

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

Agenda Date: July 6, 2021
Reviewed by: NA

SUBJECT: School District's Request for the City Council to consider a Charter Amendment to Authorize the District to offer low-income household exemptions for future parcel taxes or other potential alternatives to accomplish the same

REPORT BY: Nicole Almaguer, City Manager
Mala Subramanian, City Attorney

SUMMARY

The City received a request from the School Board for the City Council to add an item to the Charter Review Committee's workplan for 2021-23: to research the possibility of amending the City Charter to permit AUSD to offer exemptions for low-income households to any future parcel taxes. Currently, California education code does not permit such exemptions by school districts.

The School Board would like to have a full understanding of the legal options available for easing the burden of funding our schools for those least able to afford it.

Mayor Gary has asked that this item be placed on the agenda for discussion.

STAFF RECOMMENDATION

Discuss and direct staff.

BACKGROUND

California Constitution Article IX Sec. 16 says, in pertinent part,

“It shall be competent, in all charters framed under the authority given by Section 5 of Article XI, to provide, in addition to those provisions allowable by this Constitution, and by the laws of the State for the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards.”

Therefore, the City Charter can address the following School District issues:

- Will the Board be elected or appointed?
- How many Board members will there be?
- If elected, will they be elected at-large or by-district?
- How long will their elected or appointed terms be?
- When will the Board be elected/appointed?
- Required qualifications for serving on the Board.
- How much are Board members paid?
- How are Board members removed?

This is a narrow category of District governance that may be addressed in a City Charter, therefore, the request made by the School District cannot be addressed in the City's Charter.

DISCUSSION

The Mayor has requested a discussion on whether the City Council is interested in having the City Attorney's Office and staff research whether there are other options to accomplish the School District's goal, including having the City impose a parcel tax with the low-income household exemption with the proceeds distributed to the School District.

Attachment

1. Correspondence from the School District