

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

Agenda Date: July 26, 2022

**SUBJECT:** Policing Commission Appointments Update

**REPORT BY:** Anne Hsu, City Clerk  
Nicole Almaguer, City Manager

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**SUMMARY**

This report provides an update regarding applications received to date for appointment to the Policing Commission, and requests further direction from the Council regarding the timeline for the appointments to the Commission.

**STAFF RECOMMENDATION**

That the Council receive an update on applications received to date for appointment to the City's Policing Commission and provide direction to staff on next steps.

**BACKGROUND**

On November 16, 2020, the City Council adopted [Resolution No. 2020-107](#), establishing a Community Task Force on Policing (CTFP). On September 7, 2021, the Council considered a request from the CTFP for the creation of a public safety accountability commission. The CTFP held their final meeting on February 15, 2022.

On October 4, 2021, the Council adopted [Resolution No. 2021-100](#), establishing an Albany Policing Commission. As included in the adopted resolution, aspects were held in abeyance subject to meet and confer with the Albany Peace Officers Association (APOA) until agreement was reached.

On May 2, 2022, following the meeting and confer process with APOA, the Council adopted [Resolution No. 2022-31](#), amending Resolution No. 2021-100 establishing the Albany Policing Commission and directing staff to call for applications. As detailed in the establishing resolution, the Commission is to be comprised of 7 Members, one recommended by each Council Member, and two recommended by the Board of Education (BOE). All appointments are subject to ratification by the Council.

Following Council action on May 2, 2022, the call for applications was announced through several outreach mechanisms including the City's eNews (weekly electronic news), eNotify (periodic electronic notifications), social media, during public meetings and at community

events, via the City's recreation guide mailer, and via a number of Albany Unified School District affiliated groups.

A total of 13 applications have been received to date. Once all 7 members are appointed, staff will coordinate an orientation program for the new Commission, including training on the Brown Act, the charge of the Commission and related regulations, as well as an overview of the City's Police Department and related policies. It is envisioned that this orientation program will take a minimum of 1-2 meetings to complete.

## **DISCUSSION**

Per [City Charter Section 3.23](#), advisory body members shall serve for a term of two years, lasting until the next general municipal election. Additionally, appointees shall serve for an interim term of up to forty-five (45) days after certification of the election until reappointed or replaced, whichever is sooner. Given that the current 2-year term for advisory bodies will end in December 2022, staff is requesting additional direction from the Council regarding the timeline to make appointments to the newly established Policing Commission.

The options for appointment include the following:

### Option A: Appointments during current term

The Council may choose to appoint members to the Commission based on the 13 applications received to date. This would allow for approximately 2-3 meetings to be held by the Commission prior to the end of the current advisory body term. However, it is uncertain whether all 7 members of the Commission would be reappointed for the next term. The proposed timeline for making appointments under this option is as follows:

1. Council Members inform City Clerk of recommended appointee by August 5, 2022.
2. City Clerk will provide applications to the BOE for the upcoming meeting on August 16, 2022, to determine their 2 appointment recommendations.
3. City Council will ratify recommended appointments as part of the Council meeting on September 6, 2022.
4. Orientation required including Brown Act Training as stated in the Resolution establishing Commission will be conducted in September/October.

### Option B: Appointments in upcoming term

The Council may choose to make the appointments to the Commission as part of the upcoming term. This would allow for a full 2-year term for all appointed to the Commission, and potentially a larger pool of applicants as community members apply for a variety of the 11 advisory bodies to the City Council during this time. With this option, the Brown Act training as required in the Resolution establishing the Commission can also be conducted in coordination with the bi-annual Advisory Body & Brown Act Training that is conducted at the beginning of each new appointment term (usually late February/early March). The proposed timeline for making appointments under this option is as follows:

1. Newly elected City Council Members take Oath for Office on December 12, 2022.
2. First meeting with new Council – December 19, 2022.
3. Applications provided to Council by December 20, 2022.
4. Council Members inform City Clerk of recommended appointee by either January 3, 2023 or the morning of January 17, 2023 (pending if Council needs more time to review/interview the candidate due to the December holidays).
5. City Clerk will provide applications to the BOE for their next meeting on January 10, 2023 (if recommendations of Council Members are provided to City Clerk by January 3, 2023), or City Clerk will provide applications to the BOE for their next meeting on January 24, 2023 (if recommendations of the Council Members are provided to City Clerk by January 17, 2023).
6. City Council will ratify recommended appointments as part of the Council meeting on either January 17, 2023 or February 6, 2023, after BOE provide their recommended appointees (2).
7. Policing Commissioners will have their Advisory Body & Brown Act Training with the members of all other advisory bodies to the City Council as part of their required orientation.

#### **FINANCIAL CONSIDERATION**

N/A.