

ORDINANCE NO. 2023-___

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING LOS ALTOS MUNICIPAL CODE CHAPTER 2.08 AND CHAPTER
2.12 PERTAINING TO CITY COMMISSIONS GENERALLY AND THE
HISTORICAL COMMISSION**

WHEREAS, the City of Los Altos has guidelines for the 11 Commissions regarding their scope of work, number of Commissioners, and frequency of Commission meetings within Los Altos Municipal Code Sections 2.08 and 2.12; and

WHEREAS, during the City Council retreat on February 21, 2023, the Council received a presentation from staff highlighting that Los Altos, when compared to other cities in the county, has more Commissions, with more members, that meet more frequently than is average; and

WHEREAS, the City Council discussed each of the commissions during the Study Session on March 28, 2023 and provided direction, feedback, or general thoughts; and

WHEREAS, during the regular City Council meeting on April 25, 2023, City Council provided direction to City staff on the proposed changes; and

WHEREAS, this ordinance will amend Los Altos Municipal Code Sections 2.08 and 2 regarding the guidelines for commissions; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Chapter 2.08 of the Los Altos Municipal Code is hereby amended to read as follows:

2.08.010 Creation of commissions.

There are hereby established the following commissions in the city, with the following regular voting members:

- A. Complete streets commission: Seven (7) members
- AB. Environmental commission: Seven (7) members;
- BC. Financial commission: Seven (7) members;
- CD. Historical commission: ~~Seven~~ Five (5) members;
- DE. Library commission: ~~Seven~~ Five (5) members;
- EF. Parks, arts, recreation and cultural ~~and recreation~~ commission: Seven (7) members;

- ~~FG.~~ Planning and transportation commission: Seven (7) members;
- ~~G.~~ Design review commission: Five members;
- H. Youth commission: Eleven (11) members; from school grades seven nine (9) through twelve (12); and
- I. Senior Commission: Seven (7) members, age fifty-five (55) or older. Exceptions may be made for individuals with special skills which may benefit seniors; and
- ~~J.~~ Public arts commission: Seven members; and
- ~~K.~~ Bicycle and pedestrian advisory commission: Seven members.

2.08.020 Membership.

- A. All voting members shall be appointed by the council, with the following exceptions:
 - 1. ~~Five~~ Four (4) members of the library commission shall be appointed by the council and one (1) member ~~two members~~ of the library commission shall be appointed by the Town of Los Altos Hills city council; and
 - 2. Five (5) members of the senior commission shall be appointed by the council and two (2) members of the senior commission shall be appointed by the Town of Los Altos Hills City Council.
- B. All voting commissioners shall be residents of the city, except that:
 - 1. ~~Three~~ One (1) voting members of the library commission need not be a residents;
 - 2. ~~Two~~ One (1) voting members of the historical commission need not be a residents provided the criteria of Section 2.12.010 are met; and
 - 3. Two (2) voting members of the senior commission need not be residents.

2.08.030 Terms, appointments, and vacancies.

- A. Commissioners, with the exception of senior and youth commissioners, shall serve for a term of four (4) years and may be reappointed to one additional four-year term. Terms shall be staggered and expire on the last day of ~~March~~ September. A commissioner shall be appointed by a majority vote of the Council and may be removed prior to the expiration of his or her term by a majority vote of the Council, and such removal may be with or without cause.
- B. Senior commissioners shall serve two-year terms with incumbents eligible to serve a total of four (4), two-year terms, in addition to an unexpired term. Terms shall be staggered and expire on the last day of ~~March~~ September.
- C. Youth commissioners shall be appointed from school grades seven nine (9) through twelve (12) and shall serve two-year terms with incumbents eligible to reapply for appointment for terms through and including their senior year. Terms shall be staggered and expire on June 30th. The city council's youth commission interview committee shall interview commission applicants and recommend appointments.
- D. Except for Senior and Youth Commissioners, ~~a~~A commissioner appointed to fill an unexpired term may be eligible for reappointment to an additional two (2) terms.
- E. The two-term limit shall apply to consecutive terms only. After a lapse of two (2) years, a former commissioner may reapply for an appointment to any commission desired as a new applicant. The two-year lapse between appointments shall apply

only to service on one commission. Upon leaving one commission, an individual may apply for an appointment to any other commission at any time.

- F. Appointments to each commission shall be made as terms expire or when unanticipated vacancies occur.
- G. Vacancies on any commission shall be filled by a majority vote of the council, except that the Town of Los Altos Hills City Council may fill ~~two vacancies~~ one vacancy on the library commission and two vacancies on the senior commission. An individual appointed to fill a vacancy prior to the expiration of the term for which his or her predecessor was appointed shall serve for such unexpired term.

2.08.040 Compensation

Commissioners shall serve without compensation. The council may approve ~~payment~~ reimbursement to commissioners of expenses incurred by them in their official capacity.

2.08.050 Organization

Annually, each commission shall elect one of its members as chair and one as vice-chair, each to serve a one-year term. Each commission shall provide the time, place, and manner for holding regular and special meetings. A majority of the authorized membership of a commission shall constitute a quorum of that commission. All meetings of the commission as a whole, or any standing subcommittees, shall be open to the public and noticed in accordance with ~~the California "Ralph M. Brown Act."~~ State law.

2.08.060 Meetings

Each commission shall establish a regular meeting day and time and shall hold meetings as listed. All Commissions shall not hold regular meetings during the months of July and December.

- A. Complete Streets Commission: once monthly
- B. Environmental Commission: once monthly
- C. Financial Commission: twice quarterly
- D. Historical Commission: once quarterly
- E. Library Commission: every other month
- F. Parks, arts, recreation and cultural commission: once monthly
- G. Planning Commission: twice monthly
- H. Senior Commission: once monthly
- I. Youth Commission: once monthly

Any regular meeting may be cancelled in accordance with State Law.

2.08.0670 Powers and duties of the planning commission.

The planning commission shall have those powers and duties given it by the State Planning Act (Title 7 of Chapter 3 of the Government Code of the state, commencing with Section 65100), as amended from time to time, and such other powers as granted it by the other provisions of this Municipal Code, or as may be entrusted to it by the council from time to time, and shall submit an annual report to the council.

2.08.0870 Powers and duties of the library commission.

- ~~A. The library commission shall; act in an advisory capacity to the council in all matters pertaining to the city library, shall cooperate with other governmental agencies and civic groups in the promotion of adequate and efficient library service to the citizens of the community, shall make budget recommendations to the council with regard to the library, and shall submit an annual report to the council.~~
- A. Serve as the principal liaison between the City Council of Los Altos and Los Altos Hills and the Santa Clara County Library District, and the various community entities that help to fund the library branches, including, but not limited to, the North County Library Authority, the Los Altos Library Endowment and the Friends of the Los Altos Library;
- B. Review the Los Altos Library programs, services and facilities, and make recommendations to the Council, the City Manager and/or County and Community Librarians as appropriate, for additions or modifications thereof;
- C. Conduct community outreach regarding the library facilities, programs and services, and report back to the Council and/or the County and Community Librarians as appropriate;
- D. Perform such other tasks as may be expressly requested of it by the City Council;
- E. Serve as a forum for community input and engagement;
- F. Submit an annual report to the Council; and
- G. Perform other tasks and duties as assigned by the Council.

2.08.0980 Powers and duties of the parks, art, and recreation and cultural commission.

~~The parks, art, and recreation and cultural commission shall; act in an advisory capacity to the council in all matters pertaining to parks and public recreation and shall cooperate with all other governmental agencies and civic groups in the advancement of sound parks and recreational planning and programming, shall make budget recommendations to the council with regard to parks and recreation, and shall submit an annual report to the council.~~

- A. Submit an annual report to the City Council providing an update on the direction and changes to parks and recreation facilities and infrastructure, and park, art, recreation and cultural programs and activities;
- B. Review and advise on programs, activities and resources designed to provide for, regulate and direct the future growth and development of parks facilities and recreation programming;

- C. Manage the public outdoor sculpture loan program. The commission will conduct sculpture searches, evaluate and recommend sculptures, identify sculpture locations and work with staff on placement and maintenance of sculptures;
- D. Annually review the inventory of art in public places and advise the city in matters pertaining to the maintenance, placement, alteration, sale, transfer, ownership and acceptance or refusal of donations of art in public places;
- E. Serve as a forum for community input and engagement; and
- F. Perform other tasks and duties as assigned by the Council.

2.08.090100 Powers and duties of the historical commission.

The historical commission shall have those powers and duties granted it by Section 2.12.030 of the Los Altos Municipal Code and/or as may be entrusted to it by the council from time to time and shall submit an annual report to the council.

2.08.1100 Powers and duties of the youth commission.

The youth commission shall act in an advisory capacity to the city council on matters relating to youth interests, youth concerns, and the need for outreach services. The city council's youth commission interview committee shall interview commission applicants and recommend appointments.

~~**2.08.110 Powers and duties of the design review commission.**~~

~~The design review commission shall have those powers and duties granted it by other provisions of this Municipal Code, or as may be entrusted to it by the council from time to time, and shall submit an annual report to the council.~~

2.08.120 Powers and duties of the environmental commission.

- ~~A. The commission shall have those powers and duties entrusted to it by the council from time to time, and shall submit an annual report to the council. The environmental commission studies and makes recommendations to council on issues that affect the natural and built environment in the city and the region. Additional duties include special projects as directed by the council.~~
- A. Submit an annual report to council providing an update on the implementation of the Climate Action and Adaptation Plan (CAAP) as well as updates on any relevant environmental policy or programs;
- B. Review and provide recommendations for the implementation of the CAAP, including prioritization of CAAP action items. Make annual recommendations for changes or updates to the Plan;
- C. Annually provide recommendations to the council that affect the natural and built environment to inform policy, budget, and CIP prioritization;
- D. Serve as a forum for community input and engagement; and
- E. Perform other tasks and duties as assigned by the Council.

2.08.130 Powers and duties of the financial commission.

The commission shall have those powers and duties entrusted to it by the council including:

- A. Annual review of the investment policy;
- B. Annual review of independent financial audit;
- C. Review of auditor selection process;
- D. Review of financial projections and assumptions. This especially relates to review of revenue projections provided in the annual mid-year report which are used biennially as the basis for the service and financial plan;
- E. Special projects as directed by the council, city manager or finance director; and
- F. Submission of an annual report to the council.

The financial commission provides resident input to the council and staff regarding financial policy issues, and promotes resident participation and understanding regarding the financial condition of the city.

2.08.140 Powers and duties of the senior commission.

The joint Los Altos/Los Altos Hills senior commission shall act in an advisory capacity to the council in all matters relating to senior interests and concerns, shall make recommendations aimed at improving the life of seniors, and shall submit an annual report to the council.

~~**2.08.150 Powers and duties of the public arts commission.**~~

- ~~A. The public arts commission shall act in an advisory capacity to the council in all matters pertaining to public arts programs sponsored by the city. It shall take an active role in bringing about public awareness of the visual arts as well as in the definition, execution and promotion of those programs which include, but are not limited to, exhibition of sculpture, paintings, photography, video and other visual arts. The commission shall submit an annual report to the council.~~
- ~~B. The primary focus of the commission is the public outdoor sculpture loan program. The commission will conduct sculpture searches, evaluate and recommend sculptures, identify sculpture locations and work with city staff on placement and maintenance of sculptures. The commission will also assist the city with ensuring that all conditions and agreements are being met. In addition, the commission will promote artists' works through media exposure of the sculpture program.~~

2.08.1560 Powers and duties of the complete streets commission.

The Complete Streets Commissions shall:

- A. Submit an annual report to council providing an update on the implementation of the Complete Streets Master Plan (CSMP) as well as an update on any relevant transportation policy or programs;
- B. Review and advise on the implementation of the projects outlined in the CSMP;
- C. Annually provide recommendations to the council on transportation-related priorities to inform policy, budget, and CIP prioritization;
- D. Serve as a forum for community input and engagement; and
- E. Perform other tasks and duties as assigned by the Council.

~~Help to create multi-modal transportation solutions and policies that enable safe, attractive, comfortable and independent access and travel for pedestrians, bicyclists, transit users, and motorists of all ages and abilities, including connectivity across jurisdictional boundaries.~~

- ~~• Shall advise the council on existing and proposed city policies related to traffic calming and traffic enforcement.~~
- ~~• Shall advise the council on projects and budget priorities for transportation-related capital improvements.~~
- ~~• Provide for community engagement and serve as a conduit for community input.~~

2.08.1670 Role of staff liaison.

The city manager, or his/her designee, shall appoint an individual to serve as liaison to each commission. The role of the staff liaison is to assist the commission in carrying out its responsibilities. Duties of the staff liaison shall include attending all meetings of the commission, preparing agendas in collaboration with the chair, ensuring agendas and reports are posted in compliance with state law and city protocols, researching and preparing reports for the commission, as is consistent with the work plan and/or council direction, preparing action minutes for approval by the commission, preparing reports from the commission to the council, serving as the liaison between the commission and other city staff, communicating directions from the city council to the commission, and staying apprised of new laws and city protocols related to their assigned commission or commissions generally.

2.08.170 Contract authority.

No commission shall have the power or authority to authorize the expenditure of city funds or to bind the city to any written or implied contract.

2.08.180 Adherence to City policies

Unless otherwise provided herein, Commissioners shall be bound by all City policies, including the Commission Handbook.

SECTION 2. AMENDMENT OF CODE: Chapter 2.12 of the Los Altos Municipal Code is hereby amended to read as follows:

2.12.010 Creation – Qualification and residency of members.

A historical commission consisting of ~~seven~~ five (5) unpaid members, with the following qualifications, shall be appointed by the city council:

- A. ~~Two~~ One (1) members who, by reason of training and experience, ~~are~~ is (1) knowledgeable in the field of construction and structural rehabilitation, such as a licensed architect, engineer or contractor; or (2) social/architectural historian, archeologist and/or urban planner. Such members must either reside or have a place of business within the city; provided, however, with the approval of the city council, any such members who does not maintain an office within the city may reside within the geographic area covered by the 94022 and 94024 U.S. Postal Service zip codes.
- B. ~~Five~~ Four (4) members appointed at large having demonstrated interest in preservation of the historic resources within the city. Such members must be residents of the city.
- C. The original appointment of members of the commission shall be as provided in Section 2.08.030 of this title.

The term of office of members of the commission shall be as provided in Section 2.08.030 of this title.

2.12.020 Organization.

- A. The commission shall elect annually, ~~on or before January 31st,~~ one of its members to serve in the office of chair~~man~~, and may elect such other officers from among its members as designated in its charter. Should a mid-year vacancy in any office occur, the commission shall elect a replacement officer at the next regular or noticed special meeting to serve until the next annual election of officers.
- B. The city manager, or his/her designee, shall appoint an individual to serve as liaison to each commission. The role of the staff liaison is to assist the commission in carrying out its responsibilities. Duties of the staff liaison shall include attending all meetings of the commission, preparing agendas in collaboration with the chair, ensuring agendas and reports are posted in compliance with state law and city protocols, researching and preparing reports for the commission, as is consistent with the work plan and/or council direction, preparing action minutes for approval by the commission, preparing reports from the commission to the council, serving as the liaison between the commission and other city staff, communicating directions from the city council to the commission, and staying apprised of new laws and city protocols related to their assigned commission or commissions generally. The planning director or her/his authorized representative shall act as secretary for the historical commission, shall be the custodian of its records, shall conduct official correspondence, and shall generally supervise the clerical and technical work performed at the request or on behalf of the historical commission.
- C. The historical commission shall meet quarterly~~monthly~~, or more frequently upon call of the chair~~man~~ or commission staff liaison, as necessary. All meetings shall be

open to the public and a public record shall be kept of all commission proceedings and actions.

A majority of commissioners shall constitute a quorum, with the chairman having a vote. The city council shall prescribe rules and regulations for the conduct of its business, thereafter, giving the powers and authority to perform the duties hereinafter enumerated.

2.12.030 Powers and duties.

The historical commission shall be advisory only. It shall advise the city council, the planning commission and the agencies and departments of the city. The historical commission shall establish liaison and work in conjunction with such authorities to implement the purposes of this chapter. The historical commission shall have the following powers and duties:

- A. ~~Work with staff to review and make recommendations on changes to~~ Conduct, or cause to be conducted, a comprehensive survey of properties within the boundaries of the city for the purpose of establishing the historic resources inventory. To qualify for inclusion in the historic resources inventory, a property must satisfy the criteria listed in this chapter. The inventory shall be publicized and periodically updated, and a copy thereof shall be kept on file in the planning department;
- B. Recommend to the city council specific proposals for designation as an historic landmark or historic district;
- C. Recommend to the appropriate city agencies or departments, projects and action programs for the recognition, conservation, ~~enhancement~~ and use of the city's historic resources, including standards to be followed with respect to any applications for permits to construct, change, alter, remodel, remove or otherwise affect such resources;
- D. Review and comment upon existing or proposed ordinances, plans or policies of the city as they relate to historic resources;
- E. Review and comment upon all applications for building demolition ~~or grading permits~~ involving work to be performed upon or within a designated historic landmark ~~or historic district~~, and all applications for tentative map approval, rezoning, building site approval, use permit, variance approval, design review or other approval pertaining to or significantly affecting any historic resource. ~~The commission's comments shall be forwarded to the city agency or department processing the application within thirty (30) days after receiving the request for such comments;~~
- F. ~~Investigate and report to the city council on the availability of federal, state, county, local or private funding sources or programs for the rehabilitation and preservation of historic resources;~~
- G. ~~Cooperate with county, state and federal governments and with private organizations in the pursuit of the objectives of historical preservation, with the approval of and at the direction of the city council;~~

- ~~HF~~. Provide resource information on the restoration, alteration, decoration, landscaping or maintenance of any cultural resource including the landmark, landmark site, historic district, or neighboring property within public view and promote and conduct public information and educational programs pertaining to those resources;
- ~~IG~~. Submit an annual report to the City Council providing an update on the additions and deletions from the Historic Resources Inventory; ~~Participate in, promote and conduct public information and educational programs pertaining to historic resources;~~
- ~~JH~~. Perform such other functions as may be delegated to it by resolution or motion of the city council;
- ~~KI~~. Cooperate with the association of the Los Altos historical museum;
- ~~LJ~~. Submit an annual ~~report~~ work plan to the city council; and
- ~~MK~~. Review and make its recommendation to the planning director on all permit applications pursuant to Article 3, Sections 12.44.100 through 12.44.170.

SECTION 3. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 4. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 5. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on May 23, 2023 and was thereafter, at a regular meeting held on June 13, 2023 passed and adopted by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

Sally Meadows, MAYOR

Attest:

Melissa Thurman, MMC
 CITY CLERK