



Council Agenda Report

From: Dick McKinley, Public Works Director

Subject: Adoption of Ordinance on Second Reading Establishing an Airport Commission

Date: October 18, 2016

Facts

1. On May 7, 1973, the County of San Luis Obispo did by Resolution, transfer the Paso Robles/San Luis Obispo County Airport to the City of El Paso de Robles.
2. The City has continued to operate the airport for the good and benefit of the community.
3. 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.
4. The Airport Advisory Committee has considered various forms of airport governance to further enhance and promote the airport.
5. On April 28, 2016, the Airport Advisory Committee took action to recommend the creation of an Airport Commission to replace the Airport Advisory Committee, together with the assigned functions and authorities created therein as reflected in an Airport Governance Matrix.
6. On May 26, 2016, the City Council met in a joint workshop session to review the proposed creation of the commission.
7. 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 and September 22, 2016 the Airport Advisory Committee recommended some language changes and clarification which are incorporated into this Ordinance.
8. On September 20, 2016, the City Council held a public hearing, and on October 4, 2016 a second public hearing was held, and the City Council adopted the Ordinance on First Reading by title only, as amended. There have been no substantive changes since first reading. A summary of the ordinance, approved by the City Attorney, has been published in a newspaper of general record.
9. As part of a separate item on this meeting agenda, the Council will have the opportunity to decide on the membership, roles, and responsibilities of the Commission, through its consideration of a resolution approving Bylaws and a Governance Matrix.
10. The Council is currently in the process of interviewing candidates for the Commission.

Options

1. Do nothing.
2. Adopt Ordinance ____ NS on Second Reading, establishing Section 13.02 of Title 13 of the Municipal Code, to create an Airport Commission.

3. Reject Ordinance ____ NS on Second Reading and direct staff to bring back an amended Ordinance for First Reading at a future City Council meeting to create an Airport Commission.

Analysis and Conclusions

The recommended governance concept proposes the creation of an Airport Commission. This commission would serve to more effectively streamline routine decision-making for airport operations and longer-term planning and development. The expertise and technical experience of appointed commissioners would provide additional resources to further support the efforts to promote and develop the airport facility.

Fiscal Impact

Minimal one-time startup costs, such as name plates, binders, ethics training, etc. Not anticipated to have long term financial impacts of an Airport Commission as opposed to the Airport Advisory Committee. If it supports economic development efforts at the airport, it could have long-term financial and economic benefits.

Recommendation

Adopt Ordinance ____ NS on Second Reading to establish an Airport Commission.

Attachments

1. Ordinance -- Airport Commission

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 public hearing was held on September 20, 2016, and a second public hearing was held on October 4, 2016. Public testimony was taken at both public hearings regarding this ordinance. On October 4, 2016, this ordinance was adopted at first reading by title only and scheduled for second reading on October 18, 2016; 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 as authorized by State or Federal law.

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 18th day of October, 2016 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk