

**BYLAWS OF THE
AIRPORT LAND USE COMMISSION
OF SANTA CLARA COUNTY**

1.0 NAME

The name of this organization is the Airport Land Use Commission of Santa Clara County, which may be abbreviated ALUC.

2.0 PURPOSE

The purpose of the ALUC is to carry out the statutory responsibilities required by Sections 21670 through 21679.5 of the Public Utilities Code of the State of California. Specifically, these responsibilities include, but are not limited to, assisting local agencies in ensuring compatible land uses in the vicinity of local airports, maintaining an Airport Land Use Plan, and reviewing the plans, regulations, and other actions of local agencies and airport operators.

3.0 MEMBERSHIP

1. The Commission shall be composed of seven (7) voting members to be selected as follows:
 - a. Two (2) representing the cities, appointed by the city selection committee; at least one, and preferably both, of these members must represent a city adjacent to an airport.
 - b. Two (2) representing the county, appointed by the Board of Supervisors.
 - c. Two (2) having expertise in aviation, appointed by a committee comprised of the aviation director of the San Jose International Airport, the director of Palo Alto Airport, and the director of the county roads and airports department.
 - d. One (1) representing the general public to be selected by the other six (6) members of the Commission.

2. Terms of office shall be:

- a. Except for the terms of office of the first Commission, the term of office of each member shall be four years, ending on the first Monday in May of the fourth year. Terms of office shall be determined by the appointing bodies pursuant to Section 21670 of the Public Utilities Code of the State of California.
- b. Should the ALUC in existence at the time of adoption of these by-laws be disbanded and a new ALUC be re-established, the members of the first re-established Commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years. The expiration date of the term of office of each member shall be the first Monday in May of the year in which the term is to expire. Any vacancy shall be filled for the unexpired term as designated in "a" above.

3. Members of the ALUC are required to file a statement of economic interest per the requirements of FPPC Form 700.

4. Each member, upon appointment and taking the oath of office, shall promptly appoint a single proxy who shall take the oath of office and file conflict of interest reports with the clerk of the board. The proxy shall be designated in a signed written instrument, which shall be kept on file by the Clerk of the Board. When so directed by the appointing member, a proxy member will represent the sitting member in all affairs of the Commission and exercise the vote of the member at meetings. If a member cannot be present for a meeting and his/her proxy will be attending, the Director of the Department of Planning and Development, or designee, should be notified within a reasonable period of time before the meeting so that arrangements will be made for the proxy to serve. If neither the member nor proxy can attend, the Chair or the Director of the Department of Planning and Development, or designee, must be notified within a reasonable period of time before the meeting.

5. Proxies serve at the pleasure of the appointing member and

must meet the basic qualifications required for appointment to county Commissions. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy. Proxies are voting members only when substituting for the member.

6. Staff representatives from airports operated for the benefit of the public, including staff representatives from San Jose International Airport, the Santa Clara County Roads and Airports Department, the City of Palo Alto, and Moffett Federal Airfield, may attend any meeting of the Commission to serve as a staff resource to the Commission. Staff representatives shall not vote on any matter considered by the Commission.
7. If an ALUC member (or proxy in stead) is absent for two regular meetings, the Chair shall first consult with the member to attempt to determine the cause for the absences, and may then forward a letter to the member's appointing body requesting correction of the problem, potentially including replacement of the member.
8. The Chair shall notify the member's appointing body sufficiently in advance (e.g. 6 months) of the end of that member's term for that body to appoint a successor who would take office at the end of the term of the outgoing member.
9. Resignations from the ALUC shall be submitted to the resigning member's appointing body, with a copy to the Secretary and Clerk of the Board.

4.0 ROBERT'S RULES OF ORDER

Except as otherwise provided herein, the Commission shall be governed by the rules of procedure set forth in Robert's Rules of Order (The Modern Edition).

5.0 OFFICERS

1. The officers of this Commission shall be:
 - a. Chair
 - b. Vice-chair
2. The Chair and Vice-chair shall be elected by, and serve at the pleasure of, the Commission for a period of one (1) year with

a maximum of two consecutive years in each position. A Commissioner may not serve as a Commission officer again until he/she has not been an officer for 12 consecutive months.

3. Elections of officers shall occur at the first meeting after January 1 of each year or, when necessary, at the first meeting following an office becoming vacant.

6.0 STAFF

1. The staff of this Commission shall be:
 - a. Staff Coordinator
 - b. Secretary
 - c. County Counsel
2. The Staff Coordinator shall be an employee of the County Planning Office assigned by the Director of the Department of Planning and Development, or designee.
3. The Secretary shall be the Director of the Department of Planning and Development, or designee, or the Clerk of the Board, or designee.
4. The County Counsel shall be appointed by the Office of the County Counsel and provides legal advice as needed.

7.0 DUTIES OF OFFICERS AND STAFF

1. The Chair shall:
 - a. Preside at meetings of the Airport Land Use Commission.
 - b. Call public hearings and other public meetings and initiate other action as provided for in California Public Utilities Code Sections 21670-21679.5.
 - c. Perform other duties customarily performed by a Chair.
2. The Vice-chair shall serve as Chair upon absence or incapacity of the Chair.
3. The Staff Coordinator shall:
 - a. Receive, review and report on applications and referrals

to the Airport Land Use Commission.

- b. Make written responses to local agency referrals.
- c. Prepare plans and reports as required by the Commission and keep the Commission informed of new matters involving Airport Land Use Commissions.
- d. Prepare letters regarding official action taken by the Airport Land use Commission.

4. The Secretary shall:

- a. Prepare and distribute notices for public meetings at least seven (7) calendar days prior to each meeting.
- b. Prepare and distribute an agenda setting forth all items of business to be transacted or discussed by the Commission as well as staff reports for each meeting of the Airport Land Use Commission at least seven (7) days prior to the meeting.
- c. Prepare, print and distribute minutes of each meeting of the Commission.
- d. Carry on correspondence at the direction of the Commission. The Secretary as directed by the Chair may carry out routine correspondence regarding matters that do not require a vote by the Commission (e.g., correspondence not purporting to reflect the position or opinion of the Commission).
- e. Maintain the records of the Airport Land Use Commission.

8.0 AGENDA

1. The agenda shall specify the time, location and order of business of any meeting, and shall include for the meeting:
 - a. All matters referred to the Commission.
 - b. All matters submitted by any member of the Commission.
 - c. All matters referred or requested by any other person during the usual course of business during regular meetings of the ALUC, provided those matters are consistent with the work of the Commission.
 - d. The Chair, or other Commissioner designated by the Chair shall, at his/her discretion, meet in person, by telephone, or other means of communication with the Staff

Coordinator designated to the ALUC to place any and all matters upon the Agenda for consideration at a regular meeting not later than 12 o'clock Noon on the tenth (10th) calendar day immediately preceding the regular meeting day. Any and all members of the ALUC are invited to participate in the agenda setting process and review items for the agenda not later 12 o'clock Noon on the tenth (10th) day preceding the regular meeting date. Items for inclusion on the agenda shall be submitted by the Staff Coordinator to the Secretary, no later than 8:00am on the ninth (9th) day preceding the regular meeting.

- e. A Consent Calendar, which includes routine ALUC correspondence, approval of Minutes, or other items not requiring a public meeting.
2. The Commission may, from time to time, adopt by minute order a new or revised agenda and order of business with such agenda topics or headings listed in such order as is consistent with the Brown Act and as may be convenient or desirable for the conduct of Commission business.

9.0 VOTING

1. At the time of voting on any issue before the Commission, each voting member or his/her proxy may cast one vote.
2. A majority of the full Commission (i.e. four members) shall constitute a quorum for the transaction of business. No action may be taken by the Commission except by the recorded vote of a majority of the full membership.
3. A member shall disqualify himself/herself from participation in the review or adoption of a proposal in the event of conflict of interest and shall notify the Secretary of any conflicts prior to the meeting at which the item that is the subject of the conflict will be considered. The member may be replaced by his/her proxy provided the proxy has no conflict of interest with the proposal.

10.0 MEETINGS

1. Except as otherwise provided in these rules and regulations or the Brown Act, meetings of the Commission shall be open and public and shall comply with all applicable requirements

of the Brown Act, and shall be conducted in accordance with the agenda and order of business prepared for the meeting.

2. Regular meetings of the Airport Land Use Commission will be held on the fourth Wednesday of each month (or as needed at the discretion of the Chair or at the request of the majority of the Commission members).
3. Special meetings of the Airport Land Use Commission may be called by the Chair provided that written notice is mailed to all members at least seven (7) days prior to the meeting and all Brown Act requirements for special meetings are met.

11.0 RULES AND REGULATIONS FOR PUBLIC MEETINGS

All Commission meetings shall be held in accordance with the Brown Act.

12.0 AMENDMENTS

Amendments of these bylaws shall be by a two-thirds vote of the entire membership (i.e. five votes in favor) at a Commission meeting following at least ten (10) days written notice of any amendment.



Paul Donahue, Chair
Airport Land Use Commission

11/18/2015

APPROVED AS TO FORM AND LEGALITY:



11/18/2015

Elizabeth G. Pianca, Deputy County Counsel

Date