



Patrick Horn <phorn@pescaderocouncil.org>

Cure and Correct - Complaint about PMAC

Patrick Horn <phorn@pescaderocouncil.org>

Thu, Jun 27, 2024 at 3:33 PM

To: tfox@smcgov.org

Cc: Kathleen Moazed <kmoazed@smcgov.org>, Gina Quiney <gquiney@smcgov.org>, Ray Mueller <rmueller@smcgov.org>

Dear Mr. Fox,

I serve on the Pescadero Municipal Advisory Council (PMAC), and I am writing to express my serious concern about the misrepresentation of Council business by two members to the Board of Supervisors on June 25, 2024, which resulted in the approval of a Resolution that was substantially different from the proposal unanimously endorsed by the Council during our June 11 business meeting.

PMAC has faced criticism due to its appointment-based composition since the last election in 2000. Mr. Skinner, for instance, was *appointed* in 2008 and has exceeded the standard twelve-year term limit for boards and commissions, as per records from the County Clerk's office. Especially because in the coming term there will be serious questions of land and water use, infrastructure, housing and safety, a suggestion was made that a reduction in the size of the Council from thirteen to five members would result in competitive elections necessary for a credible Advisory Council accountable to constituents, and this change might be accomplished through the amendment of our bylaws, which are due for review this year. Our chairman Mark Wallace asked for guidance from the County in this process, and District Supervisor Ray Mueller proposed a Resolution for a ballot measure putting the question of reforming the body directly to the voters who would elect five representatives if the ballot measure is approved. An item for elections was listed in our agenda, announced on social media, and the Council received the Resolution in advance by email to review and prepare for discussion. After oral presentation by the supervisor and deliberation by the Council and public comments, with confirmation from the County attorney present that the Council could vote to support the Resolution, the Council *unanimously endorsed* the Resolution for a ballot measure to reduce the size of the Council to five with elections. I lauded this as the "rebirth of democracy" in Pescadero.

The Board of Supervisors was then misinformed by two PMAC members during the June 25th meeting that four (of the current six) Council members subsequently agreed that the Resolution should ask for a body of seven members, not five, but there was never any official discussion or decision by the Council about this change to the Resolution. Any alleged and unverified agreement that differs from the Council's unanimous support for the original Resolution during our business meeting is likely in violation of the Brown Act, and the Resolution as passed by the Board with changes not recommended by the Council is problematic and deeply troubling.

I have heard from residents and seen dozens of posts online criticising the lack of elections for the Council, and the original Resolution for a ballot measure (as unanimously endorsed by the Council for the Board of Supervisors during our regular business meeting) appropriately puts the question to the voters of reducing the size of the Council to a threshold of competitive races and an election of members. The substantive change of the Resolution after misrepresentation of Council business by members possibly in violation of the Brown Act is a serious concern that requires quick remedy. Thank you for your prompt attention.

Sincerely,
Patrick Horn, D.Div
650-535-8909