CITY OF ALAMEDA RESOLUTION NO. _____

CALLING FOR THE HOLDING OF A CONSOLIDATED MUNICIPAL ELECTION IN THE CITY OF ALAMEDA ON TUESDAY, NOVEMBER 3, 2026, FOR THE SUBMISSION OF A PROPOSED CHARTER AMENDMENT TO AMEND AND REPEAL OUTDATED PROVISIONS, ESTABLISHING THE POLICIES AND PROCEDURES FOR SUCH AN ELECTION, REQUESTING THAT THE COUNTY OF ALAMEDA CONDUCT SUCH AN ELECTION, AND AUTHORIZING CITY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WHEREAS, certain provisions of the City Charter are outdated and no longer conform to modern practices; and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of California, the City Council of the City of Alameda desires to submit to the voters proposed Charter amendments of outdated sections.

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

Section 1. That pursuant to 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, there is called and ordered to be held in the City of Alameda, California, on Tuesday, November 3, 2023, a Consolidated Municipal Election for the purpose of submitting the following proposed charter amendment, which shall be designated on the ballot as “City of Alameda Charter Amendment” and the aforementioned statement of the measure shall read as follows:

MEASURE: City of Alameda Charter Amendment

Shall the measure amending City Charter Sections 2-1.1, 2-3, 2-10, 3-7(G), 3-14, 7-2(J), 8-2, 8-5, 10-3, 10-6, 10-7, 10-12, 12-4(A) and (B), 14-1, 17-10, 28-2, 28-3 and 28-4, and repealing Sections 12-3(D) and 23-3 to amend and repeal outdated provisions be adopted?	YES
	NO

Section 2. That the text of the charter amendments submitted to the voters is as follows:

FULL TEXT OF MESAURE:

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, t~~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 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, and shall be in addition to that provided in Section 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 2-3 would be amended as follows: (A) The City Council shall establish by a majority vote ~~ordinance~~ offices for the administration of departments of the City and the incumbents thereof shall be appointed by and hold office at the pleasure of the City Manager, City Attorney or City Clerk. Employees appointed pursuant to this section shall serve at the pleasure of their respecting appointing authority and shall not be subject to Civil Service requirements. Once established th~~ose~~ offices may be changed, deleted or new ones added by vote of a majority of the Council.

(B) The City Council may also establish by a majority vote classifications that are direct support staff members of elected officials. Such elected official(s) shall be the appointing authority for their assigned support staff member(s). Employees appointed pursuant to this section shall serve at the pleasure of their respecting appointing authority and shall not be subject to Civil Service requirements. Once established the classifications may be changed, deleted or new ones added by vote of a majority of the Council.

Section 2-10 would be amended as follows: In the event of a vacancy:
(A) I~~i~~n the office of Auditor or~~,~~ Treasurer~~, City Attorney, or City Clerk~~, the Council shall, within sixty ~~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 designate someone to provide for the performance of the duties of the vacant office and is authorized hereby to execute documents required thereof to continue normal operations.
(B) In the office of City Attorney, City Manager or City Clerk, the City Council shall, within sixty days, or as soon as possible if circumstances necessitate additional time beyond sixty days, designate someone to perform the duties of the vacant office until such time as a successor may be appointed. Prior to the absence or vacancy occurring, incumbents of such offices shall designate a qualified employee to act in their absence or vacancy until the Council makes the necessary appointment. In the event of a sudden and unexpected absence or vacancy where no acting appointment is made, the Mayor shall make the acting appointment pending Council action.

Section 3-7(G) would be amended as follows: Establish and abolish offices and positions of employment and fix the compensation ~~and duties~~ thereof, except as herein otherwise provided.

Section 3-14 would be amended as follows: Before final adoption of an ordinance, its title, a digest thereof, a notice showing the date, time and place of hearing on its final adoption, and notice that three full copies thereof are available for use and examination by the public in the office of the City Clerk, shall be published once in the Official Newspaper of the City at least three days before said hearing date. Notice of the adoption of an emergency ordinance, its title, and a digest thereof shall be similarly published once ~~within three days~~ after its adoption, as soon as possible.

Section 7-2(J) would be amended as follows: To appoint technical advisory experts ~~or boards with the consent of and~~ at such compensation as may be provided by the Council.

Section 8-2 would be amended as follows: The City Attorney shall have the authority and discretion to prosecute all violations of the ordinances of the City, and all misdemeanor offenses arising out of the laws of the State of California. The City Attorney shall, subject to the general direction of the Council, board or elective officer having jurisdiction of the matter, prosecute and defend for the City, and all boards, officers and employees in their official capacity all proceedings before judicial or quasi-judicial tribunals. The City Attorney shall not compromise, settle or dismiss any action for or against the City without permission of the Council, which may be granted by ordinance, resolution or motion. The City Attorney shall not commence any action on behalf of the City without permission of the Council, which may be granted by ordinance, resolution or motion ~~or written instruction of the City Manager~~. The City Attorney shall be

the legal advisor of and attorney and counsel for the City and for all officers and boards thereof, in all matters relating to their official duties, and whenever requested in writing by any of them, the City Attorney shall give legal advice in writing.

Section 8-5 would be amended as follows: The Council, or any board with the consent of the Council, may empower the City Attorney, at their request, to employ special legal counsel. Such consent may be provided by ordinance, resolution or motion.

Section 10-3 would be amended as follows: The Public Utilities Board shall consist of five members, one of whom shall be the City Manager, who shall have full power of participating and voting, and one of whom shall be an electrical, civil, environmental or mechanical engineer or engineer with experience in alternative energy. Upon nomination of the Mayor, the Council shall appoint one member of said Board for a term commencing on the first day of July following such appointment and continuing for four years and thereafter until the successor of such member is appointed and qualified.

Section 10-6 would be amended as follows: All members of such boards shall, at the time of their appointment and continuously during their incumbency, be residents ~~electors~~ of the City and 18 years of age or older.

Section 10-7 would be amended as follows: Each person appointed to membership of any of said boards shall be particularly qualified to discharge the functions of their office~~ and, to that end:~~
~~One member of the Public Utilities Board shall be an electrical, civil, mining or mechanical engineer~~.

Section 10-12 would be amended as follows: No position of employment with any right of compensation attached thereto shall be established under the jurisdiction of any said boards~~, except the Public Utilities Board and the Library Board, except by action of the Council~~.

Section 12-3 (D) would be repealed in its entirety as follows: ~~No employee of the Board receiving compensation from it shall be, or within one year preceding their employment have been, a member of the Board.~~ Repealed.

Section 12-4 (A) would be amended as follows: Keep fiscal books and records for each utility under its control and management in the manner prescribed by ~~the California Railroad Commission or its successor in authority~~ Board, and all other fiscal records in the manner prescribed by the Auditor.

Section 12-4 (B) would be amended as follows: File with the ~~Auditor and~~ Council monthly fiscal reports from the Board, and an annual audit prepared by a Certified Public Accountant selected by the City Council ~~City Auditor~~.

Section 14-1 would be amended as follows: The City Planning Board shall have such powers and duties as may be delegated by City ordinance. It shall have power to investigate and recommend plans for land use, ~~the future~~ development, ~~improvement and beautification of the City, including landscaping, planting and care of trees on public streets, parks and playgrounds, the improvement and development of harbor facilities, the location and improvement of public buildings and works and the~~ subdivision, and zoning ~~of land~~.

Section 17-10 would be amended as follows: The City Manager shall present to the Mayor and City Council a quarterly report on the revenues and expenditures as compared to the adopted budget of all funds of the City. The form of such report shall be both narrative and budgetary in order to inform the Mayor and City Council of the financial status of the City. ~~The Auditor will review each report with the Mayor and City Manager.~~

Section 23-3 would be repealed in its entirety as follows: ~~All officers and employees of the City at the time this Charter takes effect shall continue in office for the remainder of their respective terms (if fixed) or until removed as herein provided (if for an indefinite term), subject to all the provisions of this Charter.~~ Repealed.

Section 28-2 would be amended as follows: POWERS AND DUTIES: The purposes, powers, procedures and duties of the Board shall be established by ordinance ~~those set forth in Chapter 9 of Title X of the Alameda Municipal Code~~.

Section 28-3 would be amended as follows: ESTABLISHMENT AND COMPOSITION: There is hereby established an Historical Advisory Board composed of five (5) members, appointed by the Alameda City Council and serving without pay. The members shall be: one registered architect; one State-licensed general building contractor; and three members shall have an interest in community design ~~have demonstrated an interest in the history, heritage and architecture of the City of Alameda and shall be residents of the City~~.

Section 28-4 would be amended as follows: TERMS OF OFFICE: Members shall serve for a term of four (4) years and may be reappointed for a second term of office. Terms shall be staggered so that the number of terms expiring any year shall not differ more than one from the number of terms expiring in any other year. Members shall serve until their successors are appointed. ~~Current members of the Commission shall have their terms decided by lot and their present terms shall not be considered.~~

Section 3. That the vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

Section 4. That the ballots to be used at the election shall be in form and content as required by law.

Section 5. That 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 6. That 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 § 14401.

Section 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 8. That 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 9. That the City Council hereby requests the Board of Supervisors to consolidate this election with the November 3, 2026, statewide general election to be held on that date.

Section 10. That 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 3, 2026 Consolidated General Municipal Election ballot.

Section 11. That, 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 12. That the City Council authorizes the following members to file written arguments not exceeding 300 words in length, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, for or against the measure described above:

Argument In Favor and Rebuttal: _____

Argument Against and Rebuttal: _____

The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the measure may be submitted to the City Clerk.

Section 13. That the City Council adopts the provisions of Elections Code § 9285 to permit rebuttal arguments, if arguments have been filed in favor of or against the measure that is being submitted to the voters of the City at this Consolidated General Municipal Election. Rebuttal arguments shall be filed with the City Clerk 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.

* * * * * *

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 regular meeting of the City Council assembled on the 7th day of July 2026, 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 8th day of July 2026.

_____
Lara Weisiger, City Clerk
City of Alameda

Approved as to Form:

_____
Yibin Shen, City Attorney
City of Alameda