

AGENDA ITEM: 14

TRUCKEE TAHOE AIRPORT DISTRICT

BOARD OF DIRECTORS STAFF REPORT

AGENDA TITLE: Review and Revision of Policy Instruction 209

MEETING DATE: January 27, 2016

PREPARED BY: BRENT P. COLLINSON, ATTORNEY AT LAW

RECOMMENDED ACTION: Adopt proposed revisions to PI 209 regarding annual assignment of Board President and Vice-President so to provide for selections based on longevity on the Board, regardless of whether it is in their current term or not.

DISCUSSION: PI 209 (formerly 132.1) has been in effect since 1994 and was revised in 2004 and 2011. However, there are often significant discussions about its impact and application. Specifically, it currently provides for the Board Member with the longest tenure *in their current term* that has not previously served as President/Vice President to be assigned that position.

However, since Board terms are 4 years in duration and there are 5 Board Members, there will always be one Board Member who does not serve as President or Vice-President during their term unless another Board Member declines to act that year.

The Board has informally (not by formal Motion) indicated a desire to revise the current Policy Instruction so to avoid the issues that the current Policy often raises, wherein one Board Member will always be unable to serve as President or Vice-President in their current term.

In checking with other local public agencies, there appears to be two other approaches that are taken in selecting their President and Vice-President (or Mayor):

- Some public agencies leave it “wide open” each year so that the President/Vice-President is voted upon by all Board Members without any policy guidance. Nevada County provides that the current Board Chair is eligible to serve a second, consecutive term only if all Members vote in favor of that re-appointment.
- The other approach is to provide that the Member with the longest tenure that has not previously served will be selected.

Since there has been some significant discussion regarding who should serve under the current Policy Instruction, it is my recommendation to avoid the option of simply having a vote each year where all Members (perhaps other than the person currently serving in that position) are eligible. Instead, it is recommended that the approach of using longest tenure without limiting it to one’s current term be utilized.

The current Policy also requires that the President has served at least twelve months (as a Director). However, since it is proposed that the factor of the current term be eliminated, it is possible that there could be a time when no Director has served as a Director for twelve months; therefore, it is proposed that that requirement also be eliminated.

To accomplish this, section 2 of the current Policy Instruction can be revised to read as follows (proposed language to be eliminated shown as stricken; proposed new language shown in italics):

“2. Selection will be on the basis of rotation and longevity as an elected or appointed Director. The assigned President will be the Director with the longest tenure ~~in his/her current term of office~~ who has not yet served as President ~~during the current term, but who has served a minimum of twelve months.~~ The Director with the second longest tenure ~~in his/her current term of office~~ who has not yet served as President ~~during the current term~~ will be assigned as Vice-President. Presumably, the Vice-President will be appointed President the following year. *Once a Member has served in that position, they will be considered as having just assumed office, so that their tenure would start again, only for the purpose of selecting the position just held.*”

Also, section 3 limits a Member from serving as Vice-President “a maximum of two years”. Since there may be a Member that serves for several terms, they should not be restricted to a total of two terms as Vice-President, but only for two consecutive terms, so the last sentence of section 3 should read (proposed new language italicized): “A Director may serve as Vice-President a maximum of two *consecutive* years.”

NEXT STEPS: Assuming these (or other) amendments are made to PI 209, the selection of President and Vice-President next December would be governed by this process. Since there will be an election in November, it is impossible to identify at this point which Members will have the longest tenure.

FISCAL IMPACT: None.

PUBLIC COMMUNICATION: This is included on the Agenda and the public is noticed through that posting process.

POSSIBLE MOTIONS: I move to revise sections 2 and 3 of Policy Instruction 209 to reflect the language proposed in the Staff Report for this Agenda Item.

ATTACHMENTS: Current Policy Instruction 209.