



**CHARTER REVIEW COMMITTEE  
REGULAR MEETING**

**City Hall Conference Room, 1000 San Pablo Avenue  
Monday, October 26, 2015 – 7:30-9:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES**

**3-1.** January 26, 2015

**4. PUBLIC COMMENT**

**5. ANNOUNCEMENTS/COMMUNICATIONS**

**5.1.** Welcome Committee Member Lindsay

**5-2.** Charter Review Committee Work Plan  
*Receive Work Plan as presented to the City Council*

**6. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

**6-1.** Referral from the City Council – Consideration of a Charter Amendment to sunset the Civil Service Board  
*Examine the ramifications of a Charter Amendment to sunset the Civil Service Board, and provide a report to the City Council.*

**6-2.** Consideration of a request to the City Council asking the Council to authorize a change to the Committee's work plan to develop a draft charter amendment specifying a transition to the use of Ranked Choice Voting At Large (Jordan)  
*Consider whether the Committee would like to request that the Council direct the Committee to develop a draft Charter Amendment to transition to the use of Ranked Choice Voting At Large. Council approval of an amendment to the Committee's work plan would be required.*

**7. FUTURE AGENDA ITEMS**

Next meeting

**8. ADJOURNMENT**

Attachments:

1. 2015/16 Work Plan
2. Staff Memorandum – Civil Service Board
3. City Council Administrative Policies Excerpt – Advisory Body Conduct and Administration
4. Work Plan Amendment Form
5. Draft Committee Motion, Resolution Recommending Development of a draft Charter Amendment regarding a Transition to use of Ranked Choice Voting At Large, and draft Letter from City Council to Registrar of Voters

*The Committee packet is available for public inspection at the Albany Library, Senior Center, and City Hall. The agenda and supporting staff reports, if available, can be found on our web page at [www.albanyca.org](http://www.albanyca.org).*

*Please note that if you provide your name and address when speaking before the Committee it will become part of the official public record, which will be posted on the Internet.*



**CHARTER REVIEW COMMITTEE  
REGULAR MEETING  
MINUTES**

**City Hall Conference Room, 1000 San Pablo Avenue  
Monday, January 26, 2015 – 7:30-9:00 p.m.**

**1. CALL TO ORDER**

The meeting was called to order by Chair Schneider at 7:30 pm.

**2. ROLL CALL**

Members Present: Baty, Jordan, O'Keefe, Schneider

**3. APPROVAL OF MINUTES**

**3-1.** November 24, 2014

Minutes approved unanimously as amended.

**4. PUBLIC COMMENT**

None.

**5. ANNOUNCEMENTS/COMMUNICATIONS**

Almaguer announced the status of City Council appointments to the Charter Review Committee and that there is still one appointment remaining.

**6. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

**6-1.** Selection of Chair and Vice Chair

The Committee selected Baty to serve as Chair, and O'Keefe to serve as Vice Chair.

**6-2.** Annual review of Committee Work Plan

The Committee reviewed the work plan and agreed to add an item to the work plan to ask the Council if they would like the Committee to evaluate the appointment process for filling vacancies on the City Council, with the Charter possibly referring to a policy document that details the procedures for filling vacancies on the Council. O'Keefe will present the work plan to the Council on February 17, 2015.

**7. FUTURE AGENDA ITEMS**

Next meeting: March 23, 2015

**8. ADJOURNMENT**

The meeting was adjourned at 8:05 p.m.

**CITY OF ALBANY  
CHARTER REVIEW COMMITTEE**

**2015 Work Plan  
January 26, 2015**

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**Initiatives and Accomplishments of 2013-14**

- Completed review of potential election methods.
- Considered the Board of Education request to consider elimination of term limits as referred to the Charter Review Committee by the City Council, finding that the removal of term limits for the Board of Education in the City Charter, Section 6.02 would be neutral with regard to its effect on the rest of the Charter.

**Policy Review and Initiatives for 2015-16**

- Provide recommendations to City Council regarding suggested amendments to the City Charter, if any.
- Determine whether the City Council would like the Charter Review Committee to review Section 5.02 of the City Charter to develop language that would include reference to a policy document (i.e. City Council Resolution) regarding the process for filling vacancies on the City Council

# ALBANY CALIFORNIA



CITY OF ALBANY  
1000 SAN PABLO AVENUE  
ALBANY, CA 94706  
[www.AlbanyCA.org](http://www.AlbanyCA.org)

## MEMORANDUM

October 23, 2015

**To: Charter Review Committee**

**From: Nicole Almaguer, Assistant City Manager/City Clerk**

**Subject: City Council referral to the Charter Review Committee regarding a Charter Amendment to sunset the Civil Service Board**

### Background

On October 19, 2015 the City Council considered the sunseting of the City's Civil Service Board. The Board is established within the City's Charter, and any change requires a ballot measure approved by the voters.

As detailed in the staff report to the Council (provided as an attachment to this memorandum) the role of the Civil Service Board has diminished over time. A review of the City's Advisory Bodies was conducted in 2010, which recommended sunseting the Civil Service Board as the role of the Board is now duplicative with the role and responsibilities of the City's Human Resources Division, established bargaining units with both police (APOA) and fire (AFFA) personnel and associated memorandums of understanding, as well as the laws that protect the rights of sworn safety personnel.

### City Council Referral to Charter Review Committee

The Council took action on October 19, 2015 to refer the matter to the Charter Review Committee to "examine the ramifications of a Charter Amendment to sunset the Civil Service Board, and that the Committee return to the Council with a report".

Additionally, the Council asked that the Committee work with staff on the preparation of draft language for a possible ballot measure to amend the City's Charter to sunset the Civil Service Board. Pending the outcome of Committee's review of the possible ramifications of a Charter Amendment, staff will prepare draft ballot measure language

for review by the Committee and the City Council in advance of the November 2016 election. In general, the Council typically takes action to place items on the ballot in June or July of an election year, with an ultimate deadline of early August.

### **City Charter Chapter 8**

The Civil Service Board is found within Chapter 8 of the City Charter – Sections 8.01 – 8.07. Should a Charter Amendment be developed, it is anticipated that Chapter 8 would retain a provision generally declaring the existence of a Civil Service system and authorizing the City Council to implement this provision by ordinance. See current Section 8.01, subdivisions (a) and (b).

### **Attachments:**

1. City Council Staff Report, October 19, 2015

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: October 19, 2015  
Reviewed by: PL

**SUBJECT:** Consideration of Charter Amendment to Sunset the Civil Service Board

**REPORT BY:** Gene Boucher, Human Resources Manager  
Nicole Almaguer, Assistant City Manager/City Clerk

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**SUMMARY**

Council Member Pilch requested an agenda item for Council to consider development of a Charter Amendment to sunset the Civil Service Board. The following is provided as background information with regard to the City's Civil Service Board.

**STAFF RECOMMENDATION**

That Council provide direction to staff regarding development of a Charter Amendment to sunset of the Civil Service Board.

**BACKGROUND**

The City's Civil Service Board was established within the City's original Charter, adopted in 1927. The Board consists of five members, with each Council Member making an appointment to the Board. The role of the Board as defined in Chapter VIII of the City's Charter is as follows:

**SECTION 8.03. POWERS AND DUTIES.**

(a) The Board shall formulate rules and regulations governing the selection, promotion, reinstatement, re-employment, transfer, of all persons who are in the Classified Service in accordance with any ordinance adopted and/or amended by the City Council.

(b) The Civil Service Board shall hold written, oral, and any such other examinations as may be appropriate for applicants for employment, promotion, re-employment, reinstatement, or transfer, and shall maintain records and certified lists as appropriate. If any open examination is held, the Board shall give reasonable preference to existing City employees within the same department, provisions of Section 8.04(a) of this Chapter notwithstanding.

(c) There shall be a Hearing Board. The Hearing Board shall hear disputes related to members of the Classified Service, the exact nature and severity of such disputes to be

defined by ordinance. Members of the Civil Service Board have the authority to serve as members of the Hearing Board. (Added, ratified, November 2, 1982)

Currently, the primary role of the Civil Service Board is to approve eligibility lists resulting from a recruitment and/or promotion of a classified service position. "Classified Service" employees consist of sworn safety officers in the Police and Fire Departments. The Civil Service Board may also extend an eligibility list upon request as needed. The Civil Service Board does not hold or conduct written, oral or any such other examinations. The City's Human Resources Manager administers all recruitments, in coordination with Department Heads and the City Manager.

Many regulatory and procedural changes have occurred since the establishment of the Civil Service Board. Employees are organized and collectively bargain for wages, hours and other terms and conditions of employment, and grievance procedures have been established. In addition, there are several legal protections which the City follows such as the Meyers-Milias-Brown Act, Skelly rights and the Public Safety Officers Procedural Bill of Rights Act, and the Firefighters Procedural Bill of Rights. Staff has developed policies and procedures to ensure compliance with all legal protections and regulations.

In 1969 the City Council adopted Resolutions No. 69-114 and 69-115, providing for the administration of the employer-employee relations between the City and employee bargaining units. These Resolutions were in response to the Meyers-Milias-Brown Act which governs labor-management relations in California local governments. The City and the bargaining units have an obligation to "meet and confer in good faith" regarding all terms and conditions of employment.

Skelly rights refer to due process procedures the employer must provide employees faced with disciplinary action. Additionally, the Public Safety Officers Procedural Bill of Rights Act specifies elements of procedural rights that must be accorded to public safety officers when they are subject to investigation or discipline.

The California Public Employee's Retirement System (PERS) also requires utilization of the Administrative Procedures Act (APA). The APA sets forth the procedural format for conducting administrative hearings in matters involving certain governmental agencies. PERS is an agency subject to the APA and the City must comply with this act when resolving a dispute as to whether a PERS safety member should or should not be industrial disability retired.

## **DISCUSSION**

In 2010 the City conducted a review of all advisory bodies to the City Council. As an outcome of this review it was recommended to sunset the Civil Service Board as the duties of the Board are now duplicative (excerpt provided as Attachment 1).

In addition, at times, there has been issue ensuring a quorum of the Civil Service Board, and the hiring of new safety personnel may be delayed if the Board is unable to meet.

The MOU with the Albany Fire Fighters' Association (AFFA) outlines the procedures required for Disciplinary Action Appeal Procedures for Actions other than Written Reprimands (Sections 4.4 & 4.5). Section 4.5 provides that an employee may, as an optional alternative, request to have their dismissal hearing in front of the Civil Service Board, rather than by an arbitrator. This process is optional and the employee can only pick one path, not both. The MOU with the Police Officers (APOA) follows the law as prescribed by the Public Safety Officers Procedural Bill of Rights Act by making the final step of the process binding arbitration.

With the passage of the Public Safety Officers Procedural Bill of Rights Act, and the Firefighters Procedural Bill of Rights Act, the law dictates the process that is required for dismissal of an employee with the final step of the process being binding arbitration. The dissolving of the Civil Service Board would not negatively impact employees as the City is required to follow the law.

For recruitment processes the Human Resources Manager administers all tests, practical examinations, interviews, and background checks in accordance with best practices, Equal Employment laws, and in conjunction with the hiring departments to keep the process open and fair for all applicants. On October 6, 2014 the Civil Service Board adopted recruitment plans for each of the following classifications: Police Officer (Entry Level), Police Officer (Lateral), Police Sergeant (Promotional), Police Lieutenant (Promotional), Fire Figher Paramedic, Fire Engineer (Promotional), Fire Lieutenant (Promotional), and Fire Captain (Promotional). The recruitment plans address the processes for each recruitment and indicate how each component of the process will be rated. The Civil Service Board simplified the processes to eliminate the need for a meeting to be held each time a new recruitment was opened.

Any challenges to the recruitment and selection process would be handled first by the Human Resources Manager with a final appeal to the City Manager. The Human Resources Manager retains all recruitment records for a period of seven (7) years in the HR Office. This includes, applications, test scores, supplemental materials, interview questions, ratings, background check information, and all correspondence sent to candidates.

### **NEXT STEPS**

The Civil Service Board is included within the City Charter, and any changes to the Charter require voter approval. The next general municipal election is scheduled for November 2016. The City Council generally adopts Resolutions concerning ballot measures in June or July of an election year. Should the Council wish to pursue the sunseting of the Civil Service Board, it is recommended that the Council direct staff to work with the City's Charter Review Committee to identify whether removal of the Civil Service Board has an



effect on the rest of the Charter, and to draft language for a ballot measure for review by the City Council. Should a ballot measure be approved by the voters to sunset the Civil Service Board, staff will also return to the Council with edits to Chapter 3 of the Albany Municipal Code concerning personnel and referencing the Civil Service Board.

**SUSTAINABILITY IMPACT**

None.

**FINANCIAL IMPACT**

None.

**Attachments**

1. Advisory Body Review Report, 2010 (excerpt)
2. Charter of the City of Albany, Chapter VIII

## Improving the Efficiency and Effectiveness of Albany's Commissions, Committees and Boards

Submitted by Drennen Shelton, June 1, 2010

### Civil Service Board

#### Purpose, Authority, Scope and Duties

Codified in the Albany City Charter, the Civil Service Board formulates rules and regulations governing the selection, promotion, reinstatement, reemployment, and transfer of employees in the City's Classified Service. According to the Charter, the Civil Service Board oversees the necessary examination for the selection and promotion of the "Classified Service," which comprises the City's employees in the Police and Fire Departments.

However, the Board does not currently conduct examinations or establish rules governing the employment of Classified Service personnel. Instead, rules and regulations for Albany's Classified Service personnel are currently governed by: the Meyers-Milias-Brown Act, the City Charter, City personnel policies, and memoranda of understanding between the City and the Albany Peace Officers' Association, and between the City and the Albany Fire Fighters' Association. Additionally, *Skelly* and *Weingarten* Rights, the Public Safety Officers Procedural Bill of Rights Act, and the California Public Employees' Retirement System's Administrative Procedures Act govern labor-management relations between Classified Service Personnel and local governments in California.

While it is likely that, prior to the enactment of these laws and the establishment of the City's Human Resources Division, the Board's authority extended to conducting examinations and establishing rules governing employment. The City's Human Resources Manager now fulfills these responsibilities. As per the current practice, however, the Board meets as needed to endorse the Human Resources Manager's decisions and certify eligibility lists based on his recommendation.

#### Board Composition and Organization

The Board is comprised of five members, each appointed by a member of the City Council.

#### Meetings, Process and Public Interface

The Board meets on an as-needed basis, as staff vacancies arise in Albany's Classified Service, which is typically 1-3 times per year. Meetings usually take less than ten minutes. Staff liaison and Human Resources Manager Aaron Walker attends each meeting, prepares the agenda and records action minutes. According to board members, there has not been a member of the public in attendance at a Board meeting in at least eight years.

#### Areas of Substantial Overlap with other Advisory Bodies

None

#### Recommendation for the Civil Service Board

1. Dissolve the Civil Service Board. This Board is unnecessary and the City Charter should be amended to allow for its dissolution. The rules and regulations related to the Classified Service personnel are governed by statute, case law and contracts, and the Board has little actual discretion to enact rules. Further, the process by which employees are recruited and hired has been professionalized and is overseen by trained and competent City staff. The Board adds an unnecessary layer of oversight and has the potential to hamper the speed and efficiency of staff action in the hiring process.

# **CITY OF ALBANY CITY CHARTER**

## **CHAPTER VIII CIVIL SERVICE**

### **SECTION 8.01. MUNICIPAL CIVIL SERVICE.**

(a) There shall be a Municipal Civil Service, hereinafter referred to as the Classified Service. Membership in the Classified Service is defined in Section 8.05(a) of this Chapter. There shall be a Civil Service Board, hereinafter referred to as the Board, to administer the Classified Service.

(b) The City Council is authorized to pass ordinances pertaining to the Civil Service System. Ordinance provisions affecting the Classified Service shall require a four-fifths (4/5) vote of the City Council, and shall include not less than one (1) public hearing on the subject matter of the ordinance.

(c) There shall be a Board consisting of five (5) members who serve without compensation. Each member of the City Council shall have the right to make one (1) appointment.

(d) No officer, employee, or member of another Board, Commission, or City Council shall be eligible for appointment to the Civil Service Board. (Amended, ratified, January 26, 1935; February 1, 1945; April 15, 1975; November 2, 1982; June 2, 1998)

### **SECTION 8.02. ORGANIZATION.**

(a) The Civil Service Board shall choose one (1) member to serve as Chairperson.

(b) The City Council shall provide a person to serve as a secretary and administrative assistant to the Civil Service Board.

(c) Procedures for organization of the Board, any employees thereof, and duties not hereinafter specified, may be established by resolution. (Added, ratified, November 2, 1982)

### **SECTION 8.03. POWERS AND DUTIES.**

(a) The Board shall formulate rules and regulations governing the selection, promotion, reinstatement, re-employment, transfer, of all persons who are in the Classified Service in accordance with any ordinance adopted and/or amended by the City Council.

(b) The Civil Service Board shall hold written, oral, and any such other examinations as may be appropriate for applicants for employment, promotion, re-employment, reinstatement, or transfer, and shall maintain records and certified lists as appropriate. If any open examination is held, the Board shall give reasonable preference to existing City employees within the same department, provisions of Section 8.04(a) of this Chapter notwithstanding.

(c) There shall be a Hearing Board. The Hearing Board shall hear disputes related to members of the Classified Service, the exact nature and severity of such disputes to be defined by ordinance. Members of the Civil Service Board have the authority to serve as members of the Hearing Board. (Added, ratified, November 2, 1982)

### **SECTION 8.04. DISCRIMINATION PROHIBITED.**

(a) All appointments, promotions, or other personnel decisions affecting the status of an employee shall be based upon selection of the best qualified individual.

(b) No person in the Classified Service, or seeking admission thereto, shall be appointed, promoted, demoted, or discharged, or in any way favored or discriminated against because of political opinions, or affiliations or because of religious belief. (Added, ratified November 2, 1982)

### **SECTION 8.05. EFFECT ON EMPLOYEES IN POLICE AND FIRE DEPARTMENTS AND OTHER DEPARTMENTS.**

(a) All members, who are part of the Classified Service prior to the adoption of Chapter VIII, Sections 8.01 et seq., shall be considered as members with their present status of the Classified Service under the system as now adopted. Employees, not part of the previous Classified Service, shall have no change in status until rules, regulations, ordinances or procedures have been passed which may include additional employees. All future employees hired to positions which are part of the Classified Service at this time shall so remain part of the Classified Service.

(b) The City Council is empowered to define other positions to be included in the Civil Service System and to expand the system to include additional members by ordinance. (Added, ratified November 2, 1982)

SECTION 8.06. The cost of conducting examinations and other duties of the Civil Service Board shall be charged against the general fund of the City. These costs shall be certified by the Civil Service Board and, when so certified, shall be paid by the City Council in the same manner as other charges against the City. (Added, ratified November 2, 1982)

SECTION 8.07. SEVERABILITY.

If any section, subsection, clause, or phrase of this law is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this law. (Added, ratified November 2, 1982)

**ALBANY CITY COUNCIL ADMINISTRATIVE POLICIES**

**ADOPTED BY RESOLUTION NO. 2012-74  
REVISED BY RESOLUTION NO. 2014-7, 2015-9  
EFFECTIVE DATE: DECEMBER 3, 2012**

EXCERPT

with City staff and volunteers.

8. Refrain from all political activities which would impair or bring into question performance as a City employee.
9. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public facilities, equipment, time or office is dishonest.

### **III. CITY ADVISORY BODY CONDUCT AND ADMINISTRATION POLICY**

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

#### **1. ATTENDANCE, ABSENCES, AND REMOVAL FOR EXCESSIVE ABSENCES**

- a. Members of Advisory Bodies (Members) are expected to attend all regular and special meetings of their respective Advisory Body. Regular attendance is necessary to ensure a quorum of members is present, to provide a full range of perspectives on matters before the Advisory Body, and to allow the opportunity for the Advisory Body is to conduct business in a timely manner.
- b. At times, a Member may be able to participate remotely via teleconference. This must be arranged with the Advisory Body Chair and staff liaison in advance of posting of the agenda so that the site from which the member will teleconference can be stated on the agenda, and to ensure necessary equipment is available.
- c. Any Member unable to attend a scheduled meeting shall notify the Advisory Body Chair and/or the assigned staff liaison a minimum of 24 hours in advance of the meeting. This action will result in an "excused" absence. Failure of any Member to notify the Advisory Body Chair or the assigned staff liaison a minimum of 24 hours in advance of the scheduled meeting shall result in an "unexcused" absence.
- d. Excessive absenteeism shall be cause for removal from an Advisory Body. Excessive absenteeism is defined as one of the following:
  - i. Unexcused absence from three consecutive regular meetings
  - ii. With the exception of advisory bodies that meet regularly more than once a month (e.g. Planning & Zoning Commission), absence from four meetings in any twelve month period, excused or unexcused. For advisory bodies that meet regularly more than once a month, excessive absenteeism in a twelve month period shall be defined as six absences from regular meetings, whether excused or unexcused.
- e. The Chair and/or staff liaison shall notify the City Clerk when a Member has excessive absences. The City Clerk shall notify the member and the appointing authority in writing

that the member is removed due to excessive absenteeism. The City Clerk may consider any evidence from the Member provided within ten days of the notice that he/she has not been excessively absent before the action is final.

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

## 2. ESTABLISHED MEETING END TIME

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

## 3. ROTATION OF CHAIR PERSON

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

## 4. SERVICE ON ADVISORY BODIES

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

## 5. ADDRESS, PHONE NUMBER AND EMAIL POLICY

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

## 6. WORK PLAN

All standing Advisory Bodies shall develop and adhere to a work plan for submittal to the City Council. The work plan should identify recent accomplishments, and priority work items for the upcoming period. The work plan should be reviewed by the Advisory Body annually in January to identify accomplishments and ensure continued focus on completing work plan items.

Advisory Bodies are encouraged to focus on a reasonable number of work plan items to accomplish in a given two year period, recognizing the potential workload associated with each item. Additionally, Advisory Body work plans are to focus on furthering the Strategic Plan Goals identified by the City Council.

#### City Council Review of Work Plans

Work plans shall be presented to the City Council every two years.

The Chair of the Advisory Body or a designee should attend the Council meeting to respond to any questions raised by the City Council regarding the work plan.

The Council may choose to revise work plans as necessary to ensure Advisory Bodies remain focused on their respective charge and on implementation of City Council Strategic Plan goals.

#### 7. CHANGES/ADDITIONS TO ANNUAL WORK PLAN

Any changes or proposed additions to the annual work plan must be submitted by the Advisory Body to the City Council for review. The submittal shall be prepared using the attached form “REQUEST FOR AMENDMENT TO ADVISORY ANNUAL BODY WORK PLAN” (Exhibit 1).

#### 8. MANNER FOR BRINGING ITEMS TO THE CITY COUNCIL

##### a. Matters Referred to the Advisory Body by the City Council

The City Council may refer items to the Advisory Bodies for further analysis, research and discussion. Items referred by the City Council to an Advisory Body are to take priority. Advisory Body findings and/or recommendations regarding these matters are to be presented back to the City Council, in accordance with any deadlines identified by the Council. Recommendations should be supported with data, pro/con analysis, or other relevant background material to help inform the City Council. When possible, the Advisory Body should include options for City Council consideration. The staff liaison to the Advisory Body will coordinate with the City Manager to schedule the item on a future City Council agenda. The Advisory Body Chair or designee is expected to attend the City Council meeting to present the item in coordination with the staff liaison.

##### b. Matters Included on the Advisory Body Work Plan

At times the Advisory Body may have updates, reports, findings, or recommendations to present to the City Council on matters included as part of the Advisory Body Work Plan. Recommendations should be supported with data, pro/con analysis, or other relevant background material to help inform the City Council. When possible, the Advisory Body should include options for City Council consideration. The staff liaison to the Advisory Body will coordinate with the City Manager to schedule the item on a future City Council Agenda. It should be noted that the Council has the authority to prioritize items intended for the City Council agenda.



c. Other Matters

If other matters arise relevant to the charge of an Advisory Body that are not included within the Advisory Body Work Plan, and the Advisory Body agrees that the additional work item should be included as part of the work plan, the Advisory Body is to complete the “REQUEST FOR AMENDMENT TO ADVISORY BODY ANNUAL WORK PLAN” (Exhibit 1) for review by the City Council.

9. STAFF LIAISONS TO ADVISORY BODIES

A staff liaison is assigned to each of the Advisory Bodies to the City Council. The role of the staff liaison is to support the Advisory Body by preparing the agenda in coordination with the Advisory Body Chair, preparation of action minutes, and transmittal of items from the Advisory Body to the City Manager or other entity. Advisory Body members are to take the lead in conducting research, preparation of written materials, and other items that may come before the Advisory Body.

**IV. CUSTOMER SERVICE POLICY**

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

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

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

# ALBANY CALIFORNIA



CITY OF ALBANY  
1000 SAN PABLO AVENUE  
ALBANY, CA 94706  
[www.AlbanyCA.org](http://www.AlbanyCA.org)

## REQUEST TO AMEND ADVISORY BODY WORK PLAN FORM

INSTRUCTIONS: ADVISORY BODIES ARE REQUIRED TO COMPLETE FORM  
AND SUBMIT TO THE CITY COUNCIL VIA THE STAFF LIAISON

Attach additional pages as needed

**DATE:** \_\_\_\_\_

**ADVISORY BODY:** \_\_\_\_\_

**STAFF LIAISON:** \_\_\_\_\_

**PROPOSED AMENDMENT TO WORK PLAN:** \_\_\_\_\_

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**DOES THE PROPOSED AMENDMENT ADD TO THE ADVISORY BODY'S  
OVERALL WORK LOAD?** \_\_\_\_\_

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**HOW WILL THE EXTRA WORK LOAD BE MANAGED?**

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**WHAT IS THE ANTICIPATED TIMEFRAME FOR COMPLETION OF THE PROPOSED ITEM?** \_\_\_\_\_

\_\_\_\_\_

**EXPLAIN HOW THE AMENDMENT IS IN LINE WITH THE ADVISORY BODY'S ROLE AS DEFINED BY THE CITY COUNCIL:**

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**PLEASE PROVIDE PRO/CON ANALYSIS REGARDING THE PROPOSED AMENDMENT:**

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\_\_\_\_\_  
\_\_\_\_\_

**RECORD OF COUNCIL ACTION**

ACTION TAKEN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY CLERK

**Charter Review Committee Resolution Recommending Development Of A Draft Charter Amendment Regarding A Transition To Use Of Ranked Choice Voting At Large**

The Charter Review Committee endorses Albany's use of the ranked choice at large election method in order to assure representation of a diversity of viewpoints on governing bodies. The Committee suggests Council direct the Committee to develop a draft charter amendment specifying a transition to this method for Council's consideration. The Committee recommends the amendment would specify the transition occur when the County Registrar can conduct elections using this method and when the incremental cost of doing so compared to using the current plurality at large method does not exceed a specified amount.

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WHEREAS, data from other jurisdictions, including Berkeley, San Francisco and Cambridge, Massachusetts, indicate ranked choice voting increases voter participation relative to other methods,

WHEREAS, Albany's elections are "at large," meaning multiple representatives are elected from the city as a whole in each election,

WHEREAS, Albany's elections currently use plurality at large voting,

WHEREAS, plurality at large voting can result in precluding representation for viewpoints held by a large portion of the electorate, including more than half the electorate in some circumstances,

WHEREAS, a number of California cities are switching from plurality at large voting to other election methods less prone to such outcomes,

WHEREAS, using ranked choice voting in at large elections is the best method to assure all viewpoints held by large segments of the electorate are represented in all circumstances,

WHEREAS, this is in accord with Albany's mission of "responding to the needs of a diverse community",

WHEREAS, ranked choice voting used in at large elections provides for more consistent translation of voter viewpoints into representation than does plurality at large, and so greater governing consistency and policy direction through time,

WHEREAS, the Alameda County Registrar does not currently have the capability of conducting ranked choice voting in at large elections,

WHEREAS, the cities of Berkeley, Oakland and San Leandro established the goal of using ranked choice voting in their elections prior to the County Registrar having the capability to conduct elections using this method,

WHEREAS, these cities established that a transition to use of ranked choice voting would only occur when the County Registrar had the capability to conduct elections using this method,

WHEREAS, the County Registrar subsequently developed this capability,

WHEREAS, the cities of Berkeley, Oakland and San Leandro conducted their first elections using ranked choice voting four to ten years after establishing its use as a goal,

WHEREAS, the main disadvantage of Albany using ranked choice voting is increased election cost, and

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WHEREAS, it appears this cost increase could be constrained to 0.1% of the city budget,

BE IT RESOLVED, the Charter Review Committee recommends the City Council direct the Committee to prepare a draft charter amendment for the Council's consideration that establishes the goal of using ranked choice voting in Albany's at large elections,

BE IT FURTHER RESOLVED, the draft amendment should include conditions, including cost and the capability to conduct the election, under which a transition to ranked choice voting would occur.

Dear Alameda County Registrar of Voters Dupuis-

The Albany City Council thanks you and your staff for conducting Albany's elections in an efficient manner and insuring their integrity.

In 2000, the City Council of San Leandro passed an ordinance specifying use of ranked choice voting (RCV) to elect the Mayor and City Council members. In 2004, the voters of the Berkeley requested the use of RCV for electing their Mayor, City Council members and City Auditor. In 2006, the voters of Berkeley requested the use of RCV for their Mayor, City Council members, City Attorney, City Auditor, and School Directors. Your office subsequently included a requirement for this capability in the requisition of new voting equipment. As a consequence, your office was able to fulfill these cities' request for elections using RCV in 2010.

All of the elections for which RCV is currently used regard filling a single seat. In contrast, Albany's elections involve filling two or three seats on City Council and School Board from the city as a whole. My understanding is that Alameda County's current election software does not include an algorithm for tallying votes cast using RCV for to determine the winners in a multi-seat election.

After three years of study, Albany's Charter Review Committee determined multi-seat RCV is the superior election method for Albany. The Albany City Council is considering this finding. Knowing that election systems may be upgraded at some time, and that inclusion of multi-seat RCV election capability at that time would likely be the most cost-efficient moment to bring this capability to Alameda County, the Council requests that you include a specification to provide multi-seat RCV election capability in any future request for proposals for new election systems. This would facilitate Albany's transitioning to this election method in the future should the Council choose to place this in front of Albany's voters and the voters approve.

Thank you for your consideration of this request. I welcome any questions or discussion you may have, or information regarding the timeline for replacing or upgrading Alameda County's current election systems.

Pete Maass

Mayor of Albany