

CITY OF ALAMEDA RESOLUTION NO. _____

CALLING FOR THE HOLDING OF A CONSOLIDATED MUNICIPAL ELECTION IN THE CITY OF ALAMEDA ON TUESDAY, NOVEMBER 8, 2022 SUBMITTING A PROPOSED CHARTER AMENDMENT TO REVISE THE SALARY OF MAYOR AND CITY COUNCILMEMBERS, ESTABLISHING THE POLICIES AND PROCEDURES FOR SUCH AN ELECTION, REQUESTING THAT THE COUNTY OF ALAMEDA CONDUCT SUCH AN ELECTION AND AUTHORIZING CITY COUNCILMEMBERS TO FILE WRITTEN ARGUMENTS FOR OR AGAINST THE MEASURE

WHEREAS, under the existing City Charter the Mayor receives compensation of \$200 monthly, \$50 for each meeting attended (but not to exceed two such payments in a month) and \$50 monthly for office incidentals; and

WHEREAS, under the existing City Charter each Councilmember receives compensation of \$50 for each meeting attended (but not to exceed two such payments in a month); and

WHEREAS, pursuant to authority provided by the California Constitution, Article XI and the Government Code, Title 4, Division 2, Chapter 2 (commencing at § 34450) and the Elections Code, Division 9, Chapter 3, Article 3 (commencing at § 9255) of the State of California, the City Council of the City of Alameda desires to submit to the voters a proposed Charter amendment to revise the compensation of the Mayor and Councilmembers

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ALAMEDA THAT:

Section 1. Pursuant to the California Constitution, Article XI and the Government Code, Title 4, Division 2, Chapter 2 (commencing at § 34450), the Elections Code, Division 9, Chapter 3, Article 3 (commencing at § 9255) of the State of California, and the City Charter, the City Council of the City of Alameda hereby calls and orders an election to be held in the City on Tuesday, November 8, 2022 for the purpose of submitting the following proposed charter amendment, which shall be designated on the ballot as “City of Alameda Charter Amendment.”

Section 2. The City Council hereby declares its intent to place before the voters at the November 8, 2022 General Municipal Election a measure to increase the City’s transient occupancy tax from 10% to 14%.

Section 3. The ballot question for the measure shall read as follows:

MEASURE: City of Alameda Charter Amendment

Shall the measure amending the City Charter to revise the salaries the Mayor and Councilmembers receive, by capping the salaries at an amount not to exceed 30% of the salary for "All Occupations, U.S. Bureau of Labor Statistics, Occupational Employment and Wage Statistics, San Francisco-Oakland-Hayward Area," be adopted?	YES
	NO

Section 4. The text of the charter amendment submitted to the voters is as follows:

CITY OF ALAMEDA CHARTER AMENDMENT

Section 2-1.1 would be amended as follows: Notwithstanding any other provision of this Charter to the contrary, the matters contained in this Section shall be controlling as to the office of the Mayor. Commencing April 20, 1971, and thereafter, the Mayor shall be an elective officer of the City, and shall hold office for a term of four years and until their successor is elected or appointed and qualified, unless sooner removed from office pursuant to Article XX of this Charter or otherwise. The method of nomination and election of the Mayor shall be as provided in this Charter for the nomination and election of other elective officers of the City. The office of Mayor shall be a separate office and be arranged on a ballot in a separate column and shall be first in order of arrangement. Eligibility for office of Mayor shall consist of the qualifications set forth in this Charter for other elective officers. The provisions of this Charter which provide for the manner of selecting a candidate to fill office in the event of a tie vote shall apply to the office of Mayor. A vacancy in the office of Mayor shall be filled in the manner set forth in Section 2-7 of this Charter. The Mayor shall receive ~~a monthly compensation~~ an annual salary not to exceed 30% of the salary for "All Occupations, United States Bureau of Labor Statistics, Occupational Employment and Wage Statistics, San Francisco-Oakland-Hayward Area," ~~of Two Hundred Dollars (\$200.00),~~ payable at the time and in the manner as fixed by ~~the Council~~ resolution, and shall be in addition to that provided in Sections ~~2-4 and 6-4.~~ The intent of this section is hereby declared to be only to make the Mayor an elective officer of the City and to provide the compensation therefor, as set forth herein. Except to the extent they are inconsistent with the provisions of this section, other provisions of this Charter relating to the Mayor shall apply to the Mayor provided for by this section.

Section 2-4 would be amended as follows: The salary attached to the following offices shall be fixed by the Council: Auditor, Treasurer, City Manager, City Attorney, City Clerk. Each Councilmember shall receive an annual salary not to exceed 30% of the salary for "All Occupations, United States Bureau of Labor Statistics, Occupational Employment and Wage Statistics, San Francisco-Oakland-Hayward Area," payable at the time and in the manner as fixed by

~~Council resolution \$50.00 for each meeting of the Council which he shall attend; provided, that no Councilmember shall receive such fees for more than two meetings in any one calendar month.~~

~~Section 22-9 would be amended as follows: Commencing on January 1, 2023, the City Council may, by resolution, set the salaries of the Mayor and Councilmembers consistent with Sections 2-1.1 and 2-4. Any such salary established by resolution, shall not go into effect before January 2025. If no such resolution is effective, the salaries of the Mayor and Council Members shall be those established as of November 1, 2022. The compensation of elective officers of the City shall not be increased or decreased during their respective terms of office. This section shall not prohibit the increase or decrease of compensation of assistants or deputies.~~

Section 5. The vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

Section 6. The City Clerk is hereby directed to cause notice of the measure to be published once in the official newspaper of the City of Alameda, in accordance with section 12111 of the Elections Code and section 6061 of the Government Code.

Section 7. The City Council adopts the provisions of Elections Code § 9285(a) to permit rebuttal arguments, if arguments have been filed in favor of or against the measure.

Section 8. Pursuant to Elections Code § 9280, the City Clerk is hereby directed to transmit a copy of the measure to the City Attorney, who shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on existing law and the operation of the measure.

Section 9. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

Section 10. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 11. The City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 12. The polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code § 10242, except as provided in Elections Code §§ 14212 and 14401.

Section 13. The ballots to be used at the election shall be in form and content as required by law.

Section 14. The City Council hereby requests the Board of Supervisors to consolidate this election with the November 8, 2022, statewide general election to be held on that date.

Section 15. The City Council authorizes the following members to file written arguments not exceeding 300 words in length for or against the measure described above:

Argument In Favor and Rebuttal: _____

Argument Against and Rebuttal: _____

Section 16. Pursuant to Election Code § 9285 and not more than 10 days after the final date for submitting the direct arguments, the author or a majority of authors of a direct argument may prepare and submit a rebuttal argument not exceeding 250 words in length or may authorize in writing any other person or persons to prepare, submit and sign the rebuttal argument.

Section 17. The City Clerk is hereby directed to file a certified copy of this Resolution with the Alameda County Clerk of the Board of Supervisors and the County Registrar of Voters in sufficient time so that the measure may be included in the November 8, 2022 Consolidated General Municipal Election ballot.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a special meeting of the City Council assembled on the 5th day of July, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6th day of July, 2022.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form:

Yibin Shen, City Attorney
City of Alameda