



## Town of Atherton

### CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GEORGE RODERICKS, CITY MANAGER  
THERESA DELLASANTA, ASSISTANT TO THE CITY MANAGER**

**DATE: JULY 16, 2014**

**SUBJECT: AMEND RESOLUTION 14-05 TO ADD A COUNCIL MEMBER LIAISON  
TO THE PARK & RECREATION COMMISSION AND APPROVE THE  
MAYOR’S SELECTED APPOINTMENTS**

#### RECOMMENDATION

1. Adopt the attached amendment to Resolution 14-05 adding a City Council Liaison to the Parks and Recreation Commission and amending the title of the Commission to Committee.
2. Approve the Mayor’s selected appointments as liaisons.

#### BACKGROUND | DISCUSSION

The City Council approved resolution 14-05 establishes rules for governing committees and commissions. The Resolution includes rules for Council representatives to the committees and commissions:

*City Council representatives and any alternates on committees are selected by the Mayor and approved by the City Council to serve a one (1) year term. Appointed City Council Members and City Council Member Alternates shall serve as liaisons to Committees and Commissions; but shall not serve as voting members to Committees and Commissions. Alternates participate on committees in the absence of the appointed Council Members. For each Committee or Commission, unless otherwise directed by the City Council, one City Council member shall be appointed as a primary liaison and one as an alternate.*

Currently, the Resolution prescribes that there is at least one Council Member liaison to all committees and commissions covered by the Resolution, except the Park & Recreation Commission. Staff is recommending the following changes:

- 1) Change the Parks & Recreation Commission to the Parks & Recreation Committee.

The Town has a Planning Commission regulated by local and state law. As a “Commission” it takes final action and acts in a quasi-judiciary manner with respect to land use decisions. Bodies are called commissions when they have the ability to make such final decisions. A committee, on the other hand, is seen as advisory. All of the bodies governed under the Resolution are advisory. Staff recommends that the Parks & Recreation Commission be retitled as the Parks & Recreation Committee.

- 2) Add a City Council Liaison (and alternate) to the Parks & Recreation Committee.

City Council liaisons provide the committees with a link to the City Council for policy and vision. Councilmembers serving as liaisons can interact with the committee members to help provide guidance in a direction consistent with the whole Council’s direction, policy, and vision. Staff recommends adding a Council liaison to the Parks & Recreation Committee.

- 3) Eliminate all references to Commission within the Resolution.

For consistency, staff recommends eliminating all references to “commissions” in the Resolution.

#### **FISCAL IMPACT**

None.

#### **ATTACHMENT**

Amended Resolution 14-05

**RESOLUTION 14-05**  
**RESCINDS RESOLUTION 13-08**  
**A Resolution of the City Council of the Town of Atherton Establishing and**  
**Governing Town Committees**  
**Revised July 16, 2014**

The City Council of the Town of Atherton hereby resolves as follows:

**Section 1. Establishment of Committees**

The following committees are established for the Town of Atherton:

1. Audit/Finance Committee
2. Community Center Advisory Committee
3. Environmental Programs Committee
4. Park and Recreation Committee
5. Rail Committee
6. Transportation Committee

**Section 2. Committee Principles and Rules of Procedure**

Principles: All committees shall follow the City Council Rules of Procedure, the Atherton Municipal Code and the provisions of the California Open Public Meeting Law (Brown Act).

The responsibility and accountability for all work necessary to efficiently and cost effectively carry out the advisory functions of each committee shall rest exclusively with the Chairman or Council Member assigned to the committee.

A Town Department is assigned to each Committee. Each Department Manager is responsible for providing the necessary staff (in the most cost effective manner) to prepare for, and attend committee meetings. This includes but is not limited to creating an agenda and agenda packet, taking minutes and conducting follow up from meetings.

Committee Procedures for *placing items on Council agenda*:

1. Committee Action: Any formal recommendation to Council taken by a Committee shall be placed on a City Council agenda within the next two regular meetings.

The City Clerk has overall responsibility for posting committee agendas.

Advocate: Collectively, members of committees are encouraged to advocate positions to the City Council on matters under the purview of their committee. Otherwise, no committee or any of its members shall represent itself or themselves as speaking on behalf of the Town, City Council, and/or committee without prior approval of the City Council. Statements of previously approved City Council policy may be made without additional City Council approval. When there is a

question a committee member shall consult the City Attorney for advice. Members of committees may attend meetings of other committees and the City Council; however, members shall not present opinions of their own committee at such meeting unless the position is previously approved by their committee. A quorum of a committee may attend such a meeting, but they may not discuss among themselves Town business, including making comments that would amount to a discussion of the matter under consideration by a quorum of their own committee.

Educational Materials: Committees may provide approved educational materials to the public regarding the functions and actions of the committee, but shall not engage in advocating to the public any particular position which is contrary to City Council policy. Any educational materials sent to the public shall be approved by the City Manager, and shall follow the Towns procurement process. It shall be the City Manager's discretion on whether or not the educational materials need Council approval beforehand.

Meetings: Changes in the dates or time of meetings from the established schedule may be made by majority vote of the committee.

Minutes: All committees shall prepare action minutes. *Action* minutes shall be presented to the City Clerk within 7 days following the meeting or as soon as feasible if there is a reason not to produce them within that timeframe. Finalized minutes should be sent electronically to the City Clerk for posting, *after* the Committee has approved them. The City Clerk will share appropriate information received from the minutes with the City Manager and City Council.

Reports: An annual report shall be created and approved by the Committee and provided to the City Manager, City Clerk and City Council of committee activities for the preceding year.

Special Meetings: The Chair or a majority of the Committee may call a special meeting at any time in accordance with the Brown Act.

Website: Any website created for a Committee by the Town should be incorporated in the Town's website. Websites need to be developed in accordance with the "advocate" section of this resolution.

### **Section 3: Appointment of Voting Members to Committees**

Appointment: Members other than City Council Members shall be appointed following recruitment process set forth by the City Clerk and approved by the City Council. All appointed members shall be registered voters in the Town. Members shall serve at the pleasure of the City Council, or until the expiration of their terms set out below. Vacancies in any committee arising from any reason, including expiration of term, shall be filled by temporary appointment of the City Council, or by annual recruitment. The Committee Chairperson or staff assigned shall notify the City Clerk of resignations and vacancies. Each Committee which cannot fill at least 50% of its seats shall be postponed until the Town can recruit at least a quorum (50%+1). During that time, Council shall continually recruit qualified individuals and town staff shall continue to advertise periodically.

Term expiration dates shall end on June 30<sup>th</sup>. Appointed committee members shall serve no more than two full consecutive terms on the committee to which they are appointed. A member may be reappointed to the committee following a minimum two (2) year hiatus. However, if a seat is vacant and no one applies, City Council may grant an exemption.

City Council representatives and any alternates on committees are selected by the Mayor and approved by the City Council to serve a one (1) year term. Appointed City Council Members and City Council Member Alternates shall serve as liaisons to Committees; but shall not serve as voting members to Committees. Alternates participate on committees in the absence of the appointed Council Members. For each Committee, unless otherwise directed by the City Council, one City Council member shall be appointed as a primary liaison and one as an alternate. Members shall coordinate attendance to ensure appropriate representation.

Members who intend to be absent from a meeting shall alert the chairperson and/or staff person assigned. The Chairperson shall state during the meeting, under roll call whether the member is excused (notification was given) or absent (no notification was given). Unexcused absences of members, other than City Council Members, from two or more consecutively scheduled meetings shall result in the automatic vacation of the member's office. The staff person assigned to the Committee shall work with the Chairperson to alert the City Clerk of consecutive absences. The City Clerk shall alert the City Manager who shall decide how to inform City Council. City Council has the authority to override this rule based on the information received.

Chairperson and Staff: Each committee shall have a Chairperson. The Committee shall select its Chair on an annual basis in July. Council Members shall not serve as Chair or Vice Chair of Committees. The Department assigned to the committee shall have the authority to appoint staff member(s) to serve Town committees. Any requests by a committee for staff work, information, or assistance from Town staff shall be made to the City Manager.

#### **Section 4: Funding for Committees**

In the event funding for committees is desired, a budget shall be prepared and presented to the City Council for review and approval as part of the Town's regular budget process. The committee shall follow the guidelines set forth by the purchasing policy approved by City Council through Ordinance 595 and any expenditure policies developed and approved by the City Council. No Committee member shall use his or her own personal credit card. For items under \$150 a committee member may request a cash advance and then come back to the Town with itemized receipts. For items over \$150, a committee member shall complete a check request from the Town or have the Town purchase the goods/services.

#### **Section 5: Committee Composition, Powers and Duties**

##### **1. Audit/Finance Committee**

The Audit/Finance Committee shall have the following powers and duties.

Act in an advisory capacity to:

- a. Make recommendations to the City Council upon request in all matters pertaining to Town finances;
- b. Consult with the City Manager on matters pertaining to the budget, capital spending plan and the long range financial plan for the Town;
- c. Act in an advisory capacity and make recommendations to the City Council upon request in all matters pertaining to the Town's annual audit;
- d. Provide oversight of the annual audit and present and explain the audit to the City Council with recommendations as to acceptance;
- e. Advise City Council regarding appointment of outside auditors for annual audit;
- f. Review proposed audit scope with outside auditors prior to commencement of annual audit.

The Audit/Finance Committee shall have the following composition and terms:

Consists of two (2) Council Members and five (5) appointed, qualified resident members. Two terms shall be for one year and three terms shall be for two (2) years. Thereafter terms shall be for two (2) years ending on June 30th. The committee meets on an as needed basis typically in the Council Chambers or the Town Administrative Conference room. Pursuant to Council action on June 20, 2012 the Committee shall establish a regular schedule of meetings.

The Finance Department is assigned overall responsibility of the Audit/Finance Committee.

## **2. Civic Center Advisory Committee (CCAC)**

### **1. Civic Center Advisory Committee (CCAC)**

The Civic Center Advisory Committee (CCAC) shall have the following powers and duties. Act in an advisory capacity to:

- a. Work with staff in finalizing the master planning process by identifying key issues that need to be addressed.
- b. Work with staff to solicit feedback through tools such as surveys, community gatherings, and workshops to disseminate information regarding the key issues and questions involved in the new Civic Center.
- c. Engage in public outreach to solicit substantive feedback and opinions on the Civic Center project. Support staff with updates for the Town website and periodic updates for residents.
- d. The CCAC may form Ad Hoc Subcommittees and/or host community workshops to involve a broader base of residents for the purposes of information gathering on specific issues, thus creating more community involvement and more in-depth visioning.

- e. Once the Council adopts a Master Plan, the CCAC will continue to work with staff through the design phase, to include coordination of public outreach, collection of resident input, and providing feedback on the design..
- f. Assist staff, as appropriate, in the review and recommendation of project professionals, to include, but not limited to environmental consultants, design professionals, project management professionals, and project contractor.
- g. Once the Civic Center Project is underway, the CCAC will continue to work with staff, as appropriate, to provide feedback on project priorities and direction.
- h. Assist staff and the City Council with the identification and development of donor recognition opportunities throughout the project.
- i. Assist in discussion about the short-term improvements needed for the Library and Town Center facilities.

The Civic Center Advisory Committee consists of up to seven (7) members plus two liaison City Council members. The Committee is setup for specific purposes listed above and when the purposes are accomplished the Committee will disband. The Civic Center Project consists of the Town's Administrative Offices, Police Department, Public Works, Building and Planning Departments, Council Chambers, Library, community meeting rooms and associated outdoor facilities. The Committee meets on the second Monday of each month at 4:30 p.m. in the Council Chambers or the Town Administrative Conference Room.

### **3. Environmental Programs Committee.**

The Environmental Programs Committee shall have the following powers and duties.

Act in an advisory capacity to:

- a. Make recommendations (programmatic and legislative) to the City Council upon request on all matters pertaining to the Town's natural and built environment and the Town's regional role and responsibilities as one of the communities on the San Francisco Bay Peninsula.
- b. Create pro-active community engagement programs for residents, commercial and public enterprises active within the Town's jurisdiction for presentation to and consideration and approval by, the City Council.

The Environmental Programs Committee consists of a minimum of six (6) members including one (1) Council Member liaison and five (5) residents of the Town. The term of office shall be as follows: Appointed members shall be appointed to four-year terms. Thereafter, each term of office shall be four (4) years. The committee meets quarterly on the first Wednesday of the month at 10:00 a.m. in the Conference Room of the Town Administrative Offices unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

The Planning Department is assigned overall responsibility of the Environmental Programs Committee.

#### **4. Park and Recreation Committee.**

The Park and Recreation Committee shall have the following powers and duties.

Act in an advisory capacity to:

- a. Make recommendations to the City Council upon request in all matters pertaining to parks and public recreation and to cooperate with other governmental agencies and public and private groups in the advancement of park and recreation planning and programming;
- b. Develop and maintain a master plan for parks within the Town and, annually, in the month of April, present a report to the City Council;
- c. Review the annual budget for parks and recreation during the process of its preparation and make recommendations with respect thereto to the City Council. This includes recommendations regarding the setting of fees. The budget should contain estimates and recommendations for such long-term capital outlay projects as may be necessary to provide for orderly development of park and recreation areas, buildings and facilities;
- d. Study and make recommendations on the acquisition and development of recreation areas, activities and facilities such as playgrounds, buildings, parks, open space and other centers of recreation;
- e. Assist Town staff in the planning of recreation programs for the community.

The Park and Recreation Committee consists of seven (7) appointed members and one (1) Council Member liaison. Of the appointed members, one member shall be a representative of the Holbrook-Palmer Park Foundation and one member shall be a representative of the Atherton Dames. Each of the foregoing representatives shall serve a term of two (2) years. Terms shall be staggered so that the term of office for two (2) members shall be four (4) years, and the term of office for the remaining members shall be four (4) years. Thereafter, each term of office shall be four (4) years. The Park and Recreation Committee meets on the first Wednesday of each month at 6:30 p.m. in Holbrook-Palmer Park unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

The Public Works Department is assigned overall responsibility of the Park & Recreation Committee.

#### **5. Rail Committee.**

The Atherton Rail Committee shall have the following powers and duties.

Act in an advisory capacity to:

- a. Advise the City Council on all matters pertaining to High Speed Rail (HSR), the Rail Corridor and Caltrain.

- b. With the assistance of appropriate Town staff, research and address specific impacts HSR and other rail infrastructure and services may have on the Rail Corridor and the Town.
- c. Perform active outreach and cooperative efforts with groups and organizations opposing HSR.
- d. Rail Committee members are authorized to act as spokespersons to articulate and advocate the Town's Rail Related Policy Positions as they pertain to Rail Committee matters to legislatures, HSR and Caltrain board of directors, regional organizations, press and other interested parties.

The Atherton Rail Committee shall have the following composition and terms:

Consists of eleven (11) members including one (1) Council Member liaison and up to ten (10) appointed members. There are no term expirations for Rail Committee members. The committee meets on the first Tuesday of every other month at 6:00 p.m. in the Council Chambers. There are no term expirations.

Additionally, by action of approval of this Resolution the City Council approves Exhibit A titled, "Rail Related Policy Positions."

The Public Works Department is assigned overall authority of the Rail Committee.

#### **6. Transportation Committee.**

The Transportation Committee shall have the following powers and duties.

Act in an advisory capacity to:

- a. Make recommendations to the City Council upon request in all matters pertaining to transportation within the Town.

The Transportation Committee consists of six (6) members including one (1) Council Members liaison and five (5) appointed members. The term of office shall be four (4) years.

The committee meets on the second Tuesday of every other month at 6:00 p.m. in the Council Chambers unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

The Police Department shall have overall responsibility of the Transportation Committee. The Chief of Police will coordinate with the Public Works Department when public works staff is needed.

#### **Section 6: Advice.**

Appointed members of committees are encouraged to seek advice from Town staff when they are uncertain of the foregoing rules.

This Resolution shall be effective immediately upon adoption. All previous resolutions governing Town committees and commissions including Resolution No. 13-08 are hereby superseded and rescinded on April 16, 2014.

*I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 16th day of July, 2014, by the following vote.*

AYES:	Council Members:	NOES:	Council Members:
ABSENT:	Council Members:		
ABSTAIN:	Council Members:		

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Cary Wiest, Mayor  
Town of Atherton

ATTEST:

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Theresa DellaSanta, City Clerk

APPROVED AS TO FORM:

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William B. Conners, City Attorney