

MEASURE A

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE A

Measure A was placed on the ballot by the Board of Trustees (Board) for the Los Gatos Union School District (District). The Board proposes a school parcel tax, of \$290 per parcel per year. The proposed tax will supplement the qualified special tax authorized by voters as "Measure B" on May 7, 2013. If the proposed tax is approved, an additional tax of \$290 per parcel per year will be collected beginning on July 1, 2017. This proposed tax will expire, and collection will end, eight years later.

For the District to impose the proposed tax, Measure A must be approved by at least two-thirds of those voting on it.

There are exemptions from the proposed tax. Upon application, the District may grant an exemption for any parcel that is owner-occupied as a principal residence for: (1) a person 65 years or older; or (2) a person receiving Supplemental Security Income for a disability regardless of age. Parcels that would otherwise be exempt from property tax will also be exempt from the proposed tax.

State law requires the District to state the specific purposes for which the tax proceeds will be used and to only spend the proceeds of the tax for these purposes. The stated purposes of the proposed tax are to: (1) maintain outstanding academic programs including science, engineering, math, reading, writing, music and arts with local funding that cannot be taken by the State; (2) attract and retain highly qualified teachers; and, (3) provide safe and modern facilities for student success. No funds may be used for administrator salaries.

The District is also required to provide additional accountability measures for the proceeds. These measures include: (1) depositing the proceeds into a fund that is separate from other District funds; and (2) filing an annual written report with the Board stating the amount of funds collected and expended, and the status of any project authorized to be funded from the tax proceeds. The Board will also appoint or designate an advisory citizen's committee to provide oversight of expenditures of the tax proceeds.

Under state law, the District has an appropriations limit. The Board will adjust the District's appropriations limit as necessary to permit the proceeds of the proposed tax to be spent. The Board will reduce this tax if it has the unintended effect of decreasing or offsetting local, state or federal government funding that would otherwise be available to the District.

A "yes" vote is a vote to approve a parcel tax of \$290 per parcel for eight years.

A "no" vote is a vote to not approve the parcel tax.

James R. Williams
County Counsel

/s/ Danielle L. Goldstein
Deputy County Counsel

COMPLETE TEXT OF MEASURE A

LOS GATOS UNION SCHOOL DISTRICT

Measure A

RECITALS

The Governing Board ("Board") of the Los Gatos Union School District ("District") has established the goals of improving academic performance and the quality of education for all children in the District so that they are prepared for college and to compete for good jobs. Furthermore, the District aims to enhance local control of our schools and reduce our dependence on the State of California for education funding.

Los Gatos students receive an excellent, well-rounded education that includes strong academic programs in reading, writing, math and science. Students achieve top scores on statewide exams, and Fisher Middle School was nominated for the prestigious California Distinguished School Award. We believe that our exceptional public schools are part of why our community is such a desirable place to live and helps protect our local property values.

Since 1990, the Los Gatos and Monte Sereno communities have supported our local elementary and middle schools through a local education parcel tax measure to support high student achievement, retain high-quality teachers, and protect our outstanding academic programs. However, revenue from current local measures no longer provides the kind of programs that local residents deserve and expect.

The proposed education parcel tax will supplement our current parcel tax funding to maintain and enhance outstanding academic programs, attract and retain highly qualified teachers, prepare students for success in high school, support innovative science programs, and provide safe and modern facilities for student success. It will also help ensure that our schools can provide robust programs in science, technology and engineering so that our students are prepared to compete right here in the heart of the Silicon Valley.

By law, all funds from this local funding measure must be used to protect the specified programs in District schools and cannot be taken away by the State. Strict accountability is mandatory, including no funds for administrators' salaries and independent citizen oversight and annual reports to ensure funds are spent as promised.

TERMS

To maintain outstanding academic programs including: science, engineering, math, reading, writing, music and arts with local funding that cannot be taken by the State; attract and retain highly qualified teachers; provide safe and modern facilities for student success; shall Los Gatos Union School District authorize an annual \$290 school parcel tax for 8 years, raising approximately \$2,800,000 annually, with independent oversight, no funds for administrators, an exemption available for seniors and all funds benefiting local elementary and middle schools?

A. Amount and Basis of Tax

The special tax shall be \$290 per Parcel of Taxable Real Property beginning in July 1, 2017 and continue for a period of eight (8) years.

COMPLETE TEXT OF MEASURE A-Continued

The District shall provide the Santa Clara County Tax Collector ("County Tax Collector") a report indicating the parcel number and amount of tax for each Parcel of Taxable Real Property.

To the extent allowed by law "Parcel of Taxable Real Property" shall be defined as:

- (a) Any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector.
- (b) All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall not be considered a Parcel of Taxable Real Property for purposes of the special tax in such year.
- (c) Multiple parcels which are contiguous, under common ownership, contain a single-family residence, and that constitute one economic unit, meaning that they have the same primary purpose as the principal parcel and are not separate and distinct properties that may be independently developed or sold, shall comprise a single Parcel of Taxable Real Property for purposes of the special tax.

If any portion of this definition is deemed contrary to law, the Board declares and the voters by approving the Measure concur, that every other section and part of this definition has independent value, and the Board and voters would have adopted each other section and part hereof regardless of every other section or part hereof. If all sections or parts of this definition are deemed contrary to law, "Parcel of Taxable Real Property" shall be defined as any real property in the District assigned an assessor's parcel number.

B. Exemptions

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

1. Sixty-five (65) years of age or over and occupying said parcel as a principal residence ("Senior Citizen Exemption"); or
2. Receiving Supplemental Security Income for a disability, regardless of age and occupying said parcel as a principal residence ("SSI Exemption").

A new application for exemption will be required for the duration of the proposed Measure, notwithstanding whether a property owner currently has an approved exemption from the payment of any other District special tax.

C. Claim/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 the exemptions, the application of the definition of "Parcel of Taxable Real Property" to any parcel(s) or any other disputed matter specific to the application of the special tax,

COMPLETE TEXT OF MEASURE A-Continued

the decisions of the District shall be final and binding. 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 and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

E. Accountability Measures

1. *Specific Purposes.* The proceeds of the special tax shall be applied only to the specific purposes identified above.
2. *Annual Reports.* 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, pursuant to the Government Code. 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 during the prior fiscal year, 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, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.
3. *Advisory Committee.* An advisory committee of citizens shall be appointed or designated by the Board to ensure that the special tax proceeds are spent for their authorized purposes, and to report annually to the Board and the public regarding the expenditure of such funds. The Board shall provide by resolution for the composition, duties, funding, and other necessary information regarding the committee's formation and operation.

F. Protection of Funding

Current law forbids any decrease in State or federal funding to the District resulting from the adoption of an education parcel 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

COMPLETE TEXT OF MEASURE A-Continued

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.

ARGUMENT IN FAVOR OF MEASURE A

Vote Yes on Measure A to enhance excellent academic programs in local elementary and middle schools and ensure our students are prepared to compete in the 21st-century global economy.

We know that good schools make our community a desirable place to live, and that by keeping our schools strong, we protect high property values in our neighborhoods. That's why Los Gatos and Monte Sereno voters have supported an entire generation of students with voter-approved, local funding that cannot be taken away by the State. This funding has maintained the outstanding education we've come to expect in Los Gatos Union School District, but we need Measure A to keep pace in the 21st Century.

In the heart of the Silicon Valley, our schools should provide innovative programs in science, technology and engineering so local students can excel now and in the future.

Measure A will maintain outstanding core academic programs and enhance classroom programs in science, technology, mathematics, engineering and digital arts. It will also attract and retain highly qualified teachers, maintaining award-winning academic instruction in LGUSD classrooms.

Every single penny of Measure A will be spent right here in local schools and nothing can be taken by the State or federal government.

Vote Yes on A

- Maintain and enhance outstanding academic programs including: science, engineering, math, reading, arts, music and writing
- Attract and retain highly qualified teachers
- Prepare students for success at top-notch local high schools
- Support innovative science programs
- Provide safe and modern facilities for student success

Local Control Keeps Funding in Local Classrooms

- Every penny stays in local schools; funds cannot be taken by the State
- Independent oversight and annual reports are required
- No funds can be used for administrators' salaries
- Senior citizen homeowners are eligible for an exemption
- Expires in eight years

ARGUMENT IN FAVOR OF MEASURE A-Continued

Please join parents, retirees and community leaders—vote Yes on A.

/s/ Tina Orsi-Hartigan
40-year Los Gatos Resident

/s/ Carl Guardino
President & CEO, Silicon Valley Leadership Group

/s/ Marico Sayoc
Mayor, Town of Los Gatos, LGUSD Parent

/s/ Alex Hult
President, Los Gatos Chamber of Commerce

/s/ Marie (Ducky) Grabill
Los Gatos Realtor, Founder of Sereno Group

NO ARGUMENT AGAINST MEASURE A WAS SUBMITTED