

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

<p>S MEASURE S: Shall the Charter of the City of Alameda be amended to provide that in an emergency the City Manager or designee may forego competitive bidding for a public work or improvement or purchase of materials or supplies to protect life, health, property or essential public services? Such amendment will be accomplished by adding Section 3-15.2, as fully set forth in Resolution No. 14253 of the Council of the City of Alameda.</p>	YES
	NO

**CITY ATTORNEY’S IMPARTIAL ANALYSIS OF
MEASURE S**

This measure would amend the City of Alameda City Charter to allow City staff to hire contractors and purchase materials immediately in emergencies, with Council approval after the fact. The Charter now requires a competitive bidding process for public projects when the cost is likely to be more than an amount that is set by state law. The Charter now allows City staff to construct a project without competitive bidding if the Council meets first and at least four of the five Council members agree there is a great necessity or emergency.

The measure would allow staff to start activities for the protection of the public and property, before a Council meeting is conducted. Any agreements to pay contractors or purchase supplies would not be binding on the City unless the Council approves them. Council would be required to meet as soon as possible to do so.

A “yes” vote would approve the proposed amendment to the City of Alameda City Charter and would allow City staff to hire contractors and buy materials in emergencies, without competitive bidding, subject to prompt approval by Council when it becomes possible to meet and vote.

A “no” vote would disapprove the proposed amendment to the City of Alameda City Charter and would retain in the Charter the requirement that Council first meet and find by a four-fifths vote that a great necessity or emergency exists before staff may hire contractors and buy materials without competitive bidding.

s/TERESA L. HIGHSMITH
City Attorney

ARGUMENT IN FAVOR OF MEASURE S

City of Alameda needs flexibility to respond to sudden emergencies that require prompt, major repairs. For example, if a rainstorm hits and causes an underground pipe to burst, repair work could start immediately. Normally, City staff cannot commit more than \$75,000 to buy equipment or services without first getting approval from the City Council. For that to happen, the City Council has to hold a meeting and post an agenda, which could delay needed emergency repairs.

This Measure, if approved by voters of Alameda, will allow City staff to begin contracting for the purchase of supplies or labor services promptly. Instead of having to schedule a Council meeting first, City staff can retain vendors to get the equipment and personnel necessary to repair damage.

As a protection against misspending, any contract entered into by staff would not be valid until it is ratified by Council whenever the next Council meeting is held. The Measure is a balance between allowing City staff to respond quickly, and keeping financial safeguards in place. We urge you to vote YES on the Measure so that your City staff can immediately begin to make repairs when there is an emergency.

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 S WAS
SUBMITTED.**