



## AGENDA REPORT SUMMARY

**Meeting Date:** February 21, 2023

**Subject:** Discussion on Los Altos Commissions

**Approved by:** Gabriel Engeland, City Manager

**Attachment(s):**

1. City Council Discussion on Commissions
2. Powers and Duties of Commissions
3. Resolution 2015-09

**Initiated by:**

City Council.

**Previous Council Consideration:**

None

**Fiscal Impact:**

None

**Environmental Review:**

Not applicable.

**Policy Question(s) for Council Consideration:**

- Does the Los Altos City Council wish to change how Commission work plans are submitted and approved?
- Does the City Council wish to change the frequency of Commission meetings, the number of Commissioners on Commissions, and/or the total number of Commissions so they are based on the specific duties assigned by the City Council and the annual work plan?
- Does the Los Altos City Council wish to amend the Commission handbook, which was last update prior to the Covid pandemic, to conform to Council direction and expectations?

**Summary:**

- Los Altos has a greater number of overall Commissions, that meet more frequently, and contain a greater number of appointed members, when compared with cities in Santa Clara County (Please see attachment 1)
- Most Commissions do not have specific powers and/or duties enumerated in the Los Altos Municipal Code (Please see attachment 2)
- Commissions without defined powers and/or duties in the Municipal Code base deliverables, assignments, and expectation on their annual work plan.

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**Reviewed By:**

City Manager

**GE**

City Attorney

**IH**

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- Commission work plans are often not “top down” or based on Council priorities or the adopted budget.

**Staff Recommendation:**

Staff recommends the City Council discuss the information in this report and determine if any action is warranted in the following areas:

1. Does the City Council wish to make changes to the establishment of the annual work plan of Commissions to ensure they are “top down” and based on Council priorities and the adopted budget?
2. Does the City Council, with the exceptions noted in this report, wish to change the frequency of Commission meetings, the number of Commissioners on Commissions, and/or number of total Commissions so they are based on the specific duties assigned by the City Council and the adopted budget?
3. Does the City Council wish to provide direction to staff to make amendments or other changes to the Commission Handbook at a later date to conform with Council direction and expectations?

**Purpose**

This item was requested by the City Council to review composition and expectations of Los Altos Commissions.

**Discussion/Analysis**

*POLICY QUESTION #1: Does the Los Altos City Council wish to change how Commission work plans are submitted and approved?*

The Municipal Code establishes and creates 11 City Commissions. The Code defines specific powers and duties for 3 of these Commissions, provides some additional direction to and additional 3 Commissions, and no direction beyond advisory powers to 5 Commissions.

The Commissions without defined powers in the Municipal Code rely on the annual work plan to determine deliverables for the year. Due to the lack of defined powers and duties in the Municipal Code, and work plans that are not coordinated with City Council priorities or the adopted budget, Commission meetings and work plans often create role confusion between the City Council (policy, direction to City Manager), the Commission (advisory or enumerated powers), and Staff (implementation, City Manager direction to staff, resource allocation).

Please see attachment 2 for specific information on the powers and duties of each Commission.



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Commissions With Powers Defined in the Municipal Code:

The Municipal Code enumerates specific powers and duties for the following Commissions:

- Planning Commission (State Planning Act)
- The Historical Commission (2.12.030 of the Municipal Code)
- The Design Review Commission (powers granted by “other provisions” of the Municipal Code)

Commissions Established in Advisory Capacity with Additional Direction:

The Municipal Code establishes the following Commissions as advisory and provides additional direction:

- The Financial Commission (2.08.130) in a review and advisory capacity
- The Public Arts Commission (2.08.150) in a review and advisory capacity
- The Complete Street Commission (2.08.160) in an advisory capacity

Commissions Established in Advisory Capacity:

The Municipal Code establishes the following Commissions in an advisory capacity:

- The Library Commission
- The Parks and Recreation Commission
- The Youth Commission
- The Environmental Commission
- The Senior Commission

In reviewing the establishment of Commissions as they were created in the Municipal Code, the City Council may wish to create a process for work plan approval that is directly related to City Council goals and the adopted budget, for Commissions that do not have powers and duties specified.

*POLICY QUESTION #2 Should the Los Altos City Council, based on the findings of the review of Commissions in peer cities, examine and make changes to Los Altos Commissions including the frequency of meetings, number of Commissioners, and/or number of Commissions?*

Currently Los Altos has 11 Commissions. Each Commission meets monthly except for the Planning Commission and Design Review Commission which meet twice monthly. All Commissions have 7 appointed members except for the Design Review Commission and the Youth Commission which have 5 and 11 members respectively.



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In reviewing Commissions in peer cities, the findings were:

- Los Altos has more total Commissions (11) than the median peer City which has 8 Commissions.
- 10 of the cities reviewed had fewer total Commissions than Los Altos, 3 had the same number of Commissions, and 1 had more Commissions.
- Los Altos Commissions meet 58% more frequently than Commissions in peer cities.
- The meeting frequency creates 156 meetings annually for Los Altos Commissions. Comparable cities average 99 meetings per year.
- Unlike peer Cities, Los Altos Commissions meet monthly with the same number of members. This is not a common practice as peer cities determine frequency of meetings and number of members based on work plan and Council direction.

In reviewing the findings of the comparison of peer cities, and with the discussion of the Policy Question #1, the City Council may wish to consider:

- 1) Establishing the number of appointed members of Commissions, based on the work plan of the Commission, except for the Planning Commission and Youth Commission.
- 2) Establishing the frequency of meetings of Commissions, except for the Planning Commission, to quarterly, semi-annually, annually, or as needed, based on the work plan of the Commission and the powers and duties enumerated in the Municipal Code.
- 3) Establishing an overall number of Commissions that is based on the vision and priorities of the City Council.

*POLICY QUESTION #3: Does the Los Altos City Council wish to amend the Commission handbook to make it consistent with the changes directed by the City Council?*

The Commission handbook was last reviewed and updated prior to the Covid-19 Pandemic. There are several inconsistencies or inefficiencies that exist in the handbook, as well as specific areas, such as virtual participation of Commissioners, that Council should consider updating. There are also concerns with the creation and use of subcommittees on Commissions and if they have acted in conformance with the Brown Act. In 2015, the City Council adopted Resolution 2015-09 which affirmed the City's commitment to the Brown Act for certain City created advisory subcommittees (Attachment 3).

Specific updates that may be needed, include the process in which meeting days and times are determined for each individual commission. It has been the history of the City of Los Altos to not schedule commission meetings which overlap with other commission meetings, this is to encourage public participation for all.



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Commission work plans which are in common practice today help to provide clarity and direction to each commission and its assigned staff liaison, this is something that should be standardized for all commissions and must be aligned with Council goals and the adopted budget, as described in this report. Additionally, the Commission handbook should ensure work plans do not implement programs or direct staff to act.

If the City Council wishes to update the Commission handbook based on this report, previous direction, and any direction received at this meeting, Staff could bring back proposed changes at a later meeting.

**Recommendation**

Staff recommends the City Council discuss the information in this report and determine if any action is warranted in the following areas:

1. Does the City Council wish to make changes to the establishment of the annual work plan of Commissions to ensure they are “top down” and based on Council priorities and the adopted budget?
2. Does the City Council, with the exceptions noted in this report, wish to change the frequency of Commission meetings, the number of Commissioners on Commissions, and/or number of total Commissions so they are based on the specific duties assigned by the City Council and the adopted budget?
3. Does the City Council wish to provide direction to staff to make amendments or other changes to the Commission Handbook at a later date to conform with Council direction and expectations?