

MEASURE B	COMPLETE TEXT OF MEASURE B
<b>COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE B</b>	<b>RESOLUTION NO. 12-62</b>
<p>Measure B would renew an existing special parcel tax assessed by the Santa Clara Valley Water District (District) on each parcel of land within the District. The tax would remain in effect for 15 years (July 1, 2013 through June 30, 2028).</p> <p>Proceeds from the tax would be used to carry out the District's Safe, Clean Water and Natural Flood Protection Program, which identifies specific projects within the District that would (1) ensure a safe, reliable water supply; (2) reduce pollution in waterways; (3) protect the water supply and dams from earthquakes and other natural disasters; (4) restore wildlife habitat and provide open space; and (5) provide flood protection for homes, businesses, streets and highways. The funds may only be used for projects within the District.</p> <p>The parcel tax would work exactly like the existing tax. Specifically, a separate tax rate per unit of area would be applied to each of five different land use categories, ranging from vacant undisturbed land (which is taxed at the lowest rate) to commercial/industrial (which is taxed at the highest rate). On parcels in any given category that are equal to or less than a specified minimum size, a flat minimum tax could be levied. For example, the maximum annual tax for a single family residential parcel of .25 acre or less in 2013 would be \$56. The rates may be adjusted annually for inflation, by up to the larger of a cost of living adjustment (CPI) or 3%. The rate could also be adjusted upward (up to CPI plus 4.5%) for up to three years immediately following a year in which a natural disaster is declared in the District's flood zones to pay for the costs of repairs caused by the disaster.</p> <p>An independent committee would annually audit the implementation and results of the plan. In addition, the Board of Directors of the District would be required to conduct two professional audits of the program, at the fifth and tenth anniversaries, to provide for accountability and transparency.</p> <p>The District may provide an exemption from the parcel tax for parcels owned and occupied by low-income seniors.</p> <p>The parcel tax would appear as a separate item on each property tax bill and would be levied and collected at the same time and in the same manner as the general tax levy for county purposes.</p> <p>A "yes" vote is a vote to continue, at the same rates, the special parcel tax on parcels within the Santa Clara Valley Water District's combined Flood Control Zone for a period of 15 years.</p> <p>A "no" vote is a vote not to continue the parcel tax.</p> <p>Lori E. Pegg Acting County Counsel</p> <p>By: /s/ Susan Swain Lead Deputy County Counsel</p>	<p style="text-align: center;">PROVIDING FOR THE CONTINUATION AND LEVY OF A SPECIAL TAX TO PAY THE COST OF A SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM IN THE COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT SUBJECT, NEVERTHELESS, TO SPECIFIED LIMITS AND CONDITIONS</p> <p>WHEREAS, Santa Clara Valley Water District (District) policy is to ensure current and future water supplies and provide healthy, clean and reliable water in Santa Clara County; and</p> <p>WHEREAS, District policy is to ensure reliable, clean water supplies for Santa Clara County and to protect Santa Clara County creeks, reservoirs, Monterey Bay, and San Francisco Bay from contaminants; and</p> <p>WHEREAS, District policy is to provide for flood water and storm water flood protection to residents, businesses, visitors, public highways, and the watercourses flowing within the District; and</p> <p>WHEREAS, District policy is to protect our water supply, pipelines and local dams from earthquakes and natural disasters; and</p> <p>WHEREAS, the District maintains a flood protection system of levees, channels, drains, debris basins and other improvements upon which the lives and property of District residents depend, which said improvements must be kept in a safe and effective condition; and</p> <p>WHEREAS, the District policy is to protect, enhance and restore healthy Santa Clara County creeks, watersheds and baylands ecosystems; and</p> <p>WHEREAS, the need for protection of Santa Clara County water supplies, creeks, watersheds and baylands has increased since the voters passed the Clean, Safe Creeks and Natural Flood Protection Plan in 2000; and</p> <p>WHEREAS, the District policy is to engage in partnerships with the community to provide open spaces, trails and parks along Santa Clara County creeks and watersheds; and</p> <p>WHEREAS, the California State Legislature has authorized the District to levy a special tax on each parcel of property within the District or any zone or zones thereof upon receiving the approving vote of a two-thirds majority of the electorate of the District or zones therein; and</p> <p>WHEREAS, the purpose of the special tax is to supplement other available but limited revenues to keep said improvements in a safe and effective condition; to enable the District to respond to emergencies; to perform maintenance and repair; to acquire, restore and preserve habitat; to provide recreation; to conduct environmental education; to protect and improve water quality; and, to construct and operate flood protection and storm drainage facilities; including in each case the cost of financing such activities; and</p> <p>WHEREAS, State California Environmental Quality Act (CEQA) Guidelines section 15378(b)(4), states that government funding mechanisms are not projects subject to the requirements of CEQA.</p>