

# ALBANY CALIFORNIA



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

Agenda Date: 5 September 2023

## MEMORANDUM

To: Albany City Council Members  
From: Councilmembers Jordan and Miki  
Re: Adjustment to Council reorganization policy

## RECOMMENDATIONS

Direct staff to prepare a resolution approving an amendment to the Council reorganization policy to preclude a Councilmember who will be termed out in one year from being appointed Vice Mayor for the next year.

## BACKGROUND

With the passage of [Resolution No. 2021-44](#) on 17 May 2021, the Council approved various changes to its [Procedures and Policies](#). Among these changes were amending Procedure Section L regarding Council reorganization to specify an order for appointing Councilmembers Mayor and Vice Mayor.

## DISCUSSION

As currently established, the order for appointing Vice Mayor requires doing so regarding a Councilmember who will be termed out in one year. This fails to realize one of the utilities of the position of Vice Mayor – preparing to subsequently serve as Mayor. To allay this, a proposed amendment to the Council reorganization policy to preclude a member terming out in one year from being appointed Vice Mayor is attached.

The amendment also proposes reordering and reformatting the policy along with various language clarifications and corrections for ease of comprehension and use. Recommended language changes are tracked in the second attachment. Recommended changes in order and format are not tracked because the result would obscure the recommended language changes. Instead, the existing policy is attached for comparison.

### **SUSTAINABILITY CONSIDERATIONS**

The recommended action does not have sustainability implications.

### **SOCIAL EQUITY AND INCLUSIVITY CONSIDERATIONS**

The proposed amendment would maximize the probability that a Council member would have a chance to learn as Vice Mayor in advance of becoming Mayor. This would facilitate a less stressful and more effective commencement as Mayor by Council members with less institutional knowledge.

### **CITY COUNCIL STRATEGIC PLAN INITIATIVES**

The recommended actions have no nexus with the Strategic Plan.

### **FINANCIAL CONSIDERATIONS**

The recommended action does not have financial implications beyond minimal staff time to prepare the proposed resolution.

### **Attachments:**

1. Council Procedures Section L-1 (redlined)
2. Council Procedures Section L-1 (clean version)

## L-1. APPOINTMENT GUIDELINES

The City Council shall use the following rules when appointing the Mayor and Vice Mayor:

~~(a) The Mayor and Vice Mayor shall rotate every year.~~

~~(b) A queue will be established-maintained to govern the selection-appointment of the Mayor and Vice Mayor upon the adoption of the rules governing Mayor and Vice Mayor selection. Any order may be established upon initial adoption.~~

~~(c) The first person in the queue will be the Mayor. The second person will be the Vice Mayor. The third person in the queue will be the next Vice Mayor at the next rotation.~~

~~(d) Immediately after certification of the-an election:~~

- ~~(1) Former Council Members no longer serving on the City Council will be removed from the queue;~~
- ~~(2) The position in the queue of a Elected Council member- Members continuing service from the previous term maintain their who is reelected will not change based on the election results-previous position in the queue;~~
- ~~(3) Newly elected- Elected Council Members starting service will be placed at- are added to the bottom of the queue in the order of the round elected; and~~
- ~~(5) In the case of more than one such Council Member elected in the same round, the number of votes received within that round in their election from most to fewest those Council Members shall be placed in the queue based on the most to the fewest number of votes received within that round.~~

~~(e) Appointed Council members- Members will not be added to the queue for Mayor and Vice Mayor, except for those appointed to a full term by the Council in accord with California Elections Code Section 10229, in which case those members will be added to the bottom of the queue in order by lot. Elections Code Section 10229 provides the Council the option of cancelling an election and appointing the nominees when their number is equal to or less than the number of seats to be filled.~~

~~(f) Every year, in the second regular meeting in December- The City Council reorganization following each regular election shall proceed as follows, being careful to consider and take each step one at a time in order to reduce potential confusion:~~

- ~~(1) The next willing Council Member in the queue after the Mayor, which will generally be the Vice Mayor, will- shall be selected as the- appointed Mayor and placed at the top of the queue- In the event that the Vice Mayor declines to become Mayor;~~
- ~~(2) If a new Mayor was appointed- The- and the previous Mayor remains on Council, the previous Mayor shall be placed at the bottom of the queue after the newly elected Council Members, if applicable;~~
- ~~(3) If a new Mayor was not appointed, the previous Mayor shall be reappointed if they are willing and remain on Council;~~
- ~~(4) In the event that- If the current Vice-Mayor declines- to become appointed Mayor, that person- they will be placed at- in the bottom of the queue;~~

- (5) The ~~third person~~ next willing Council Member in the queue after the Mayor and who will not be termed out in one year ~~will shall~~ become appointed Vice Mayor and placed second in the queue; and
- (6) Should all Council Members ~~agree not to move up~~ in the queue decline to be appointed Vice Mayor and the previous Vice Mayor have declined to be appointed Mayor, then the previous Mayor and/or the Vice Mayor shall be reappointed if they are willing and remain on Council, in which case they will be placed second in the queue again ~~may maintain their current positions. Should either decline to maintain their position, they will be placed at the bottom of the queue and the others moved up.~~
- (~~he~~) Should another situation arise which is not covered in the above rules, the Council will discuss and ~~vote on the procedure to select~~ appoint a Member the Vice as Mayor and /or another Member, preferably that is not termed out in a year, as Vice Mayor as needed.

## **L-1. APPOINTMENT GUIDELINES**

The City Council shall use the following rules when appointing the Mayor and Vice Mayor:

- (a) A queue will be maintained to govern the appointment of the Mayor and Vice Mayor.
- (b) Immediately after certification of an election:
  - (1) Former Council Members no longer serving on the City Council are removed from the queue;
  - (2) Elected Council Members continuing service from the previous term maintain their previous position in the queue;
  - (3) Elected Council Member starting service are added to the bottom of the queue in the order of the round elected; and
  - (5) In the case of more than one such Council Member elected in the same round, those Council Members shall be placed in the queue based on the most to the fewest number of votes received within that round.
- (c) Appointed Council Members will not be added to the queue, except for those appointed to a full term by the Council in accord with California Elections Code Section 10229, in which case those members will be added to the bottom of the queue in order by lot. Elections Code Section 10229 provides the Council the option of cancelling an election and appointing the nominees when their number is equal to or less than the number of seats to be filled.
- (d) The City Council reorganization following each regular election shall proceed as follows, being careful to consider and take each step one at a time in order to reduce potential confusion:
  - (1) The next willing Council Member in the queue after the Mayor, which will generally be the Vice Mayor, shall be appointed Mayor and placed at the top of the queue;
  - (2) If a new Mayor was appointed and the previous Mayor remains on Council, the previous Mayor shall be placed at the bottom of the queue after the newly elected Council Members, if applicable;
  - (3) If a new Mayor was not appointed, the previous Mayor shall be reappointed if they are willing and remain on Council;
  - (4) If the current Vice-Mayor declined to be appointed Mayor, they will be placed at the bottom of the queue;
  - (5) The next willing Council Member in the queue after the Mayor and who will not be termed out in one year shall be appointed Vice Mayor and placed second in the queue; and
  - (6) Should all Council Members in the queue decline to be appointed Vice Mayor and the previous Vice Mayor have declined to be appointed Mayor, then the previous Vice Mayor shall be reappointed if they are willing and remain on Council, in which case they will be placed second in the queue again.
- (e) Should another situation arise which is not covered in the above rules, the Council will discuss and appoint a Member as Mayor and/or another Member, preferably that is not termed out in a year, as Vice Mayor as needed.