

RESOLUTION 22-~~XX01~~
AMENDS RESOLUTION ~~22-0114~~
A Resolution of the City Council of the Town of Atherton
Establishing and Governing Town Committees
Amended May 16, 2018
Amended May 15, 2019
Amended October 26, 2020
Amended September 15, 2021
Amended January 19, 2022

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. Environmental Programs Committee
3. Park and Recreation Committee
4. Rail Committee
5. Transportation Committee
6. Bicycle and Pedestrian Advisory Committee

Section 2. Committee Principles and Rules of Procedure

Principles: All committees shall follow the City Council Rules of Procedure, the Atherton Municipal Code, the Political Reform Act, and the provisions of the California Open Public Meeting Law (Brown Act). These resources may be found on the Town's website and/or via the City Clerk's Office. All members shall attend an education and training session hosted by the City Attorney and City Clerk upon appointment.

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 meeting with the Committee Chair and City Council Liaison in advance of each meeting to create an agenda; prepare the agenda packet; take and prepare minutes; and conduct follow up from meetings.

Committee Agenda Preparation: In general practice, the staff liaison to each committee shall meet with the Committee Chair and the City Council Liaison in advance of each upcoming meeting to review the meeting agenda. Regular agenda items, such as approval of meeting minutes, follow-

up staff reports, and general information reports shall be added to the agenda as needed. Other items shall be added through one of the methods described below.

One of the following methods may be used for *placing an item on a Committee agenda*:

1. Council: A majority vote of the Council may direct staff to add an item to a Committee agenda.
2. City Manager: The City Manager may receive requests for agenda items from the public, staff, a committee member or a Council Member. The City Manager will review the request with the Committee Chair and City Council liaison. The City Manager shall have sole discretion to refer the request to the City Council at the next available meeting, or schedule the item for the Committee agenda.
3. Staff and Committees: There may be a need for routine agenda items which may arise out of committee meeting discussions; are requested and agreed on by a majority of the Committee as part of Future Agenda Items; or items created from staff follow up of previous Committee and/or staff meetings. These items may be added to a future agenda following an agenda preparation meeting between the Committee Chair, Council Member liaison and staff liaison.
4. Colleagues' Memorandum: If at least two committee members prepare a colleagues' memo, the staff liaison shall place the item on the Committee's agenda under a Future Agenda Items Section. A colleague's memo is a written request, no more than two pages in length, presenting an item to be added to a future agenda. Upon review of the colleagues' memo, the Committee shall not discuss the merits of the item itself; but shall solely discuss whether to add the item to a future agenda for discussion. Upon majority vote of the Committee, the item shall be added to the next agenda or a specific designated Agenda.

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, 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. Individual members are not authorized to make public statements or comments on matters within the purview of their committee outside of the normal committee process. It could be perceived as using the member's position to indicate some special knowledge or understanding of the matter, or to confuse members of the public with respect to whether the comments are being made to improperly influence an agency decision. Committee members should refrain from using their title when addressing other boards, commissions, committees, or the City Council to avoid creating an appearance of special status to the public. 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, nor comment or discuss the matter under consideration unless authorized to do so by the committee to avoid a possible Brown Act violation.

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 Town's procurement process. It shall be the City Manager's discretion on whether or not the educational materials need Council approval beforehand.

Meetings: The Committee shall establish a regular meeting schedule on an annual basis in July. The Department assigned to the committee shall update the website to reflect the meeting schedule. Changes in the dates or time of meetings from the established schedule may be made by majority vote of the committee.

Minutes: Staff shall prepare action minutes for all committees. *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: If desired by the City Council, 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 shall be incorporated into the Town's website. If created, websites shall 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. With the exception of the Bicycle and Pedestrian Advisory Committee as described, 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. The terms of the Members were staggered pursuant to Resolution No. 19-07 with subsequent terms of appointment reverting to the standard 4-year term. 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, the City Council shall continually recruit qualified individuals and town staff shall continue to advertise periodically.

Term expiration dates shall end on June 30. 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

Committees do not have authorization to expend Town resources. In the event funding for a committee activity 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 makes recommendations to the City Council on issues related to the Town's audit and finances. The Committee typically meets every other month. Acting in an advisory capacity, the Audit/Finance Committee shall have the following powers and duties:

- a. Make recommendations to the City Council in all matters pertaining to Town finances;
- b. Discuss and consult with the City Manager on any matter pertaining to the budget, capital spending plan and the long-range financial plan for the Town;
- c. Upon request, make recommendations to the City Council in all matters pertaining to the Town's annual audit;
- d. Assist staff, as needed, in the provision of oversight to the annual audit process; and, assist in the presentation of the annual audit to the City Council with recommendations as to acceptance;
- e. Upon request, advise the City Council regarding appointment of outside auditors to complete the annual audit;
- f. Assist staff as needed in the review of the proposed audit scope prior to commencement of annual audit.

The Committee consists of two (2) City Council liaisons, typically the Mayor and Vice Mayor, and five (5) appointed resident members. Resident appointed members shall serve a term of four (4) years. The Committee meets in the Council Chambers or the Town Administrative Conference Room.

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

Resolution 19-07 established staggered terms with subsequent terms of appointment reverting to the standard 4-year term.

2. Environmental Programs Committee

The Environmental Programs Committee provides the City Council with recommendations, outreach programs, and education on environmental issues facing the Town's natural and built environment. The Environmental Programs Committee typically meets every other month. Acting in an advisory capacity, the Environmental Programs Committee shall have the following powers and duties:

- a. Upon request, make recommendations (programmatic and legislative) to the City Council 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. Pursuant to established City Council programs and policy, assist staff in the creation of pro-active community engagement programs for residents, commercial and public enterprises active within the Town's jurisdiction.

The Environmental Programs Committee consists of five (5) appointed resident members and one (1) City Council Member liaison. Resident appointed members shall serve a term of four (4) years. The Committee meets in the Council Chambers or the Town Administrative Conference Room.

The City Manager's Department is assigned overall responsibility of the Environmental Programs Committee.

Resolution 19-07 established staggered terms with subsequent terms of appointment reverting to the standard 4-year term.

3. Park and Recreation Committee

The Park and Recreation Committee makes recommendations to the City Council on issues related to Holbrook Palmer Park and any active or passive recreational space within the Town. The Committee typically meets monthly. Acting in an advisory capacity, the Park and Recreation Committee shall have the following powers and duties:

- a. Upon request, make recommendations to the City Council in all matters pertaining to the Town's active and passive parks and public recreation services;
- b. Work with staff, as needed, to assist other governmental agencies and public and private groups in the advancement of park and recreation planning and programming;
- c. Work with staff to develop and maintain a Master Plan for active and passive recreational spaces within the Town; and, annually, in the month of April, present a report to the City Council;
- d. Work with staff to review the annual budget for the Town's park and recreation programs and services during the budget process and make recommendations with respect thereto to the City Council.
- e. Assist staff with a review of fees and services within the Park and make recommendations with respect thereto to the City Council.
- f. Upon request, 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;
- g. Assist staff in the planning of recreation programs for the community.

The Park and Recreation Committee consists of seven (7) appointed resident members and one (1) City Council Member liaison. Of the appointed members, two members shall be representatives of the Holbrook-Palmer Park Foundation. Each of the foregoing representatives shall serve a term of two (2) years. When a vacancy arises, the City Clerk will contact each organization to request a new representative. If the organization submits more than two candidates, the City Council shall select the candidate to serve as the representative.

Remaining resident appointed members serve a term of four (4) years. The Park and Recreation Committee meets in Holbrook-Palmer Park.

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

Resolution 19-07 established staggered terms with subsequent terms of appointment reverting to the standard 4-year term.

4. Rail Committee

The Atherton Rail Committee makes recommendations to the City Council on issues related to the Town's Rail Corridor, High Speed Rail, and Caltrain consistent with the City Council's adopted Rail Related Policy Issues, attached hereto as Exhibit A. The Committee typically meets ~~every other month~~ once per quarter. Acting in an advisory capacity, the Rail Committee shall have the following powers and duties:

- a. Advise the City Council on all matters pertaining to High Speed Rail (HSR), the Rail Corridor and Caltrain, consistent with the City Council adopted Rail Related Policy Issues.
- b. Assist staff in the research of specific impacts that HSR and other rail infrastructure and services may have on the Rail Corridor and the Town.
- c. Rail Committee members are authorized to act as spokespersons to articulate and advocate the Town's Rail Related Policy Issues as they pertain to Rail Committee matters to legislatures, HSR and Caltrain board of directors, regional organizations, press and other interested parties.

The Rail Committee consists of seven (7) appointed resident members and one (1) City Council Member liaison. Resident appointed members shall serve a term of four (4) years. The Committee meets in the Council Chambers or the Town Administrative Conference Room.

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

Resolution 19-07 established staggered terms with subsequent terms of appointment reverting to the standard 4-year term.

5. Transportation Committee

The Transportation Committee makes recommendations to the City Council on issues related to transportation, traffic, and roadway safety. The Committee typically meets every other month. Acting in an advisory capacity, the Transportation Committee shall have the following powers and duties:

- a. Upon request, make recommendations to the City Council in all matters pertaining to transportation, traffic, and roadway safety within the Town.
- b. As needed, assist staff in the identification and review of traffic and roadway safety enhancements.
- c. As needed, assist staff in the review of regional project impacts on local traffic and transportation corridors.
- d. As needed, assist staff in the review of traffic safety enforcement measures.
- e. As needed, assist staff in the review of Neighborhood Traffic Management Program requests.

The Transportation Committee consists of five (5) appointed resident members and one (1) City Council Members liaison. Resident appointed members shall serve a term of four (4) years. The Chair of the Transportation Committee also serves as a non-voting liaison to the Bicycle and Pedestrian Advisory Committee. The Chair shall select another member as his or her alternate. The Committee meets in the Council Chambers or the Town Administrative Conference Room.

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 are needed for the meeting.

Resolution 19-07 established staggered terms with subsequent terms of appointment reverting to the standard 4-year term.

6. Bicycle and Pedestrian Advisory Committee (BPAC)

The Bicycle and Pedestrian Advisory Committee makes recommendations to the City Council on issues related to the Town's Bicycle and Pedestrian Master Plan and bicycle and pedestrian network. The Committee typically meets as needed. Acting in an advisory capacity, the BPAC shall have the following powers and duties:

- a. Work with staff in providing recommendations on issues related to the Town's bicycle and pedestrian network and Bicycle and Pedestrian Master Plan.
- b. Make recommendations to the City Council on the selection of bicycle and pedestrian projects to be submitted for state and federal funding opportunities.
- c. Work with staff to promote bicycling and walking as safe and healthy alternative modes of transportation.
- d. Assist Town staff in the planning, operations and maintenance of bicycle and pedestrian facilities in Town.

The BPAC consists of at least five (5) appointed members plus two non-voting liaisons, one (1) Transportation Committee Member and one (1) City Council Member. At least three (3) appointed members of the Committee must meet the requirements of the Metropolitan Transportation Committee and live or work in the Town of Atherton. Other members of the BPAC must be residents of the Town. Members shall be composed of both

active bicyclists and pedestrians. The Chair and Vice Chair of the Committee shall be residents of the Town. BPAC appointed members shall serve terms of four (4) years.

The makeup of the Committee members is encouraged as follows:

- At least one member should represent schools.
- At least one member should represent an established bicycle and/or pedestrian related organization or coalition.
- At least one member should have knowledge and interest in Countywide pedestrian and bicycle facility planning and operations.

The Committee meets in the Council Chambers or the Town Administrative Conference Room.

The Public Works Department is assigned overall responsibility of the Bicycle and Pedestrian Advisory Committee.

Resolution 19-07 established staggered terms with subsequent terms of appointment reverting to the standard 4-year term.

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. 15-10 and Resolution No. 19-07 are hereby superseded and rescinded.

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 19th day of January, 2022, by the following vote.

AYES: 5 COUNCIL MEMBERS: Polito, Hawkins-Manuelian, Lewis, Widmer, DeGolia
NOES: 0 COUNCIL MEMBERS:
ABSENT: 0 COUNCIL MEMBERS:
ABSTAIN: 0 COUNCIL MEMBERS:

Rick DeGolia, Mayor
Town of Atherton

ATTEST:

Anthony Suber, City Clerk

APPROVED AS TO FORM:

Mona Ebrahimi, City Attorney

**EXHIBIT A
RAIL POLICY ISSUES
ADOPTED BY THE TOWN OF ATHERTON**

A. HIGH-SPEED RAIL (HSR)

Legislative

In 2008, the Town voters decided against Prop 1A which authorized the HSR project. At that time, Town Resolutions, passed unanimously by the Council, opposed the HSR project, including the Program Environmental Impact Report (EIR), Business Plan and use of the rail corridor by HSR.

The Town remains opposed to the HSR project and supports legislative initiatives to prevent the implementation of the HSR project, in its current form, through the Town. If the HSR project moves forward, the Town fully expects that the project will minimize and fully mitigate environmental impacts to the Town.

Litigation

The Town may take the position to use legal means, as deemed appropriate by the City Council, to delay, hinder or halt the implementation of Prop 1A which Atherton residents and the City Council voted to oppose.

Lobbying

The Town has engaged a lobbyist, in conjunction with other communities, to represent the Town's interests on HSR matters.

The Council encourages members of the Town's Rail Committee to advocate on behalf of the Town with respect to HSR in manners consistent with the above HSR Rail Policy.

B. RAIL CORRIDOR AND CALTRAIN

The Town was one of the earliest train stops on the rail corridor between San Francisco and San Jose. Families, and later commuters, used the Atherton station for rail service to and from 'the City' for over 100 years. Lloyd Park was developed for residents desiring easy access to public transportation provided by the train.

In years past, Caltrain provided the Atherton Station with weekday and weekend rail service until it declared its first "fiscal emergency" citing the need to reduce costs, including station stops. As a result, the number of weekday rail stops at the Atherton Station were reduced to zero while weekend service is still provided.

Atherton is the only city on the Caltrain line that receives no weekday train service. Atherton residents have been using nearby stations in Redwood City and Menlo Park for weekday commute services and for express service on the weekends. Atherton understands that Caltrain is an integral part of the transportation system in the peninsula and still serves as an important alternative to automotive travel in and through the Town. Further Caltrain's fiscal health is important to maintain rail as a viable transit option.

The Atherton Station building serves as an important historical and cultural resource to the Town and should be preserved.

Town Priorities Regarding Caltrain Line and Corridor

The Town recognizes that successful implementation of the Town's rail corridor priorities with Caltrain require a partnership with Caltrain. To that end, the Town will endeavor to work with Caltrain to address the following priorities for the Atherton Station and Rail Corridor:

- Modernization of the rail system must minimize and fully mitigate any environmental impact to the Town.
- Safety improvements along the rail corridor through the Town, including safety fencing and screening along the corridor, and the installation of four-quadrant gates at the Watkins Avenue rail crossing.
- Conversion of the Atherton Station building to a public amenity and civic space integrated with the Atherton Town Center, including the installation of safety fencing, removal of the center boarding platform and associated access points.
- Installation of an active transportation route to the Menlo Park Caltrain Station.
- The Town seeks to perfect the Quiet Zone within the Town through the addition of four quadrant gates at the Watkins Avenue crossing, closure of the Atherton Station and repurposing of the Atherton Station building. These measures require the support and partnership of Caltrain.