

From: Larry Luckham [REDACTED]
Sent: Thursday, February 16, 2023 6:06 PM
To: Brenna Nurmi <Brenna.Nurmi@cityofsanrafael.org>
Subject: re: response to BCC Rules and Procedures...

Hello Lindsay –

I'm happy to respond to your request for comments on the proposed update to Boards, Commissions and Committees, Rules and Procedures.

First, I appreciate the City's desire to simplify and streamline the appointment process given the amount of staff time that goes into the ad hoc process that has generally been the rule. Of the options presented, and from a public perspective, I believe that the Semi-Annual Appointment process would be the best choice. The process of giving notice to the public of opportunities to serve as members of BCC's should occur often enough to become familiar to San Rafael citizens. The appointment and service should not become a long and drawn out process that would seem to diminish the importance of the office or result in the loss of interest in potential applicants.

Having said the above from a public perspective I believe that considerable weight should be given to reducing, where possible, the burden on Councilmembers' commitment to this function. From my own experience I'm well aware that volunteer efforts can easily grow into a considerable commitment of time and resources.

With respect to the proposed rules for BCC's, my response is going to be somewhat less specific. Besides the San Rafael Fire Commission where I currently serve as Chair and am about to be termed out next month, I have served on many committees for the City, and currently still serve on the MERA Citizens Oversight Committee at the county level. In my experience those various committees and working groups have functioned with varying degrees of formality depending on the role being served as well as the degree to which the City or agency desired to impose more formality. If I attempt to imagine how the proposed rules might have impacted the success of each of those I imagine more drawbacks than benefits. One distinction that I think makes a difference is whether the BCC is a permanent standing entity, or one created for a more limited scope. The Fire Commission, Library Board, or Planning Commission are probably amenable to a common set of rules whereas the Critical Facilities Committee, or Facilities Working Group would, in my opinion, not be. This may be a case where one size does not fit all.

I understand that you wanted comments specific to the proposed Rules so here I'll shift to the content therein. Chapter 2, Section 7 dealing with the appointment of Chair and Vice-Chair has a built-in conflict where 7.A. says "The Chair and Vice-Chair shall be appointed by a majority vote of the BCC membership at the last meeting of each calendar year, to serve for a one-year term. The Chair and Vice-Chair shall rotate among the Commissioners based on tenure..." If the Chair and Vice-Chair are determined by rotation there is no point for a vote. While I understand that rotating those offices is well-meaning in giving everyone a chance at leadership, not everyone wants to serve in those capacities. While I have both been appointed to Chair and elected as Chair, I have served with others who do not wish the responsibility. Generally those who volunteer to serve on BCC's are mature adults well capable of electing their leadership. I think this section would be better if it simply provided for the offices of a Chair and Vice-Chair to be elected, or reelected, to one-year terms by majority vote of the membership. I think that also eliminates the need for the sections on succession. Generally Robert's Rules provides for

who becomes the presiding officer in the absence of the Chair, and Vice-Chair which I believe, would be the appointment of a *chair pro-tem*.

I wish you the best in moving this forward.

Larry Luckham

From: Donna.McCusker@morganstanley.com <Donna.McCusker@morganstanley.com>
Sent: Thursday, February 16, 2023 6:40 PM
To: Distrib- City Clerk <city.clerk@cityofsanrafael.org>
Subject: feedback

Re: agenda item to the City Council on 2/21 pertaining to Boards and Commissions

I concur on this aspect addressed:

but only allowing our community 3 weeks to apply when we open application periods limits the amount of qualified people we could be reaching

I noticed in tdy's email re the San Rafael Fire Commission looking for applicants the initial deadline of 2/27! Yikes! Too short a timeline. Realize "subject to extension". Do hope it is extended to give time to recruit.

Application Deadline (subject to extension): February 27, 2023, or open until filled.

Donna McCusker
Senior Vice President
Portfolio Management Director

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Responsible Growth in Marin

February 20, 2023

San Rafael City Council
1400 Fifth Avenue
San Rafael, Ca 94901

Re: Proposed Rules and Procedures for San Rafael Boards, Commissions, and Committees

Dear Mayor Colin and Council Members,

Responsible Growth in Marin appreciates the efforts to streamline City administrative structure and support for volunteer boards, commissions, and committees that assist the City in carrying out its many functions. We have several substantial concerns regarding the proposed CBB rules and procedures, and we ask you to give consideration to the following issues in your discussion of these proposed rules and procedures.

1. BCC membership: It is very important that appointments to all boards, commissions, and committees include two Alternate Members who will attend meetings and serve in a voting capacity in the absence of a full BCC member, as specified in Chapter 2.4. This is critical to allow BCCs to function effectively with adequate diversity of points of view and expertise. This is particularly important, given the recent reduction in the number of members of some BCCs and gaps caused BCC members to resign. The City will benefit from maintaining full quorums on advisory BCCs in between cycles of appointments.
2. Semi-Annual Appointments are Preferable to Annual Appointment, allowing for quicker filling of vacancies due to unexpected resignations.
3. Appointment Process: The staff report (page 2) and Chapter 6.C.i. states “If the City Clerk receives a high volume of applications, the City Clerk will provide the Mayor or their designee, and/or the Council Liaison with the applications, and they will select the applicants to be interviewed by the City Council, in collaboration with the Staff Liaison.” We strongly believe that this policy lacks transparency and is both un-democratic and unwise. Giving one or two elected officials the power to decide which public applicants are allowed to proceed through the interview process (and to state their case for why they should be allowed to serve on a BCC) is both unwelcoming to public participation (which San Rafael claims is a high priority) and an invitation to introduce bias into the selection process. With the interviewing process being streamlined to a semi-annual (or annual) occurrence and with adequate alternates in place to fill unexpected vacancies, it should be possible to interview all new applicants who apply without undue burden and to make appointment selections from the full roster of applicants. We also endorse that San Rafael’s current method of public interviews for BCCs which make recommendations with strong public impacts, such as the Planning Commission and the Design Review Board. Interviews for these important decision-making bodies should be transparent

and should not be delegated to a council member and staff member. Chapters 6.C.i. and 6.D. should be deleted and replaced by a more equitable and transparent procedure.

4. Similarly, on Page 3, the staff report states “The benefits to the semi-annual appointment model [are that] ... staff could more quickly fill unexpired terms from unexpected vacancies due to resignation.” We believe that appointments, even interim appointments, are the purview of the City Council and should not be delegated to City Staff. This description of staff duties clearly conflicts with Chapter 6.F.iii. and this delegation of appointment power to staff should be deleted.
5. Chapter 4.10. (Agenda Item Submission) needs to be clarified to note that agenda items can be requested by both BCC members and the public and that such requests are addressed in the agenda. There have been instances of agenda items being restricted by staff despite requests from BCC members and the public. (Most recently, the Planning Commission study session on the Northgate Town Square project was limited to four items chosen by the staff, despite requests by Commissioners and the public for discussion of other project aspects). Agenda requests need to be part of public record for all BCCs, even if the requests are not included on the agenda.
6. Finally, Chapter 2.6.A. needs to be clarified. It states “Additionally, the Mayor may act in the acting role of the Council Liaison for each BCC.” It is not clear what is the intent of this provision. It is obviously beyond the scope Mayor’s duties to act as a Council Liaison to all the BCCs. Will the mayor act as a temporary substitute for a Council Liaison, an additional Liaison, or a permanent Liaison (with all the Liaison responsibilities)? To how many and which BCC(s) will the Mayor act as a Council Liaison? How will this be decided? We suggest a more practical process that an alternate council member (not the Mayor) act as acting Council Liaison.

Thank you for your consideration of these issues. We look forward to hearing your deliberations on these policy decisions.

Sincerely,
Grace Geraghty, Executive Director
David Smith, President
info@rgmaring.org