

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: May 6, 2024
Reviewed by: NA

SUBJECT: Charter Amendments Regarding Bonding Matters

REPORT BY: Nicole Almaguer, City Manager
Anne Hsu, City Clerk
Malathy Subramanian, City Attorney

SUMMARY

The City Council directed staff to move forward with the possible placement of two City Charter amendments on the November 5, 2024 General Municipal Election ballot. The Charter amendments would provide for (i) excluding school district bonding from the City's bonding limit and clarifying the City's bonding limit and (ii) eliminating the requirement for City-Council appointed offices to post a bond prior to beginning office.

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2024-26 and Resolution No. 2024-27, Charter Amendments for the November 5, 2024 General Municipal Election.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This action relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a "project" within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

BACKGROUND/DISCUSSION

On April 1, 2024, the City Council directed staff to move forward with the possible placement of two City Charter amendments on the November 5, 2024 General Municipal Election ballot. The Charter amendments would provide as follows:

1. **Charter Amendment Excluding School District Bonding from City Bonding Limit.** Section 4.07 of the City Charter currently provides the limit for the City of Albany's authority to issue bonds against the credit of the City, including for the construction and equipment of schools, up to fifteen percent (15%) of the assessed valuation of the property in the City subject to direct taxation. This amendment would provide that bonding for school projects would not count against the City's bonding limit and clarify that the City's bonding

limit is the lesser of: (i) 15% of the assessed valuation of the property in the City subject to direct taxation or (ii) the statutory maximum amount.

2. **Charter Amendment Eliminating Requirement for City Council-Appointed Officers to Post Bond Prior to Beginning Service.** Section 3.03 of the City Charter currently requires City Council-appointed officers, before entering upon their official duties, to execute a bond to the City in the sum required by the Council and to file it with the Council or, in the case of the City Clerk, with the Mayor. This amendment would eliminate this bonding requirement.

Resolution No. 2024-26 and Resolution No. 2024-27 are provided as part of this agenda item and include the proposed Charter amendment language for Council consideration for placement on the ballot.

CITY COUNCIL STRATEGIC PLAN INITIATIVES

Not applicable.

FINANCIAL CONSIDERATIONS

Each measure placed on the ballot will be incorporated into the overall costs as part of the election. In 2022 the cost of the election was approximately \$104,000.

Attachments

1. Resolution No. 2024-26 Charter Amendment Clarifying City Bonding Limit
2. Resolution No. 2024-27 Charter Amendment Removing Bonding Requirement for Council-Appointed Officers