RESOLUTION NO. 2020-93

A RESOLUTION OF THE ALBANY CITY COUNCIL ADOPTING A CODE OF CONDUCT FOR THE 2020/2021 SOLID WASTE COLLECTION PROCUREMENT PROCESS

WHEREAS, on October 17, 2011, Council approved an agreement with Waste Management of Alameda County for collection and disposal of solid waste, recycling services, and green waste collection which expires on October 31, 2021; and

WHEREAS, the Albany City Council will be deciding on a course of action regarding procurement of an extension or a new franchise agreement for solid waste collection services in 2020 and 2021; and

WHEREAS, Albany City Council members are obligated to comply with the Political Reform Act of 1974 ("PRA") to control conflicts of interests through, among other things, disclosure of financial interests; and

WHEREAS, the Albany City Council recognizes the need for a transparent and fair procurement process and desires to maintain a professional process free from any undue influence and the appearance of impropriety by complying with the PRA and adopting additional regulations regarding the procurement process; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Albany does hereby adopt the Code of Conduct for the Solid Waste Collection Procurement Process attached hereto as Appendix A.

NICK PILCH, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706 (510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2020-93

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF

ALBANY, The 21st day of September, 2020, by the following votes:

AYES: Council Members Barnes, Maass, McQuaid, Nason and Mayor Pilch

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

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

22nd day of September, 2020.

Anne Hsu

CITY CLERK

CODE OF CONDUCT FOR THE 2020/2021 SOLID WASTE COLLECTION PROCUREMENT PROCESS

POTENTIAL CONFLICT OF INTEREST. Each City Council Member or candidate for City Council shall inform the City Manager of any potential conflicts of interest regarding potential proposers for solid waste services for the City of Albany ("Potential Proposers"). Information regarding potential conflicts shall be provided within 10 days of the Council Member learning of the potential conflict.

CONTRIBUTIONS. No City Council Member or candidate for City Council shall accept any contributions by Potential Proposers from the date of adoption of this Code of Conduct from until the procurement is finalized and a new contract or extension is executed. Each City Council Member or candidate for City Council shall disclose all past contributions from Potential Proposers to the City Manager.

PROHIBITED CONTACTS. No City Council Member or candidate for City Council shall have non-public meetings or conversations with Potential Proposers from the date of adoption of this code until the procurement is finalized and a new contract or extension is executed regarding the procurement process or any matters involving the Potential Proposers. All City Council Members or candidates for City Council shall refer any questions regarding the procurement process to the City Manager. City Council Members or candidates for City Council shall disclose to the Executive Director of the Authority any non-public meetings or conversations with potential Proposers regarding the procurement process which occurred prior to the adoption of this Code of Conduct. A "non-public" meeting is any meeting that has not been called and held in accordance with the Brown Act.