

**COLORADO SPRINGS REGIONAL
JOINT LAND USE STUDY**

Joint Land Use Study Policy Committee

**Bylaws
and
Operating Procedures**

January 26, 2016

STATEMENT OF PRINCIPLES

- I. The Pikes Peak region is home to five military installations: Fort Carson, U.S. Air Force Academy, Peterson Air Force Base including Cheyenne Mountain Air Force Station, and Schriever Air Force Base. These installations also encompass North American Aerospace Defense Command, U.S. Northern Command, Air Force Space Command, U.S. Army Space & Missile Defense Command/Army Strategic Command, Missile Defense Integrated Operations Center, Joint Functional Component Command/Integrated Missile Defense, and The National Security Space Institute.
- II. The installations have a tremendous impact on the region's economy and culture. Together, the installations generate nearly 107,000 jobs and \$17.2 billion in economic activity within the local economy.
- III. Actions and decisions made by military installations, stakeholders and local governments have direct impacts on each other, and as the region has grown in population and geographic size, mutually-beneficial land use has become more challenging. Cooperation and coordination between the military, local jurisdictions, and stakeholders is essential to ensure that the way we use our land, air, and other shared resources will enhance the quality of life for residents and communities, while supporting the missions of each installation within our region.
- IV. The Colorado Springs Regional Joint Land Use Study will promote long-term land use compatibility among the installations and surrounding communities through the support of comprehensive community planning, particularly in regards to specific issues identified by the installations, local government staff and officials, and the community.
- V. Community development near the installations, in the vicinity of associated airspace, military training routes and military operation areas, can complement or compromise the utility and effectiveness of the installation and its mission. Local leaders recognize sustaining Colorado Springs Regional military operations contributes to the economic health of the State of Colorado.
- VI. Local leaders enter into this Joint Land Use Study committed to a fair and open process of examining community development issues around Fort Carson, U.S. Air Force Academy, Peterson Air Force Base including Cheyenne Mountain Air Force Station, and Schriever Air Force Base enhancing communication between the installation and the community, and consider implementing practical policies, programs and projects geared to sustaining or enhancing both the needs of the military and the public health, safety and quality of life in the affected communities and counties.
- VII. Local leaders also recognize, however, that any and all such practical policies, programs, or projects considered and/or adopted must be carefully designed to minimize and prevent any unnecessary impact or restriction upon sustaining and enhancing the

continuing community and economic development opportunities within the affected communities and counties because these opportunities are vital to preserving and protecting the public welfare.

- VIII. This Joint Land Use Study is entered into in good faith by each of the participating local governments primarily for informational and cooperative purposes. Participation shall not result in any loss of rights or remedies, nor be deemed a waiver by any participant of the same. Notwithstanding anything herein to the contrary, no participant and/or local government shall be deemed to be bound by, or otherwise to waive any objections to, any or all policies, programs, projects, or any other plans or regulations of any kind generated, promulgated, or adopted by this Joint Land Use Study, unless and until the governing body of such participant and/or local government has affirmatively agreed in writing to be bound thereby or to waive any such rights and/or remedies.

ARTICLE 1 - DEFINITIONS.

The following definitions shall apply to terms used in these Bylaws and Operating Procedures:

- A. **Encroachment.** Any deliberate action by any governmental or non-governmental entity or individual that does, or is likely to, inhibit, curtail, or impede current or future military activities within the installation complex/mission footprint; or deliberate military activity that is, or is likely to be, incompatible with the community's use of its resources and reasonable quality of life. (Source: Air Force Policy Directive (AFPD) 90-20, Encroachment Management)
- B. **Installation Complex.** The land, facilities, airspace and ranges which provide direct mission support to and /or are utilized by the installation. This includes a combination of land and facilities comprised of a main installation and its noncontiguous properties (auxiliary air fields, and annexes) that provide direct support to or are supported by that installation. Installation complexes may comprise two or more properties, e.g., a major installation, a minor installation, or a support site, each with its associated annex(es) or support property(ies).
- C. **Mission Footprint.** The installation complex plus any land, facilities, airspace and/or ranges which provide direct, routine support to the mission.
- D. **Compatible Use.** Uses of land, water or airspace by the military or others that can co-exist with minimal adverse effects. (Source: Air Force Policy Directive (AFPD) 90-20, Encroachment Management)
- E. **Joint Land Use Study.** The Colorado Springs Regional Joint Land Use Study is a Pikes Peak Area Council of Governments (PPACG) sponsored planning initiative soliciting the involvement of affected local governments, U.S. Forest Service, Federal Aviation Administration, Bureau of Land Management, State of Colorado Department of Military and

Veterans Affairs, CDOT and various community agencies, in partnership with Fort Carson, U.S. Air Force Academy, Peterson Air Force Base including Cheyenne Mountain Air Force Station, and Schriever Air Force Base, to plan and consider adopting various strategies promoting compatible civilian use adjacent to the installation and mission required airspace. The goal of the Joint Land Use Study is to promote and enhance civilian and military communication and collaboration, serve as a catalyst to sustain the military mission, promote public health, safety, quality of life, and promote the sustainment and enhancement of continuing community and economic development of the Colorado Springs region including the Counties of El Paso, Teller, Fremont and Pueblo.

F. Study Sponsor. The Pikes Peak Area Council of Governments is serving as the Study Sponsor for the Colorado Springs Regional Joint Land Use Study. The Study Sponsor is defined as the governmental entity that assumes the leadership role to undertake a Joint Land Use Study, serves as the Department of Defense Office of Economic Adjustment grantee, maintains accountability for grant activities and reporting requirements, serves as the contracting agent for consultant services, and performs coordinating activities related to the successful completion of the Joint Land Use Study.

ARTICLE 2 - ORGANIZATION.

The organization for the Joint Land Use Study shall consist of the JLUS Policy Committee, JLUS Technical Committee, and JLUS Working Group(s), as appointed by the JLUS Policy Committee. Any committees and working groups appointed by the Policy Committee shall reflect the geographic footprint of the JLUS study area. The Joint Land Use Study Sponsor shall appoint a JLUS Project Manager, JLUS Planner II and JLUS GIS Analyst to provide administrative support to the Committees and Working Group(s), and day-to-day interface with the consultant and Office of Economic Adjustment.

A. JLUS Policy Committee. The JLUS Policy Committee is comprised of representatives from local governments, the State of Colorado, U.S. Forest Service, Fort Carson, U.S. Air Force Academy, Peterson Air Force Base including Cheyenne Mountain Air Force Station, and Schriever Air Force Base. The JLUS Policy Committee is charged with providing overall project leadership, developing community development recommendations, performing public outreach events, and providing direction related to consultant activities. The JLUS Policy Committee shall serve as the executive forum for cooperative decision-making among local governments in close proximity to the installations' mission footprint.

B. JLUS Technical Committee. The JLUS Policy Committee shall establish the JLUS Technical Committee. The Committee shall consist of area community planners, military planners, technical and professional staff, and representatives from business and citizens' groups. The

Technical Committee is responsible for data collection, identifying and studying technical issues, evaluating alternatives, and developing recommendations for JLUS Policy Committee consideration. All members will be knowledgeable in the subject area and will provide local input.

C. JLUS Working Groups. The JLUS Policy Committee may choose to form JLUS Working Groups, as needed, to address specific issues identified throughout the planning process.

ARTICLE 3 - JLUS POLICY COMMITTEE.

The following rules shall govern the procedure, membership, and records of the JLUS Policy Committee.

A. Membership. The individual local governments represented on the JLUS Policy Committee shall be the Counties of El Paso, Teller, Fremont, and Pueblo and the Cities of Colorado Springs, Fountain and Pueblo and the Town of Monument. The State of Colorado will be represented by the Department of Military and Veteran Affairs. Other organizations include the Pikes Peak Area Council of Governments, Colorado Springs Regional Business Alliance, and Pueblo West Metropolitan District. Federal agency representatives include Fort Carson, U.S. Air Force Academy, Peterson Air Force Base including Cheyenne Mountain Air Force Station, Schriever Air Force Base, U.S. Forest Service and the Federal Aviation Administration.

B. Voting Member. To become a voting entity of the JLUS Policy Committee, the governing body of the member jurisdiction must acknowledge the JLUS process and assign representatives to the JLUS Policy Committee. Each local government member shall be entitled to cast one vote on all matters of the JLUS Policy Committee, by appointing a representative thereof to the JLUS Policy Committee for such purpose. No other members shall be voting members.

C. Ex-Officio Member. Non-voting Ex-Officio members of the JLUS Policy Committee shall include a representative from each installation described in Article 3(A) above, or any other members admitted to Ex-Officio Membership by the majority approval of the voting members.

D. Appointees. Voting representatives of voting entities shall be appointed by and serve at the pleasure of their appointing authority, county commissioners or city/town councils, which may appoint members from their jurisdiction, including whenever possible, elected officials and/or lead staff representatives to serve on the JLUS Policy Committee. City/Town councils and the commissioners may appoint members from their jurisdiction, including elected officials and/or lead staff representatives to serve on the JLUS Policy Committee. Appointees with the approval of their respective boards may appoint or delegate alternates to attend meetings for which they are not available and to vote in their place. Delegate appointments shall be

provided in writing to the Chair and the JLUS Project Manager prior to the start of the meeting whenever possible, or upon arrival if any such alternate or delegate arrives at any meeting already in progress.

E. Standards of Conduct. JLUS Policy Committee members (voting and non-voting) shall not:

1. appear before the JLUS Policy Committee while acting as an advocate for any other person, group, or business entity other than the primary member they represent;
2. knowingly use their position on the JLUS Policy Committee for their own private gain, or for the financial gain of their business;
3. engage in debate or vote on matters affecting a person, entity, or property in which that individual has a conflict of interest; or
4. accept or solicit any gift or favor that would tend to influence that individual in the discharge of official duties.

F. Attendance. Records of attendance of JLUS Policy Committee meetings shall be kept and presented as part of each meeting summary. Entities with members that have missed at least three consecutive meetings will be notified and the appointing bodies shall be asked to review the continued service of their representatives. JLUS Policy Committee members may record an excused absence if it is made known to the Chair prior to the beginning of the Committee meeting and it is related to the following: personal illness, family emergency, jury duty, business necessity, or fulfillment of obligation arising out of elected service. An excused absence will not be recorded as an absence.

G. Quorum. A majority of the actual voting membership of the committee [excluding vacant seats] shall constitute a quorum. A majority is more than half. The chair and vice chair, shall be considered a voting member of the committee in determining the number on which a majority is based and in counting the number of voting members present.

H. Officers. The JLUS Policy Committee shall elect a Chair and Vice Chair both of which must be voting members, and from different local government jurisdictions within the geographical footprint of the JLUS. The Chair shall preside over meetings of the JLUS Policy Committee. In the event that the Chair of the Policy Committee cannot continue to serve at any time during the term of election, the Vice Chair shall automatically become the Chair. A vacancy in the office of the Vice Chair shall be filled by the Policy Committee in the first meeting after the vacancy becomes known. In the event that the offices of Chair and Vice Chair both become vacant, new officers shall be elected at the next regularly-scheduled meeting of the Policy Committee with nominations from the floor.

I. Meeting Schedule. The Policy Committee shall hold at least one meeting quarterly, but shall meet as often as necessary for the purpose of transacting the business at hand. The Chair shall call the meeting and shall designate in the written notice of the meeting the business to be transacted or considered. No action shall be taken at any meeting unless such action is included in the written notice of such meeting. Meetings shall be held on the third Thursday of the month at 2:00 p.m., or as designated by the Committee, and will be hosted by PPACG and/or on a rotating basis by the voting entities if PPACG facilities are not available.

J. Open Meetings. Written notice of the meeting, accompanied by an agenda, shall be posted and mailed, e-mailed, or delivered at least five working days prior to any meeting. The Joint Land Use Study Sponsor shall designate the place of meetings except as designated by the Policy Committee. All Joint Land Use Study meetings including but not limited to all meetings of the Policy, Technical and/or Working Groups shall be held as open meetings as defined in Colorado Revised Statutes 24-72-201 to 24-72-309.

K. Meeting Summary. Summaries of the meetings shall be kept and shall be submitted to the members of the Policy Committee for approval. Meeting summaries from the Technical Committee will also be transmitted to the Policy Committee.

ARTICLE 4 - INTENT.

These Bylaws and Operating Procedures are intended to provide rules and procedures to assure the orderly function of the Colorado Springs Regional Joint Land Use Study.

ARTICLE 5 - ADOPTION.

These Bylaws and Operating Procedures shall be in full force and effect at such time as they have been approved by two-thirds vote of the Policy Committee at a meeting at which a quorum, as defined herein, is present.

ARTICLE 6 - REVISION.


These Bylaws and Operating Procedures may be revised by approval of two-thirds of the members of Policy Committee at a meeting at which a quorum, as defined herein, is present. Changes in the Bylaws must be presented at one regularly scheduled meeting and voted on at a following regularly scheduled meeting. The Policy Committee shall make no Bylaw change that has not been presented at a previous meeting. The Chair shall vote on Bylaw changes.

This document was prepared by Pikes Peak Area Council of Governments. The content reflects the views of PPACG and does not necessarily reflect the views of the Office of Economic Adjustment.

Duly adopted by the Colorado Springs Regional JLUS Policy Committee, this 25th day of February, 2016.

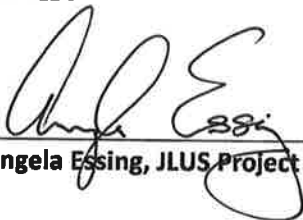


Commissioner Darryl Glenn, Chair, JLUS Policy Committee



Commissioner Tim Payne, Vice-Chair, JLUS Policy Committee

ATTEST



Angela Essing, JLUS Project Manager