, amends and approves appropriate airport regulations. Regulations are then implemented under the Airport Manager authority granted in the City Ordinance.
3. Initial planning of construction projects occurs under the Capital Improvement planning process. The specifics of project scope and design are reviewed and recommended by the Commission. The City Council is required to accept the grant funding and execute associated documents and also approve construction contracts. Various engineering and actual project management functions that are beyond City Staff capabilities and resources are assigned to contract engineers and inspectors to function on behalf of the City.
4. Airport promotion and advertising is a Commission function to review and approve. Staff is then responsible to implement programs as resources allow. (See Notes 9 & 11)
5. The Lease Policy is drafted and reviewed by the Commission, with their recommendation of final adoption to the City Council. Actual lease proposals are received by City staff where deal points and agreements are drafted. The Commission reviews proposed agreements and makes recommendations, but the City Council must approve and execute the lease agreement.
6. Minor modifications to existing lease agreements can be drafted and executed by staff per the authority granted in the lease agreement. Major modifications, after review by staff and the Commission require City Council approval to execute the required documents.
7. Small events requiring little or no modification to routine operations can be approved by staff if all insurance and other permit requirements are met. Events requiring minor changes to traffic pattern and other operations procedures require Commission approval. Events which require major changes, including airport closure, contractual agreements with the event organizers (i.e. Airshow), or expenditure of City/Airport funds require City Council approval.
8. City/Airport Staff is expected to handle all routine operations functions on a daily basis. Updates should be provided to the commission on items that affect the long-term operation of the airport. Airport Regulations identify an appeal process where decisions and/or enforcement action by staff may be challenged before the Commission if requested.
9. All actions by the Commission – whether recommendation or approval – require staff implementation – either directly or via report to the City Council or other outside agency. Staff is also responsible to assure that each item complies with applicable legal, fiscal, and/or City procedural policies and mandates.
10. The Commission may review and recommend airport staffing modifications, but actual personnel administration follows adopted City procedures.
11. All actions by the Commission are subject to review by and/or appeal to the City Council.
12. Professional Project Management/General Contract for projects above established thresholds.
13. The Commission may approve or disapprove procurement of goods and services financed under the Airport Enterprise Fund, within the framework of the City Procurement Rules.

BYLAWS OF THE PASO ROBLES AIRPORT COMMISSION

INDEX

ARTICLE I - THE COMMITTEE.....	1
SECTION 1: NAME OF COMMITTEE	1
SECTION 2: PURPOSE	1
SECTION 3: MEMBERSHIP	1
SECTION 4: CONFLICT OF INTEREST	2
SECTION 5: TERMINATION OF MEMBERSHIP	2
SECTION 6: REMOVAL OF MEMBERS	3
SECTION 7: RESIGNATION	3
SECTION 8: FILLING OF VACANCIES	3
SECTION 9: REMUNERATION	3
ARTICLE II - OFFICERS	3
SECTION 1: OFFICERS	3
SECTION 2: CHAIRPERSON	3
SECTION 3: VICE-CHAIRPERSON	3
SECTION 4: ADDITIONAL DUTIES	3
SECTION 5: ELECTION	3
SECTION 6: REMOVAL OF OFFICERS	4
SECTION 7: VACANCIES	4
ARTICLE III - MEETINGS	4
SECTION 1: REGULAR MEETINGS	4
SECTION 2: SPECIAL MEETINGS	4
SECTION 3: ADJOURNED MEETINGS	4
SECTION 4: ALL MEETINGS TO BE OPEN AND PUBLIC	4
SECTION 5: POSTING AGENDAS/NOTICES	4
SECTION 6: RIGHT OF PUBLIC TO APPEAR AND SPEAK	4
SECTION 7: NON-AGENDA ITEMS	5
SECTION 8: QUORUM	5
SECTION 9: UNEXCUSED ABSENCES	5
SECTION 10: ORDER OF BUSINESS	5
SECTION 11: MINUTES (ACTION)	5
SECTION 12: RECOMMENDATIONS TO CITY COUNCIL	5
ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES	6
ARTICLE V - COMMITTEES.....	6
ARTICLE VI - AMENDMENTS.....	6
EXHIBIT A	
CODE OF ETHICS.....	7
PREAMBLE	7
PUBLIC INTEREST	7
CONDUCT	7
CONFLICT OF INTEREST	7
POLICY ROLE.....	8
COMPLIANCE & ENFORCEMENT	8
EXHIBIT B	
GOVERNANCE MATRIX	9

BYLAWS OF THE PASO ROBLES AIRPORT COMMISSION
Adopted _____, 2016 by City Council Resolution 16-BB

ARTICLE I - THE COMMISSION

Section 1: Name

The name of the commission shall be the Paso Robles Airport Commission (hereinafter referred to as the "Commission"). The Commission serves with certain delegated decision-making authority as specified herein, and as an advisory body to the City Council. With the creation of the Commission, the Airport Advisory Committee shall be dissolved by ordinance. The Paso Robles Municipal Airport is hereinafter referred to as the "Airport."

Section 2: Purpose

a. The Commission serves at the pleasure of the City Council as a means to aid the City Council in gathering public input by providing a forum through which airport users and private citizens may offer advice and input on the operation and future development of the Paso Robles Airport. In order to accomplish this purpose, the Commission may consult with and advise the City Council on those matters that deal with the Airport:

- 1) Master Plan;
- 2) Business Improvement Plan;
- 3) Land use and capital improvement planning;
- 4) Policies, rules, regulations, and related governing documents;
- 5) Construction projects;
- 6) Marketing, promotion, and advertising;
- 7) Leases;
- 8) Special events;
- 9) Other matters as directed by the City Council.

b. The assigned duties and authorities of the Commission are identified in the Airport Governance Matrix, herein attached and included as Exhibit B to these Bylaws.

c. The Commission shall be and remain established following the adoption of these Bylaws unless otherwise abolished by an affirmative vote of the majority of the City Council.

Section 3: Membership

a. Membership Categories and Qualifications. Airport users and persons having a financial interest served by the airport need to be represented on the Commission. In addition, the airport is an overall community asset, serving the community as a whole; persons who don't have any significant financial interest related to the airport also need to be represented. As a result, to be eligible to serve on the Commission, a person must qualify under one of the following two categories - four of the members shall be Airport Stakeholders and three of the members shall be Community Resources:

- 1) Airport Stakeholder: To qualify under this category, the person shall be an aviation or non-aviation tenant, operating and occupying leased premises on the Airport for either private enjoyment or commercial gain, or have a demonstrated interest in Airport business, its promotion, development and continued operation.
- 2) Community Resource: To qualify under this category, the person shall possess skills and expertise in professional fields of business or related fields that are determined to be of benefit to Airport development, including but not limited to: real estate promotion and development, property leasing and management, financial planning and resources,

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government regulation (such as Federal Aviation Administration), and compliance.

- b. Affiliation. No member shall be appointed by virtue of his or her affiliation with or to represent any specific group, organization, or special interest. All members shall serve for the good and benefit of the City, the Airport, and all Airport users.
- c. Residency. Persons who are not residents of the City of Paso Robles may be appointed to the Commission if they have a financial stake in the airport, or have beneficial skills or expertise, so long as a majority of the Commission members are residents of the City.
- d. Open Membership. Criteria and selection for membership shall not discriminate based upon sex, race, religion, creed, color, national or ethnic origin, or any other classification protected by law.
- e. Total Membership and Term of Appointment. The total membership of the Commission shall be seven regular members. No Alternate member shall be appointed. A member's regular term of appointment shall be three years. Appointments shall have staggered terms.
 - 1) No person shall be eligible for appointment for more than three consecutive terms, exclusive of prior appointment to fill an unexpired term of office.
 - 2) Persons who have served three full consecutive terms may be reappointed following a one-term absence.
 - 3) Appointees may serve on only one Council-appointed Advisory Body or Commission at a time.

Section 4: Ethics, Conflict of Interest, and *Ex Parte* Communication

- a. Member Code of Ethics. Each Commissioner shall adhere to the City Council's Code of Ethics (Exhibit A) and such other policies that apply to City staff, the City Council, or members of City Commissions or Committees.
- b. Conflict of Interest. Commissioners shall be subject to the conflict of interest rules set forth in the Political Reform Act (Gov. Code § 81000 *et seq.*) and its implementing regulations (2 Cal. Code Regs. § 18110 *et seq.*), Government Code section 1090 and the common law.
- c. *Ex Parte* Communication. Commissioners shall report on any *ex parte* communication with any member of the City Council, commission, and public regarding any *quasi-judicial* matter pending, or reasonably expected to come, before the Commission.

Section 5: Termination of Membership.

Membership on the Commission shall terminate in the event that:

- a. The member no longer meets the eligibility criteria or other requirements specified in Article 1, Section 3 for membership on the Commission; or
- b. The member has exceeded the number of unexcused absences as set forth in Section 9 of Article III of these Bylaws; or
- c. The member shall have served three consecutive full terms.
- d. Violation of the Code of Ethics, violation of other City policies, or Violation of State laws including the Brown Act.

Section 6: Removal of Members.

A member shall be removed automatically for Section 5 a, b or c. A member may be removed by an affirmative vote of a majority of the City Council, if, after a hearing, it is found and determined

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that any one of the grounds for termination specified in Section 5 d of this Article I exists.

Section 7: Resignation

A Commission member may resign at any time by giving written notice to the Chairperson, who shall forward such notice to the assigned City staff person, who shall inform all appropriate City staff and members of the Commission. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 8: Filling of Vacancies

In the event of a vacancy on the Commission, the City Council shall select an individual to fill such vacancy as soon as reasonably practicable. New members must meet the qualifications set forth in Section 3 of Article I.

Section 9: Remuneration

Members shall serve without pay except for reimbursement for travel expenses to meetings outside of the City. Such expenditures shall be subject to pre-approval by City management.

ARTICLE II - OFFICERS

Section 1: Officers

The officers of the Commission shall consist of a Chairperson and a Vice Chairperson, who shall be elected in the manner set forth in this Article II.

Section 2: Chairperson

The Chairperson shall preside at all meetings of the Commission, and may submit such agenda, recommendations and information items as are reasonable and proper for the conduct of the business affairs and policies of the Commission. Such items are submitted to the City staff member assigned to the Commission for inclusion into the published agenda. The Chairperson may sign documents necessary to carry out the business of the Commission.

Section 3: Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the death, resignation or removal of the Chairperson, the Vice Chairperson shall assume the Chairperson's duties until such time as the Commission shall elect a new Chairperson.

Section 4: Additional Duties

The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

Section 5: Election

The Chairperson and Vice Chairperson shall initially be elected from among the members of the Commission at their first regular meeting. Thereafter, the Chairperson and Vice Chairperson shall be elected from among the members of the Commission annually. Such officers shall hold office for one year following their election and until their successors are elected and in office. Any such officer shall not be prohibited from succeeding him or herself, but no person shall be elected as an officer for more than three consecutive terms.

Section 6: Removal of Officers

Upon an affirmative vote by a majority of the members present at a regular or special meeting of the Commission at which a quorum is present any officer may be removed from office, and a successor elected pursuant to Section 7 of this Article II.

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Section 7: Vacancies

Should the offices of the Chairperson or Vice Chairperson become vacant, the members shall elect a successor from among the Commission members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III - MEETINGS

Section 1: Regular Meetings

The Commission shall meet every other month on the 4th Thursday or as needed, at the hour of 6:30 p.m. at the Paso Robles Airport Terminal building, 4900 Wing Way, Paso Robles, CA, except for the months of November and December of each year. An alternative meeting place may be designated if duly noticed by prescribed procedure. A notice, agenda, and other necessary documents shall be delivered to the members, personally or by mail, and posted in accordance with the Brown Act (Gov. Code § 54950 et seq.).

Section 2: Special Meetings

Special meetings may be held upon the call of the Chairperson, or an affirmative vote by a majority of the members present at a regular or special meeting of the Commission at which a quorum is present, for the purpose of transacting any business designated in the call. A notice, agenda, and other necessary documents shall be delivered to the members, personally or by mail, and posted in accordance with the Brown Act (Gov. Code § 54950 et seq.). At such special meeting, no business other than that designated in the call shall be considered.

Section 3: Adjourned Meetings

Any meeting may be adjourned to a date, time, and place specified in the order of adjournment. Commission members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the time and place of the adjourned meeting. Agendas for adjourned meetings shall also be prepared and posted in accordance with the requirements of the Brown Act.

Section 4: All Meetings to be Open and Public

All meetings of the Commission shall be open and public to the extent required by law. All persons shall be permitted to attend except as otherwise provided by law.

Section 5: Posting Agendas/Notices

The City staff member assigned to the Commission or his or her authorized representative shall post an agenda for each regular meeting or a notice for each special meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted in a location accessible to the public 24 hours a day at the Paso Robles City Library/City Hall facility and on the City's website at least 72 hours in advance of each regular meeting and at least 24 hours in advance of each special meeting.

Section 6: Right of Public to Appear and Speak

At every regular meeting, members of the public shall have an opportunity to address the Commission on matters within the Commission's subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Chairperson may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda. The Chairperson may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.

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Section 7: Non-Agenda Items

Matters brought before the Commission at a regular meeting that were not placed on the agenda of the meeting shall not be acted upon by the Commission at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Commission that the Commission determines will require consideration and action, and where action at that meeting is not so authorized, shall be placed on the agenda for a future meeting once a City staff report concerning the matter is prepared.

Section 8: Quorum

The powers of the Commission shall be vested in the members thereof in office from time to time. Four of the Commission members then in office shall constitute a quorum for the purpose of conducting the Committee's business, exercising its powers, and for all other purposes, but less than that number may adjourn or continue a meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members present and eligible to vote at a regular or special meeting at which a quorum is present shall be required for approval of any matters brought before the Commission.

Section 9: Excused and Unexcused Absences

A member's absence from a regular or special meeting shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chairperson of his or her intent to be absent and the reasons therefore; provided, however, that a member shall be entitled to only two excused absences within 12 consecutive calendar months. At each meeting, after the roll has been called, the Chairperson shall report to the Commission the name of any member who has provided notice of his or her intent to be absent and the reason for such absence. If a member shall be absent without the consent of the Commission from three meetings, whether regular or special, within 12 consecutive calendar months, such member's seat on the Commission shall be terminated.

Section 10: Order of Business

All business and matters before the Commission shall be transacted in conformance with the City Council's established practice.

Section 11: Minutes

Action minutes of all Commission meetings shall be drafted by the assigned City staff and approved by the Commission. Approved minutes shall be filed in the official book of minutes of the Commission and forwarded to the City Council for information.

Section 12: Recommendations to City Council

Recommendations and reports by the Commission to the City Council shall be prepared in writing by the assigned City staff member and approved by the City Manager.

ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES

The Chairperson, the Vice-Chairperson in the Chairperson's absence, or another member of the Commission may make official representations on behalf of the Commission before the City Council if so specifically designated by the Commission.

ARTICLE V - COMMITTEES

The Commission may establish any standing and/or special committees it deems necessary consistent with, and to fulfill, its stated purpose as established in Article I, Section 2 of these Bylaws.

ARTICLE VI - AMENDMENTS

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These Bylaws may be amended upon an affirmative vote by a majority of the City Council.

EXHIBIT A

CODE OF ETHICS

PREAMBLE

The residents and businesses of Paso Robles are entitled to have fair, ethical, and accountable local government. Such a government requires that:

- ▶ Public officials comply with both the letter and spirit of the laws and policies affecting operations of the government;
- ▶ Public officials be independent, impartial, and fair in their judgment and actions;
- ▶ Public office be used for the public good, not for personal gain; and
- ▶ Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Paso Robles City Council has adopted this Code of Ethics to encourage public confidence in the integrity of local government and its operation.

PUBLIC INTEREST

Advisory Body Members will work for the common good of the people of Paso Robles and not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

Advisory Body Members shall comply with the laws of the nation, the State of California, and the City in the performance of their public duties.

CONDUCT

Advisory Body Members are expected to exercise a duty of care in carrying out their responsibilities, which includes devoting sufficient time to carefully review and fully understand the matters that come before them.

Advisory Body Members shall act with civility towards all and shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of others.

Advisory Body Members shall perform their duties in accordance with the processes and rules of order established by the City Council.

Advisory Body Members shall inform themselves on public issues; listen attentively to public discussions before the body; and focus on the business at hand.

Advisory Body Members shall base their decisions on the merits and substance of the matter at hand.

Advisory Body Members shall publicly share substantive information that is relevant to a matter under consideration that they may have received from sources outside of the public decision-making process.

CONFLICT OF INTEREST³

Advisory Body Members shall not use their official positions to influence government decisions in which they have a financial interest, or where they have an organizational responsibility or personal relationship that would present a conflict of interest under applicable State law.

In accordance with the law, members shall timely file with the City Clerk a Statement of Economic Interests (Form 700) and, if they have a conflict of interest regarding a particular decision, refrain from participating in that decision, unless otherwise permitted by law.¹ Advisory Body Members shall participate biennially in Ethics Training seminars as required by state law.

Advisory Body Members shall not take advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised.

Advisory Body Members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

Advisory Body Members shall not use public resources (such as City equipment, staff and facilities) not available to the public for private gain or personal purposes.

No Advisory Body Member shall appear before the body on which that member serves to advocate on behalf of or to represent the private interests of third parties.

Advisory Body Members shall represent the official policies and positions of the Advisory Body if authorized by the Advisory Body. When presenting their personal opinions and positions, members shall explicitly state they are doing so in their personal capacity, and not as a representative of the Advisory Body or the City.

Advisory Body Members shall refrain from using their position to unduly influence the deliberations or decisions of City commissions, boards or committees.

POLICY ROLE

Advisory Body Members shall respect and adhere to the Council-Manager structure of Paso Robles City government as provided in State law and the Municipal Code.

Advisory Body Members shall support the maintenance of a positive and constructive environment for residents, businesses, and City employees.

COMPLIANCE & ENFORCEMENT

Advisory Body Members themselves are primarily responsible for ensuring they understand and meet the ethical standards set forth herein.

³ State laws governing conflicts of interest are written to ensure that actions are taken in the public interest. These laws are very complex and highly fact dependent. Advisory Board Members should notify the City Manager if they have a question about the conflict of interest rules or should consult with the Fair Political Practices Commission for guidance in advance.

EXHIBIT B - PASO ROBLES MUNICIPAL Airport Governance Matrix

PASO ROBLES MUNICIPAL AIRPORT
Governance Matrix

FUNCTION	CITY STAFF		A-DRC	COMMISSION		CITY COUNCIL
	HANDLES	DRAFTS	RECOMMENDS	APPROVES	RECOMMENDS	APPROVES
Planning and Budgeting (Note 1)						
Master Plan (FAA)		X			X	X
Capital Improvement Plans		X			X	X
Local Project Planning		X	X		X	X
Airport Land Use Plan		X	X		X	X (ALUC Adopts)
Long-range Conceptual Planning		X	X		X	X
Operating and Capital Budget		X			X	X
Regulations (Note 2)						
Rules & Regulations		X			X	X
Minimum Standards		X			X	X
Enforcement	X					
Construction (Note 3)						
Development Design Standards		X			X	X
Project Design		X	X	X		
Grants and Contracts		X			X	X
Project Management	X					
Operations Interface	X					
Advertising and Promotion (Note 9)	X			X		
Marketing Planning	X				X	X
Leases (Notes 6)						
Leasing Policies		X			X	X
New Lease		X			X	X
Existing Lease Minor Modification	X					
Existing Lease Major Modification		X			X	X
Lease Management/Enforcement	X					
Special Events (Note 7)						
Application Review	X					
No Operations Impact	X					
Minor Operations Impact		X		X		
Budget or Major Operations Impact		X			X	X
Operations (Note 8)						
Flight Rules & Traffic Patterns	X					
General Maintenance	X					
Facility Inspection and Compliance	X					
Routine Operations	X					
Transient Use Agreement	X					

Governance Matrix
Page 2

Notes:

1. FAA requires the Airport Master Plan document to be adopted by City Council. Additional planning documents are reviewed and recommended by the Airport - Development Review Committee (which may be the Planning Commission DRC) to their appropriate governing bodies.
2. The Commission reviews, amends, and recommends appropriate airport regulations. Regulations are then implemented under the Airport Manager authority granted in the City Ordinance.
3. Initial planning of construction projects occurs under the Capital Improvement planning process. The specifics of project scope and design are reviewed and recommended by the Airport - Development Review Committee. The City Council accepts grant funding, authorizes the execution of associated documents, and approves construction contracts. Various engineering and actual project management functions beyond City Staff capabilities and resources are assigned to contract engineers and inspectors to function on behalf of the City; they report to staff.
4. Airport promotion and advertising is a Commission function. Staff is responsible to implement programs as resources allow. (See Notes 9 & 10)
5. Staff or an appointed professional negotiate leases based on City Lease Policy adopted by the City Council. City Council reviews and approves leases. City Council may seek advice from the Airport Commission as to whether the overall concept of any particular lease is an appropriate fit for that location on the Airport.
6. Minor modifications to existing lease agreements can be drafted and executed by staff per the authority granted in the lease agreement. Major modifications, after review and recommendation by the Commission, require City Council approval.
7. Small events requiring little or no modification to routine operations can be approved by staff if all insurance and other permit requirements are met. Events requiring minor changes to traffic patterns and other operations procedures require Commission approval. Events requiring major changes, including airport closure, contractual agreements with the event organizers (e.g., Airshow), or budget amendments necessary for the expenditure of City/Airport funds require City Council approval.
8. City/Airport Staff is expected to handle all routine operations functions on a daily basis. Updates should be provided to the Commission on items that affect the long-term operation of the airport. Airport Regulations identify an appeal process by which decisions and/or enforcement action by staff may be challenged before the Commission if requested.
9. All actions by the Commission – whether recommendation or approval – require staff implementation – either directly or via report to the City Council or other outside agency. Staff is also responsible to ensure that each item complies with applicable legal, fiscal, and/or City procedural policies and mandates.
10. All actions by the Commission are subject to review by and/or appeal to the City Council.