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**BE IT FURTHER RESOLVED** that the City Manager is authorized to approve, administer and make changes to the Administrative Procedures Manual to achieve efficient and effective implementation of the City Council Administrative Policies.

**BE IT FURTHER RESOLVED** that the City Council Administrative Policies Order or provisions thereof may be modified or amended by resolution of the City Council as needed.

  
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Mayor Farid Javandel

**ALBANY CITY COUNCIL POLICIES**

**ADOPTED BY RESOLUTION NO. 2012-74  
EFFECTIVE DATE: DECEMBER 3, 2012**

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## **I. INTRODUCTION**

The Albany City Council Policies are intended to govern the conduct of the City of Albany and its employees. For the sake of this document, a “Policy” is the protocol, principle or rule that guides City business and serves as a framework for the Administrative Procedures Manual, intended to carry out said policies. A “Procedure” is designed to describe Who, What, Where, When, and Why by means of establishing corporate accountability in support of the implementation of a "Policy". The City Council Policies are approved and adopted by the Albany City Council and will be reviewed or updated on an as-needed basis. Unless otherwise noted, all of the following Policies have been duplicated in the Administrative Procedures Manual. The City Manager is authorized to approve, administer and make changes to the Administrative Procedures Manual to achieve efficient and effective implementation of City Council Policies. The Administrative Procedures Manual describes the way in which the following Policies are to be carried out.

## **II. CODE OF ETHICS POLICY FOR CITY EMPLOYEES AND VOLUNTEERS**

In addition to the City Council Code of Ethics (provided in the previous section), it is the policy of the Council to recognize the Code of Ethics for all City employees and volunteers. The City of Albany and its Council believe that adherence to these principles by all City employees and volunteers is fundamental to building and maintaining public trust which enables government to function effectively and responsibly.

1. Be dedicated to the concepts of effective, democratic local government and recognize that the chief function of local government is to serve the best interests of all the people.
2. Affirm the dignity and worth of the services rendered by government. Maintain a constructive, creative and practical attitude toward public service and a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so that you may merit the respect and confidence of your co-workers, the City Council and the public.
4. Make decisions with fairness, impartiality and respect for the people involved.
5. Provide friendly and courteous service to the public; seek to improve the quality and image of public service; and keep those members of the community with whom you interact informed about City affairs.
6. Support the City by upholding and implementing municipal policies as adopted.
7. Recognize that the City Council, elected to represent the people, is entitled to the credit for the establishment of municipal policies; responsibility for implementing policies rests with City staff and volunteers.
8. Refrain from all political activities which would impair or bring into question performance as a City employee.
9. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public facilities, equipment, time or office is dishonest.

### **III. CITY COMMISSION/BOARD/COMMITTEE CONDUCT AND ADMINISTRATION POLICY**

The following policy is intended to provide for the effective and efficient operation of the City's Commissions/Boards/Committees (Advisory Bodies), in accordance with Albany City Charter Section 3.23, and Albany City Council Resolution No. 2010-63.

1. ATTENDANCE, ABSENCES, AND REMOVAL FOR EXCESSIVE ABSENCES
  - a. Members of Advisory Bodies (Members) are expected to attend all regular and special meetings of their respective Advisory Body. Regular attendance is necessary to ensure a quorum of members is present, to provide a full range of perspectives on matters before the Advisory Body, and to allow the opportunity for the Advisory Body is to conduct business in a timely manner.
  - b. At times, a Member may be able to participate remotely via teleconference. This must be arranged with the Advisory Body Chair and staff liaison in advance of posting of the agenda so that the site from which the member will teleconference can be stated on the agenda, and to ensure necessary equipment is available.
  - c. Any Member unable to attend a scheduled meeting shall notify the Advisory Body Chair and/or the assigned staff liaison a minimum of 24 hours in advance of the meeting. This action will result in an "excused" absence. Failure of any Member to notify the Advisory Body Chair or the assigned staff liaison a minimum of 24 hours in advance of the scheduled meeting shall result in an "unexcused" absence.
  - d. Excessive absenteeism shall be cause for removal from an Advisory Body. Excessive absenteeism is defined as one of the following:
    - i. Unexcused absence from three consecutive regular meetings
    - ii. Absence from four consecutive regular meetings, excused or unexcused
    - iii. With the exception of advisory bodies that meet regularly more than once a month (e.g. Planning & Zoning Commission), absence from five meetings in any twelve month period, excused or unexcused. For advisory bodies that meet regularly more than once a month, excessive absenteeism in a twelve month period shall be defined as eight absences from regular meetings, whether excused or unexcused.
  - e. The Chair and/or staff liaison shall notify the City Clerk when a Member has excessive absences. The City Clerk shall notify the member and the appointing authority in writing that the member is removed due to excessive absenteeism. The City Clerk may consider any evidence from the Member provided within ten days of the notice that he/she has not been excessively absent before the action is final.

Chairs and staff liaisons are encouraged, but not required, to contact the Member, the City Clerk, and/or the appointing authority when a Member is close to being excessively absent.

## 2. ESTABLISHED MEETING END TIME

All Advisory Bodies shall identify a mutually agreeable meeting end time. Establishment of a reasonable end time is intended to provide sufficient time for Advisory Bodies to conduct necessary business while also respecting the outside responsibilities of Members. In general it is recommended that Advisory Bodies, with the exception of the Planning & Zoning Commission, consider an end time of 9:30 p.m. unless unusual circumstances dictate an alternative ending time. In order to exceed the agreed upon meeting end time, a motion for extension of time shall be approved.

## 3. ROTATION OF CHAIR PERSON

To provide the opportunity for all Members of Advisory Bodies to hold a leadership role, the position of Chair Person and Vice Chair shall be rotated on an annual basis in January or February. Although not recommended, if the Advisory Body agrees that there is a strong preference to continue with the existing Chair and/or Vice Chair, they may serve for a maximum of two consecutive years in the role.

## 4. SERVICE ON ADVISORY BODIES

To allow for the maximum amount of community engagement and participation on the City's Advisory Bodies, appointments to Committees/Commissions/Boards shall preferably serve on only one Advisory Body at any one time. This policy is also intended to help minimize any potential conflict of interest issues that could arise by a member serving on multiple advisory bodies.

## 5. ADDRESS, PHONE NUMBER AND EMAIL POLICY

When an individual serves on an Advisory Body, his/her address, telephone number and email will be public record.

#### **IV. CUSTOMER SERVICE POLICY**

It is the policy of the Albany City Council that residents and other interested parties be treated with respect, and that inquiries to the City be responded to in as timely a manner as is feasible. The procedures laid out in the Albany Administrative Procedures Manual establish standards for serving the public, other agencies, and other persons outside the City of Albany organization in a respectful, courteous, friendly, professional, and efficient manner.

#### **V. ELECTRONIC MEDIA, WEBSITE AND SOCIAL MEDIA POLICY**

The use of Electronic Media (i.e. voicemail, e-mail, and the internet), City Website ([www.albanyca.org](http://www.albanyca.org)), and Social Media (Facebook, Twitter, Youtube, etc.) may be used by City of Albany employees and City Officials for City purposes. Use of these tools is intended to further enhance communications with the community in support of City goals and objectives. The use of voicemail, e-mail, the internet, and social networking may raise issues of privacy, liability and records retention, and users are advised to use caution when utilizing these media tools. City employees shall also act in accordance with the Electronic Media, Website, and Social Media Procedures, as established by the City Manager, to ensure all employees follow proper rules of conduct when using electronic technology. Use of electronic technology is additionally governed by the City's Management of Public Records Policy and many records must be retained. Due to constantly evolving technology, the City Council encourages the City to utilize new opportunities for engaging the community, while being sensitive to records retention, confidentiality, anti-harassment, open meeting laws, etc. Use of social media by elected and appointed officials are also subject to City Council policy for such officials.

#### **VI. FINANCIAL REPORTS, BUDGET AND FEE POLICY**

Prior to adoption of the budget, the City Council will receive a financial report from the City's Finance and Administrative Services Director. This report will contain revenue and expenditure projections, projected fund balances and fund transfer information. Budget revisions or updates will occur at approximately six-month intervals, if necessary. The City Council must approve all budget revisions that change the initial fund appropriations. All fees will be assessed and collected by the City Staff, in accordance with the most current Master Fee Schedule as adopted by the City Council.

Every year, the City shall receive an Annual External Audit. The Finance and Administrative Services Director will schedule this audit as an agenda item for City Council review and approval. The Finance and Administrative Services Director or designee will submit a staff report summarizing the auditor's findings and the general financial condition of the City for the audit period.

City staff shall make every effort to collect all City fees. However, on rare occasion, waiver of a fee for hardship, miscommunication or to rectify a problem may be necessary. The City Manager, Finance & Administrative Services Director, City Treasurer and Community

Development Director or their respective designees may waive fees including penalties and interest (if applicable) up to \$1,000 provided that a written explanation as to why the fee is being waived is submitted to the Finance and Administrative Services Department. Fee Waivers in excess of \$1,000 require approval by both the City Manager and the Finance & Administrative Services Director in the manner outlined above.

## **VII. INVESTMENT POLICY**

Pursuant to Government Code, City Council will adopt an investment policy annually.

## **VIII. PURCHASING POLICY**

1. Purchases up to \$250 may be made from a department's petty cash fund. Purchases up to \$2,500 do not require a purchase order. In the event that a vendor requires a purchase order for goods or services with a value of \$2,500 or less, the standard procedures for issuance and approval of purchase orders shall be followed.
2. All purchases in the total amount of \$2,500 to \$10,000 shall be made using a purchase order approved by the Finance & Administrative Services (F&AS) Director. The Department Head is responsible for ensuring that the materials and services purchased are competitively priced so that City funds are expended appropriately and in a cost efficient manner.
3. For purchases in the total amount of \$10,001 to \$25,000, the Department Head shall obtain bids or price quotations from a least three (3) qualified vendors of the materials, equipment or service required. Documentation of the bids or price quotations shall be submitted with the purchase order at the time the purchase order is presented for approval by the F&S Director or the City Manager. A determination by a Department Head that solicitation of bids or price quotations from three (3) vendors is not feasible must be approved by the F&AS Director or the City Manager.
4. Cost of Living Adjustment. All referenced dollar amounts pertaining to this purchasing policy shall be reviewed by the F&AS Director at the beginning of each fiscal year. Upon the City Manager's approval, all referenced dollar amounts may be adjusted to reflect general inflation of prices that has occurred subsequent to the last previous adjustments of the dollar levels referenced.
5. Unless waived by the City Council, formal bids will be required for submission to the City Clerk and approval by the City Council for all purchases of goods or services for a cost in excess of \$25,000. Exceptions to this policy are as follows (as described in Section 2-27.2 of the Albany Municipal Code):
  - The bidding procedures for public works projects as set forth in Section 4.03 of the City Charter shall be followed. In general, this section defines "public project" as it applies to

the City of Albany, and provides direction for competitive bidding notification, and allows for Council discretion in accepting or rejecting bids.

- Service contracts for individuals or firms possessing a high degree of skill and sole vendors are exempt from the bidding policy. A service contractor or vendor may be considered sole source because of, but not limited to, shipping costs, time considerations, service availability, or established expertise in the desired field. The Department Head shall submit a memorandum to the F&AS Director documenting the reasons for awarding a contract or purchase order on a sole source basis. The sole source request must be approved by the City Manager prior to the issuance of a purchase order or the signing of a contract.
  - In the event that purchases for equipment or vehicles are part of a major government purchasing contract (generally in conjunction with the State of California) that would generate the lowest per unit cost, competitive bids are not required.
  - Purchases of equipment, materials, supplies, or services determined by the City Manager or his/her designee to be necessary to meet an emergency which threatens the public health, safety or welfare, may be made without competitive bidding, and without Council approval if the purchase is necessary to ensure the public health and safety. In the event of a declaration of a local emergency by the City Manager, Department Heads may exceed expenditure limits for purchase of materials and goods, contracts for services, or public works projects and improvements necessary to protect safety of persons or property. Discretion should be exercised by all staff involved in the purchasing of materials and services to ensure that City funds are expended appropriately and in a cost efficient manner. All expenditures in excess of standard authority shall be reported to the City Council at the earliest possible date
6. When City funds are used to contract for services, such contracts should demonstrate an effort to consider Living Wage standards and promote an employment environment that enhances the general quality of life within the community and maximizes the productive effect of the City's limited resources (as described in Section 2-26 of the Albany Municipal Code.
7. The following policies are also described in the Albany Municipal Code (Section 2-27.2)
- Periodically, generally in concert with a contracted auction service, each department shall submit to the F&AS Director in such form as that office shall prescribe, a report showing all supplies, materials, and equipment that are no longer used or that have become obsolete. Prior to disposal of these items, the F&AS Director or his/her designee shall prepare a report to the City Manager requesting authorization to dispose of these items.
  - Any officer or employee of the City who violates the above policies, except for purchases from petty cash or emergency purchases, may be subject to disciplinary action, including termination, by the City. Any purchases, contracts or obligations to pay, made contrary to these policies, shall be null and void.

- In the case of a purchase or public project financed in whole or in part by public gifts to which are attached conditions relating to special items to be purchased or special contracts to perform the work, such purchases or special projects are exempt from the above policies, provided that the City Council approves the projects and the exemption.
  - Any employee of the City soliciting contract proposals or procurement of goods shall afford maximum opportunity to Albany minority or women owned business enterprises when competing for the City's business. This shall be done when after evaluation of all factors, including professional qualifications, proven expertise, and quality of proposal and price, the services to be provided are judged equal to those of competitors.
8. The City shall give preference to environmentally preferable products that minimize environmental impacts, toxics, pollution and hazards to worker and community safety to the greatest extent practicable. Prior to purchasing products, the purchaser shall consider the following items:
- a. Whenever feasible, identify opportunities to reduce waste and purchase fewer products.
  - b. Identify whether there are comparable products made from recycled content, are energy/water/resource efficient, and/or made from non-toxic materials.
  - c. Consider the feasibility of purchasing environmentally preferable products, and determine whether the products are both cost competitive and attainable within a reasonable period of time.

## **IX. RECOGNITION OF PERSONNEL RULES AND REGULATIONS**

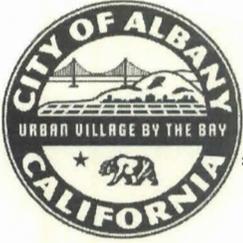
In accordance with Resolution #01-59, it is the policy of the City Council to recognize the City of Albany Personnel Rules and Regulations, amended and ratified by the City Council on July 16, 2001. This manual encompasses all personnel-related policies and procedures for employees of the City of Albany. This manual may be modified or amended by resolution of the City Council.

## **X. RISK MANAGEMENT/INSURANCE POLICY**

The City Council recognizes it is necessary to utilize procedures to respond to risk management situations. The City Manager is authorized to settle liability or worker's compensation insurance claims up to \$25,000. The City Manager, in consultation with the City Attorney, has authority to reject any and all claims.

## **XI. SPECIFIC AND MASTER PLANS POLICY**

The City Council recognizes that the City has adopted several Specific and Master Plans that govern the procedures associated with particular subject matters or areas of the City. These include, but are not limited to, the Active Transportation Plan, Climate Action Plan, Park Master Plan, Albany Hill Master Plan, Watershed Master Plan, and Traffic Management Plan. The Council recognizes that all current Specific or Master Plans and any which may be adopted in the future, should be considered during the course of Council actions and City projects, as relevant.



# City of Albany

1000 San Pablo Avenue • Albany, California 94706  
(510) 528-5710 • [www.albanyca.org](http://www.albanyca.org)

**RESOLUTION NO. 2012-74**

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 3rd day of December, 2012, by the following votes:

AYES: Council Members Lieber Wile, Thomsen, Vice Mayor Atkinson and Mayor Javandel

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 4th

Day of December, 2012.

Eileen Harrington  
DEPUTY CITY CLERK