



Rancho Santa Fe Association Board of Directors

Director's Report – Request for Board Action

Date: June 14, 2022

By: Bill Weber, President

Item: Updating and Clarifying the Art Juror Appointment Process

Background / Discussion:

As described in Paragraphs 55 and 56 of the Protective Covenant, the prescribed process for selecting members of the Art Jury is very simple:

1. Candidates/nominees must be members [of the Association];
2. A list of nominees is presented to the President by the Board from which he appoints members of the Art Jury;
3. The list of nominees must contain two names in excess of the number of appointments;
4. If the President fails for 90 days to make the appointment(s), the Art Jury President will make them.

Resolution 2017-111 was adopted to provide additional guidance for the Art Jury selection process with the intent of improving consistency in the process. It is the latest iteration in an evolution of Art Jury nomination and appointment policy embodied in a series of resolutions over the last several decades. Recent experience suggests that the nomination and appointment process can benefit from additional clarification and specificity.

The attachment is a draft of a proposed resolution to replace Resolution 2017-111. The intent of the changes is to facilitate future nominations by simplifying the language and providing more specifics regarding the interview and nominating process. The changes simplify the structure and provide more detail for those procedures that were not clearly specified in the current resolution.:

1. Factors that should be used in determining whether a candidate is qualified to be forwarded to the President as a Nominee have been removed to a separate document (*Appendix B: Factors to be Considered for Art Jury Service*) to be used by the interviewing subcommittee. Note that the only requirement for Art Jury service specified in the Protective Covenant is that the Art Juror must be a member of the Association.

2. The five major steps in the appointment process have been clearly identified, sequenced, and described as follows:
 - a. **Noticing**
Describes the timing and processes for regular and mid-year nominations
 - b. **Self-nomination**
Describes the timing for submittal of the Self-Nomination Form and brief biography
 - c. **Candidate interviews**
Describes the appointment of the interviewing subcommittee and the timing of the interviews, who may participate in the interviews, and the factors that should be considered in determining which candidates should be presented to the President as nominees These “qualifying factors” have been removed as firm requirements and identified in a separate Appendix B.
 - d. **Presentation of the Nominees to the President**
Specifies who presents the Nominees to the President, and when.
 - e. **Appointment of the Art Jury members**
Specifies that the President announce the appointment(s) in Open Session after having consulted the Art Jury President. Also specifies that the President may extend the search and appointment process for up to 90 days

Fiscal Impact:

None

Recommendation:

Post the proposed Resolution 2022-XXX for review and comment.



REVISED POLICY:

Rancho Santa Fe Association Board of Directors

RESOLUTION #2022-XXX

Dated: June 14, 2022

**RESOLUTION FOR
POLICY FOR THE NOMINATION, INTERVIEW AND APPOINTMENT
OF MEMBERS TO THE ART JURY**

WHEREAS the Board of the Rancho Santa Fe Association (the "Board") intends to adopt certain policies for the nomination, interview, and appointment process for members of the Art Jury.

NOW, THEREFORE, BE IT RESOLVED that the process leading to the appointment of Art Juror(s) shall consist of the following steps (1-5) and conditional definitions (6-7):

1. **NOTICES** The Manager of the Rancho Santa Fe Association (the "Manager") shall notice pending vacancies on the Art Jury as follows:
 - a. Vacancies for the upcoming calendar year, shall be noticed at the first regular meeting of the Board in August of each year.
 - b. Mid-term vacancies shall be noticed at the regular meeting of the Board following the vacancy, either pending or actual. Mid-term vacancies may be created by the resignation or removal of an Art Jury member or otherwise,

The Manager may further notice any vacancies by use of mailings, email communications, website postings and other means as he or she deems necessary.

2. **SELF-NOMINATION** Prospective Art Jury members shall be provided with the *Prospective Juror Self-Nomination Form* (Appendix A). The self-nomination form and a brief biography or resumé shall be submitted to the Manager by October 15.
3. **CANDIDATE INTERVIEWS** At the October Board meeting, a subcommittee of up to three Board members shall be appointed to represent the Board in interviewing all prospective candidates and determining which candidates will be forwarded to the President as Nominees. Such subcommittee shall include, as a minimum, the President and the Art Jury Liaison. The interviews are conducted in November and shall abide by the following process:
 - a. The interviews will be conducted by the subcommittee in closed meetings. The President may invite the Art Jury President and the Building Commissioner to observe the interviews and answer questions.
 - b. At the beginning of the interview, each candidate will be expected to

address the questions listed in the *Prospective Juror Self-Nomination Form*.

- c. During the interview, in determining whether the candidate qualifies for nomination, the subcommittee should consider, at a minimum, those factors listed in Appendix B: *Factors to Be Considered for Art Jury Service*.
4. **PRESENTATION OF NOMINEES** In Executive Session at the first regular meeting of the Board in December, the Art Jury Liaison, shall on behalf of the Board, present to the President a list of nominees for three-year appointments, in accordance with paragraph 55 of the Covenant.
5. **APPOINTMENT OF ART JURY MEMBER(S)** The President shall, in Open Session, appoint members to the Art Jury from that list of nominees, in accordance with paragraphs 55 and 56 of the Covenant. Prior to making the appointment(s), the President shall consult with the President of the Art Jury, in accordance with Section 3 of Article V of the Bylaws and may also consult with the Building Commissioner. If for any reason, the President is unable make the required appointment(s) at the December meeting, he or she may, in accordance with paragraph 56 of the Protective Covenant elect to extend the above search and appointment process for up to 90 days.
6. **FAILURE BY THE PRESIDENT TO APPOINT** If the President does not make an appointment within 90 days, the Art Jury President shall make the appointment in accordance with Paragraph 56 of the Protective Covenant.
7. **MID-TERM VACANCIES** Procedures similar to those outlined in Paragraphs 1 – 5 above shall be followed for a mid-term vacancy, except the Manager shall set the timetable for nominations, interviews, and appointment(s).

RESOLUTION 2017-111 SUPERCEDED IN ITS ENTIRETY This Policy supersedes in its entirety Resolution 2017-111 "Resolution for Policy For The Nomination, Interview And Appointment Process For Members To The Covenant Design Review Committee (Also Known As The "Art Jury").

I hereby certify that the foregoing Resolution was adopted by the Board of Directors of the Rancho Santa Fe Association at a regular meeting duly called and held on June 14, 2022.

Date: _____ 2022

Christy Whalen
Secretary, Rancho Santa Fe Association

Appendix A



RANCHO SANTA FE ASSOCIATION Art Jury Self-Nomination Form

Name: _____

Email: _____

Residence Address: _____

Mailing Address: _____

Phone Number _____

The Governing Documents define the requirements for projects within the Covenant and provide the Art Jury with its authority. To what extent are you familiar with the following documents? (These documents are available at rsfassociation.org and can be provided to you if you do not already have them.)

Protective Covenant, Article III: _____

Residential Design Guidelines: _____

Regulatory Code: _____

How long have you been a Member of the Association? _____

Do you reside in this community for at least nine months of the year?	Yes	No
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Are you willing and able to commit to a full three-year term (or the remainder of an unexpired term, if applicable)?	Yes	No
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Do have any projects currently before the Art Jury?	Yes	No
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Do you plan to bring any projects to the Art Jury during your term?	Yes	No
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Appendix A

Have you attended or participated in any Art Jury meetings? If so, when? Yes No

If yes, when: _____

Do you have any professional experience that may be applicable to the Art Jury? Yes No

If yes, explain: _____

Are you involved in any local business activities that may be considered a conflict of interest?	Yes	No
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If yes, explain: _____

Why do you want to serve on the Art Jury?

Appendix B

FACTORS TO BE CONSIDERED FOR ART JURY SERVICE

In determining a candidate's qualifications for service on the Art Jury, the subcommittee should consider:

1. **Residency:** The candidate should meet, as a minimum, the same residency requirements as specified for Directors of the Association in Section 3a of Article IV of the Association Bylaws. Generally, the candidate:
 - a. Must have a twenty-five percent ownership in a Building Site,
 - b. Must be at least eighteen years old,
 - c. Should have been a resident at a Building Site for at least one year (preferably several years) immediately prior to the nomination, and
 - d. Shall remain a resident at a Building Site and a member in good standing during his or her tenure.

In this context, a "resident at a Building Site" is a member who actually resides at a Building Site for a period of not less than nine months in any calendar year, without regard to temporary absence due to vacation or to conditions at the residence making it unsuitable for occupancy. The Association may rely upon the designation of an individual with respect to the place of such individual's residence. For a more specific definition of residency, refer to Section 3a of Article IV of the Association Bylaws,

2. **Pending Projects:** The candidate should have no current or pending projects with the Art Jury involving the construction of a new building or enlargement of an existing building.
3. **Governing Documents:** The candidate should have reviewed the RSF Governing Documents, including: the Rancho Santa Fe Protective Covenant (the "Covenant"), the Residential Design Guidelines.
4. **Art Jury Responsibilities:** The candidate should understand the respective roles of the Art Jury and Building Department, and the Art Jury's responsibility for protecting and maintaining our community's traditional architectural integrity and pastoral ambience.
5. **Art Jury Process:** Prior to being interviewed for the position by the Board of Directors, the candidate should have attended at least one complete meeting of the Art Jury to observe the Art Jury process and to understand the required commitment.
6. **Commitment:** The candidate must be willing and able to serve a three-year term (or the remainder of an unexpired term).
7. **Conflict of Interest:** The candidate should have no business activities that present a conflict of interest in appearance or in fact.
8. **Relevant Experience:** Relevant professional experience with architecture, building and/or construction may be considered as a potential asset while serving on the Art Jury.