

**MEASURE R: PROPOSED BALLOT MEASURE
OF THE CITY OF ALAMEDA**

R **MEASURE R:** Shall the Charter of the City of Alameda be amended to provide that every contract shall be in writing and that the City shall not be bound by any contract unless it complies with the Charter? Such amendment will be accomplished by adding Section 22-13 of said Charter, as fully set forth in Resolution No. 14250 of the Council of the City of Alameda.

YES

NO

**CITY ATTORNEY'S IMPARTIAL ANALYSIS OF
MEASURE R**

This measure would amend the City of Alameda City Charter by adding a new provision listing requirements for the City to be bound by a contract. The provision would require that every contract that has a monetary value over an amount that would be set by an ordinance of the City Council would have to be in writing. It would require that the written contract be signed by someone authorized by the City Council. The provision would also explain that no contract is binding on the City unless the requirements are met.

The purpose of the measure is to make it easier for the City to fight claims that the City owes something because a verbal agreement or an unsigned written agreement was made by someone in City government.

A "yes" vote would approve the proposed amendment to the City of Alameda City Charter and would establish requirements for a contract to be binding on the City. The requirements would be that the contract must be in writing if the value is more than an amount set by an ordinance of the City Council, and that the contract must be signed by a person authorized by Council. No agreement would be binding on the City unless the requirements were met.

A "no" vote would disapprove the proposed amendment to the City of Alameda City Charter and the Charter would not list requirements for a contract to be binding on the City.

s/TERESA L. HIGHSMITH
City Attorney

ARGUMENT IN FAVOR OF MEASURE R

Public money is protected if the City Charter of the City of Alameda requires public contracts to be in writing. This Measure, if passed by the voters of Alameda, would give notice to people who might do business with the City that the City has no obligation unless there is a written contract. The contract has to be signed by a City staff person authorized by City Council. The Charter amendment would also make it clear that the City is not obligated in any way unless there is a contract that complies with the requirements listed in the City Charter. For example, a person claiming that a City staff member made a promise to buy materials or hire their company has a difficult time pursuing a lawsuit against the City if there is no written contract.

We urge you to vote YES on the Measure to protect public money and deter frivolous demands and lawsuits.

s/Beverly J. Johnson

Mayor

s/Lena L. Tam

Vice-Mayor

s/Frank Matarrese

Alameda City Council Member

s/Marie Gilmore

Alameda City Council Member

s/Doug deHaan

Council Member

**NO ARGUMENT AGAINST MEASURE R WAS
SUBMITTED.**