

CITY OF ALAMEDA ORDINANCE NO. \_\_\_\_\_  
New Series

AMENDING THE ALAMEDA MUNICIPAL CODE BY AMENDING  
VARIOUS PROVISIONS OF ARTICLE VIII (SUNSHINE ORDINANCE)  
OF CHAPTER II (ADMINISTRATION) OF THE ALAMEDA MUNICIPAL  
CODE, AS AMENDED, CONCERNING SPECIAL MEETINGS,  
INCLUDING THE SETTING AND NOTICING OF SUCH MEETINGS

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALAMEDA DOES  
ORDAIN AS FOLLOWS:

Section 1: Subsections f of Section 2-91.4 (Conduct of Business; Time and Place for Meetings; Use of Electronic Communication Devices) of Chapter II of Article VIII (Sunshine Ordinance) of the Alameda Municipal Code is amended, as follows (in redline; otherwise no change):

- a. Each policy body shall, and passive meeting bodies may, establish by resolution or motion the time and place for holding regular meetings.
- b. Unless otherwise required by state or federal law or necessary to inspect real property or personal property which cannot be conveniently brought within the territory of the City of Alameda or to meet with residents residing on property owned by the City, or to meet with residents of another jurisdiction to discuss actions of the policy body that affect those residents, all meetings of its policy bodies shall be held within the City of Alameda.
- c. If a regular meeting would otherwise fall on a holiday, it shall instead be held on the next business day, unless otherwise rescheduled in advance.
- d. If, because of fire, flood, earthquake or other emergency, it would be unsafe to meet at the regular meeting place, meetings may be held for the duration of the emergency at some other place specified by the policy body. The change of meeting site shall be announced, by the most rapid means of communication available at the time, in a notice to the local media who have requested written notice of special meetings pursuant to Government Code Section 54956. Reasonable attempts shall be made to contact others regarding the change in meeting location.
- e. Meetings of passive meeting bodies as specified in Section 2-91.2a. of this article shall be preceded by notice delivered personally or by mail, e-mail, facsimile as reasonably requested by at least four (4) weekdays before the time of such meeting to each person who has requested, in writing, notice of such meeting. If the passive meeting body elects to hold regular meetings, it shall provide by bylaws, or whatever other rule is utilized by that passive meeting body for the conduct of its business, for the time and place for holding such regular meetings. In such case, no notice of regular meetings, other than posting of an agenda pursuant to Section 2-91.5 if this article in the place used by the policy body which it advises, is required.

- f. Special meetings of any policy body, including passive meeting bodies that choose to establish regular meeting times, may be called at any time by the presiding officer thereof or by a majority of the members thereof. Notice for all such meetings shall be provided at least twelve (12) days before the time of such meeting by the following means: ,by (1) delivering personally or by mail written notice to each member of such body and the local media who have requested written notice of special meetings in writing; (2) social media platforms maintained by the City through its Public Information Officer and any other electronic means approved by the City Clerk to be both technologically and financially feasible; and (3) other means set forth in this Article, including subsection (d) of section 2-91.5. Such notice of a special meeting shall be ~~delivered given~~ as described herein ~~at least seven (7) days before the time of such meeting as specified in the notice,~~ with the exception of any urgent matter beyond the control of the City or where a statutory exemption applies that permits a shorter period of time that such notice may be given. Where a special meeting is called on an urgent matter beyond the control of the City, the presiding officer of any of the above bodies, or the City Manager, may call such a special meeting with seven days' notice or in a manner required or permitted by an applicable statute or similar law, regulation, or order. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the presiding officer or secretary of the body a written waiver of notice. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Each special meeting shall be held at the regular meeting place of the body except that the body may designate an alternate meeting place provided that such alternate location is specified in the notice of the special meeting. Notwithstanding the foregoing, this subsection is not intended to affect the amount of notice provided for items placed on a closed session agenda.
- g. If a meeting must be canceled, continued or rescheduled for any reason, notice of such change shall be provided to the public as soon as is reasonably possible, including posting of a cancellation notice in the same manner as described in section 2-91.5c, and mailed notice if sufficient time permits.
- h. In order to insure that all communications to Policy Board members presented in a public meeting are shared with the public, Policy Board members are prohibited from communicating electronically with others during public meetings about matters that pertain to the business thereof."

## Section 2: IMPLIED REPEAL

Any provision of the Alameda Municipal Code inconsistent with this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effectuate this Ordinance.

## Section 3: CEQA DETERMINATION

The City Council finds and determines that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the following, each a separate and independent basis: CEQA Guidelines, Section 15378 (not a project) and Section 15061(b)(3) (no significant environmental impact).

Section 4: SEVERABILITY

If any provision of this Ordinance is held by a court of competent jurisdiction to be invalid, this invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision and therefore the provisions of this Ordinance are severable. The City Council declares that it would have enacted each section, subsection, paragraph, subparagraph and sentence notwithstanding the invalidity of any other section, subsection, paragraph, subparagraph or sentence.

Section 5: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

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Presiding Officer of the City Council

Attest:

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Lara Weisiger, City Clerk

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I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the \_\_\_\_ day of \_\_\_\_\_, 2020, 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 \_\_\_\_ day of \_\_\_\_\_, 2020.

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Lara Weisiger, City Clerk  
City of Alameda

Approved as to form:

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Yibin Shen, City Attorney  
City of Alameda