

CITY OF ALBANY

BOARD, COMMISSION & COMMITTEE HANDBOOK



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INTRODUCTION

Welcome to service on one of the City of Albany's boards, commissions, or committees. As an appointed official of the City, you fulfill a very important role in helping the City develop and/or meet various goals in maintaining and improving the community.

The primary purpose of this handbook is to provide guidance for members of City boards, commissions and committees about the organization of the city; to conduct meetings in accord with applicable laws and policies; to inform members of the responsibilities and duties of the body on which they have serve; to clarify relationships between appointees and the City Council, staff; and the general public; and to provide general information that might be useful in conducting public meetings.

In addition to open meeting and conflict of interest laws, there are meeting protocols and procedures to assure the public of opportunity for comment and transparency in the decision making; to assure the members that their ideas will be respectfully considered; and to assure the City Council and City staff that recommendations and other activities will be thoughtfully developed and carried out. Included in this handbook are tips and resources to help you in your deliberations.

Among the key elements to a successful advisory board experience are to:

- 1) Understand the role and purpose of your board/commission/committee
- 2) Plan ahead for meetings and give advance notice if you cannot attend
- 3) Develop positive relationships with colleagues, staff, the public, and Council
- 4) Treat everyone with respect and civility
- 5) Participate fully and follow meeting protocols
- 6) Keep an open mind to other ideas, even when you disagree
- 7) Respect the role of the Chair; it's not as easy as it looks
- 8) Continually learn
- 9) Act with integrity
- 10) Have fun!

If you have any questions about information contained in this handbook or items that are not addressed, please do not hesitate to contact City staff.

On behalf of the City of Albany, thank you for taking the time to serve your community and be part of a collective effort to strengthen and improve our 1.7 square miles.

Beth Pollard
City Manager

August 2010

THE CITY OF
ALBANY

THE CITY OF ALBANY

Historical Overview of the City of Albany

Albany's heritage is intertwined with its location along the eastern shore of San Francisco Bay, its temperate climate and its unique natural features. This environment supported the City's first known residents, a tribe of Native Americans known as the Costanoans (coast dwellers) or Ohlone, who lived at the base of Albany Hill along Cerrito Creek. Shell fragments and grinding rocks found at Creekside Park serve as a reminder of these people, who lived in the Albany area until the early 19th Century, when the Spanish land barons arrived in California.

In 1820, the King of Spain granted a large portion of the East Bay to Don Luis Maria Peralta, who then divided the land among his three sons. Jose Domingo received the northern portion, which included the area of Berkeley and Albany, and used the land for cattle farming. The discovery of gold and the entry of California into the United States brought many settlers to the west, ultimately ending the land grant economy. The Peralta land was divided into small parcels and sold as farms or homesteads.

Gold mining created a demand for dynamite, and Albany became home to a number of powder plants at Fleming Point, which is the present site of Golden Gate Fields. This industry died out in 1905 after a series of explosions and fires. In 1906, the great San Francisco earthquake occurred, which resulted in a large migration of families from San Francisco to the East Bay. This significantly impacted development in Albany and other nearby jurisdictions.

In 1908, area residents protested the dumping of Berkeley garbage in their community by incorporating. As the City of Ocean View, residents forbid the dumping of garbage from outside of the City. One year later, the voters changed the name of the City, primarily to distinguish the City from many other communities in the area with the name of Ocean View. In a vote of 38-6, Albany was chosen as the City's new name, in honor of the birthplace of the City's first Mayor, Frank Roberts. In 1927, Albany voters adopted the City's first Charter, giving the City full control over its own affairs as long as there is no conflict with State or Federal laws.

The City of Albany Today

With a population of approximately 17,000 and more than 350,000 people living within a fifteen-mile radius, Albany today combines a small-town ambience with its central location in a major metropolitan area. Albany prides itself on being a safe, community oriented City, with strong services and programs for youth, families and the elderly. It is a City made up primarily of single-family homes and small businesses, its small town character exemplified by its "Main Street", Solano Avenue. Albany's public schools have an outstanding reputation with student test scores at the middle and high school levels among the highest in the State.

THE CITY OF ALBANY

City services include a Library/Community Center, the first Senior Center in Alameda County, a Teen Center and a Childcare Center. The City also has eight (8) local parks, playgrounds and open space areas. Albany's population is highly educated and diverse, and includes the U.C. Berkeley Family Housing community of University Village. The average age of Albany residents in 2000 was 34.5 years, reflecting the City's attraction as a location for young families seeking a family friendly environment.

Mission of the City of Albany

The City adopted the following Mission Statement to express the purpose of its municipal government:

The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of a diverse community, and providing a safe, healthy and sustainable environment.

**ALBANY MUNICIPAL
GOVERNMENT**

ALBANY MUNICIPAL GOVERNMENT

Charter City Authority

Albany is a Charter City, having adopted its original Charter by a vote of the electorate in April, 1927. Since that time, Albany voters have amended the Charter many times, but the basic form and functioning of the City have remained essentially the same. As a Charter City, Albany exercises a broad scope of local authority based on its locally adopted Charter. This is in contrast to a general law city, which is restricted to the exercise of powers specifically set forth in State general law.

City Council – City Manager Form of Government

The City Charter establishes a City Council – City Manager form of government. Under this form of government, the Albany City Council is the legislative body responsible for setting City policy and adopting the City budget. The Albany electorate elects the five (5) City Council Members at-large for four (4) staggered terms. Elections are held in even-numbered years, with three (3) Council Members elected in one cycle and two (2) Council Members elected in the alternate cycle. The City Charter limits City Council service to two (2) consecutive terms, but allows individuals to serve again following a lapse of two (2) years. The Charter also specifies that Council Members must be electors of the City and must have been a resident of the City for thirty (30) days immediately preceding nomination. Annually, the five (5) City Council Members select a Mayor and Vice-Mayor. The City Council Members also serve as the Albany Community Reinvestment Agency and the Albany Public Facilities Financing Authority.

The City Council appoints a City Manager, who is the administrative head of the government. The City Manager is responsible for policy implementation and management of the day-to-day operations of the City. The City Manager advises and makes recommendations to the City Council concerning any conditions or situations, which require Council direction or policy determination and prepares the recommended budget for consideration and adoption by the City Council. Department Heads are appointed by the City Council upon recommendation of the City Manager.

The Albany City Council holds regular meetings on the first and third Monday of each month at 7:30 p.m. in the City Council Chamber, located at Albany City Hall, 1000 San Pablo Avenue. The City Council also calls special meetings, as necessary. All Council meetings are broadcast live on Channel 33 and can be viewed on the computer at www.albanyca.org.

Elected City Officials

In addition to the five (5) City Council Members, Albany voters elect the City Treasurer. The Treasurer is elected for four-year terms with no limitation to the number of terms they may serve.

The **City Treasurer** is an elected part-time position that is responsible for receiving and safely keeping City funds and securities pursuant to the City Charter. In addition, the City Treasurer invests surplus City funds and advises the City Council on treasury issues. The City Treasurer also serves as a board member on the Police & Fire Relief Pension Board, and oversees the administration of business licensing, as well as certain tax revenues.

Appointed City Officials

As described in the previous section, the City Council appoints a City Manager that oversees all City operations and advises the City Council on budget and policy matters. The Department Heads include the City Clerk, the Community Development & Environmental Resources Director, the Finance & Administrative Services Director, the Fire Chief, the Police Chief and the Recreation & Community Services Director.

City Organization and Departmental Responsibilities

To carry out the responsibilities of municipal government, Albany is currently organized into seven departments: City Manager, City Clerk, Community Development & Environmental Services, Finance & Administrative Services, Fire & Emergency Medical Services, Police and Recreation & Community Services. Following is a brief description of the major responsibilities of each department.

City Manager

The City Manager's Office provides support to the City Council in managing daily operations of the City. In addition, the department is responsible for economic and environmental sustainability, public information, employee training and development, and a variety of special programs and projects.

City Clerk

The City Clerk is a Chartered Official appointed by the City Council. The City Clerk is the keeper of the official records of the City and prepares agenda packets for City Council meetings, records and maintains the proceedings, prepares minutes for distribution and processes all official documents enacted by the City Council. The City Clerk also serves as the elections officer, which involves coordinating municipal elections every two (2) years and special elections, as they are called. The City Clerk is also the Fair Political Practices Commission filing officer, the secretary to the Albany Community Reinvestment Agency and the Albany Public Facilities Financing Authority and serves as a Board Member on the Albany Police & Fire Relief Pension Board. The City Clerk is also a Passport Agent, Deputy City Treasurer and staff liaison to the Charter Review Committee.

Community Development & Environmental Resources

The Community Development & Environmental Resources Department is responsible for City services and programs in the areas of planning, building, engineering, maintenance and environmental resources. The Department provides staff support to the Planning & Zoning Commission, Traffic & Safety Commission, Sustainability Committee and the Waterfront Committee. In the area of planning, the Department is responsible for current and long-range planning related to land-use patterns and physical development of the City. This involves development and administration of the General Plan and Zoning Ordinance. In the area of building, the Department ensures compliance with City and State building, electrical, plumbing, mechanical and housing codes, maintains records of all permits issued and provides building inspections and plan check services. The maintenance division is responsible for maintenance of streets, sewers, storm drains, traffic signs and markings, parks, street trees and City-owned and operated buildings and computer systems. The environmental resources function is responsible for overseeing Albany's recycling and urban forestry programs, sustainability, clean water efforts, such as creek restoration, and promotion of alternative transit. The Community Development and Environmental Resources Department also administers the Community Development Block Grant Program and assists the City's economic development program.

Finance & Administrative Services

The Finance & Administrative Services Department is responsible for day-to-day fiscal operations, long-term fiscal planning and implementation and development of administrative policies. Day-to-day operations include payroll, revenue collections, accounts payable, processing of license and permits, and financial reporting. Long-term fiscal planning includes budget forecasting and preparation, cost analysis, debt issuance, and capital budgeting and finance. The Finance & Administrative Services also includes all personnel functions including labor relations, benefits administration and recruitment.

Fire & Emergency Medical Services

The Albany Fire & Medical Services Department provides the community with a wide range of services, including fire suppression and rescue services, paramedic emergency medical response and ambulance transport, fire prevention services, and community education and disaster preparedness. The Fire Department operates out of one fire station located next to Albany City Hall, 1001 Marin Avenue. The Fire Department is also responsible for the City's Emergency Operation Center, which will be activated as the central operations point in the event of a major disaster. The Fire Department also offers a range of successful community education programs related to fire prevention, medical issues and disaster preparedness.

Police

The Police Department is responsible for preservation of public peace enforcement of laws and protection of life and property. These responsibilities are accomplished through police patrol, traffic control and enforcement, criminal investigation and the ongoing support functions of dispatch and records management. The Albany Police Department focuses on crime prevention through an active community policing effort. The Department receives auxiliary assistance on a variety of assignments through the Albany Police Reserves, which is a group of highly trained and dedicated volunteer police officers; and runs the Albany Police Athletic League (APAL).

Recreation & Community Services

The Recreation & Community Services Department provides a full range of community programs to residents of all ages and interests, including child care, teen programs, senior programs, recreation classes and activities, adult sports, civic arts and cable television. The Department manages and rents four facilities, including the Community Center, Senior Center, Ocean View Childcare Center and the Teen Center at Memorial Park, as well as tennis courts, athletic fields and picnic grounds. The Department provides staff support to the Park & Recreation Commission, Arts Committee and Community Media Access Committee.

**CITY COMMISSIONS
COMMITTEES & BOARDS**

CITY BOARDS, COMMISSIONS AND COMMITTEES

Board, Commission and Committee Origins

Albany's existing boards, commissions, committees originate from two sources: 1) The Albany City Charter and 2) City Council action through ordinances, resolutions and minute action.

Boards and Commissions established by the Albany City Charter include the Planning & Zoning Commission, the Civil Service Commission and the Pension Board. Boards, commissions and committees established by City Council action may be ongoing or may have limited tenure. Ongoing boards, commissions and committees are generally created by ordinance or resolution to perform defined duties within a specified area of interest for an indefinite period of time. Examples of these types of advisory bodies include the Park & Recreation Commission, the Traffic & Safety Commission, the Waterfront Committee, the Albany Arts Committee, the Albany Library Board, Community Media Access Committee, Charter Review Committee, Social & Economic Justice Commission and Sustainability Committee. Limited tenure boards, commissions or committees are generally created by City Council resolution or minute action, for a specific purpose and/or limited period of time. If warranted, the City Council may chose to extend the tenure of such body.

City boards and commissions may also be authorized by Federal or State law or by voter initiative. At the current time, Albany does not have any advisory bodies that originate from these sources.

Board, Commission and Committee Role and Function

Albany's boards, commissions and committees generally serve in one of two capacities: judicial and/or advisory to the City Council.

Boards and commissions with a quasi-judicial role have authority to make specific decisions that affect the actions of individuals, either by authorizing or restricting certain types of activities. For example, the Planning & Zoning Commission has the authority to grant or deny variances and use permits under the Zoning Ordinance. Individuals have the right to appeal these decisions to the City Council. Albany's advisory bodies with quasi-judicial authority include the Planning & Zoning Commission and the Civil Service Board.

All of Albany's boards, commissions and committees serve in an advisory capacity to the City Council regarding City policies and programs within their specified scope of responsibility and expertise. This role involves receiving public input, evaluating options and making recommendations to the City Council. Boards, commissions and committees are not involved in administration or operation of City departments. Advisory Body members may not direct City staff to initiate programs and may not conduct major studies

or establish policy without the approval of the City Council. City staff members are available to provide general assistance to the advisory body.

City Council Philosophy on Boards, Commissions and Committees

Albany's governmental policy is decided by the City Council. However, there are particular areas of decision-making that benefit from the advice and counsel of qualified citizens. For this reason, the City Council establishes boards, commissions and committees. Members are selected to represent Albany, as a whole and should be concerned with the general public good.

The primary purpose of Albany's boards, commissions and committees is to provide judicious advice to the City Council. Advisory bodies can hear public testimony on the Council's behalf, build community consensus for proposals or projects, review written materials, facilitate study of critical issues, guide the implementation of programs, and assess the alternatives regarding issues of community concern.

The City Council not only considers boards, commissions and committee recommendations, but also that of staff, appointed City officials, members of the public, other cities and more. There will be times when the City Council will not act upon advisory body input. It is important to recognize this not as a rejection of the integrity of advice, but as an inevitable part of the decision-making process.

Serving on a Board, Commission or Committee

Each of Albany's boards, commissions and committees has a specified number of members. Generally each City Council Member appoints one or more members to the particular advisory board. In certain cases, a board, commission or committee has additional members that are either appointed by an individual Council Member, by the City Council as a whole, or by a different body, such as the Albany Board of Education. Specific information regarding the composition of each ongoing board, commission and committee is described in the next section of this handbook.

Appointed citizen board, commission and committee representatives are generally required to be residents and electors of the City of Albany. In addition, it is the City of Albany's policy that when a citizen serves on a board, commission or committee, his or her address and telephone number would be a public record unless the City Clerk is specifically told not to release that information.

In November 1996, the voters of Albany approved Measure Q, which amends the City Charter regarding the appointment, term and removal of members of City advisory bodies. The measure requires the City Council to establish by ordinance, a uniform policy for automatic removal of appointees due to excessive absenteeism, failure to maintain a residence in Albany or conviction for a felony. Measure Q also specifies that removal of appointees for any other reason shall be only for cause and then only by a

majority vote of the City Council. The City already has an ordinance, which provides that a person is removed if there are three (3) consecutive absences.

In June 2006, the voters of Albany approved Measure H, which amended the City Charter to provide that appointees to boards, commissions and committees serve for a term lasting until the next municipal election (2) years (Charter Section 3.23a). The term ends December 31st.

Specific Responsibilities and Composition of Ongoing Boards, Commissions and Committees

The following provides summary information of each of Albany's ongoing boards, commissions and committees, including its origin, role, composition and any particular requirements or provisions that may apply.

Subject to the direction of the Albany City Council and the availability of resources, meetings of Boards, Commissions and Committees may be broadcast on Cable Channel 33.

ARTS COMMITTEE

Committee Origin:

City Council Resolution No. 82-24 and No. 82-56.

Committee Purpose:

The Albany Arts Committee has the following scope of responsibilities:

- Advise the City Council on cultural and artistic activities within the City.
- Sponsor art programs and activities, as well as fundraising events to Support these programs.

Committee Composition:

Eleven members. Each Council Member appoints two (2), whose term runs until the next Municipal Election (2 years). The Albany Board of Education appoints one (1) member.

The Committee Members select one (1) member to serve as Chair.

Meetings:

Regular meetings are held on the second Monday of each month, at 7:00 p.m. in the Albany Community Center/Library, Edith Stone Room, 1247 Marin Avenue, Albany.

Responsible Department:

Recreation & Community Services.

CHARTER REVIEW COMMITTEE

Committee Origin:

City Council Minute Action, May 6, 1974.

Committee Purpose:

The Charter Review Committee advises the City Council on proposed changes to the City Charter. These proposed changes may be generated by the City Council or by the Charter Review Committee.

Committee Composition:

Five (5) members. Each Council Member appoints one (1) member whose term runs until the next Municipal Election (2 years).

The Committee Members select one Member to serve as Chair.

Meetings:

Meetings are held, as needed, on the 4th Monday of the month, as needed, 7:00 p.m. in the Conference Room, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department:

City Clerk

CIVIL SERVICE BOARD

Board Origin:

Albany City Charter, Section 8.01

Board Purpose:

The Civil Service Board was created by the City Charter with the following scope of responsibilities:

- Formulate rules and regulations governing the selection, promotion, reinstatement, reemployment and transfer of those employees in the Classified Service of the City (most employees in the Police and Fire Departments) in accordance with ordinances adopted by the City Council.
- Hold written, oral and any necessary examinations for the fair selection and promotion of personnel in the Classified Service of the City.

Board Composition:

Five (5) Members, with one member appointed by each Council Member whose term runs until the next Municipal Election (2 years). No officer, employee or member of another Board, Commission or City Council shall be eligible for appointment to the Civil Service Board.

The Civil Service Board Members choose one (1) Member to serve as Chair.

Meetings:

Regular meetings are held, as needed, on the first Monday of odd numbered months, 6:00 p.m., Conference Room, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department:

Finance Department

**COMMUNITY MEDIA ACCESS COMMITTEE
(Cable TV)**

Committee Origin:

City Council Resolution No. 08-7. The City Council shall review the need for continuation of this Committee, or revision to its composition and charge, in 2013, and at no less than five-year intervals thereafter.

Board Purpose:

Council Resolution created the Community Media Access Committee with the following scope of responsibilities:

- Prepare five-year operation plans for KALB
- Advise City on change to the Cable TV Access Policy
- Evaluate current goals, create new goals and suggest timeline for all goals
- Oversee funds that are spent on cable-related activities
- Encourage alternative funding sources for equipment and staff
- Provide video production training opportunities for Albany residents
- Create Albany-based programming for the channel
- Post KALB programming schedules in cable television guide channel and in other media
- Coordinate and recruit volunteers to participate in cable-related activities
- Recommend the allocation of funds from the new State Franchise 1% PEG Support fee
- Promote and publicize KALB

Board Composition:

Five (5) Members, with one (1) appointed by each City Council Member whose term runs until the next Municipal Election (2 years). Two (2) members appointed by the Albany Board of Education, which may be held students.

Meetings:

Regular meetings are held on the 3rd Monday of the month, 6 p.m., in the Employee Lounge, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department:

Recreation & Community Services

LIBRARY BOARD

Board Origin:

City Council Resolution No. 94-16.

Board Purpose:

The Library Board advises the City Council on matters relating to the Albany Branch of the Alameda County Public Library.

Board Composition:

Seven (7) Members. Each Council Member appoints one (1) Member whose term runs until the next Municipal Election (2 years). The Friends of the Albany Library appoint One (1) Member and one (1) Council Member appointed by the City Council serves on the Alameda County Library Commission and also serves on the Albany Library Board.

The Board Members select one (1) Member to serve as Chair.

Meetings:

Regular meetings are held on the 4th Wednesday of odd numbered months, 7 p.m., Edith Stone Room, Albany Library, 1247 Marin Avenue.

Responsible Department:

City Manager or his/her designee

PARKS & RECREATION COMMISSION

Commission Origin:

Albany Municipal Code, Section 2-17 (Ordinances No. 58-042 & No. 75-04).

Commission Purpose:

City Council Ordinance created the Parks & Recreation Commission with the following scope of responsibilities:

- Advise the City Council on all matters of public recreation, public park Facilities and public landscaping (including street trees and parkways) in the City.
- Formulate (review) the Master Plan for recreation.
- Make recommendations to the City Council regarding acquisition and maintenance of parks, playgrounds and recreation centers.
- Promote recreation and encourage public agencies and private parties to develop recreational facilities and programs that benefit the citizens of Albany.

Commission Composition:

Seven (7) Members. Each City Council Member appoints one (1) member whose term runs until the next Municipal Election (2 years). Two (2) Members are appointed by the Board of Education. Such Members serve for two-year staggering terms.

Annually, the Commission Members select one (1) Member to serve as Chair and one (1) to serve as Vice-Chair, as well as any other officers as the Commission may deem necessary.

Meetings:

Regular meetings are held on the 2nd Thursday of the month, 7:00 p.m., Albany Community Center/Library, Edith Stone Room, 1247 Marin Avenue. The Chair or a majority of the Members of the Commission may call special meetings.

Responsible Department:

Recreation & Community Services.

PENSION BOARD

Board Origin:

City Charter, Section 9.01.

Board Purpose:

The Pension Board shall have charge and administer the Albany Police & Fire Pension Fund, order payments and report annually in June to the City Council the condition of the Pension Fund.

Board Composition:

Five (5) Members. The Mayor of the City, City Treasurer, City Clerk and one (1) Pension Plan Member, active or retired from the Police & Fire Department.

The City Council shall appoint another member to serve as alternate for the Mayor. The City Council shall appoint alternates for the City Treasurer and City Clerk, after recommendations from the City Treasurer and City Clerk. Alternates for the Police & Fire Members are to be appointed by the Mayor upon recommendation of the Pension Plan Members.

Meetings:

The Pension Board meets the last Tuesday of the month, 10 a.m. Conference Room, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department

City Treasurer

PLANNING & ZONING COMMISSION

Commission Origin:

Albany City Charter, Section 3.16

Commission Purpose:

The Planning & Zoning Commission was created by the City Charter to make recommendations to the City Council regarding all provisions of the General Plan, to advise the City Council regarding the physical development of the City and to exercise functions with respect to land subdivisions, planning and zoning, as specified by City Council ordinance. The scope of authority of the Planning & Zoning Commission has been further clarified by City ordinance to include actions prescribed by the State Government Code and the California Environmental Quality Act.

Commission Composition:

Five (5) Members. Each Council Member nominates one of the five (5) Commissioners for ratification by the City Council, as a whole. Commissioners serve until the next Municipal Election (2 years). Annually the Commissioners select a Chair and Vice-Chair.

Meetings:

Regular meetings are held on the 2nd & 4th Tuesday of the month, 7:30 p.m. Council Chamber, 1000 San Pablo Avenue, Albany.

Responsible Department:

Community Development

SOCIAL & ECONOMIC JUSTICE COMMISSION

Commission Origin:

City Council Resolution No. 05-15 & No. 05-21

Commission Purpose:

The charge of the Commission shall be to research, analyze, discuss and evaluate a broad range of data and opinions on social and environmental issues affecting the welfare of the residents of Albany, as inhabitants of both a local and a global community, and make recommendations to the City Council on positions and/or actions to take to address these issues.

Recommendations to the City Council shall state the relevance, importance and/or particular impact that the issue has on the welfare of the residents of Albany.

Commission Composition:

Five (5) Members. Each Council Member appoints one (1) Member until the next Municipal Election (2 years).

The Commission Members select one (1) Member to serve as Chair and one (1) Member to serve as Vice-Chair.

Meetings:

The Social & Economic Justice Commission meets quarterly on the 2nd Wednesday of the month, 7: 30 p.m. in the City Council Chamber, 1000 San Pablo Avenue, Albany.

Responsible Department:

City Manager or his/her designee

SUSTAINABILITY COMMITTEE

Committee Origin:

City Council Resolution No. 07-46.

Committee Purpose:

The Sustainability Committee is established to advise the City Council on policies, programs and issues promoting environmental sustainability in the City of Albany.

To provide leadership, technical assistance, education and outreach to members of the public, schools, local businesses and City agencies on innovative programs to promote environmental sustainability through energy conservation, solid waste reduction and recycling, water conservation, pollution prevention, transportation efficiency and other means.

Committee Composition:

Five (5) Members. Each Council Member appoints one (1) Member and the terms run until the next Municipal Election (2 years).

Meetings:

The Sustainability Committee meets the 3rd Wednesday of the month, 7:30 p.m., Council Chamber, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department:

Community Development

TRAFFIC & SAFETY COMMISSION

Commission Origin:

Albany Municipal Code, Section 2.20 (Ordinance No. 06-010 & No. 71-024)

Commission Purpose:

The Traffic & Safety Commission was created by City Council Ordinance to advise the City Council on matters relating to traffic flow, traffic safety and transportation policy within the City of Albany.

Commission Composition:

Five (5) Members. Each Council Member appoints one (1) Member, whose term runs until the next Municipal Election (2 years). The Police Chief, Fire Chief and City Engineer serve as ex-officio Members of the Traffic & Safety Commission.

The Commission members select one (1) Member to serve as Chair.

Meetings:

The Traffic & Safety Commission meets the 4th Thursday of the month, 7 p.m., Council Chamber, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department:

Community Development

WATEFRONT COMMITTEE

Committee Origin:

City Council Minute Action, April 29, 1974

Committee Purpose:

The Waterfront Committee advises the City Council on issues related to the preservation and enhancement of the Albany Waterfront.

Committee Composition:

Five (5) Members. Each Council Member appoints one (1) Member and the terms run until the next Municipal Election (2 years)

The Committee Members select one (1) Member to serve as Chair.

Meetings:

The Waterfront Committee meets the 2nd Monday of the month, 7:30 p.m. in the Council Chamber, City Hall, 1000 San Pablo Avenue, Albany.

Responsible Department

Community Development

Meeting Procedures

BOARD, COMMISSION AND COMMITTEE MEETING PROCEDURES

Meetings are Open and Public

Meetings of Albany's boards, commissions and committees are open and public, and all persons have the right to attend these meetings. All meetings are conducted in compliance with the Ralph M. Brown Act, which is the State of California open meetings law (California Government Code Sections 54950 to 54962, inclusive). The intent language of the Brown Act captures the spirit and purpose of the open meeting requirements:

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of people's business. It is the intent of the law that their actions be taken openly and conducted openly.

The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants their right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

The Brown Act requires all meetings of legislative bodies, except specifically authorized executive sessions, to be conducted openly and in public. Albany's boards, commissions and committees are included in the Brown Act's definition of legislative body, as they have all been created either by charter, ordinance, resolution or formal City Council action to serve in a decision-making or advisory capacity. The Brown Act defines a meeting as: "Any congregation of a majority of members of a legislative body at the same time and place to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."

Meeting Notices and Agendas

To ensure that meetings are truly open and public, the Brown Act includes requirements regarding effective public notice and meeting agendas. All meetings of Albany's boards, commissions and committees must be in compliance with these provisions.

For all regular meetings, an agenda containing a brief general description of each item of business to be considered must be posted at least 72 hours in advance of the meeting. The postings are at Albany City Hall, the Albany Library/Community Center and the Albany Fire Station.

Full agenda packets, which include detailed information and communications regarding each item of business are prepared by staff and delivered to board, commission and

committee members prior to the meeting for their review. In preparing for the meeting, members should carefully read the information included in the agenda packet and contact staff with any questions prior to the meeting. All agendas are posted on the City's website at www.albanyca.org. The City has a standardized agenda format and the agenda is prepared by the staff liaison in consultation with the Chair. Any Board, Commission, Committee Member may place items of business on an agenda with advance notice and subject to availability of time.

Special meetings may be called by the board, commission, committee chair or by a majority of members. Notice of such meetings must be posted at least 24 hours in advance of the meeting and sent to all members, as well as to the local media. In these situations, the meeting notice constitutes the agenda, which must include the time and place of meeting, as well as a listing of all business to be transacted.

The Brown Act prohibits legislative bodies from taking action on any item that is not included on the meeting agenda except in specific situations. These situations include the following: 1) When a majority of the members decide there is an emergency situation, as defined by the Brown Act. 2) When two-thirds of the members determine that there is a need for immediate action, which came to the attention of the local agency subsequent to the agenda being posted. 3) When an item appeared on the agenda of a meeting held not more than five (5) days earlier and was continued from that meeting.

All regular meeting agendas provide the opportunity for members of the public to speak on any item of interest that falls within the scope of responsibility of the particular board, commission or committee. In addition, members of the public are always given the opportunity to comment on each item being considered at the meeting during consideration of the item.

Meeting Rules and Parliamentary Procedure

In order for a board, commission or committee to meet, conduct business and take action, a quorum must be present. A quorum is generally defined as a majority of appointed members to the particular advisory body. However, the Municipal Code includes specific quorum requirements for the Parks & Recreation Commission (four (4) members must be present for positive action) and the Planning & Zoning Commission (four (4) members required for amendments to the Zoning Ordinance and selection of officers and three (3) members required for all other matters).

Meeting should begin on time and end at a reasonable hour. Members should not engage in public debate, engage in side conversations, or otherwise be distracted. Meetings of boards, commissions and committees are expected to operate according to parliamentary procedure. Each advisory body may establish additional rules, limit debate and eject unruly persons if necessary.

Board, commission and committee action is taken by motion. Motions go through the following general steps:

1. The member making the motion asks to be recognized by the chair.
2. The member makes the motion (“I move....”).
3. Another member seconds the motion (if there is no second the motion dies).
4. The chair restates the motion (the chair may require the maker to provide the motion language in writing to assure that members are clear, as to what they are voting on).
5. The chair asks for discussion.
6. When the chair determines that there has been sufficient discussion the debate is closed.
7. The chair puts the motion to a vote.

The vote on a motion may take the form of a “no objection” vote, in which the chair states that, if there is no objection, the motion passes unanimously. If members prefer, the vote may take the form of a voice or roll call vote. The Brown Act prohibits voting or taking action by secret ballot.

Common Motions

- Delay consideration: “I move to continue the item until (date specific, or date uncertain)”.
- End discussion – a motion to end discussion on an item is not subject to debate and must be voted on immediately. “I move to end discussion and call the question.”
- Close Debate: “I call for the question.”
- Limit or Extend Debate: “I move to limit or extend debate to...”
- Adopt a staff recommendation: “I move to adopt staff’s recommendation to...”
- Deny staff recommendation: “I move to deny staff’s recommendation to...”
- Modify motion: “I move to adopt the recommendation with the following modifications...”

Meeting Minutes

All advisory bodies, with the exception of the Planning and Zoning Commission, will use action or concise summary minutes that record motions and votes with little commentary. Minutes should be a clear and concise statement of actions taken. However, when a body acts in a quasi-judicial proceeding (public hearings), a summary of testimony should be made. It is never appropriate to include comments of a personal nature that are not part of the purpose of the meeting, i.e. birthdays, announcements, well wishes or personal commentaries between the body members.

Subcommittees

The chair of a board, commission or committee may appoint special subcommittees, consisting of less than quorum of the body, to work on specific tasks. Due to the ad hoc nature and limitations on staff resources, it is expected that subcommittees are working

bodies that will be responsible for the generation of reports, analyses and meeting summaries, rather than relying on staff for these functions.

Role of the Chair Person

During board, commission and committee meetings, the chair is responsible for overseeing the public debate in a manner that encourages input while facilitating the decision-making process. The chair should limit the discussion and debate to the particular scope of responsibility of the group and should ensure that all individuals have the opportunity to speak.

The chair should expedite the business of the board, commission and committee by making sure that the discussion does not get off-track or bogged down on peripheral issues. Time limits should be imposed on speakers in order to allow multiple speakers to comment on an issue within the timeframe of the agenda.

Responsibilities of the Chair Person include:

- Reviewing or preparing agendas prior to meetings.
- Privately admonishing members who show up late and/or who are prepared for meetings.
- Starting the meeting on time.
- Assigning time limits for agenda items.
- Deciding questions of agenda order.
- Ensuring the public understands the nature of the issues being discussed.
- Keeping discussions focused and discouraging excessively dominant members from having disproportionate input.
- Soliciting opinions from all members.
- Delaying analysis and action until the full range of alternatives have been addressed during discussion.
- Providing structure for addressing complicated issues.
- Attempting to reach decisions efficiently.
- Announcing decisions.

In the event of resignations or removal, the board, commission or committee shall elect another member to serve as chair person. During a temporary absence, the vice-chair person shall preside. If he or she is absent, the commission may elect a chair pro tem to conduct the meeting.

Recess Policy

Pursuant to Resolution No. 03-56, the Albany City Council and members of City boards, commissions and committees will recess during the month of August and between December 23rd and 31st; unless the City Council, City Manager or Chair determines that the importance of business requires convening a meeting.

E-Mail Policy

Due to Brown Act concerns, it is advised at this time that members of boards, commissions and committees not e-mail one another except for scheduling meeting and similar administrative matters. Please contact your staff liaison for advice.

**ROLE
OF
MEMBERS**

ROLE OF BOARD, COMMISSION AND COMMITTEE MEMBERS

Responsibility of Board, Commission and Committee Members

One of the first and most important responsibilities of a board, commission or committee members is to learn about the group's scope of responsibility and general operating procedures. This knowledge base provides each individual board, commission and committee member with the ability to understand the issues at hand and exercise good judgment in giving advice to the City Council. New board, commission and committee members are encouraged to schedule an appointment with the appropriate City staff member so they can learn some of the basic information and ask questions prior to attending their first meeting.

Each board, commission and committee member is responsible for considering the issues, as they relate to and impact the Albany community as a whole. It is important that members be able to set aside personal biases in an effort to understand how policies will affect all segments of the City. Members should use individual experiences and knowledge of the community to facilitate wider public participation and lead the process of reaching a consensus that will best serve the City of Albany.

Members should be prepared for meetings by thoroughly reviewing the agenda packet, including reports, and any other materials before the meeting. In agreeing to serve on an advisory body, you make a commitment to put in the time required to prepare fully for each meeting. Members should understand what action you are being called on to take regarding each agenda item. If you have questions regarding the agenda or agenda report, contact the staff liaison before the meeting to clarify questions.

Maintain an objective, balanced and receptive attitude. An open mind will allow you to assess a given issue and evaluate new ideas. Be attentive when receiving written and oral public testimony. Separate fact and opinion, as well as concerns that is relevant and secondary to the issue at hand. When analyzing an issue, it will be helpful to ask yourself:

- What is the history behind this item?
- What are the benefits and drawbacks?
- What are the alternatives?
- What have you heard from the residents?
- What are your specific concerns?
- What are we trying to accomplish?
- What are the long-range interests of the City?
- What guidance can be found in our foundational documents?

Regular attendance at meetings is critical to the effective operation of the board, commission or committee. Attendance ensures a steady flow of communications and keeps members abreast of current issues. Therefore, a pattern of repeated absences will

be cause for removal, subject to City Council review. Three consecutive absences is currently cause for removal.

Appointees wishing to resign before the end of their appointed term should forward a letter to that effect, address to the City Clerk. The City Clerk will forward copies to the City Council.

Conflict of Interest Prohibitions

Members of Albany's boards, commission and committees should be aware of the need to avoid instances of conflict of interests. Conflict of interest standard, as included in common law, statute and local policy, are generally applicable to all boards, commissions and committees. Additionally, certain boards, commissions are subject to filing requirements regarding economic interests.

The Political Reform Act of 1974 (California Government Code Section 87100 et seq), which was enacted by the voters of California by initiative, prohibits financial conflicts of interest on the part of public officials. The Act provides that no local official, including board, commission and committee members shall make, participate in making, or in any way attempt to use his or her official position to influence a City decision if the official knows, or has reason to know, that the decision will have a material financial effect on his or her interests or those of his or her family. The State Fair Political Practices Commission (FPPC) enforces the State conflict of interest regulations. Albany board, commission and committee members may seek the advice of the City Attorney or the FPPC regarding conflict of interest issues and concerns; however, only a formal advice letter from the FPPC will insulate individuals from FPPC enforcement actions.

The Political Reform Act of 1974 includes requirements for filing of periodic statements of economic interest for members of the Planning and Zoning Commission. At the current time, no other City board, commission and committee members are subject to State or local filing requirements. The City Clerk routinely advises the members of the Planning & Zoning Commission of filing requirements and deadlines and will inform other advisory board members of any changes that would affect them.

Government Code Section 1090, which is a separate law from the Political Reform Act provisions, states that any City officer or employee (which includes appointees of the City) shall not be financially interested in any contract made by any body or board of which they are a member.

A conflict of interest may also exist under common law doctrines. The common law doctrine against conflict of interest prohibits public officials from placing themselves in a position where their private/personal interest may conflict with their official duties. The Political Reform Act focuses on financial conflict of interest. Decisions which your board, commission, committee make are expected to be the result of disinterested and unbiased decision makers.

The Albany City Council has adopted a Code of Ethics to guide its own conduct. This Code can provide guidelines to board, commission and committee members regarding the City Council's expectation of conduct. Applicable portions of the City Council Code of Ethics are printed below, with the language changed to reflect its applicability to board, commission and committee members.

Code of Ethics

1. City Policies

Stand behind the board, commission or committee's spokesperson and leadership. Minority opinions and viewpoints should be honored. Individuals may speak or write individually, but should note that they are speaking or writing on their own behalf.

2. Build Teamwork

Be open with ideas, feelings and attitudes. Gain an honest evaluation of your ideas and recruit assistance in implementing them.

3. Show Respect, Effective Communication and Leadership

Respect your colleagues. For criticism to be effective, it is best to be constructive. Embarrassing a colleague or staff in public will likely be counter productive. Follow legitimate channels of communications with the staff. Remember that staff performance is a reflection of your leadership abilities. Work together. Treat staff with respect. Do not criticize staff at public meetings.

4. Try to Reach Decision by Consensus

A level of consensus can make better decisions. Openly voice your individual goals and work to draft a solution to meet the largest number of goals.

5. Value Your Vote

You were appointed to express your opinion by voting on matters. Vote with the Albany community and your conscience in mind. If there are conflicting goals, vote for the higher purpose. If you have a conflict of interest, abstain from voting.

6. Give Political Assent; Do Not Misrepresent the Group

Accept the results of a board, commission or committee vote. Respect the decision of the group. Do not use your official capacity, unless specifically designated and authorized by your advisory body, to represent yourself as speaking or writing on behalf of a board, commission or committee. Do not

suggest you represent the group (such as using the name of the board, commission or committee) or use your appointed status as a means of attempting to create an impression or influence others.

7. Respect non-Partisanship

The strength of local government in California is that it is non-partisan; be dedicated to the preservation of this system.

8. Brown Act

Be forthright in support and adherence to the Brown Act.

9. Conflict of Interest

If disqualified by reason of any conflict of interest in any matter, do not participate in any discussion in any way or comment on any matter in any way to any person including any other commission member, council member or staff and do not vote on such a matter.

Representing the Board, Commission or Committee

When commenting on matters relating to your official capacity as a board, commission or committee member, you should make every effort to interpret and represent the view of the whole group. You should not represent your personal views or recommendations, as those of the entire group unless a majority of the board, commission or committee has voted to approve the recommendation. If you have any questions on the appropriateness of using your official title, please contact the staff liaison.

Representing Board, Commission or Committee at City Council Meetings

A board, commission or committee member should attend City Council meetings when the advisory body has an item on the City Council agenda. The purpose of this practice is to respond to questions from City Council members, as necessary. When addressing the City Council, it is important to speak as a member of your advisory body as a whole, rather than as an individual member. Should you be communicating your individual viewpoint on an issue, it is imperative that you first state that for the record.

Relationships with Fellow Board, Commission or Committee Members

Cooperation among members plays an important role in the success of City boards, commissions and committees. To build consensus around common goals and objectives, members should define the issues and work to reconcile differing viewpoints. When advisory body members interact positively, the group, as a whole will be more effective. Important points to keep in mind when working with other group members are as follows:

1. Always respect the other individual's viewpoint, even though it may be different from your own.
2. Allow other members adequate time to present their views fully before making comments.
3. Be open and honest at all times.
4. Welcome new members and help them to become acquainted with the board, commission or committee.
5. Accept responsibility, voice opinions and be fair and factual.

In areas of overlap between various boards, commissions and committees it is important that cooperation be developed to insure proper consideration of the different viewpoints that may occur, and to minimize duplications or conflicts. Forming a joint subcommittee may be advantageous where two bodies are simultaneously addressing the same topic.

Relationships with City staff

The City Manager assigns a staff liaison to each board, commission and committee. The role of the staff liaison is to provide assistance in carrying out the assigned responsibilities of the advisory body that they support. This role may vary considerably given the nature of the board, commission or committee and its duties. As an advisory body member, you should be aware of the staff time involved in providing assistance to your board, commission or committee. Advisory bodies should not ask staff for individual reports, favors or special consideration.

It is also important to remember that while the staff is charged with assisting advisory bodies in accomplishing their functions, City staff members are responsible to the City Manager and City Council, and are not employees of the particular board, commission or committee. Advisory body members do not have authority to supervise or direct the work of staff.

Staff liaisons are chosen on the basis of their skills and abilities. They are expected to be informed about the latest developments within their field, provide background on issues, interpret relevant policies and make recommendations based upon their professional analysis and technical skill. There may be occasions when staff recommendations will vary from the recommendation of the board, commission or committee. Members are not expected to follow every staff recommendation; however, full consideration should be given to staff opinions because of their technical and professional expertise.

In the event that the recommendation of staff and the recommendation of the advisory body differ regarding a given issue, both recommendations should be presented to the

City Council. Additional, the staff report shall include the pros, cons and foreseeable consequences of the recommendation.

Relationships with the General Public

The fundamental purpose of advisory body meetings is to provide a forum for open discussion on specific issues in a setting that is more informal than a City Council meeting and to inform the public of what the group is doing. Good relations with the public are vital to accomplishing these goals. Boards, commissions and committees should welcome citizen input, as a valuable resource to the group, to understand community concerns and to gauge community reaction to alternative courses of action under consideration.

Relationships with the Media

In most situations, the board, commission or committee chair is designated as the group's official spokesperson. However, reporters may seek out other advisory body members for comment. If you are contacted, please recognize the important role the press plays in informing the public and remember that most reporters do want to write accurate balanced stories and that they usually face rigid deadlines.

When making statements to the press, you should remember the following:

1. Indicate if board, commission or committee actions are recommendations and, if so, that final action would be taken by the City Council.
2. Keep your comments factual and try to avoid giving "opinions". If given, you should identify them as such.
3. Never volunteer or release information affecting the City Council before the Council hears the information first from City staff.
4. If you cannot answer a question, say so and refer the reporter to another group member or to staff for an answer. There is nothing wrong with not knowing something; however, giving inaccurate information can do real damage.
5. Be honest and positive in your comments and keep in mind your group's goals.
6. Go over your comments with the reporter to ensure an accurate story. If the article is printed with serious errors, call the reporter so that a Correction can be printed. If the article is fair and accurate, make a special effort to thank the reporter.

7. Remember that you do not have to talk if you do not want to and that there is no such thing as “off the record”.

Five Golden Rules to Help You Become an Effective Board, Commission or Committee Member

1. *Represent the Whole City*

As a board, commission or committee member, you have been appointed to represent the public interest and not a special group or interest. The questions, “What is best for the entire Albany community?” should take precedence over “What is best for my special interest group?”

2. *Keep the Lines of Communication Open*

As a board, commission or committee member, you are in the unique position of serving as a liaison between the City and its citizens. You are encouraged to explain and promote policies and programs established by the City Council within the scope of interest of your group. It is equally important for you to transmit back to the City Council the reactions and opinions of the citizens, as they relate to these policies and programs. In doing so, it is very important that you do not substitute your own opinion for those of the general public.

3. *Do Your Homework and be Thorough in Making Recommendations*

As a board, commission or committee member, you should be prepared to discuss the issues that are on the meeting agenda. In addition to reading the agenda packet and materials, your preparation may include discussions with staff, visiting the location of the proposed project or reviewing prior City Council actions. You should make every effort to remain objective during the fact-finding phase and to thoroughly evaluate all aspects of an issue before making a recommendation.

4. *Be Conscious of the Relationship with the City Council and City Staff*

Successful relationships with the City Council and City staff are basic for the successful operation of any advisory body. It is important that you respect the authority of those who, in the end, will be charged with the responsibility for actions taken by the City. Further guidance on these relationships is provided in detail in the previous section of this handbook.

5. *Establish a Good Working Relationship with Other Members*

As described in detail in a previous section, a positive relationship among all of the members of a board, commission or committee will help to ensure the success of the group.

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE ALBANY CITY COUNCIL REVISING COMPOSITION AND MODIFYING PROTOCOLS FOR CITY COMMISSIONS/COMMITTEES/BOARDS.

WHEREAS, the Albany City Council hired an Intern to prepare a study on various aspects of the City’s advisory bodies; and

WHEREAS, in July, 2010, the City Council reviewed the recommendations and referred them to all the advisory bodies for their comments; and

WHEREAS, in November, 2010, the City Council considered comments from the advisory bodies,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Discontinues the at-large appointments of the City Council to the Charter Review Committee and Waterfront Committee.
2. Discontinues the at-large appointments of the Albany Unified Board of Education to the Social & Economic Justice Commission and reduces its at-large appointment to the Arts Committee from two to one. The Board at-large seats on the Parks & Recreation Commission remain.
3. Add two seats nominated by the Albany Board of Education for appointment by the City Council to the Community Media Access Committee (These seats may be held by students).
4. Discontinues the Youth Task Force, with future task forces to be established on topics as needed.

BE IT FURTHER RESOLVED that the City Council makes the following clarifications and/or revisions to advisory body protocols to establish expectations for both appointees and staff:

1. Any member of a commission, committee or board may request an item be placed on an upcoming agenda, with scheduling subject to availability of meeting time.

1 2. Commissions, committees and boards should be cognizant of and prudent
2 with the use of staff time. Examples include members performing research and preparing
3 minutes or expecting brief minutes whenever feasible. Appointees to committees are
4 asked to work directly on projects, programs, community outreach, or other aspects of the
5 committee's work plan.

6 3. Except as otherwise provided for (e.g. Planning & Zoning Commission),
7 regular meetings of the advisory bodies shall occur no more frequently than monthly.
8 Special meetings and subcommittee meetings may be scheduled from time to time, with
9 staff in attendance on an as-needed basis. The regular meeting schedule of the Social &
10 Economic Justice Commission shall be quarterly.

11 4. Items referred to advisory bodies by the City Council shall take priority
12 over other business.

13 5. To provide the City Council with a full picture of issues, reports from
14 advisory bodies should include alternatives, advantages and disadvantages, and other
15 analysis.

16 6. Advisory bodies may request the Council to agendaize issues, ideas and
17 recommendations.

18 7. Advisory bodies are encouraged to present issues or items to the Council
19 that they are considering in advance of extensive analysis or development of
20 recommendations. In this way, the Council has the opportunity to provide direction on its
21 interest, ideas, and concerns before completion of the body's work.


22 8. Regular meetings of advisory bodies shall not be scheduled to conflict
23 with one another. While special meetings may conflict from time to time, efforts should
24 be made to minimize those conflicts, especially on issues of significant community
25 interest.

26 9. The City Council will review the advisory body composition and protocols
27 in two years (2012).

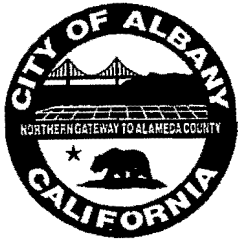
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BE IT FURTHER RESOLVED, that a copy of this Resolution is to be sent to the staff liaisons to be distributed to all the advisory bodies and to be included in the Commission/Committee/Board Handbook.



Joanne Wile
Mayor



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

CITY ADMINISTRATOR
PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY
PH. (510) 524-9205
FAX (510) 526-9190

CITY CLERK
PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL
PH. (510) 528-5720
FAX (510) 528-5797

**COMMUNITY DEVELOPMENT &
ENVIRONMENTAL RESOURCES**

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- Planning

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FAX (510) 524-9359

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FAX (510) 528-2743

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SERVICES**

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PERSONNEL

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FAX (510) 528-5797

POLICE

PH. (510) 525-7300
FAX (510) 525-1360

**RECREATION & COMMUNITY
SERVICES**

1249 Marin Avenue
PH. (510) 524-9283
FAX (510) 528-8914

- Friendship Club/
Childcare Program
PH. (510) 524-0135
- Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
- Teen Center
PH. (510) 525-0576

RESOLUTION NO. 2010-63

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

this 6th day of December, 2010, by the following votes:

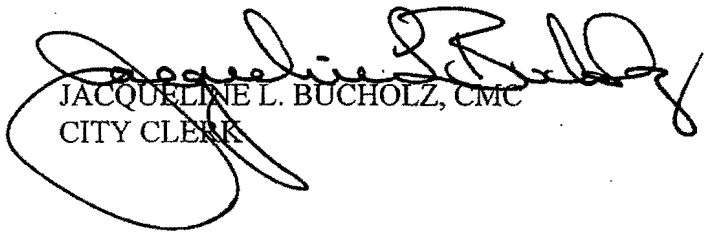
AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 7th

day of December, 2010.


JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community,
and providing a safe, healthy environment now and in the future.*



PRINTED ON RECYCLED PAPER

AB1234: ETHICS TRAINING FOR LOCAL OFFICIALS

On October 7, 2005 the Governor signed Assembly Bill No. 1234. This law requires (among other things) that all agencies that provide compensation, salary or stipend to, or reimburses the expenses of, members of a legislative body must provide ethics training to local agency officials by January 1, 2007, and every two years thereafter. This potentially applies to all appointed members of a board, commission and committees.

AB1234 requires elected and appointed officials to take *two hours* of ethics training if they receive compensation for their service or if they are reimbursed for their expenses. For Albany, this applies to new members of *City Council, the City Attorney, the City Treasurer and the Planning & Zoning Commission*. The simplest way to comply is to complete the self-study at the following link and send in the test for scoring, as described in the link. The City will reimburse the application fee. The link to the self-study course is: www.ca-ilg.org/AB1234selfstudy. The Two self-study courses are short (less than 10 pages) and reading the material should take about 15 minutes.

Other boards, commissions, committees, particularly the Chair, and new members and staff are encouraged to spend 15 minutes to read through the material. The second course, entitled "Government Transparency and Fair Processes" include a good guide to the basic Brown Act requirements. Go directly to page 4 of this document "Conducting the Public's Business in Public" to understand the basics for serial meetings; (e-mail, phone) closed sessions, posting and following agendas, the public's right to be heard and fair process laws.

Annual Board, Commission, Committee Training

All appointed board, commission, committee members are expected to attend an annual training session conducted by City staff. Training will provide a review of roles and responsibilities, and will provide information on changes in laws or policies that are relevant to the work of Albany's advisory bodies.

Oath of Office

All members of City boards and commissions must take the Oath of Office prior to officially serving on an advisory body.

The City Clerk issues the Oath of Office and once you are appointed the City Clerk will notify you to schedule an appointment for you to come into the Office so that the Oath could be administered.

CONCLUSION

In closing the City Council and staff would like to welcome you to City service, as a volunteer member of a City board, commission or committee. We are hopeful that you will enjoy your participation in the governing process of the City of Albany.

This Handbook has been prepared to assist you during your term of service. Please consider it a general guide and not as an all-inclusive set of regulations. If you have questions about the material included in this Handbook or concerns about items that are not addressed, do not hesitate to contact City staff.

The City of Albany thanks you again for your service and hopes that you are personally enriched, as you make contributions that assist and benefit your community.

ATTACHMENTS

The Ten Commandments of the Brown Act

1. You shall only hold meetings which are properly noticed and open to the public, unless you have the written concurrence of the city attorney.
2. You shall not discuss with each other or make decisions outside of a public meeting by use of telephone, faxes, e-mail, etc.
3. You shall not discuss or make decisions about public business while attending a social or ceremonial event.
4. With limited exceptions, you shall hold all meetings within the city limits.
5. You shall post an agenda of your regular meetings at least 72 hours in advance.
6. You shall mail a notice of your meeting and any written agenda materials to anyone who requests it.
7. You shall allow all people to speak at your meeting about any topic within your subject matter jurisdiction, but you shall not take action unless the matter is posted on the agenda.
8. You shall allow the public to have a copy of all written material related to your meeting and shall post such materials to the web site, including materials received up to and during the meeting.
9. You shall hold special meetings only after posting an agenda 24 hours in advance and after concurrence from the city attorney. Emergency meetings (in the event of a disaster) need only 1 hour notice.
10. You shall add items to your agenda at your meeting only if there is a 2/3 vote determining that there is an immediate need to take action and that the need was learned after the posting of the agenda. You shall be very careful when applying this rule.

IMPORTANT: This is a very brief synopsis of the government code. If you have any questions regarding the Ralph M. Brown Act, please contact the city attorney.

DEFINITIONS OF BOARD, COMMISSION, COMMITTEE AND TASK FORCE

Task Force. A temporary grouping of individuals and resources for the accomplishment of a specific objective.

Committee. A group of people officially delegated to perform a function, such as investigating, considering, reporting or acting on a matter.

Ad Hoc. Committees established for a specific purpose. Formed for or concerned with one specific purpose for the particular end or case at hand without consideration of wider application; formed or used for specific or immediate problems or needs; often improvised or impromptu; contrived purely for the purpose in hand rather than planned carefully in advance.

Commission. A group of people officially authorized to perform certain duties or functions with certain powers or authority granted; the act of granting certain powers or the authority to carry out a particular task or duty: . . . and powers so conferred.

Board. A group of persons having managerial, supervisory or advisory powers. In parliamentary law, a board is a form of deliberate assembly and is distinct from a committee, which is usually subordinate to a board or other deliberative assembly and having greater autonomy and authority.

TIPS FOR COMMISSION EFFECTIVENESS

Tips for Effectiveness:

1. Do your homework! Read your packet before the meeting. Visit the sites.
2. Raise questions with staff before the meeting. Avoid surprises.
3. Remember you are a commission for the "whole."
4. Watch out for "bumping" into another advisory body, and resolve it early on if you think you might.
5. For quasi-judicial bodies, keep staff and the City Attorney advised of applicant contacts and ethical concerns.
6. Actively participate in all advisory body matters, not just the ones you're most interested in.
7. In making recommendations to Council, think through long-term and "ripple" effects.
8. Treat everyone, public, each other and staff with respect.
9. Praise staff and each other in public – criticize in private.
10. Participate in training opportunities when available.

Ten ways to offend your colleagues on the Commission:

1. Not show up!
2. Failure to prepare.
3. Dominate or pontificate.
4. Appeal to the audience or media.
5. Cut off or interrupt others.
6. Amend a motion to soften it and then not vote for it.
7. Commit to a position before the meeting.
8. Pressure your colleagues to take a position before the meeting.
9. Tell others they are wrong.
10. Criticize staff in public.

Robert's Rules of Order

The City of Albany, like most agencies throughout the United States, follows the basic tenets of Robert's Rules of Order, Newly Revised (RRONR) in the conduction of meetings. RRONR provide a useful set of rules of conduct of meetings. The goal of the rules is to permit each member of the body an opportunity to be heard and to provide an orderly process for decision-making. A brief description of the parliamentary process used by RRONR follows.

A MOTION is a proposal that the body take a certain action or "go on the record" as having taken a certain stand on an issue. Motions need to be concise and should be stated positively (e.g. I move to deny... that than I move to not approve...) the motion needn't contain its rationale. Sometimes makers of motions give their reasons for the proposal as if it were part of the motion. The integration of debate into the motion tends to confuse the proceedings.

Once a motion is made, it must be SECONDED. If it is not seconded, it dies without any debate. If seconded, the motion may be DEBATED, unless there is not debate or it is a type of motion, which is not subject to debate. Finally, following debate (if any), the motion is subjected to a VOTE.

A motion must be in ORDER for the body to entertain it. That means that the motion must relate to the business at hand and be presented at the appropriate time.

In addition, the practice of "friendly amendments," which are offered to the maker of the motion, and which, if accepted by the maker and the seconder, effectively amend the motion without the formality of a separate motion.

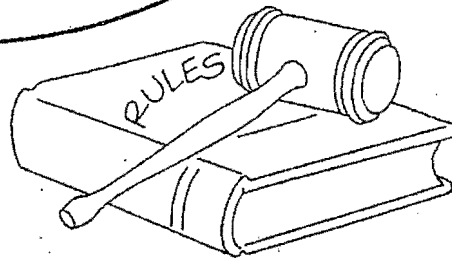
The most important element in the RRONR may be that everyone know and understand the rules in advance. After all, rules of procedure are intended to facilitate, not complicate, the transaction of business.

The table below is meant for easy reference. The first nine motions set forth below are in their order of precedence. They are enumerated for easy identification. The remaining motions have no precedence and are taken in the order they are offered. The table also addresses these five basic questions for each motion: (1) may one interrupt the speaker to make a motion? (2) does the motion require a second? (3) is the motion subject to debate? (4) is the motion subject to amendment? And (5) what vote is required for the motion to pass.

OBJECTIVE	MOTION	Interrupt?	2 nd ?	Debate?	Amend?	Vote?
1. Adjourn meeting	I move to adjourn.....	No	Yes	No	No	Majority
2. Call a recess	I move that we recess for.....	No	Yes	No	Yes	Majority
3. Complain about noise, heat.....	Point of personal privilege	Yes	No	No	No	None
4. Suspend consideration of an item	I move to table the motion	No	Yes	No	No	Majority
5. End debate & amendments	I move the previous question	No	Yes	No	No	2/3rds
6. Postpone discussion for a certain time	I move to continue the item to (meeting date)	No	Yes	Yes	Yes	Majority
7. Refer to staff or committee for review or report	I move to refer the matter to...	No	Yes	Yes	Yes	Majority
8. Amend a motion	I move to amend the motion by...	No	Yes	Yes, if subject to	Yes	Majority
9. Introduce business	I move that	No	Yes	Yes	Yes	Majority
10. Protest breach of procedure	Point of order	Yes	No	No	No	None
11. Overrule the chair	I appeal from the chair's decision	Yes	Yes	Yes	No	Majority
12. Suspend rules	I move to suspend the rules so that....	No	Yes	No	No	2/3rds
13. Request for information	Point of information	Yes	No	No	No	None
14. Reconsider a hasty action (must be made by one who voted on the prevailing side)	I move to reconsider the vote on...	Yes	Yes	Yes, if subject to	No	Majority

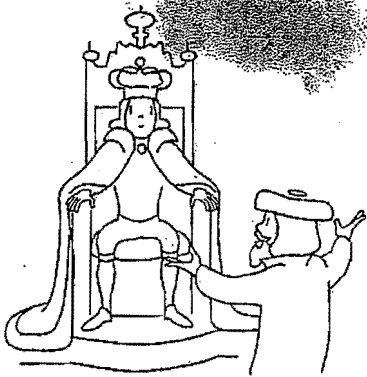
WHAT IS PARLIAMENTARY PROCEDURE?

It's a set of rules for conducting business at meetings and public gatherings.



PARLIAMENTARY PROCEDURE HAS A LONG HISTORY

IT ORIGINATED
in the early English
Parliaments

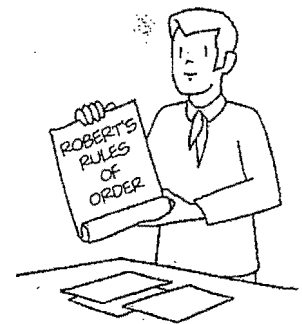


IT CAME TO AMERICA
with the first
European settlers.

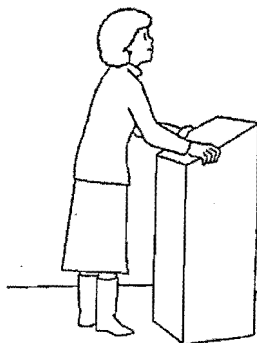


IT BECAME UNIFORM

in 1876, when
Henry M. Robert
published his manual
on Parliamentary Law.



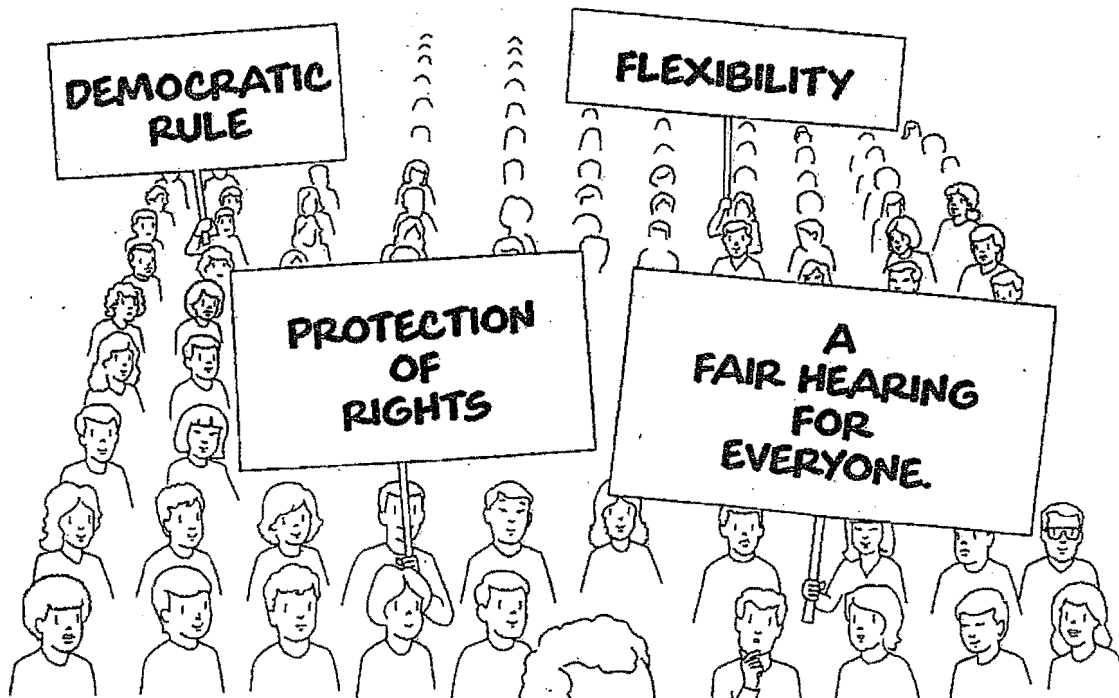
Today, *Robert's Rules of Order Newly Revised*, 10th Edition, is the basic handbook of operation for many clubs, organizations and other groups.



WHY IS PARLIAMENTARY PROCEDURE IMPORTANT?

Because it allows everyone to be heard and to make decisions without confusion.

PARLIAMENTARY PROCEDURE MEANS:



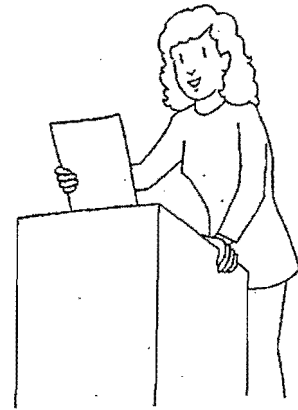
It can be adapted to fit the needs of any organization.



So, it's important for everyone to know these basic rules!

A FIXED AGENDA,

or order of business, is generally followed by organizations using parliamentary procedure. Here's a typical example:



1. CALL TO ORDER

If a quorum* is present, the chair (the person conducting the meeting) says, "The meeting will come to order."

2. MINUTES

The secretary reads a record of the previous meeting.

3. OFFICERS' REPORTS

Officers and standing (permanent) committees may report on their activities. Some only report at annual meetings.

4. REPORTS OF SPECIAL COMMITTEES

Special (temporary) committees report on the tasks for which they were created.

5. SPECIAL ORDERS

This is important business previously designated for consideration at this meeting.

6. UNFINISHED BUSINESS

This is business that has come over from the previous meeting.

7. NEW BUSINESS

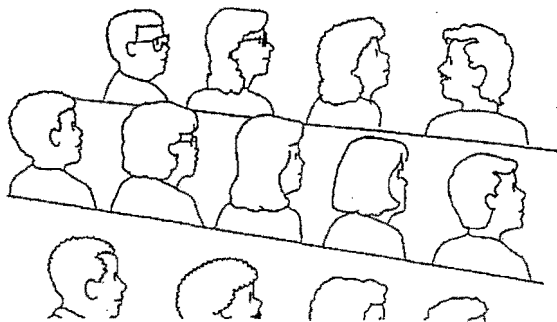
New topics are introduced.

8. ANNOUNCEMENTS

These inform the assembly (the people at the meeting) of other subjects and events.

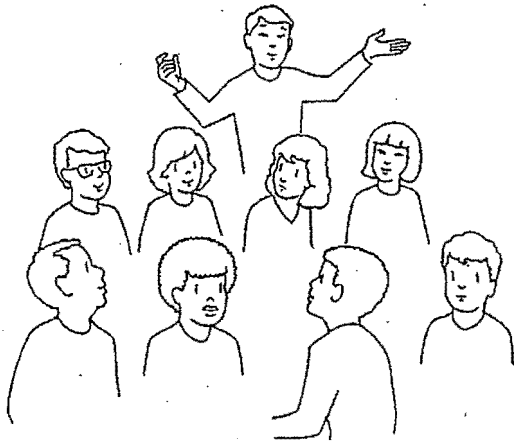
9. ADJOURNMENT

The meeting ends by a vote or by general consent (or by the chair's decision if the time of adjournment was prearranged by vote).



*A quorum is the number or percentage of members that must be present for business to be conducted legally. The actual number is usually stated in the bylaws.

Note: Some assemblies may hold electronic meetings, such as videoconferences or teleconferences. These assemblies may need to modify some rules for obtaining the floor,



HOW DO MEMBERS GET THEIR SAY?

They make motions. A motion is a proposal that the assembly take a stand or take action on some issue. Members have a right to:

PRESENT MOTIONS

(make a proposal)



SECOND MOTIONS

(express support for discussion of another member's motion)



DEBATE MOTIONS

(give opinions on the motion)



VOTE ON MOTIONS

(make a decision).



THERE ARE 5 GENERAL TYPES OF MOTIONS

① MAIN MOTIONS

These introduce subjects for consideration. They cannot be made when another motion is before the assembly. They yield to privileged, subsidiary and incidental motions.

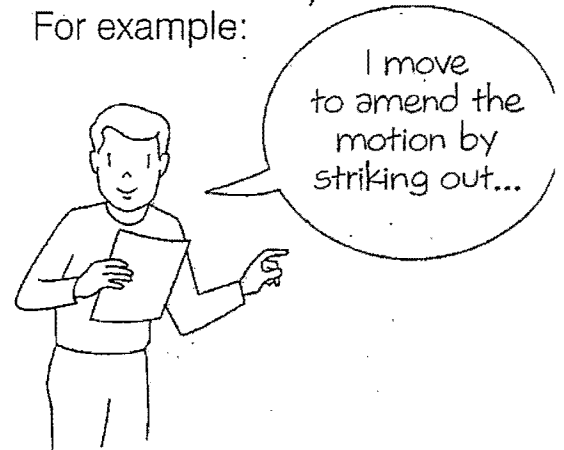
For example:



② SUBSIDIARY MOTIONS

These change or affect how the main motion is handled. (They are voted on before the main motion.)

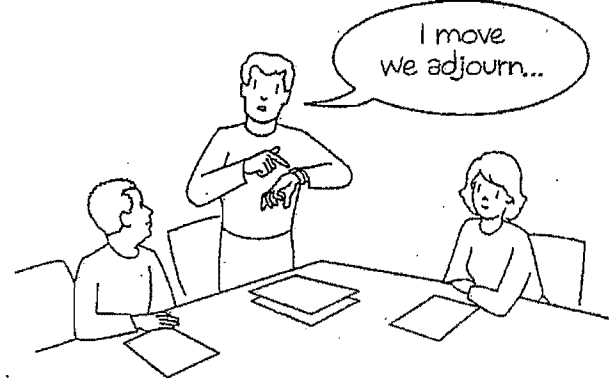
For example:



③ PRIVILEGED MOTIONS

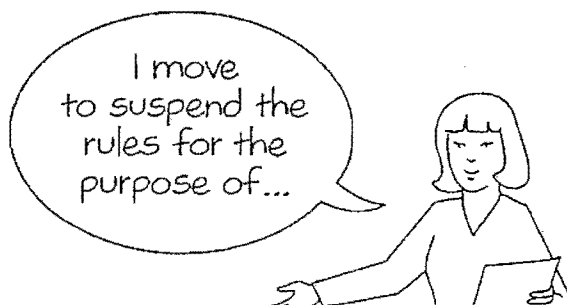
These concern special or important matters not related to pending business. In general, they are considered before other types of motions.

For example:



④ INCIDENTAL MOTIONS

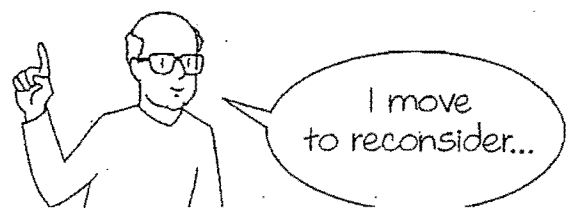
These are questions of procedure that arise out of other motions. They must be considered before the other motion. For example:



⑤ MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY

These enable certain items to be reconsidered. In general, they are brought up when no business is pending.

For example:



PARLIAMENTARY PROCEDURE AT A GLANCE

Here are some motions you might make, how to make them, and what to expect of the rules.

TO DO THIS:	YOU SAY THIS:	MAY YOU INTERRUPT THE SPEAKER?	DO YOU NEED A SECOND?	IS IT DEBATABLE?	CAN IT BE AMENDED?	WHAT VOTE IS NEEDED?	CAN IT BE RECONSIDERED?
ADJOURN MEETING	"I move to adjourn."	NO	YES	NO	NO	MAJORITY	NO
CALL AN INTERMISSION	"I move to recess for..."	NO	YES	NO ❶	YES	MAJORITY	NO
COMPLAIN ABOUT HEAT, NOISE, ETC.	"I rise to a question of privilege."	YES	NO	NO	NO	NO VOTE	NO
TEMPORARILY SUSPEND CONSIDERATION OF AN ISSUE	"I move to lay the motion on the table."	NO	YES	NO	NO	MAJORITY	NO ❷
END DEBATE AND AMENDMENTS	"I move the previous question."	NO	YES	NO	NO	⅔	YES ❸
POSTPONE DISCUSSION FOR A CERTAIN TIME	"I move to postpone the discussion until..."	NO	YES	YES	YES	MAJORITY	YES
GIVE CLOSER STUDY OF SOMETHING	"I move to refer the matter to committee."	NO	YES	YES	YES	MAJORITY	YES ❹
AMEND A MOTION	"I move to amend the motion by..."	NO	YES	YES ❺	YES	MAJORITY	YES
INTRODUCE BUSINESS	"I move that..."	NO	YES	YES	YES	MAJORITY	YES

THE MOTIONS LISTED ABOVE ARE IN ORDER OF PRECEDENCE... BELOW, THERE IS NO ORDER...

PROTEST BREACH OF RULES OR CONDUCT	"I rise to a point of order."	YES	NO	NO	NO	NO VOTE ❻	NO
VOTE ON A RULING OF THE CHAIR	"I appeal from the chair's decision."	YES	YES	YES	NO	MAJORITY	YES
SUSPEND RULES TEMPORARILY	"I move to suspend the rules so that..."	NO	YES	NO	NO	⅔	NO
AVOID CONSIDERING AN IMPROPER MATTER	"I object to consideration of this motion."	YES	NO	NO	NO	⅔ ❼	YES ❸
VERIFY A VOICE VOTE BY HAVING MEMBERS STAND	"I call for a division," or "Division!"	YES	NO	NO	NO	NO VOTE	NO
REQUEST INFORMATION	"Point of information..."	YES	NO	NO	NO	NO VOTE	NO
TAKE UP A MATTER PREVIOUSLY TABLED	"I move to take from the table..."	NO	YES	NO	NO	MAJORITY	NO
RECONSIDER A HASTY ACTION	"I move to reconsider the vote on..."	YES ❽	YES	YES ❿	NO	MAJORITY	NO

NOTES: ❶ Unless moved when no question is pending. ❷ Affirmative votes may not be reconsidered. ❸ Unless vote on question has begun. ❹ Unless the committee has already taken up the subject. ❺ Unless the motion to be amended is not debatable. ❻ Unless the chair submits to the assembly for decision. ❼ A ⅔ vote in negative is needed to prevent consideration of the main motion. ❽ Only if the speaker has the floor but has not actually begun to speak. ❹ Unless the motion to be reconsidered is not debatable.

SOME QUESTIONS RELATING TO MOTIONS:

IS IT IN ORDER?

Your motion must relate to the business at hand and be presented at the right time. It must not be obstructive, frivolous or against the bylaws.

MAY I INTERRUPT THE SPEAKER?

Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.

DO I NEED A SECOND?

Usually, yes. A second indicates that another member would like to consider your motion. It prevents spending time on a question that interests only one person.

IS IT DEBATABLE?

Parliamentary procedure guards the right to free and full debate on most motions. However, some subsidiary, privileged and incidental motions are not debatable.

CAN IT BE AMENDED?

Some motions can be changed by striking out or inserting wording, or both. Amendments must relate to the subject as presented in the main motion.

WHAT VOTE IS NEEDED?

Most require only a majority vote (more than half the members present and voting). But, motions concerning the rights of the assembly or its members need a $\frac{2}{3}$ vote to be adopted.

CAN IT BE RECONSIDERED?

Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the winning side.

The table on pages 8 and 9 answers these questions for some specific motions.



HOW DO I PRESENT MY MOTION?

Here's what happens
when you want a
motion considered:

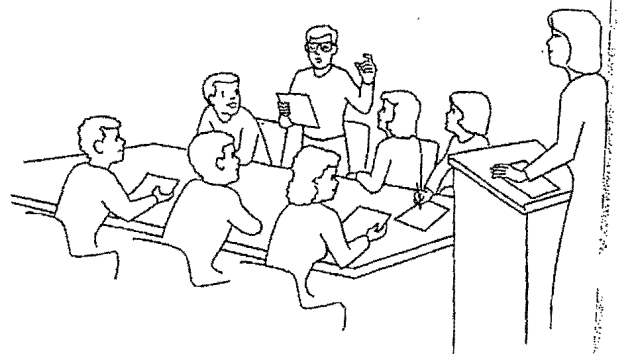
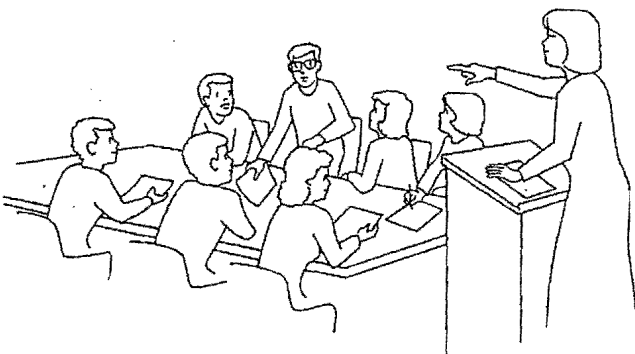


① YOU OBTAIN THE FLOOR

- Wait until the previous speaker is finished.
- Rise and address the chair. Say, "Mr. (or Madam) Chairperson" or "Mr. (or Madam) President."
- Give your name. The chair will recognize you by repeating it.

② YOU MAKE YOUR MOTION

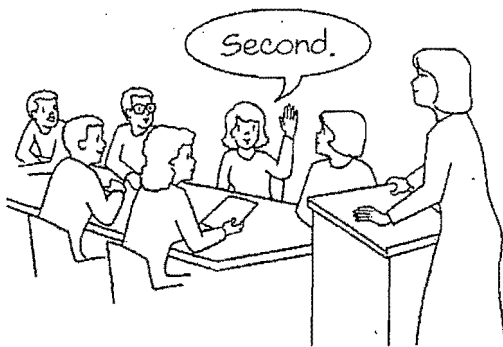
- Speak clearly and concisely.
- State your motion affirmatively. Say, "I move that we do..." instead of "I move that we do not..."
- Stay on the subject and avoid personal attacks.



③ YOU WAIT FOR A SECOND

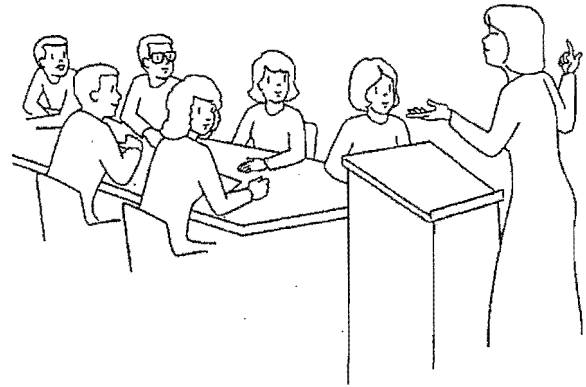
- Another member will say, "I second the motion."
- Or, the chair will call for a second.
- If there is no second, your motion will not be considered.

Motions made at the direction of a board or committee (of more than one person) do not require a second.



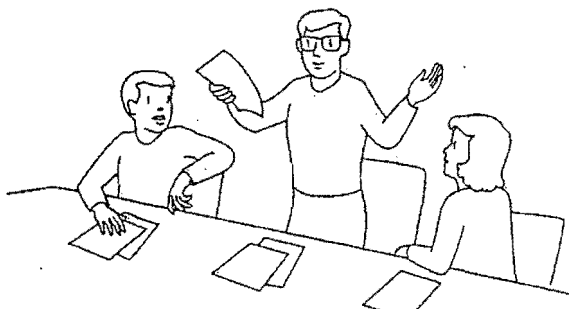
④ THE CHAIR STATES YOUR MOTION

- The chair must say, "It is moved and seconded that we..."
- After this happens, debate or voting can occur.
- Your motion is now "assembly property," and you can't change it without consent of the members.



⑤ YOU EXPAND ON YOUR MOTION

- As the person who made the motion, you are allowed to speak first.
- Direct all comments to the chair.
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a $\frac{2}{3}$ vote.



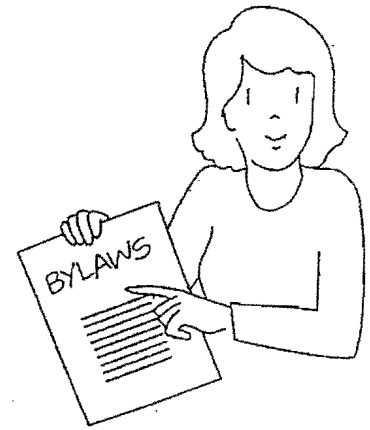
⑥ THE CHAIR PUTS THE QUESTION

- The chair asks, "Are you ready for the question?"
- If there is no more debate, or if a motion to stop debate is adopted, a vote is taken.
- The chair announces the results.



THE METHOD OF VOTING ON A MOTION

depends on the situation and on the bylaws of your organization. You may vote by:



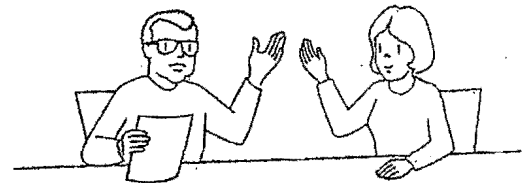
VOICE

The chair asks those in favor to say "aye" and those opposed to say "no" (for majority votes only). A member may move for an exact count.



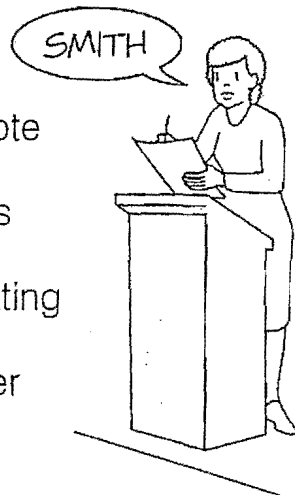
SHOW OF HANDS

Members raise their hands to verify a voice vote, or as an alternative to it. This does not require a count. A member may move for an exact count.



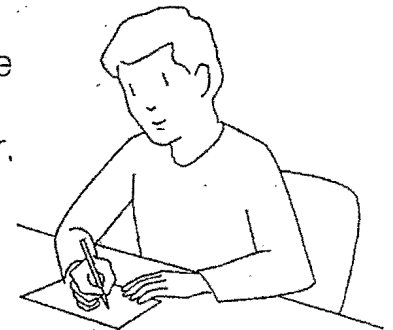
ROLL CALL

If a record of each person's vote is needed, each member answers "yes," "no" or "present" (indicating the choice not to vote) as his or her name is called.



BALLOT

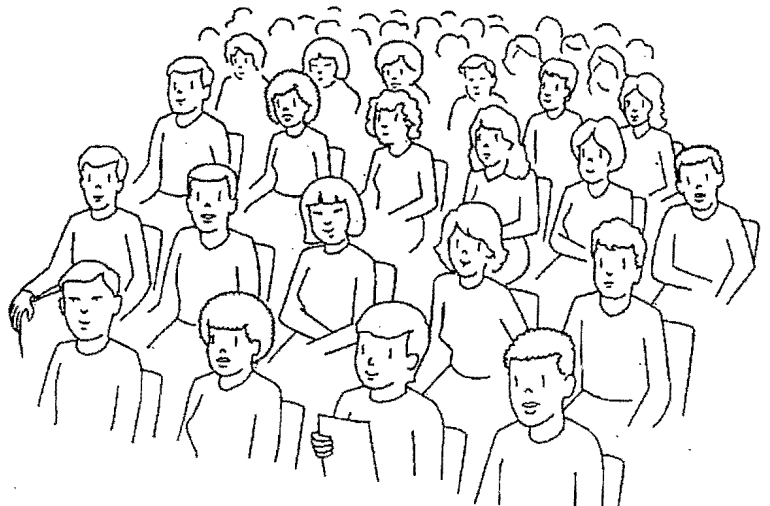
Members write their vote on a slip of paper. This is done when secrecy is desired.



GENERAL CONSENT

When a motion isn't likely to be opposed, the chair says, "If there is no objection..." Members show consent by their silence.

If someone says, "I object," the matter must be put to a vote.



MORE ABOUT VOTING



A question (motion) is pending when it has been stated by the chair but not yet voted on.

The last motion stated by the chair is the first pending.

The main motion is always the last voted on.

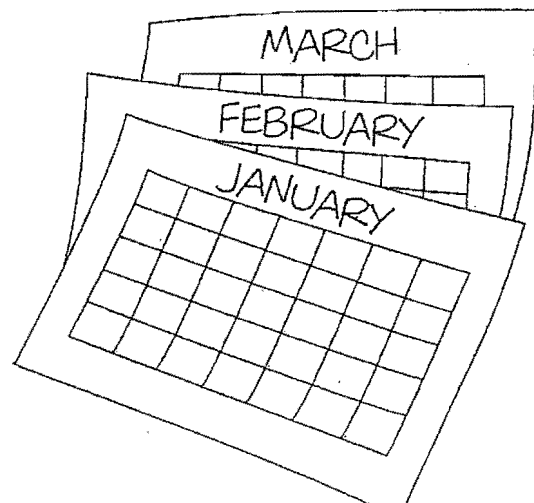
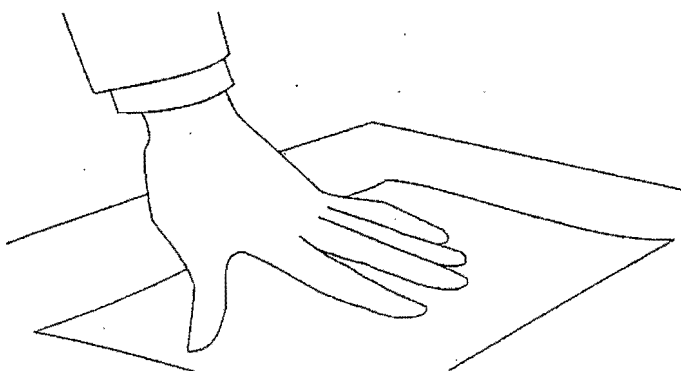
A MOTION TO LAY ON THE TABLE

This motion is used to lay something aside temporarily to take care of a more urgent matter. It should not be used to prevent debate or to kill a question.

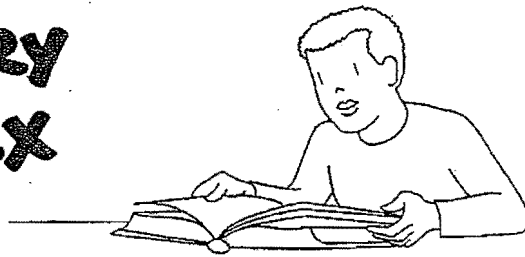
Members can "take from the table" a motion for reconsideration. This must happen by the end of the current or next session (depending on how soon the next session is scheduled).

A MOTION TO POSTPONE INDEFINITELY

This is parliamentary strategy. It allows members to dispose of a motion without making a decision for or against. This is useful in case of a badly chosen main motion for which either a "yes" or "no" vote would have undesirable consequences.



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So...

PARLIAMENTARY PROCEDURE HELPS GET THINGS DONE

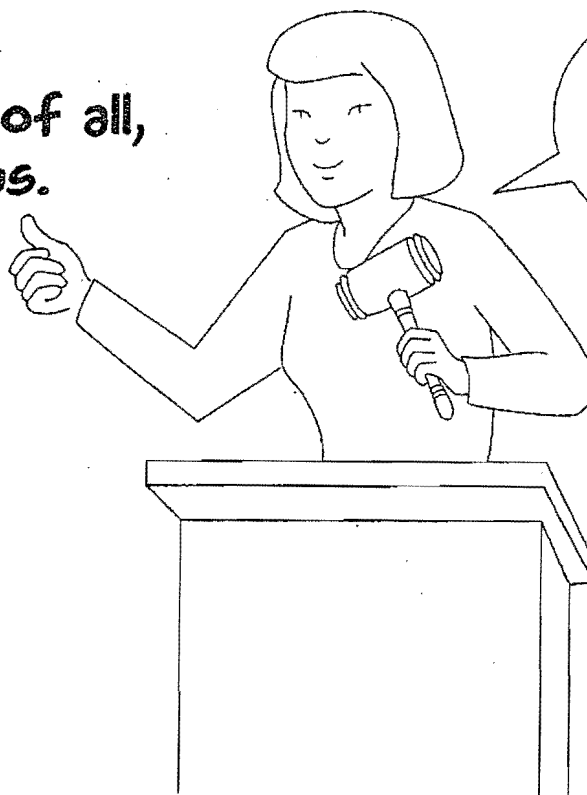
✓ **MAKE MOTIONS**
that are in order.

✓ **OBTAIN THE FLOOR**
properly.

✓ **SPEAK**
clearly and concisely.

✓ **OBEDY**
the rules of debate.

And, most of all,
be courteous.



That's
always in
order!