

12/06/21
12/20/21
01/24/22

ORDINANCE NO. M-4362

AN ORDINANCE relating to the aviation advisory committee, amending Sections 10.05.040 and 10.05.050 of Vancouver Municipal Code; providing for savings, severability, and an effective date.

WHEREAS, it is in the public interest to amend Sections 10.05.040 and 10.05.050 of the Vancouver Municipal Code to clarify membership appointments and federal and state grant opportunities, respectively; and

WHEREAS, with proper notice to the public, the City Council conducted a first reading of the proposed ordinance on December 13, 2021, and a public hearing concerning the ordinance and proposed code changes on December 20, 2021 and January 24, 2022.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

SECTION 1. Vancouver Municipal Code Section 10.05.040, adopted by Ordinance M-2733 and last amended by Ordinance M-4347, Section 5, is hereby amended to read as follows:

10.05.040 Aviation advisory committee.

A. *Purpose.* The purpose of the aviation advisory committee is to provide advice and recommendations to the airport manager, city manager, and city council, as well as other city departments, regarding the management and operations of the airport and other aviation-related issues affecting ~~Pearson Field Airport~~ the City of Vancouver. The committee shall provide advice and recommendations on:

1. Issues pertaining to maximizing the historic, economic, public safety, educational, and cultural value of the airport.
2. Airspace compatibility of any economic development projects with potential to affect the airport (ex. zoning, building standards, etc.).
3. General financial oversight of the airfield, including all proposed fees, commercial leases, rental rates, and rental agreement formats.
4. Proposals to construct or remove any building, capital improvements, or to enlarge airport facilities.
5. The adoption or amendment of airport rules and regulations, commercial minimum standards, and the development of airport-related plans including the master plan and airport layout plan.
6. Formal agreements with the National Park Service, or any other entity, with either operational or financial implications for the airport
7. Operations, changes and advancements in aviation technology and airspace use.
8. Aviation matters referred to the committee by city council, city manager, or their designee.
9. Other aviation matters that originate from within the committee.
10. Review all airport grants before application and before submission to the city council for acceptance of the grant. The exception will be if grant acceptance and council action are required sooner than the AAC can meet.

B. *Members – Appointment.* The aviation advisory committee shall consist of nine members selected by city council subcommittee and appointed by the city council. Committee members will serve without compensation. Members will have a demonstrable interest in the airport, and/or aviation and aeronautical activities, and preferably have skills in one or more relevant areas such as airport management, legal, marketing, finance, FAA knowledge, real estate, business, and engineering. Members shall demonstrate the ability to work effectively with others in a volunteer committee role.

If a suitable candidate is available, one member shall be a representative from the Port of Portland and one member will be from a surrounding neighborhood. In support of assuring a balanced range of community perspective on the AAC ~~and subject to exception~~ by the city council in their process of appointing members of the committee, no more than three members of the committee may be a tenant of the airport, subject to council exception. No members will be employees of the city of Vancouver.

C. *Terms.* Aviation advisory committee members shall be appointed for three-year terms; provided of the nine initial members, three shall be appointed to a three-year term, three to a two-year term and ~~one~~three to a one-year term. Subsequent appointments shall be to fill any unexpired term or to a three-year term. Service of members may not exceed three consecutive full terms.

D. *Officers.* Each year, the committee shall elect by majority vote a chair and vice chair and such other officers as the committee finds necessary. Officers shall serve for one-year and may not serve for more than two consecutive years.

E. *Removal.* Any member may be removed, prior to the expiration of their term of appointment, by a majority vote of the city council

F. *Meeting – Quorum.* The committee shall hold meetings at least quarterly and may hold such other meetings as it finds necessary. A majority of the current members of the aviation advisory committee shall constitute a quorum.

G. *Bylaws.* The aviation advisory committee shall adopt bylaws that outline the transaction of its business. The bylaws will be consistent with city values and subject to review by the city manager or designee. The aviation advisory committee may thereafter amend the bylaws or repeal and replace the bylaws subject to review by the city manager or designee and referral, if appropriate, to the city council for ratification. The bylaws may only contain provisions for the regulation and management of the affairs of the aviation advisory committee as consistent with law and this chapter.

H. *Assistance.* The airport manager or the manager’s designee shall serve as staff liaison and secretary to the committee (“secretary”). The city’s staff and consultants, under direction of the secretary, shall furnish professional and technical information and advice to the committee.

SECTION 2. Vancouver Municipal Code Section 10.05.050, as enacted by Ordinance M-2733 and last amended by Ordinance M-4347, Section 6, is hereby amended to read as follows:

10.05.050 Federal and state grants.

All funds shall be disbursed only for the purposes approved by the FAA, and other federal, state, or local granting agency. ~~or granting state or local agency.~~ Such funds shall not be dispersed or loaned for any other reason unless permitted under the grant and approved by the city council.

SECTION 3. Savings. Those ordinances or parts of ordinances which are amended by

this ordinance shall remain in full force and effect until the effective date of this ordinance.

SECTION 4. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not effect or invalidate the remainder of any parts thereof to any person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

SECTION 5. Effective date. This ordinance shall become effective as of February 1, 2022, following the date of final adoption.

Read First Time: December 20, 2021

Ayes: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: None

Read Second Time: January 24, 2022

PASSED BY THE FOLLOWING VOTE: 7-0

Ayes: Councilmembers Harless, Perez, Fox, Paulsen, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: None

SIGNED this 24th day of January, 2022.

DocuSigned by:

Anne McEnerny-Ogle

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

Natasha Ramras

BGF6734E40E94AE...

Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:

Jonathan Young

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Jonathan Young, City Attorney

SUMMARY

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The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).