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From: Jeff Greenfield <jeffg13@gmail.com>
Sent: Monday, June 21, 2021 8:58 AM
To: Council, City
Subject: Comments re: Board and Commission Term Limits and Appointments (Item 18, 6/21/21))

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Dear City Councilmembers,

I am the Vice Chair of the Parks and Recreation Commission, but I am writing to you on my own behalf regarding the proposed Ordinance Establishing Board and Commission Term Limits and Consolidating Appointments to April 1st of Each Year.

I support the term start date change from March 15th to April 1st. I have a number of specific comments re: the proposed ordinance update as follows. Unfortunately, I feel there are some gaps in the ordinance put forward by staff with problematic consequences, so I recommend this item be pulled from the consent calendar to improve the language.

<#1> As a policy adding term limits is implemented, clarity regarding service dates used to measure a term is needed. What is the actual "start of service date" used for both the max term timing and the gap in service after terming out? This shouldn't be the date someone is voted in - i.e. the appointment date. This should be either April 1st or the date someone is sworn in. How to determine the start of service needs to be clarified.

<#2> *2.16.070 Schedule of appointments.*

(a) The City Council shall review applications to fill vacancies in the following boards and commissions in April of each year.

>> This language is ambiguous - it is not clear what is specified to occur in April of each year.

- The wording readily suggests that "the review of applications" is specified to occur in April of each year, which is not the intent.
- The focus here is to specify when new appointments occur. Accordingly, it doesn't seem pertinent to specify or when applications should be reviewed. Consider simply specifying the date when new terms will commence.
- The term start date will be April 1st. Rather than specifying "April of each year", why not be more clear by including the April 1 date in the updated language.
- This clause specifically applies to "expiring term vacancies", so it would improve clarity to note this.
- Consider new wording such as: "To fill expiring term vacancies in the following boards and commissions, the City Council shall review applications and make appointments for new terms commencing on April 1st."

<#3> *2.16.070 Schedule of appointments.*

(b) The City Council shall fill vacancies in all other boards and commissions in April of each year, or at another time, at its discretion.

>> This clause no longer applies since there are no longer "other" boards or commissions. (a) applies to regularly scheduled appointments for expiring terms, and (c) applies to partial-term appointments for vacated appointments. There will no longer be any boards or commissions with "other" (i.e. "out-of-cycle") regularly scheduled appointments, so I suggest that this clause should be omitted.

<#4> 2.16.080 Term limits.

(d) A member who has served three consecutive terms of office (or two consecutive terms of office for the Planning and Transportation Commission) shall not be appointed to the same board or commission within one year of the last date of service.

>> This seems to mandate one year between the last date of service and a "re-appointment" date to the same board or commission, instead of a one year gap between the last date of service and effective new start of service date. If the appointment date is in fact the date on which City Council votes to appoint someone back on to a board or commission, then the wording of this clause will not have the intended effect. Instead, this could result in a gap of two years between the end and start of service following an expiring term.

<#5> The proposed plan to extend current BBC terms by 3-1/2 or 10 months to align with the new April 1 term start date, will result in service for some current appointees being limited to less than 9 (or 8) years, whereas this would not have been the case if the term were not extended. This will impact some commissioners or board members who were initially appointed to partial terms of less than 1-1/2 (or 2) years. This will also impact SWMOC members who were initially appointed to 2-year terms when the committee began service in September 2017. For example, under the proposed ordinance, "original" SWMOC members with terms currently ending in 2023 would be termed out on 3/31/24 after serving for ~6 years, 8 months.

Thank you for your consideration.

Jeff Greenfield