MINUTES
Airport Advisory Board
January 13, 2022

Virtual Meeting

CALL TO ORDER

The January 13, 2022, Airport Advisory Board meeting was called to order by Chairperson Harrison Earl at 6:00 p.m. via Zoom.

INTRODUCTION OF NEW AIRPORT ADVISORY BOARD MEMBERS

Tallis Salamatian introduced himself and looks forward to working with the board.

Chairman Earl welcomed back Council liaison Marcia Martin.

ROLL CALL

Susan Wolak, Website Coordinator, called roll. Those present were: Chairperson Earl and Board Members Steve Bliss, Malcolm Dean, Melinda Jordan, Russell Robison, Tallis Salamatian, and Council Member Marcia Martin.

Staff present were: Joni Marsh, Assistant City Manager.

Others present were Jeff Kohlman, Interim Airport Manager and Managing Principal with Aviation Management Consulting Group.

ELECTION OF OFFICERS

Chairman Earl asked for nominations for chair.

BOARD MEMBER JORDAN MOVED, SECONDED BY DEAN, FOR HARRISON EARL TO CONTINUE SERVING AS THE AIRPORT ADVISORY BOARD CHAIR.
MOTION CARRIED: 6-0.

BOARD MEMBER SALAMATIAN NOMINATED HIMSELF FOR VICE-CHAIR, SECONDED BY DEAN.
MOTION FAILED: 2-4 (BLISS, EARL, JORDAN AND ROBISON DISSENTING).

BOARD MEMBER BLISS NOMINATED MELINDA JORDAN, SECONDED BY ROBISON, FOR VICE-CHAIR.
MOTION CARRIED: 4-2 (DEAN AND SALAMATIAN DISSENTING).

SELECTION OF MEETING DATE AND TIME FOR 2022

VICE-CHAIR JORDAN MOVED, SECONDED BY BLISS, TO KEEP THE MEETING ON THE SECOND THURSDAY OF THE MONTH AT 6PM IN THE CITY COUNCIL CHAMBERS, OR VIRTUALLY, DEPENDING ON PANDEMIC PROTOCOLS.
MOTION CARRIED: 6-0

SELECT MEETING NOTICE POSTING LOCATIONS

Chairman Earl stated that last year the board adopted the City's agenda management portal and website to be the official posting location and that was satisfactory.

Board Member Robison suggested holding board meetings at the airport during the summer months if recording the meetings could be done.

BOARD MEMBER ROBISON MOVED, SECONDED BY DEAN, TO CONTINUE POSTING AGENDAS TO THE CITY'S AGENDA MANAGEMENT PORTAL AND WEBSITE, AS WELL AS THE UNOFFICIAL POSTING LOCATION AT THE AIRPORT.
MOTION CARRIED: 6-0

CITY ATTORNEY STAFF INTRODUCTIONS AND PRESENTATION TO BOARD ON CHARTER AND ROLES AND RESPONSIBILITIES

Joni Marsh, Assistant City Manager, introduced Atasi Bhavsar and Chris Robbie, both from the City Attorney's Office. Joni stated she likes to introduce the Attorney's to the board they're doing work for but also to give an overview to new members about what the Charter says, what the board is purvey to, and to answer any questions the board has.

Atasi and Chris reviewed legal issues regarding open meetings/records law, ethics and conflicts of interest with the board.

Atasi went through the items with the board including:

- Airport Advisory Board Powers and Duties
  - Per the Longmont Municipal Code 2.94.040
- Colorado Open Meetings Law
  - Declares that the formation of public policy is public business – cannot be done in secret
  - Meeting is defined any gathering by elected officials or board/commissions to discuss public business
    - Exceptions to the COML to apply only to gatherings where there is a "demonstrated link between the meeting and the policy-making powers of the government entity holding or attending a meeting."
    - A chance meeting or social gathering "at which a discussion of public business is not the central purpose"
  - If 3 or more members get together to discuss policy-making, it's a meeting and need to be open to the public

- Must give the public full and timely notice of the meeting so they can attend (24 hours and specific agenda information when possible)
- Must take minutes and promptly record them

- Colorado Open Records Act
  - Colorado Open Records Act, aka CORA
  - Law passed in 1963
  - Goal is open and transparent government
- Ethics – Amendment 41 Gift Ban
  - Voter initiated and approved constitutional amendment in 2006 providing for ethics in government
  - Gift ban: government officials are prohibited from accepting a gift valued in excess of $50 from any person in a calendar year
- Conflicts of Interest
  - Personal, financial, or special impact to your interests due to location or proximity
  - Actual conflict vs. appearance of conflict/bias: City is concerned with both
  - Word of advice: what would your mom think?
- Quasi-judicial Proceedings
  - A few of the City Boards and Commissions serve in a quasi-judicial capacity, primarily site-specific land use decisions and acting similar to a judge in a court of law
    - Planning and Zoning Commission, Board of Adjustment and Appeals, and Master Board of Appeals
    - Quasi-judicial proceedings: apply existing criteria/ordinances, to the facts of a specific property, presented at a hearing, with advance notice, and a reasonable opportunity for interested persons to present evidence and argument
  - Due Process: special protections and safeguards apply to ensure a fair hearing for the applicant where protected legal rights are at stake
  - Quasi-judicial board:
    - Must apply the applicable criteria and base its decision based solely upon the record of the proceedings
    - Must not engage in *ex parte communication,* i.e., receipt of information received outside the record
    - This rule promote fair and impartial decision making by ensuring disclosure of all evidence and argument at the hearing
  - If contacted by members of the public, direct them to submit written comments, or attend the hearing and present testimonial evidence
  - Remedies for conflicts of interest and/or *ex parte* communication
    - If limited: disclosure on the record at the hearing regarding the nature and extent of communication, and determination that the Commissioner can remain a fair and impartial decision maker
    - If extensive: recusal from the agenda item

PUBLIC INVITED TO BE HEARD

Chairman Earl opened the Public Invited to be Heard.

Seeing no one wishing to speak with the board, Chairman Earl closed Public Invited to be Heard.

APPROVAL OF MINUTES

There were no minutes presented for approval.

OLD BUSINESS

i. FINANCIAL UPDATE

Joni Marsh, Assistant City Manager, reviewed the budget and CIP for the board and noted that 2021 funds will be carried over once the Finance Department reconciles the 2021 budget.

Responding to board questions, Joni provided information for the south side development and what utilities will be going in. She also noted that the project should be done at the end of April.

BOARD MEMBER ROBISON MOVED, SECONDED BY BLISS, TO ADVISE STAFF TO PUT A SOUTH SIDE BATHROOM INTO THE CIP AS A PROJECT.
MOTION CARRIED:

Joni gave a brief CIP process update. The CIP process begins in April where all departments give their CIP proposals. Those then go to the City Manager for approval.

BOARD MEMBER ROBISON WITHDREW HIS MOTION.

Chairman Earl asked for a revenue update, going forward, as has been presented in the past.

ii. CIP UPDATE

Jeff Kohlman, Interim Airport Manager, gave an update on all CIPs for the airport for 2022.

There was discussion on airport runway extension and obtaining more land to the west for expansion but it was determined that there is not enough land to extend the runway 1000 feet.

iii. BOARD CONSIDERATION OF ROBERTS RULES OF ORDER

Chairman Earl reviewed discussions from the December 2021 meeting about how to make the Airport Advisory Board meeting more productive and to respond to public comments and make sure they know they are not being ignored, in an orderly fashion.

Board Member Robison recognized that Robert's Rules are good to keep the meetings going smoothly.

Board Member Robison reviewed two bylaw changes he would like to see. One is Board Reports that he has never seen done, and the other is to offer for the Chairman of the board to provide agendas for the meetings, not the Airport Manager or City staff.

Vice Chair Jordan stated it makes sense to keep Robert's Rules intact for the public but asked if time could be extended in a case by case basis.

Chairman Earl stated that there is no "time limit" for the public and the time could be extended to five minutes if so desired, by the board.

Vice Chair Jordan also mentioned that in previous years, several board members would report about things like skydiving, noise complaints and the airshow so that could be something that is brought back in Reports.

Atasi Bhavsar, Attorney, stated that if a time is extended for one, it must be extended for everyone, you can't be selective to who gets more time to speak. Public Invited to be Heard (PITBH), by definition, is a time to listen without debate however, you can change the bylaws.

Chairman Earl asked a clarifying question that if a section was added to the agenda after PITBH for Board Response that would be okay.

Atasi stated that the board could make that change however, if one speaker is responded to, the board would have to respond to every speaker, regardless of what their comments were.

BOARD MEMBER BLISS MOVED, SECONDED BY ROBISON, TO EXTEND PUBLIC INVITED TO BE HEARD TIME FROM THREE MINUTES TO FIVE MINUTES. MOTION CARRIED: 4-2 (HARRISON AND SALAMATIAN DISSENTING).

Council Member Martin suggested using a Board Member and Chair Comment section at the end of the agenda to use for comments made during PITBH to respond to the public.

Vice Chair Jordan suggested leaving the comment section at the end of the agenda.

Responding to Chairman Earl regarding Board Member Robison's idea to have the board chairman make up the agendas, Vice Chair Jordan stated that it makes more sense for the chair and Airport Manager to make up the agenda because there is airport business that the board may not know about but the Manager can add it to the agenda.

Chairman Earl recapped the conversation; no actual changes to the proceedings section, rather following what is in the bylaws for proceedings, which includes adjustments to the agenda and board reports; defining Public Invited to be Heard up to five minutes per speaker and; changing the duties to move agenda development to the chair from the Airport Manager.

Jeff Kohlman, Interim Airport Manager, asked that the Board chair work in collaboration with the new Airport Manager for agenda development.

Chairman Earl and Board Member Salamatian will work with the City Attorney's Office to draft a new set bylaws.

NEW BUSINESS

i. AIRPORT MANAGER HIRING UPDATE

Joni Marsh, Assistant City Manager, stated that she has received a number of applications and have started going through them for initial interviews. Her hope is to hire the Airport Manager by March 1, 2022. Joni stated that the board would have a chance to meet the shortlist of finalists as long as it was possible with pandemic protocols.

ii. UPDATES FROM INTERIM AIRPORT MANAGER JEFF KOHLMAN

Jeff Kohlman, Interim Airport Manager, talked about the wind storm that came through Longmont. There was some minor damage done to some runway lights and port-a-potties. There were also a couple of snow events that weren't so large that couldn't be dealt with. Both City Public Works staff and Nixcavating came in and cleared snow. There was a learning curve about how to clear and held a debrief after the first snow.

He talked about grants that have been approved at the state and federal levels.

Jeff stated that he has been busy getting contact information for all airport users primarily because the gate codes need to be changed for safety concerns.

FINAL CALL – PUBLIC INVITED TO BE HEARD

Chairman Earl opened the final Public Invited to be Heard.

Don Dolce, Pratt Street, was glad to hear that there was a debrief after the first snow removal. During some flights after the second storm there was still some ice left on some areas of the runway and planes couldn't do a full run-up. It would be good to get the blade all the way to the cement. He also talked about the south side development and Dan Dunn's proposal.

BOARD, CITY COUNCIL REPRESENTATIVE AND/OR STAFF COMMENTS

Vice Chair Jordan stated that she has 11 items for board members to report on and asked if it's appropriate for her to email to board members.

Council Member Martin stated that she is a member of Advance Longmont 2.0 Steering Committee and is working to reconstitute a collective impact committee for Vance Brand which was on Melinda's list. She requested that one member be the Chair or Vice-Chair

and one other member. She requested an email from a board member if anyone is interested.

Adjournment

Meeting was adjourned at 8:51 p.m.

Respectfully submitted,

Chairperson
Airport Advisory Board
/mg 01/13/2022