
From: Sara Hinkley <shinkley@ausdk12.org>
Sent: Thursday, June 24, 2021 11:49 AM
To: Preston Jordan; citycouncil; Rochelle Nason; Peggy McQuaid; Aaron Tiedemann; Ge'Nell Gary
Cc: Frank Wells; Jackie Kim
Subject: AUSD BOE request to Albany City Council

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Dear City Council members,

At our meeting Tuesday, June 22 the School Board unanimously passed a resolution requesting the Albany City Council 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.

[Here is a link](#) to the resolution as voted on by the Board; the signed version should be available on our website soon. Additional background is [here](#).

I know that the Board and Council share a concern about keeping low-income residents in Albany, which is no small challenge in this housing market. This resolution was passed in hopes that this or a future 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.

Please let myself or Superintendent Wells know if you have any questions.

Thanks very much,

Sara

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Sara Hinkley
President, Albany Board of Education
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**ALBANY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 2020-21-31:

**RESOLUTION TO REQUEST THE ALBANY CITY COUNCIL'S CHARTER REVIEW
COMMITTEE TO STUDY OPTIONS FOR ENABLING LOW-INCOME EXEMPTIONS
TO ALBANY UNIFIED SCHOOL DISTRICT PARCEL TAX MEASURES**

WHEREAS, the metropolitan area in which Albany resides has almost the highest income [inequality](#) of any such region in the nation; and

WHEREAS, the two Albany Unified School District parcel taxes (Measures B and J) total nearly \$1,000 per residence per year; and

WHEREAS, there are more than a thousand households with [very low incomes](#) outside University Village subject to these taxes directly or indirectly, for whom this represents a considerable percentage of household income; and

WHEREAS, the high cost of housing in Albany reduces the opportunity for children of families with lower incomes to access the quality education available through Albany's schools; and

WHEREAS, the Albany Unified School District Board of Education (the "Board") therefore desires to explore its options for providing tax exemptions to households with low incomes that own their residence and tax rebates to households with low incomes that rent their residence; and

WHEREAS, [State Government Code Section 50079](#) does not provide school districts with authority to provide tax exemptions to households with low incomes; and

WHEREAS, the City of Albany already has that authority and has utilized it to place such provisions in a number of its fixed charge property tax measures; and

WHEREAS, it may be possible for the City of Albany's Charter to provide, via amendment, the AUSD BOE authority to include such provisions in any future parcel tax measures; and

WHEREAS, the two agencies working together share responsibility for making Albany more economically just.

THEREFORE BE IT RESOLVED, the Board requests the Albany City Council include an item in the Albany Charter Review Committee's 2021-23 work plan to study whether a charter

amendment can provide the Board authority to include tax relief to households with low incomes in future AUSD parcel tax measures.

PASSED AND ADOPTED by the Governing Board of Education of the Albany Unified School District of the County of Alameda, this 22nd day of June, 2021, by the following vote:

AYES: 5

NAYES: 0

ABSTAIN: 0

ABSENT: 0



President of the Board of Trustees
Albany Unified School District
Alameda County, California



Secretary of the Board of Trustees
Albany Unified School District

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP
Resolution No. 2020-21-31
Regular Meeting of June 22, 2021**

ITEM: **RESOLUTION NO. 2020-21-31: RESOLUTION TO REQUEST THE ALBANY CITY COUNCIL'S CHARTER REVIEW COMMITTEE TO STUDY OPTIONS FOR ENABLING LOW-INCOME EXEMPTIONS TO AUSD PARCEL TAX MEASURES**

PREPARED BY: **SARA HINKLEY, BOARD PRESIDENT**

TYPE OF ITEM: **REVIEW AND ACTION**

PURPOSE: The purpose of this item is for the Board of Trustees to request the Albany City Council to add an item to the work plan for the Charter Review Committee, to study whether the city's charter could be amended to permit future district parcel tax measures to include exemptions for low-income residents.

BACKGROUND INFORMATION:

During the District's development of Measure B, which voters approved in March 2020, Board members asked District legal counsel about the options for providing exemptions for low-income residents such as the exemptions that are included in Measure J. The District was informed that current state law —[Government Code 50079](#)—permits only three exemptions:

- (A) Persons who are 65 years of age or older.
- (B) Persons receiving Supplemental Security Income for a disability, regardless of age.
- (C) Persons receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services.

The district's permanent parcel tax, Measure J, was passed in 2009. It contains exemptions for low-income homeowners and a rebate for low-income renters. Such exemptions could not be incorporated into any future parcel taxes under current state law.

The City and District have both raised concerns about equity and economic justice, particularly in light of the high housing costs faced by many Albany residents. Given these concerns, the Albany Board of Education seeks to exercise due diligence in exploring options for alleviating

the economic burden of its parcel taxes on low-income households.

The City's charter permits city parcel taxes to include such exemptions, and it is possible that the charter could also provide the District with such authority. The Charter Review Committee is developing its 2021-23 workplan; this resolution represents the District's formal request that the Committee explore whether an amendment to the City's charter could provide the District with the ability to include exemptions for low-income households in future District parcel tax measures.

This resolution does not obligate the District in any way to propose future tax measures, amend current tax measures, or incorporate low-income exemptions in future tax measures.

DETAILS: See attached resolution.

FINANCIAL INFORMATION: None

STRATEGIC OBJECTIVES ADDRESSED:



***Objective #3:** Communicate and Lead Together. **Goal:** All stakeholders will collaborate and communicate about decisions that guide the sites and district.*

RECOMMENDATION: Board of Trustees adopt this resolution requesting the City Council's Charter Review Committee study whether the City's Charter could be amended to permit future district parcel tax measures to include exemptions for low-income residents.