



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk’s Office

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: 

TOPIC: PICKLEWEED ADVISORY COMMITTEE

SUBJECT: RESOLUTION ADOPTING NEW BYLAWS OF THE PICKLEWEED ADVISORY COMMITTEE AND APPOINTING MYDUNG NGUYEN AS AN ALTERNATE MEMBER TO THE END OF OCTOBER 2027 ON THE PICKLEWEED ADVISORY COMMITTEE

RECOMMENDATION:

Adopt a resolution adopting new bylaws for the Pickleweed Advisory Committee; and appointing Mydung Nguyen as an Alternate Member to the end of October 2027 to the Pickleweed Advisory Committee.

BACKGROUND:

In 1982, the Pickleweed Advisory Board was created through the Joint Use Agreement between the City and the Canal Community Alliance. The Agreement was amended in 1984, 1992, and 1997, but the Board remained constant as an advisory body charged with making recommendations regarding the now-Albert J. Boro Community Center facility and Pickleweed Park’s use, programs, and policies. In 2006, the Agreement was terminated, and the City Council approved new “Community Use Policies” for the management of the then-Pickleweed Park Community Center as well as a set of “Guidelines and Policy” for governance of the Pickleweed Advisory Board. In 2019, the City Council adopted a resolution changing the name of the Pickleweed Advisory Board to the Pickleweed Advisory Committee and adopted new bylaws for Committee governance. In 2021, the City Council adopted a resolution approving new bylaws for the Committee governance to increase its membership from five to seven members due to the increased interest in civic participation and leadership among Canal residents.

In 2022, the City Clerk’s office amended bylaws for all board, commission, and committees (BCCs), and removed limitations on the number of Alternate Members each BCC may have to allow for flexibility for the City Council to appoint more Alternate Members, as needed. The Pickleweed Advisory Committee was not included in this round of updates because it had been recently amended to the recommended template. Staff recommends adopting new bylaws to bring the Pickleweed Advisory Committee bylaws to uniformity with our other BCCs.

On October 16, 2023, the City Council held interviews for the Pickleweed Advisory Committee and appointed Darlin Ruiz to serve as the Alternate Member on the Pickleweed Advisory Committee. The City Council was interested in appointing Mydung Nguyen as the Second Alternate Member but were unable to make the appointment because the Bylaws clearly state the Committee shall have one

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

Alternate Member. The City Council provided feedback to staff expressing a desire to remove the limitation of having only one Alternate Member on the Committee.

ANALYSIS:

Bylaws

When the Bylaws were amended in 2019, they indicated the Pickleweed Advisory Committee would have one (1) Alternate Member and included other sections in the Bylaws that are now covered in the Boards, Commissions, Committees Rules & Procedures document, adopted in 2023. Staff recommend adopting new bylaws to allow the City Council to appoint any number of Alternate Members, using the BCC Rules & Procedures guidelines of having a first and second Alternate that rotates annually. In addition to the administrative updates to the Bylaws.

Appointment

On October 16, 2023, the City Council held interviews for the appointment of an Alternate Member on the Pickleweed Advisory Committee. Darlin Ruiz was appointed to serve as the Alternate Member, but the City Council recommended the subsequent appointment of Mydung Nguyen at a future City Council meeting and recommended bringing an item reviewing the Bylaws for the Pickleweed Advisory Committee. Staff recommends that Mydung Nguyen be appointed as the 2nd Alternate Member to the Pickleweed Advisory Committee.

COMMUNITY OUTREACH:

As stated in the current bylaws, "All proposed amendments to the Bylaws shall be made available to the membership at least ten (10) days prior to the meeting at which the City Council will vote on the proposed changes." Current Pickleweed Advisory Committee members were therefore sent the proposed draft bylaws and have been notified of the meeting date in which the City Council will consider adopting the proposed change.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

RECOMMENDED ACTION:

Adopt a resolution adopting new bylaws for the Pickleweed Advisory Committee; and appointing Mydung Nguyen as an Alternate Member to the end of October 2027 to the Pickleweed Advisory Committee.

ATTACHMENTS:

1. Resolution
2. Exhibit A to Resolution: Pickleweed Advisory Committee Bylaws
3. Mydung Nguyen Application

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
ADOPTING NEW BYLAWS OF THE PICKLEWEED ADVISORY COMMITTEE**

WHEREAS, by Resolution No. 11884 the City Council approved policy changes on February 6, 2006 allowing for increased community use at the Albert J. Boro Community Center (formerly known as the Pickleweed Park Community Center) for little or no charge; and

WHEREAS, the results of those changes created a more vital and inclusive community center by allowing valuable new programs and services to use the space and support needed to best serve the Canal neighborhood and its residents; and

WHEREAS, by Resolution No. 12003 adopted July 17, 2006, the City Council established a Pickleweed Advisory Board under new "Guidelines and Policy" to assist staff with the review and implementation of the Community Center's Use Policies and Procedures; and

WHEREAS, by Resolution No. 14727 adopted October 7, 2019, the City Council expanded and amended the Pickleweed Advisory Board Guidelines and Policy by renaming the Board the "Pickleweed Advisory Committee" and adopting new bylaws; and

WHEREAS, by Resolution No. 14901 adopted April 19, 2021, the City Council amended the Pickleweed Advisory Committee Composition by changing its membership from five to seven members and one (1) Alternate Member and adopting new bylaws; and

WHEREAS, the City Council wishes to expand the Pickleweed Advisory Committee to meet community interest and representation by adopting revised Pickleweed Advisory Committee Bylaws set forth in Exhibit A attached and incorporated herein;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts the City of San Rafael Pickleweed Advisory Committee Bylaws as set forth in Exhibit A.

I, **LINDSAY LARA**, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 6th day of November 2023, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

EXHIBIT A: PICKLEWEED ADVISORY COMMITTEE BYLAWS

PICKLEWEED ADVISORY COMMITTEE BYLAWS

ARTICLE I. NAME AND PURPOSE

Section 1.1. Name. The name of this body shall be the City of San Rafael Pickleweed Advisory Committee, hereinafter referred to as the "Pickleweed Advisory Committee," or the "Committee."

Section 1.2. Purpose. The Pickleweed Advisory Committee provides valuable input in representing and advocating for Canal area resident's needs and wishes for programs and services; and is a primary public networking resource between the Canal residents, representatives from governmental and non-profit agencies, and others. The Pickleweed Advisory Committee works in conjunction with the City of San Rafael.

Section 1.3. Committee Responsibility. The Pickleweed Advisory Committee's responsibilities shall be in accord with these Bylaws, as amended from time-to-time by the City Council. The Pickleweed Advisory Committee's authority is advisory only. The Pickleweed Advisory Committee has no power to act on behalf of the City of San Rafael or any other entity.

The duties of the Pickleweed Advisory Committee shall include the following:

1. The Advisory Committee shall be responsible for advising the Park and Recreation Commission, City Council and City Staff on all matters pertaining to the facilities, programs and services of the Albert J. Boro Community Center and Pickleweed Park;
2. As needed, make recommendations on policies and procedures governing the use of the Albert J. Boro Community Center and Pickleweed Park in accordance with the mission of the City of San Rafael;
3. Assist the City with reviewing and evaluating "Use Agreements for Co-Sponsored Programming" at the Albert J. Boro Community Center and Pickleweed Community Park;
4. Promote the use and support of the Albert J. Boro Community Center and Pickleweed Park within Canal area neighborhood, including working in cooperation with citizen and business organizations, foundations, school districts and other governmental agencies.
5. The Committee shall have no authority to direct, nor shall it direct, City staff, officials or volunteers;

~~**Section 1.4. Brown Act.** All meetings of the Pickleweed Advisory Committee shall be open and public, and all persons shall be permitted to attend any meeting of the Pickleweed Advisory Committee, except as otherwise provided in Government Code Section 54952.~~

ARTICLE II. MEMBERSHIP

Section 2.1. Number of Members. The Pickleweed Advisory Committee shall consist of a total of ten (10) members as follows: seven (7) voting members, ~~one (1) alternate member~~, one (1) non-voting representative from the Park and Recreation Commission and one (1) non-voting City staff member who will act as the Committee Chairperson. The City Council has the authority to appoint alternates as needed. The City staff member will typically be the Albert J. Boro site supervisor, but in all instances shall be appointed by the City Manager.

Section 2.2. Eligibility. The Committee shall be composed of seven (7) regular voting members which may include up to two (2) youth members, and the City Council has the authority to appoint alternates as needed, plus one (1) alternate member. Each shall have the same duties and responsibilities and shall consist of the following:

1. Members of the Committee shall be at least 18 years of age, except for the youth members who shall be a minimum age of a high school 9th grade student
2. At least six (6) regular voting members of the Committee shall reside within the Canal neighborhood
3. One (1) member of the Committee must be a City of San Rafael resident but may reside outside of the Canal neighborhood.

Section 2.34. Appointment of Committee Members. With exception of the representative of the Park and Recreation Commission and City staff, all other regular voting members and alternate member(s) shall be appointed by the City Council. Appointments shall be published on the website for the City of San Rafael in accordance with Government Code Section 54973, as amended from time to time. The representative from the Park and Recreation Commission will be selected by the Park and Recreation Commission on an annual basis.

Section 2.45. Terms of Appointment. With exception of the representative from the Park and Recreation Commission, each Committee Member shall serve a term of four (4) years. An effort will be made to ensure that the terms are staggered, and not all of the appointments expire in the same year.~~member shall serve a minimum term of four (4) years but not more than two consecutive terms. However, if there is a vacancy on the Committee, the City Council has the authority to extend a current Committee member's term at their discretion. Members may also reapply to Committee following an absence of at least one term. An effort will be made to ensure that the terms are staggered, and not all of the appointments expire in the same year. A Committee member whose term is expiring should notify the Chairperson at least thirty (30) days before the end of his/her term whether he/she wishes to continue his/her membership.~~

The representative from the Park and Recreation Commission shall serve a term of one (1) year, but not more than two consecutive terms. However, if there is a vacancy, the Park and Recreation Commission has the authority to extend the current representative's term at their discretion.

Section 2.5. Term Limits. Committee Members shall be limited to two (2) consecutive four-year terms. Additional terms may be served if there is a break between terms.

~~**Section 2.6. Resignation.** All resignations from the Pickleweed Advisory Committee shall be submitted in writing to the Chairperson. The resigning Committee member should provide as much notice as possible.~~

~~**Section 2.67. Absence and Removal.** An unexcused absence from two (2) consecutive Commission meetings without notification to the Staff Liaison shall be considered a voluntary resignation from the Commission. Previously dismissed Commissioners may be eligible for reappointment to the Commission. Commissioners shall be subject to removal by the affirmative vote of three members of the city council. Attendance at any regularly scheduled meeting is a necessary part of being an effective Committee member. If a member is unable to attend a regularly scheduled meeting, the member should notify the Chairperson at least twenty-four (24) hours in advance of a regularly scheduled meeting to have an excused absence. An unexcused absence from two (2) consecutive Pickleweed Advisory Committee meetings without notification to the Chairperson, or six absences (whether excused or unexcused) in any term, shall result in immediate removal from membership on the Committee. Previously dismissed Committee members may be eligible for reappointment to the Committee in accordance with Section 2.4.~~

~~**Section 2.8. Vacancies.** Vacancies, no matter how arising, shall be published on the website for the City of San Rafael in accordance with Government Code Section 54973, as amended from time to time.~~

Section 2.9. Compensation. Committee members serve without compensation.

~~**Section 2.10. Duties of the Chairperson.** The Chairperson shall preside over all Pickleweed Advisory Committee meetings and shall be responsible for preparing agendas and meeting minutes. If the Chairperson is unable to attend a regularly scheduled meeting, the regularly scheduled meeting shall be cancelled and resumed at the next regularly scheduled meeting.~~

ARTICLE III. MEETINGS

Section 3.1. Time and date of Regular Meeting. Notification of meeting place, date, and time shall be rendered to the public through posting on the City of San Rafael website. A minimum of five (5) meetings shall be scheduled annually, on a consistent day of the month; the schedule for the upcoming year will be set by November of the previous year; staff will contact the Committee one week prior to scheduled meetings to determine if a quorum will be present; lack of quorum will result in the cancellation of the scheduled meeting.

~~**Section 3.2. Agenda.** Items may be placed on the agenda by the Chairperson or at the request of a member if approved by the Chairperson. The Chairperson will be responsible for preparing an agenda item cover sheet and for the initial presentation at the meeting. Items to be included on the agenda should be submitted to the Chairperson~~

~~no later than two weeks before the scheduled Committee meeting; lack of agenda items will result in the cancellation of the scheduled meeting. Agenda packets for regular meetings will be provided to the Committee members at least three (3) business days before the scheduled meeting.~~

~~**Section 3.3. Special Meetings.** Special meetings may be called by the Chairperson.~~

~~**Section 3.4. Quorum.** Four (4) voting members of the Committee shall constitute a quorum for the transaction of business at any regular or special meeting of the Pickleweed Advisory Committee.~~

~~**Section 3.5. Voting.** A majority vote of those present and constituting a quorum shall be required to agree to any business of the Committee, including making any input that will be presented to the City Council, City Manager or Library and Recreation Director provided that any Committee member who abstains due to a legal conflict of interest shall not be counted in determining the existence of a quorum or a majority vote.~~

~~The Alternate Member serves only in the absence of a voting member. When a voting Committee member is absent from a regularly scheduled meeting, the Chair shall call upon an alternate to be seated at the table to participate in a voting role at the meeting. If a regular voting Committee member arrives subsequently, that person shall not participate as a voting member.~~

~~**Section 3.6. Public Participation.** All meetings of the Pickleweed Advisory Committee shall be open to the public. Meetings will be accessible to all, with accommodations for accessibility issues made upon request. Any person who disrupts the meeting may be asked to leave and be removed.~~

~~**ARTICLE IV. ADOPTION AND AMENDMENT**~~

~~**Section 4.1. Effective Date.** The Bylaws shall become effective immediately upon a majority vote of approval by the City Council.~~

~~**Section 4.2. Amendments.** These Bylaws may be amended by majority vote of the City Council at any regular meeting of the City Council. All proposed amendments to the Bylaws shall be made available to the membership at least ten (10) days prior to the meeting at which the City Council will vote on the proposed changes. The effective date of the amendment shall become effective immediately upon a majority vote of approval by the City Council.~~

#40

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 20, 2023 11:09:28 PM
Last Modified: Thursday, September 21, 2023 12:03:58 AM
Time Spent: 00:54:30
IP Address: 24.6.234.161

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Q1

Contact Information / Información del contacto

First and Last Name / Nombre y Apellido	MyDung
Address / Dirección	[REDACTED]
City / Ciudad	San Rafael
State / estado	CA
ZIP/Postal Code / Código postal	94901
Email Address / Dirección de correo electrónico	[REDACTED]
Phone Number / Número de teléfono	[REDACTED]

Q2

District 4/Northern / Distrito 4/Norte

What district do you currently live in? ¿En qué distrito vive actualmente?

Q3

How long have you lived in San Rafael?

10 Years +

Q4

Respondent skipped this question

Business Information

Q5

Other (please specify):

How did you hear about this vacant position?

FLYER

Q6

What Board would you like to apply to? ¿A cuál te gustaría aplicar?

**Marin Commission on Aging,
Marin County Hazardous & Solid Waste Management
JPA Local Task Force Advisory Member
,
Pickleweed Advisory Committee,
Police Accountability Advisory Committee**

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Q10

Do you participate in any civic activities? If so, what are they?

No

Q11

List any civic organizations of which you are a member:

N/A

Q12

Education:

HS Diplomas, College degree, AS degree in Medical Assistant

Q13

Why are you interested in serving on a board or commission?

Because I concern the living in community

Q14

Describe possible areas in which you may have a conflict of interest with the City:

N/A

Q15

Respondent skipped this question

Upload your resume.

Page 5: Demographics / Datos demográficos

