

CITY OF ALAMEDA RESOLUTION NO. 13304

AMENDING RESOLUTION NO. 12567
ESTABLISHING THE RULES OF ORDER
GOVERNING THE PROCEEDINGS AND ORDER OF BUSINESS
OF CITY COUNCIL MEETINGS BY
REPEALING SECTION 1(c) OF THE CITY COUNCIL RULES OF ORDER

WHEREAS, Section 1(c) of the City Council Rules of Order was originally adopted prior to 1970; and

WHEREAS, Resolution No. 12567, adopted by City Council on August 17, 1994, established the Rules of Order governing the proceedings and Order of Business of City Council meeting; and

WHEREAS, Section 1(c) of the City Council Rules of Order was designed to comply with the State law which requires review of quasi-adjudicative decisions made by subordinate Boards and Commissions to be based solely upon the record before City Council; and

WHEREAS, the Planning Board is the only City Board or Commission which has the authority to make such quasi-adjudicative rulings; and

WHEREAS, in the mid- 1990's the Alameda Municipal Code was amended to make all such Planning Board decisions subject to de novo review by City Council; and

WHEREAS, such amendment to the Alameda Municipal Code makes Section 1(c) of the City Council Rules of Order obsolete and irrelevant; and

WHEREAS, it is appropriate for City Council to consider all information and evidence available to it when reviewing Planning Board decisions under the de novo standard of review; and

WHEREAS, Ordinance No. 2674, approved at the August 16, 1994 City Council meeting, states that Rules of Order of the City Council meetings shall be set by City Council resolution.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Alameda does hereby amend Resolution No. 12567 by repealing section 1(c) of the City Council Rules of Order.

* * * * *

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 regular meeting assembled on the 16th day of January, 2001, by the following vote to wit:

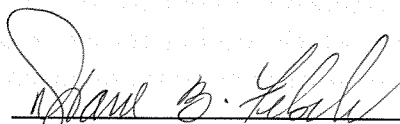
AYES: Councilmembers Daysog, DeWitt, Johnson and Kerr - 4.

NOES: None.

ABSENT: Mayor Appezzato - 1.

ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 17th day of January, 2001.


Diane Felsch, City Clerk
City of Alameda

Approved as to Form

CITY ATTORNEY