

COUNTY OF ALAMEDA

Sample Ballot

& Voter Information Pamphlet

Muestra de Balota

y Panfleto de Información para el Elector

General Election

Tuesday, November 2, 1982

Martes, 2 de Noviembre de 1982

THE LOCATION OF YOUR
POLLING PLACE
IS SHOWN ON BACK COVER
POLLS OPEN AT 7 A.M. AND CLOSE AT 8 P.M.

EL LUGAR DONDE DEBE
USTED VOTAR
APARECE EN LA CUBIERTA POSTERIOR
LAS ELECCIONES EMPIEZAN A LAS 7 A.M. Y TERMINAN A LAS 8 P.M.

11

GENERAL ELECTION
Tuesday, November 2, 1982

COUNTY OF ALAMEDA MEASURE Advisory Vote Only

C MEASURE C: COUNTYWIDE PARAMEDIC SERVICE. Shall the Board of Supervisors establish a countywide Paramedic Emergency Medical Services program, which will provide pre-hospital advanced life support to victims in response to emergency calls and will be financed by a benefit assessment on the real property within the county not to exceed ten dollars annually for each benefit unit as defined in Resolution No. 194046, a copy of which is contained in the Voter Information Pamphlet?

YES 193 ➡

NO 194 ➡

CITY OF ALAMEDA MEASURES

D MEASURE D: Shall the Charter of the City of Alameda be amended by rewriting Article XXVII to incorporate general arbitration law for firefighters and to more precisely define the scope of arbitration? Said amendment will be accomplished by amending Article XXVII of said Charter, all as fully set forth in Resolution No. 9836 of the Council of the City of Alameda.

YES 197 ➡

NO 198 ➡

E MEASURE E: Shall the Charter of the City of Alameda be amended to delete obsolete language and permit the City Council to establish by ordinance the departmental organization of the City? Said amendment will be accomplished by amending Sections 2-3, 2-12, 7-4, 13-1, 13-2 and 13-3 and by deleting Sections 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-11.1 and 7-12, all as more fully set forth in Resolution No. 9838 of the Council of the City of Alameda.

YES 200 ➡

NO 201 ➡

F MEASURE F: Shall the Charter of the City of Alameda be amended to delete obsolete and unclear language? Said amendment will be accomplished by amending Sections 2-1, 2-10, 2-11, 2-13, 3-1.1, 3-7(C), 3-7(F), 3-10, 3-17, 4-2, 10-10, 10-11 and 15-1(A), by adding Section 2-15, and by deleting Sections 3-19, 7-2(D) and 7-2(K), all as more fully set forth in Resolution No. 9840 of the Council of the City of Alameda.

YES 203 ➡

NO 204 ➡

G MEASURE G: Shall the Charter of the City of Alameda be amended to delete obsolete language relating to finance and taxation in Article XVII of the Charter? Said amendments will be accomplished by amending Sections 17-3, 17-4 and 17-9 and by deleting Sections 17-2, 17-5, 17-6, 17-7, 17-12 and 17-13, all as more fully set forth in Resolution No. 9842 of the Council of the City of Alameda.

YES 206 ➡

NO 207 ➡

MEASURE F
PROPOSED AMENDMENTS
to
THE CHARTER
of the
CITY OF ALAMEDA

Special Municipal Charter Amendment Election November 2, 1982
(Consolidated with State General Election)

The Council of the City of Alameda hereby proposes on its own motion to amend the Charter of the City of Alameda:

F-1. By amending Section 2-1 to read:

Sec. 2-1. The following elective officers are hereby established: The Mayor and four (4) Councilmen, who shall constitute the Council; Auditor; Treasurer.

(Effect: Deletes "who shall be ex-officio Assessor" after "Auditor" and "who shall be ex-officio Tax Collector" after "Treasurer". Obsolete language under Proposition 13.)

F-2. By amending Section 2-10 to read:

Sec. 2-10. In the event of a vacancy in the office of Auditor, Treasurer, City Attorney, or City Clerk, the Council shall, within twenty-one days thereof, designate someone to perform the duties of the vacant office until such time as a successor may be appointed. Until a successor is appointed the City Manager shall provide for the performance of the duties of the vacant office and is authorized hereby to execute documents required thereof to continue normal operations.

(Effect: Section now reads, "In the event of a vacancy in the office of Auditor, Treasurer, City Attorney or City Clerk, the ranking deputy or assistant shall, during such vacancy, perform the duties of such office." Obsolete because not everyone has a deputy.)

F-3. By amending Section 2-11 to read:

Sec. 2-11. Any incumbent of any elective Federal, State or County office shall be ineligible to hold any elective office or office of member of any board created by this Charter.

(Effect: Deletes "except notary public or officer in the military or naval reserve forces," after "Any incumbent of any Federal, State or County office," and adds the word "elective" before the word "Federal". Deletes unclear language.)

F-4. By amending Section 2-13 to read:

Sec. 2-13. All officers, boards and the certified public accountant appointed pursuant to Subsection 3-7(C) shall have power to administer oaths and affirmations, to examine witnesses and compel their attendance by subpoena in all matters affecting their respective offices and positions.

(Effect: Deletes last sentence which reads "All legal process issued pursuant to this section shall be executed by or under the authority of the Chief of Police." Deletes obsolete language.)

F-5. By adding Section 2-15 to read:

Sec. 2-15. All references to Councilman herein shall hereby be changed to Councilmember.

(Effect: Councilmen hereafter shall be referred to as Councilmembers.)

F-6. By amending Section 3-1.1 to read:

Sec. 3-1.1. Notwithstanding any other provision of this Charter to the contrary, this section shall control as to the matters herein contained. The Council shall consist of the Mayor and four Councilmen, elected in the manner set forth in Section 2-1.1 and elsewhere in this Charter. All provisions of this Charter which are inconsistent with the provisions of this section shall be deemed amended or repealed whichever is appropriate.

(Effect: Deletes "Commencing April 20, 1971," before beginning of second sentence. Deletes "From and after such date," before beginning of third sentence. Deletes obsolete language.)

F-7. By amending Section 3-7 (C) to read:

Sec. 3-7 (C). Contract and fix the compensation for the services of a certified public accountant, who shall at least annually investigate the transactions and audit the accounts of all officers having the collection, custody or disbursement of public money, or having the power to approve, allow or audit demands on the treasury. Said auditor shall have free access to all records, books and papers in all departments of the City. Said auditor may at any time visit any of the public offices and make examinations and investigations therein without hindrance. Said auditor must examine the official bonds of all City officers and employees and investigate the sufficiency and solvency of the sureties thereon. At the close of the investigation said auditor shall file with the Council a written report containing recommendations. If during said auditor's examination and audit it shall appear that a public offense has been committed, or that any officer or employee is in default, or that the surety on any bond is insufficient, said auditor shall immediately report to the Council, which shall take proceedings as are authorized by law.

(Effect: Deletes "semi-" before "annually" in the first paragraph. Changes "he" to "said auditor". Deletes obsolete language.)

F-8. By amending Section 3-7 (D) to read:

Sec. 3-7 (D). Provide for annual vacations with pay for all City employees.

(Effect: Deletes "by ordinance" after "Provide" and deletes "officers and" after "City". Deletes obsolete language.)

F-9. By amending Section 3-10 to read:

Sec. 3-10. All acts of the Council imposing penalties, prescribing public regulations, granting franchises, or providing for the acquisition, transfer or lease for a period longer than one year, of real property, shall be by ordinance; provided, however, that the acquisition of real property, or any interest therein, may be authorized by resolution when the purchase price to be paid, together with any obligation imposed on the City in connection with any such acquisition, does not exceed the sum provided by the general law for cities requiring competitive bidding for the purchase of supplies and materials, or when such acquisition is to be accomplished by condemnation in eminent domain proceedings, or in connection with public improvements proceedings taken under some law.

No real property of the City shall be leased for a period in excess of one year or sold, except upon the affirmative vote of four members of the Council.

The provisions of this section shall not apply to the acquisition or transfer of real property when, pursuant to procedure established by ordinance or by any code or general law of the State of California, such property has been acquired, or is transferred or acquired in satisfaction, foreclosure or enforcement of a lien for taxes or special assessments of any character.

(Effect: Changes "the sum of \$1,000.00," to read "the sum provided by the general law for cities requiring competitive bidding for the purchase of supplies and materials," following "in connection with any such acquisition, does not exceed" in the first paragraph. Conforms to general law and other sections of the Charter.)

F-10. By amending Section 3-17 to read:

Sec. 3-17: When entering into any contract for labor or hiring any labor for public contract work, preference may be given to contractors, mechanics, artisans or other laborers of any class, who shall have actually resided in the City for a period of six months preceding the date of their engagement to perform labor, quality and price of work being equal.

(Effect: Changes "shall" to "may" after "preference". Conforms to general law.)

F-11. By deleting Section 3-19.

(Effect: Deletes entire Section which provided for the transfer to the County of Alameda of any or all of the public health and sanitation functions and services provided for by Charter or Ordinance

of the City of Alameda or by State or Federal law, rules or regulation, and for the assumption, enforcement, observance and performance thereof by Alameda County officers and employees and the transfer of employees of the City of Alameda Health Department to the employ of the County of Alameda. Deletes obsolete Section.)

F-12. By amending Section 4-2 to read:

Sec. 4-2. The Auditor shall provide for at least annual audits of the City's financial operations, books and records to assure that the City's financial transactions, accounts and records are maintained in accordance with the requirements of the City Charter, state and federal laws and generally accepted accounting principles and practices. The Auditor shall be responsible for the acts thereof on an official bonds.

(Effect: Following "The Auditor shall provide for" changes "periodic" to "at least annual". Less ambiguous.)

F-13. By deleting Section 7-2 (D).

(Effect: Deletes obsolete section which authorizes City Manager "To act as purchasing agent for the City and all officers and boards thereof, except the Board of Education and the Public Utilities Board unless so requested by them.")

F-14. By deleting Section 7-2 (K).

(Effect: Deletes obsolete section which authorizes City Manager "Until a Civil Service ordinance shall be in force, to establish examinations as to fitness of applicants for positions below the rank of Chief in the Police and Fire Departments and to make appointments therein only on the basis of merit after such examinations.")

F-15. By amending Section 10-10 to read:

Sec. 10-10. At its first meeting after July 1 of each year, each such board shall elect a President, a Vice-President and such other officers as it may desire.

(Effect: This section, relating to Charter Boards, deletes ", a Secretary" after "Vice-President". Obsolete provision.)

F-16. By amending Section 10-11 to read:

Sec. 10-11. Each of said boards shall have the power to establish rules for its proceedings.

(Effect: Deletes, following "proceedings", "appoint, discipline and remove (subject to Civil Service requirements) its officers and employees and prescribe their duties and exercise all authority and perform all duties prescribed by this Charter and by general law and ordinances." Obsolete language.)

F-17. By amending Section 15-1 (A) to read:

Sec. 15-1 (A). To assess the social service needs of the community and to facilitate provisions therefor.

(Effect: Replaces subsection which states the Social Service Human Relations Board shall have the power "To encourage the formation of private social welfare organizations to meet needs not already provided for and to foster all worthy philanthropic enterprises." New definition more flexible.)

CITY ATTORNEY'S ANALYSIS - MEASURE F

Certain provisions of the Charter are obsolete because some of the duties stated therein have already passed or because of changes in state law or practice. This Measure makes no substantive changes. It eliminates obsolete or inconsistent language in several Articles of the Charter.

The Charter Review Committee appointed by the City Council recommends approval of this Measure.

s/Carter J. Stroud

ARGUMENT IN FAVOR OF MEASURE F

The City Charter Review Committee, appointed by the City Council, reviewed the entire Charter. The Committee essentially limited itself to taking out obsolete language and removing inflexible administrative provisions no longer consistent with administrative practice. No substantive changes are proposed. Most of the Charter has been updated during the last five years. These changes apply for the most part to older sections.

The City Charter Review Committee recommends passage of Measure F.

s/Richard Young, Chairman

No argument submitted against Measure F.
