

## BALLOT MEASURE SUBMITTAL FORM

Official Use Only: Date Stamp

**RECEIVED**  
Alameda County

DEC 05 2023

**Reg. of Voters**

All fields with an \* are required.

### BALLOT MEASURE QUESTION

Jurisdiction Name\*: Albany City Unified School District

Election Date\*: March 5, 2024

**Note:** The information as it appears within the text box will be printed on the ballot and voter guide.

Insert ballot question text here\*:

To maintain excellent schools by attracting and retaining exceptional teachers and counselors, protecting science, math, arts, reading and language instruction, supporting music, art and theater programs, and maintaining small class sizes, shall Albany Unified School District's measure renewing parcel tax authority at \$0.55/building square foot and \$25/unimproved parcel, be adopted, raising \$4,800,000 annually that cannot be taken by the State, until ended by voters, with senior exemptions, annual adjustments, audits, and all funds staying local?

### TYPE OF MEASURE\*

- Regular Measure     Parcel Tax  
 Bond Measure     Charter Amendment

### PERCENTAGE NEEDED TO PASS\*

- 50% + 1     66.6667%     2/3  
 Other: Click or tap here to enter text.

### FULL-TEXT OPTION\*

Full Text to be printed in the Voter Information Pamphlet:

- YES (note: must provide an MS Word file)  
 NO – Do not print, but it's accessible at: Click or tap here to enter text.

### AUTHORIZED REPRESENTATIVE/CONTACT PERSON\*

(office use)

Print Name: [REDACTED]

Signature: [REDACTED]

Phone #: [REDACTED]

Email: [REDACTED]

### CONTACT INFORMATION

(public use)

Phone #: 510-558-3766

Email: [jsen@ausdk12.org](mailto:jsen@ausdk12.org)

Website: [www.ausdk12.org](http://www.ausdk12.org)

All fields with an \* are required.

Rev. 8/2022

## COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE G

### ANALYSIS BY THE COUNTY COUNSEL FOR THE COUNTY OF ALAMEDA OF AN ALBANY UNIFIED SCHOOL DISTRICT SPECIAL PARCEL TAX MEASURE

Measure G ("Measure"), an Albany Unified School District ("District") special parcel tax measure, seeks voter approval to authorize the District to levy a special parcel tax, beginning on July 1, 2024, at the following rates: (1) \$0.55 per building square foot on improved parcels, and (2) \$25 per unimproved parcel. The tax rate will increase annually by three percent (3%), commencing on July 1, 2025. The special parcel tax will continue until the District's voters end it.

The District's voters previously approved a special parcel tax with Measure B in 2020. This Measure, if approved by the District's voters, will replace Measure B. The existing qualified special tax approved with Measure J in 2009 shall continue to be collected.

If approved, the District will use the revenue for the specific purposes set forth in the full text of the Measure printed in this sample ballot, including, but not limited to: funding for science, math, arts, reading, and language instruction; attracting and retaining teachers and counselors; and school safety. The revenue can only be applied for the purposes outlined in the Measure.

An exemption from the special parcel tax may be granted on any parcel owned by one or more persons who is/are: (a) 65 years of age or older prior to July 1 of the tax year; (b) receiving Supplemental Security Income for a disability, regardless of age; or (c) receiving Social Security Disability Insurance benefits, regardless of age, whose yearly income does not exceed 250% of the 2012 federal poverty guidelines. The owner(s) must occupy the parcel as his or her principal place of residence for each exemption.

The Measure contains certain accountability provisions, such as depositing the proceeds in a separate fund. The Measure also requires a report to be filed with the District's governing board no later than December 31 of each year that the tax is in effect stating: (1) the amount collected and expended in the relevant year, and (2) the status of any projects authorized by the Measure.

A school district has the authority to levy special taxes upon approval by two-thirds of the votes cast on the special tax proposal. (See Cal. Const. Art. XIII A, § 4; Art. XIII C, §2; Cal. Gov't Code §§ 50075-50077, 50079, & 53722.) If two-thirds of the qualified electors voting on this Measure do not vote for approval, it will fail, the District will not be authorized to levy the special parcel tax.

This Measure is placed on the ballot by the governing board of the District.

DONNA R. ZIEGLER  
County Counsel

The above statement is an impartial analysis of Measure G, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you. You may also access the full text of the measure on the Alameda County website at the following address: [www.acvote.org](http://www.acvote.org).

**ARGUMENT IN FAVOR OF MEASURE G**  
**Albany Unified School District**  
[Word Count: 300 words]

**Vote Yes on G to protect local funding for top-notch teachers and excellent local schools.**

Albany schools are ranked among the best in the State, thanks in large part to locally controlled funding our schools have relied upon for more than three decades. Measure G renews this funding, continuing our tradition of academic excellence and providing local students with the outstanding education they deserve.

**Additionally, Measure G ensures that larger property owners pay their fair share to support our local schools, meaning businesses like Target pay more than single-family homeowners.**

We live in one of the most expensive places in the U.S. and local schools are facing major teacher shortages. Measure G will provide competitive compensation to attract and retain the highest quality teachers, so that local educators can keep up as the cost of living continues to rise and local schools can reduce turnover rates, keeping quality teachers in local classrooms.

**Yes on G: Keep Albany Schools Strong**

- Attract and retain exceptional teachers and counselors
- Protect science, math, arts, reading, and language instruction
- Support music, art, and theater programs
- Maintain small class sizes

**Strict Accountability Keeps Measure G Local**

- All funds are locally controlled and cannot be taken by the State
- Annual audits ensure all funds are spent as promised
- No funds can be spent on administrators' salaries
- Senior citizens are eligible for an exemption

With the upcoming closure of Golden Gate Fields, the District could lose more than a half million dollars if the land is transferred to a non-taxable owner. Measure G would help recover this potentially huge loss in local school funding.

Whether or not you have kids in schools, supporting public education is a wise investment in the strength of our community. Please join us in voting **Yes on G** to keep Albany's schools and community strong.

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BALLOT MEASURE ARGUMENT
SUBMISSION FORM

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Submission of: (select one)

[X] Argument in Favor (300 words or less)
[ ] Argument Against (300 words or less)

Measure letter: G
Title of Election: Presidential Primary
Jurisdiction: Albany USD
Election Date: March 5, 2024

Submitted by: (select one)

- [ ] The Governing Body of Alameda County, a school district, or a special district
[ ] Bona Fide Organization
[X] Individual(s) eligible to vote on the measure

Indicate County Board Member or Specific District: (if applicable)
Name of Organization/Association: (if applicable)

Contact Person's Printed Name: [Redacted] Address: [Redacted]
Title: [Redacted]
Phone #: [Redacted] Fax #: [Redacted] E-Mail: [Redacted]

Permission to Post Contact Information on Internet

[X] Grant [ ] Deny

Permission to the Alameda County Registrar of Voters to post the below listed information on the Alameda County Registrar of Voters internet site.

INFORMATION TO BE POSTED:

Name:(Print) [Redacted] Address:
Phone #: [Redacted] Fax #:
E-Mail Address: [Redacted] Website Address:
Signature: [Redacted] Date: 12/13/2023

# Argument/Rebuttal Signatures

Official Use Only: Date Stamp

Submitted by:

Name: [Redacted] Phone#: [Redacted]

Email: [Redacted]

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Names and titles listed will be printed in the order that they are listed in below.

## DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS (Election Code Section 9600)

The undersigned author(s) of the argument:

Measure G Election Date: 3/5/24 Jurisdiction: Albany USD

Argument in Favor  
(300 words or less)

Argument Against Measure  
(300 words or less)

Rebuttal to Argument Against  
(250 words or less)

Rebuttal to Argument in Favor  
(250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
a school district, or a special district

Bona Fide Organization

Individual (s) eligible to vote on the  
measure

1.	Print Name: Kim Gray	Title: Albany Teachers Association Co- <i>President</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Residence Address: [Redacted]				
	Signature: [Redacted]	Date: 12/12/23			
2.	Print Name: Veronica Davison <i>Davidson</i>	Title: Small Business Owner & AUSD <i>Board President</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Residence Address: [Redacted]				
	Signature: [Redacted]	Date: 12/12/23			
3.	Print Name: Melissa Boyd	Title: AUSD Board <i>Member</i> Vice President	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Residence Address: [Redacted]				
	Signature: [Redacted]	Date: 12/12/23			
4.	Print Name: Rebecca Hopwood	Title: AUSD Board <i>Vice President</i> Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Residence Address: [Redacted]				
	Signature: [Redacted]	Date: 12/12/23			
5.	Print Name: Preston Jordan	Title: Albany City Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Residence Address: [Redacted]				
	Signature: [Redacted]	Date: 12/12/23			

Rebuttal to Argument in Favor of Measure G

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**Vote NO on Measure G.**

Albany property owners already pay some of California's highest parcel taxes. You now pay \$1,081.00 per year just to Albany Unified School District.

That's on top of your regular property tax for Albany USD and school bond debt that won't be paid off until 2046. **Measure G would raise your property taxes even higher.**

The facts:

- **Measure G is a NEW permanent tax that has no end date. It could last forever.**
- Measure G would cost \$55.00 per year for every hundred square feet of your home and garage. *That's \$550.00 per year for a 1,000 square foot home.*
- Even your backyard storage sheds could be taxed.
- Your tax would **increase 3 percent every year automatically**.

During the "Great Recession" in 2009, Albany Unified School District asked you to pass a "temporary emergency parcel tax" of \$149 lasting five years. In 2014, voters approved "a temporary, six-year parcel tax of \$278/year." In 2020, voters agreed to a \$318 annual parcel tax for six years. AUSD "hooked" you with a supposedly "temporary" tax that they're tripling and now making permanent. *Don't take their bait.*

**Measure G really is a "bailout" of Albany Unified School District's debt.** AUSD has debts of \$48,391,096.00 Net Pension Liability and \$22,005,621.00 of Other Post Employment Benefits, according to a recent Audit Report. *They don't want you to know.*

Albany's school board gave away too much in the past. They recklessly made promises they couldn't keep. **Measure G is Albany Unified School District's way of making you pay forever for their fiscal irresponsibility.**

**Vote NO.**



# Argument/Rebuttal Signatures

Official Use Only: Date Stamp

Submitted by:

Name: [Redacted] Phone: [Redacted]  
 Email: [Redacted]

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The undersigned author(s) of the argument:

Measure G Election Date: 3/5/2024 Jurisdiction: Albany USD

- Argument in Favor (300 words or less)
- Rebuttal to Argument Against (250 words or less)
- Argument Against Measure (300 words or less)
- Rebuttal to Argument in Favor (250 words or less)

Hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

The Governing Body of Alameda County,  
 a school district, or a special district  
 Bona Fide Organization  
 Individual (s) eligible to vote on the  
 measure

1.	Print Name: <b>Marcus Crawley</b>	Title: <b>President-ACTA</b>			
	Residence Address: [Redacted]		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Signature: [Redacted]	Date: <b>12/16/2023</b>			
2.	Print Name:	Title:			
	Residence Address:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signature:	Date:			
3.	Print Name:	Title:			
	Residence Address:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Signature:	Date:			
4.	Print Name:	Title:			
	Residence Address:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signature:	Date:			
5.	Print Name:	Title:			
	Residence Address:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signature:	Date:			

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Vote NO on Measure G. Stop this "Forever Tax"!

Albany Unified School District has asked you to approve parcel taxes in the past, but this one is different. This one is PERMANENT. It doesn't have an end or "sunset" date. **Measure G could last forever.**

**The East Bay Times opposes "forever taxes" like Measure G.** A *Times* editorial in June 2020 asserted: "Stop deceiving Bay Area voters on local tax measure costs: Too many government officials keep writing ballot wording to tout benefits and gloss over, or hide, true costs."

That editorial advised: "*Generally, tax increases should not be permanent. Accountability is essential. Voters should get a periodic say on whether they think they're getting their money's worth.*" **You should vote NO on this basis.**

Furthermore, the **Alameda County Grand Jury in 2021** issued a report titled, "The Need for Accuracy and Impartiality of Ballot Measure Questions." The Grand Jury warned about "forever taxes":

*"[C]hoosing to describe a permanent tax (i.e., one that does not expire by its own terms) as a tax that continues "until repealed by voters" ... or "until ended by voters" ... may be logically correct, but it is not transparent.*

*It is not transparent because it implies that the measure itself contains terms and conditions providing for its repeal, or at least that voters will have an opportunity to repeal the tax, even though no such provision or opportunity exists, or is required or planned, and any such activity would certainly not be initiated by the measure's proponents.*

*What possible reason can the measure's proponents have for phrasing the time period of the tax in this way? A transparent and impartial description of the length of those taxes would state that they continue indefinitely, or that they do not expire, or that they are permanent."*

**Vote NO.**





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Submission of: (select one)

<input type="checkbox"/> Argument in Favor (300 words or less)	<input checked="" type="checkbox"/> Argument Against (300 words or less)	Measure letter: <u>G</u>
		Title of Election: <u>Albany USD Parcel Tax</u>
		Jurisdiction: <u>Albany USD</u>
		Election Date: <u>March 5, 2024</u>

Submitted by: (select one)

**The Governing Body of Alameda County, a school district, or a special district**  
A governing board member who signs an argument must be authorized to do so by the governing board.

**Bona Fide Organization**  
Arguments from a bona fide organization must be signed by one of the principal officers. The individual signing an argument on behalf of a bona fide organization does not have to be a registered voter in the jurisdiction.

**Individual(s) eligible to vote on the measure**  
Individual(s) signing an argument must be registered voters eligible to vote on the measure.

Indicate County Board Member or Specific District: (if applicable)  
Name of Organization/Association: (if applicable)

**Alameda County Taxpayers' Association, Inc.**

Contact Person's Printed Name: [REDACTED]		Address: [REDACTED]
Title: [REDACTED]		
Phone #: [REDACTED]	Fax # : [REDACTED]	E-Mail: [REDACTED]

Permission to Post Contact Information on Internet

Grant     Deny

Permission to the Alameda County Registrar of Voters to post the below listed information on the Alameda County Registrar of Voters internet site.

INFORMATION TO BE POSTED:

Name:(Print) Marcus Crawley, President-ACTA	Address: 186 Airway Blvd., Livermore, CA 94551
Phone #: (510) 531-4548	Fax #:
E-Mail Address: mcprose@att.net	Website Address: ACTaxpayers.org
Signature: [REDACTED]	Date: December 13, 2023

# Argument/Rebuttal Signatures

Official Use Only: Date Stamp

Submitted by:

Name: [Redacted] Phone#: [Redacted]  
 Email: [Redacted]

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**Reg. of Voters**

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## DECLARATION BY AUTHOR(S) OF ARGUMENTS OR REBUTTALS (Election Code Section 9600)

The undersigned author(s) of the argument:

Measure G Election Date: 3/5/2024 Jurisdiction: Albany USD

- Argument in Favor (300 words or less)
- Argument Against Measure (300 words or less)
- Rebuttal to Argument Against (250 words or less)
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The Governing Body of Alameda County,  
 a school district, or a special district  
 Bona Fide Organization  
 Individual(s) eligible to vote on the  
 measure

1. Print Name: Alameda County Taxpayers' Association (ACTA) Title: Marcus Crawley, President-ACTA; Oakland resident  
 Residence Address: [Redacted]  
 Signature: [Redacted] Date: 12/13/23

2. Print Name: Title:  
 Residence Address:  
 Signature: Date:

3. Print Name: Title:  
 Residence Address:  
 Signature: Date:

4. Print Name: Title:  
 Residence Address:  
 Signature: Date:

5. Print Name: Title:  
 Residence Address:  
 Signature: Date:

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**Rebuttal to the Argument Against Measure G  
Albany Unified School District**  
[Word Count: 250 words]

The author of the argument against Measure G habitually opposes school ballot measures. Flip through your ballot book and you'll see he's opposing virtually every school measure in the County.

Unlike our lone opponent, we live, work, and send our children to school in Albany Unified School District. That's why we're proud to be voting Yes on G.

**Measure G continues Albany's tradition of academic excellence by renewing an expiring source of local funding.**

For over 30 years, Albany has supported its local schools with local funding that cannot be taken by the State. Measure G renews this funding, protecting Albany schools from painful cuts and teacher layoffs.

**If we want local students to succeed, we must continue to attract and retain top teacher talent.**

The need for quality teachers will never go away. As the cost of living continues to rise in Albany, we need Measure G to reduce turnover rates and keep excellent teachers local. Without Measure G, our schools will continue to lose top teacher talent to higher paying districts and more affordable communities.

**Citizens can repeal Measure G at any time.**

If this source of school funding is no longer deemed necessary, Measure G can be repealed at any time by local citizens.

**Transparency and accountability ensure all funds stay local.**

Measure G is locally controlled, can't be taken by the state, and is fully dedicated to our local schools. Annual public disclosure of spending and reports to the community are required.

**Vote Yes on G to protect what makes Albany great: good schools and great teachers.**



# Argument/Rebuttal Signatures

Official Use Only: Date Stamp

Submitted by:

Name: [Redacted] [Redacted]  
 Email: [Redacted]

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Measure \_\_\_\_\_ Election Date: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_

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The Governing Body of Alameda County, a school district, or a special district  
 Bona Fide Organization  
 Individual (s) eligible to vote on the measure

1. Print Name: [Redacted] Title: [Redacted]  
 Residence Address: [Redacted]  
 Signature: [Redacted] Date: 12/15/23

2. Print Name: John Anthony Mike Title: Mayor, City of Albany  
 Residence Address: [Redacted]  
 Signature: [Redacted] Date: 12/17/23

3. Print Name: Robin P. Lopez Title: Vice Mayor, City of Albany  
 Residence Address: [Redacted]  
 Signature: [Redacted] Date: 12/17/2023

4. Print Name: Jennifer C Hansen-Romero Title: Albany City Councilperson  
 Residence Address: [Redacted]  
 Signature: [Redacted] Date: 12/18/23

5. Print Name: Kandee Mosley Title: Resident League of Women Voters of Bristol & Albany  
 Residence Address: [Redacted]  
 Signature: [Redacted] Date: 12/18/23

2  
3  
4  
5  
JHR  
KM

# Release of Signatures for Rebuttal Arguments

Official Use Only: Date Stamp

Submitted by:

Name: [Redacted]

Phone #: [Redacted]

E-Mail Address: [Redacted]

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Alameda County  
DEC 18 2023  
Reg. of Voters

Measure G Election Date: March 5, 2024 Jurisdiction: Albany USD

The undersigned author(s) of the direct argument

In Favor  Against

The original signers were:

1. Print Name:  
Kim Gray

Signature: [Redacted]

Date:  
12/18/23

2. Print Name:  
Veronica Davison

Signature:

Date:

3. Print Name:  
Melissa Boyd

Signature:

Date:

4. Print Name:  
Rebecca Hopwood

Signature:

Date:

5. Print Name:  
Preston Jordan

Signature:

Date:

# Release of Signatures for Rebuttal Arguments

Official Use Only: Date Stamp

Submitted by:

Name: [Redacted]  
Phone #: [Redacted]  
E-Mail Address: [Redacted]

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Measure G Election Date: March 5, 2024 Jurisdiction: Albany USD

The undersigned author(s) of the direct argument

In Favor  Against

The original signers were:

1. Print Name:

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Veronica Davison

Signature:

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3. Print Name:

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Signature:

Date:

12/17/23

4. Print Name:

Rebecca Hopwood

Signature:

Date:

5. Print Name:

Preston Jordan

Signature:

Date:



# Release of Signatures for Rebuttal Arguments

Submitted by:

Name: [REDACTED]  
Phone #: [REDACTED]  
E-Mail addresses: [REDACTED]

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Measure G Election Date: March 5, 2024 Jurisdiction: Albany USD

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Signature:

Date:

4. Print Name:

Rebecca Hopwood

Signature:

Date:

12/17/2023

5. Print Name:

Preston Jordan

Signature:

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Phone #: [Redacted]  
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Measure G Election Date: March 5, 2024 Jurisdiction: Albany USD

The undersigned author(s) of the direct argument

In Favor  Against

The original signers were:

1.	Print Name: Kim Gray	Signature:	Date:
2.	Print Name: Veronica Davison	Signature:	Date:
3.	Print Name: Melissa Boyd	Signature:	Date:
4.	Print Name: Rebecca Hopwood	Signature:	Date:
5.	Print Name: Preston Jordan	Signature: [Redacted]	Date: 15 Dec 2023

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**BOARD OF EDUCATION  
ALBANY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 2023-24-07:**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE ALBANY UNIFIED SCHOOL DISTRICT OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, CALLING AN ELECTION FOR APPROVAL OF AN EDUCATION PARCEL TAX, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON MARCH 5, 2024**

**WHEREAS**, Albany Unified School District ("District") schools are ranked among the best in the State of California ("State") thanks to high-quality teachers and innovative academic programs; and

**WHEREAS**, parents and community members alike tell us that District schools help to improve the quality of life in our community and protect the value of our homes; and

**WHEREAS**, we live in one of the most expensive places in the Country, making it hard for Albany teachers to find housing; and

**WHEREAS**, our teachers struggle to afford to live in the community they serve; and

**WHEREAS**, additional funding would allow the District to pay a competitive wage, which would help reduce the District's turnover rate and keep quality teachers and staff in our schools; and

**WHEREAS**, for almost 40 years, District voters have authorized locally controlled parcel tax funding for Albany's schools; and

**WHEREAS**, a portion of this funding is set to expire, which would result in deep cuts to academic programs; and

**WHEREAS**, this measure would not be a new tax but would instead replace an existing source of funding approved by voters in 2020 that our schools rely on to attract quality teachers and support core academics; and

**WHEREAS**, in a job market with major teacher shortages, this measure would help the District to attract and retain high-quality teachers; and

**WHEREAS**, if approved by voters, funding from this measure could continue to be used to attract and retain exceptional teachers and counselors; protect science, math, arts, reading, and language instruction; support music, art, and theater programs; and maintain small class sizes; and

**WHEREAS**, all proceeds would be controlled locally and could not be taken away by the State; and

**WHEREAS**, none of the money raised could be used for administrators' salaries or pensions; and

**WHEREAS**, mandatory annual audits would help ensure funds are spent as voters intended; and



**WHEREAS**, senior citizen homeowners would continue to be eligible for an exemption from the cost.

**WHEREAS**, California Constitution, Article XIII A, section 4 and Government Code sections 50075 et seq. authorizes the District, upon approval of two-thirds of the electorate, to levy qualified special taxes on real property in the District for the purpose of providing quality educational programs in the District and other lawful purposes of the District; and

**WHEREAS**, in the judgment of this Board, following a public hearing and comment, it is advisable to request that the Alameda County Superintendent of Schools ("Superintendent of Schools") call an election and submit to the voters of the District the question of whether the District shall levy a qualified special tax within the District, for the purpose of raising revenue for the District; and

**WHEREAS**, pursuant to the Education Code and Elections Code such election may be completely or partially consolidated with any other election held on the same day and in the same territory or territory that is in part the same.

**NOW, THEREFORE, IT IS DETERMINED AND ORDERED** as follows:

**Section 1. Recitals.** The Board hereby finds and determines that the foregoing recitals are true and correct.

**Section 2. Resolution Constitutes Order of Election.** This resolution shall constitute an order of election pursuant to the Education Code to the Alameda County Superintendent of Schools ("County Superintendent") to call an election within the boundaries of the District on March 5, 2024.

**Section 3. Date and Purpose of Measure.** Pursuant to the California Constitution and Government Code, an election shall be held within the boundaries of the District on Tuesday, March 5, 2024, for the purpose of voting on a measure ("Measure") which will be presented to voters in substantially the form attached hereto as **Exhibit A**, containing the question of whether the District shall impose a qualified special tax for the educational purposes stated therein. In addition, the full text of the Measure ("Full Ballot Text") shall appear in the ballot pamphlet in substantially the form attached hereto as **Exhibit B**.

**Section 4. Collection of the Tax.** Beginning July 1, 2024, if adopted by voters, the qualified special tax shall be collected by the Alameda County Treasurer-Tax Collector ("County Tax Collector"), at the same time, in the same manner, and subject to the same penalties as *ad valorem* property taxes collected by the County Tax Collector. Unpaid special taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. With respect to all general property tax matters within its jurisdiction, the County Tax Collector shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the exemptions, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s), the legality or validity of the special tax, or any other disputed matter specific to the application of the special tax, the decisions of the District shall be final and binding.

**Section 5. Authority for Ordering Election.** The authority for ordering the election is contained in the Education Code, Elections Code, Government Code, and California Constitution.

**Section 6. Authority for Specifications.** The authority for the specification of this election order is contained in the Education Code.

**Section 7. Resolution to County Officials.** The Secretary to the Board is hereby directed to cause certified copies of this Resolution and order to be delivered no later than December 6, 2023, to the County Superintendent, the Alameda County Registrar of Voters ("Registrar"), and the Clerk of the Board of Supervisors of Alameda County ("Board of Supervisors").

**Section 8. Formal Notice.** The County Superintendent is hereby requested to prepare and execute a Formal Notice of Parcel Tax Election and consolidation order in substantially the form attached hereto as **Exhibit C** (the "Formal Notice"), and to call the election by causing the Formal Notice to be posted in accordance with the applicable law no later than December 6, 2023, or to otherwise cause the notice to be published as permitted by law. The Secretary to the Board, on behalf of and as may be requested by the County Superintendent, is authorized to cause all notices required by law in connection herewith to be published and posted, as the case may be.

**Section 9. Conduct of Election.**

- (a) *Request to Registrar.* Pursuant to State law, the Registrar is requested to take all steps to hold the election on March 5, 2024, in accordance with law and these specifications. The election may be consolidated with another election as specified below, if such consolidation is feasible and appropriate.
- (b) *Voter Pamphlet.* The Registrar is hereby requested to reprint the Full Ballot Text in substantially the form attached hereto as **Exhibit B** in the voter information pamphlet to be distributed to voters pursuant to the Elections Code. In the event the Full Ballot Text will not be reprinted in the voter information pamphlet in its entirety, the Registrar is hereby requested to print, immediately below the impartial analysis of the Measure, in no less than 10-point boldface type, a legend substantially as follows:

*"The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the Measure, please call the Alameda County Registrar of Voters at {phone number} and a copy will be mailed at no cost to you."*

- (c) *Consolidation.* The County Superintendent and the Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections as may be held on the same day in the same territory or in territory that is in part the same.
- (d) *Canvass and Declaration of Results.* The Board of Supervisors is authorized to canvass the returns of the election and declare the result pursuant to the Elections Code.
- (e) *Cost of Election.* The District will reimburse the Registrar and the County of Alameda for costs associated with the election as required by law.

**Section 10. Appropriations Limit.** The Board shall provide in each year for an increase in the District's appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be spent for the authorized purposes.

**Section 11. Ballot Arguments.** The Board President and/or their designees are hereby authorized to prepare and file with the Registrar any ballot argument prepared in connection with the election, including a rebuttal argument, each within the time established by the Registrar, which shall be considered the official ballot arguments of the Board as sponsor of the Measure and to take all necessary action to prevent inclusion of false and/or misleading information in ballot materials related to the Measure.

**Section 12. Official Actions.** The District Superintendent, Board President, or their designees are hereby authorized to execute any other document and to perform all acts necessary to place the Measure on the ballot, including making alterations to the Measure and Full Ballot Text stated in **Exhibits A and B** hereto, and to this Resolution, to comply with requirements of law and election officials or which are, in the judgment of the Superintendent and/or Board President, in the best interests of the District.

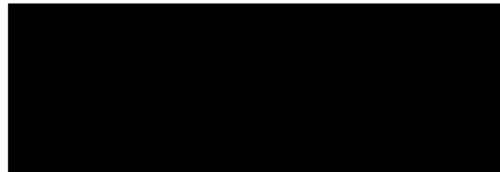
**Section 13. Effective Date.** This Resolution shall take effect from and after its adoption.

The foregoing resolution was introduced by **Melissa Boyd**, who moved its adoption, seconded by **Sadia Khan**, and adopted on November 28, 2023 by the following vote:

AYES: 5

NOES: 0

ABSENT: 0



\_\_\_\_\_  
President of the Board of Education of the  
Albany Unified School District

ATTEST:



\_\_\_\_\_  
Clerk of the Board of Education of the  
Albany Unified School District



**RECEIVED**  
Alameda County

DEC 05 2023

**Reg. of Voters**

**EXHIBIT A**

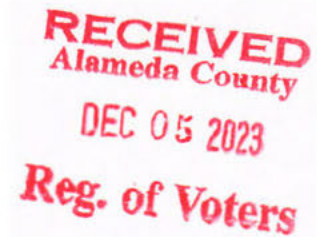
**Summary of Measure**

The Measure shall be summarized in the following form, and the County of Alameda Registrar of Voters is requested to cause this summary of the Measure to appear on the ballot:

**\*\*\* Begin Summary Text \*\*\***

To maintain excellent schools by attracting and retaining exceptional teachers and counselors, protecting science, math, arts, reading and language instruction, supporting music, art and theater programs, and maintaining small class sizes, shall Albany Unified School District's measure renewing parcel tax authority at \$0.55/building square foot and \$25/unimproved parcel, be adopted, raising \$4,800,000 annually that cannot be taken by the State, until ended by voters, with senior exemptions, annual adjustments, audits, and all funds staying local?

**\*\*\* End Summary Text \*\*\***



**EXHIBIT B**

**Full Ballot Text**

**\*\*\* Begin Full Ballot Text \*\*\***

**The Albany Unified School District Teacher Retention & Academic Excellence Act**

**Measure \_\_**

*[letter designation to be assigned by Alameda County Registrar of Voters]*

**FINDINGS**

Albany Unified School District ("AUSD") schools are ranked among the best in the State thanks to high-quality teachers and innovative academic programs. Parents and community members alike benefit from strong local schools, which improve the quality of life in the community and protect the value of local homes.

For almost 40 years, AUSD voters have authorized locally controlled parcel tax funding for Albany's schools. A portion of this funding is set to expire, which could result in deep cuts to academic programs. The Albany Unified School District Teacher Retention & Academic Excellence Act ("the Act") would continue local parcel tax funding for AUSD schools.

The Board recognizes that Albany is one of the most expensive places in the Country, and Albany teachers struggle to find local housing as a result. Additional funding from the Act would allow AUSD to pay a competitive wage, which could help reduce the District's turnover rate and keep quality teachers and staff in local schools.

**TERMS**

Moneys raised under this Measure shall be authorized to be used only for the following purposes in accordance with priorities established by the Board and to the extent of available funds:

- To attract and retain exceptional teachers and counselors
- To protect science, math, arts, reading and language instruction
- To support music, art, theater, and library programs
- To maintain small class sizes
- To keep schools safe
- To fund technology and up-to-date materials
- To preserve other academic programs, instructional equipment, materials and supplies

No funds will be spent on administrative salaries or benefits.

**A. Amount and Basis of Tax**

Upon approval of two-thirds of those voting on this Measure, the District shall be authorized to levy an annual qualified special tax on all Parcels of Taxable Real Property, commencing on July 1, 2024. The tax shall be levied on Improved Parcels at the rate of \$0.55 per building square foot and at the rate of \$25 per Unimproved Parcel. To account for the impact of inflation on the cost of delivering the classroom programs and student services supported by the education parcel tax, the tax rates described above shall be increased annually by three percent (3%), commencing July 1, 2025.

This qualified special tax is estimated to raise \$4,800,000 in annual local funding for District schools. The amount of annual local funding raised by this qualified special tax will vary from year-to-year due to changes in the number of parcels subject to the levy, the amount of building square footage on parcels, and annual adjustment.

For purposes of the tax levy, the following definitions shall apply:

"Parcel of Taxable Real Property," is defined as any unit of real property in the District that receives a separate tax bill for property taxes from the Alameda County Treasurer-Tax Collector's Office ("County Tax Collector"). All public property that is otherwise exempt from or upon which no ad valorem property taxes are levied in any year shall also be exempt from the special tax in such year.

"Building" is defined as any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person or property of any kind. The word "building" includes the word "structure" and encompasses, without limitation, all residential, commercial and industrial structures.

"Improved parcel" is defined as a Parcel of Taxable Real Property on which exists any building.

"Unimproved parcel" is defined as a Parcel of Taxable Real Property on which no building exists.

The District annually shall provide to the County Tax Collector a report indicating the parcel number and amount of tax for each Parcel of Taxable Real Property.

The existing qualified special tax approved by voters as Measure B in 2020 shall cease to be levied after June 30, 2024. This Measure will replace the existing Measure B and the Measure B special tax shall not be collected in any year in which this Measure is collected. In the event this Measure is not approved, the existing Measure B qualified special tax shall continue in effect until its scheduled expiration date.

The existing qualified special tax approved by voters as Measure J in 2009 shall continue to be collected.

## **B. Exemptions**

Under procedures adopted by the District, an exemption from payment of the special tax may be granted on any parcel owned by one or more persons who is/are:

1. An individual who will attain 65 years of age prior to July 1 of the tax year and occupying said parcel as his or her principal residence ("Senior Citizen Exemption"); or,
2. Receiving Supplemental Security Income for a disability, regardless of age, and occupying said parcel as his or her principal residence ("SSI Exemption"); or
3. 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, and occupying said parcel as his or her principal residence ("SSDI Exemption").



Exemptions may be granted based on a one-time application, subject to the District's right to verify a property owner's continuing qualification for exemption. Persons who have a current valid exemption from either of the District's existing parcel taxes shall continue to be exempt from this new tax and shall not be required to reapply.

**C. Claims / Exemption Procedures**

With respect to all general property tax matters within its jurisdiction, the County Tax Collector or other appropriate County tax official shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax including any exemptions, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s), the legality or validity of the special tax, or any other disputed matter specific to the application of the special tax, the decisions of the District shall be final and binding.

In determining whether a parcel is an Improved Parcel or Unimproved Parcel and for determining the number of building square footage for levy of the qualified special tax, the District shall refer to the data reported by the Alameda County Assessor's Office, except in cases of demonstrable error, in which case either the property owner may file a claim with the District for re-computation of the tax or the District will re-compute the tax and provide notice to the owner of the re-computation and the right to appeal in accordance with the procedures established by the District.

The procedures described herein, and any additional procedures established by the Board shall be the exclusive claims procedure for claimants seeking an exemption, refund, reduction, or re-computation of the special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County as necessary.

**D. Appropriations Limit**

Pursuant to California Constitution Article XIII B and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this qualified special tax.

**E. Mandatory Accountability Protections**

1. *Specific Purposes.* The proceeds of the special tax shall be applied only to the specific purposes identified above. The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District.
2. *Annual Reports.* No later than December 31 of each year while the tax is in effect, the District shall prepare and file with the Board a report detailing the amount of funds collected and expended, and the status of any project authorized to be funded by this Measure. The report may relate to the calendar year, fiscal year, or other appropriate annual period, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.

**F. Protection of Funding**

Current law forbids any decrease in State or federal funding to the District resulting from the adoption of qualified special tax. However, if any such funding is reduced or affected

because of the adoption of this local funding measure, then the Board may reduce the amount of the special taxes levied as necessary in order to restore such State or federal funding and/or maximize the District's fiscal position for the benefit of the educational program. As a result, whether directly or indirectly, no funding from this measure may be taken away by the State or federal governments.

**G. Severability**

The Board hereby declares, and the voters by approving this Measure concur, that every section and part of this Measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this Measure by the voters, should any part of the Measure or taxing formula be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the Measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.

**\*\*\* End Full Ballot Text \*\*\***

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**EXHIBIT C**

**Formal Notice Of Special Tax Election**

[For Use by County Superintendent]

NOTICE IS HEREBY GIVEN to the qualified electors of Albany Unified School District of Alameda County, California, that in accordance with the provisions of the Education Code and the Government Code of the State of California, an election will be held on March 5, 2024, for the purpose of submitting to the qualified electors of the District the measure summarized as follows:

To maintain excellent schools by attracting and retaining exceptional teachers and counselors, protecting science, math, arts, reading and language instruction, supporting music, art and theater programs, and maintaining small class sizes, shall Albany Unified School District's measure renewing parcel tax authority at \$0.55/building square foot and \$25/unimproved parcel, be adopted, raising \$4,800,000 annually that cannot be taken by the State, until ended by voters, with senior exemptions, annual adjustments, audits, and all funds staying local?

By execution of this formal Notice of Election the Alameda County Superintendent of Schools orders consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

The Alameda County Superintendent of Schools, by this Notice of Election, has called the election pursuant to a Resolution and Order of the Board of Education of the Albany Unified School District adopted November 28, 2023, in accordance with the provisions of Education Code sections 5302, 5325 and 5361.

IN WITNESS WHEREOF, I have hereunto set my hand this day, \_\_\_\_\_, 2023.

\_\_\_\_\_  
County Superintendent of Schools  
Alameda County, California



RECEIVED  
Alameda County

DEC 05 2023

Reg. of Voters

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IN WITNESS WHEREOF, I have hereunto set my hand this day, December 4, 2023.



County Superintendent of Schools  
Alameda County, California