

**LOS GATOS UNION SCHOOL DISTRICT
MEASURE B**

To retain highly qualified teachers, maintain and protect core academic programs, and improve programs in science, technology, engineering, arts, music and math for elementary and middle school students; shall the Los Gatos Union School District measure renewing funding at the current \$290 rate and adding \$45 per parcel be adopted, providing \$3.2 million annually for eight years that cannot be taken by the State, with senior exemptions, annual adjustments, independent oversight and no funds for administrator salaries?

YES
NO

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE B**

A school district may levy a special tax upon approval by two-thirds of the votes cast on a proposal pursuant to section 4 of article XIII A of the California Constitution and section 50075 *et seq.* of the California Government Code. The Board of Education (Board) of the Los Gatos Union School District (District) has placed on the ballot a new \$335 per year school parcel tax to be levied beginning July 1, 2022 for eight (8) years from that date, ending June 30, 2030. Beginning July 1, 2023, the amount of the parcel tax will increase annually by 2%. The District's current parcel tax of \$290 per year expires on June 30, 2022.

State law requires the District to identify the specific purposes for which the tax proceeds will be used and only spend the proceeds of the tax for these purposes. The stated purposes of the tax proposed by Measure B are to:

- Retain highly-qualified teachers; and
- Maintain and protect core academic programs in science, technology, engineering, arts, music, and math.

The Measure also states that tax proceeds shall not be used for administrator salaries. State law requires the District to provide additional accountability measures for the proceeds including (1) depositing the proceeds into a fund that is separate from other District funds; and (2) providing an annual written report to the Board detailing the amount of funds collected and expended and the status of any project authorized to be funded from the tax. A citizens' oversight committee will provide oversight regarding the expenditure of the proceeds of the proposed tax revenues and submit an annual report to the Board on the expenditure of funds.

The proposed tax does not apply to any parcel, upon approval of an application for exemption by the District, that is an owner-occupied single-family residence of one or more persons 65 years of age or older; persons receiving Supplemental Security Income for a disability, regardless of age; or 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 Measure also states that parcels that are contiguous to each other, contain a single-family residence, and are held under common ownership may be treated as a single parcel for purposes of the levy of the tax upon approval of an application from the owners submitted to the District. The Measure states that persons who currently receive an exemption from the District's expiring parcel tax will not be required to reapply for the exemption, but will be subject to confirmation by the District of the exemption.

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE B-Continued**

A "yes" vote is a vote to approve a special tax of \$335 per parcel on parcels within the District for eight years, beginning July 1, 2022 and increasing annually by 2%.

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

James R. Williams
County Counsel

By: Mary E. Hanna-Weir
Deputy County Counsel

COMPLETE TEXT OF MEASURE B

LOS GATOS UNION SCHOOL DISTRICT QUALITY EDUCATION RENEWAL MEASURE

Measure B

RECITALS

The award-winning Los Gatos Union School District ("District") elementary and middle schools are a source of pride for the local community. Los Gatos elementary and middle school students receive an education focused on innovative core academics and classroom programs. These programs, delivered by highly qualified teachers and staff, help contribute to each child's development as global and socially responsible citizens, preparing them to succeed in high school and an ever-changing world.

For over 30 years, Los Gatos and Monte Sereno voters have supported the District by approving a locally controlled parcel tax measure to attract and retain highly qualified teachers and protect academic excellence. This local funding is set to expire in June 2022 and, unless renewed by voters will result in a dramatic reduction of funding, including laying off 15% of the teaching staff and cuts to academic programs.

Measure B is on the ballot to renew this expiring parcel tax funding to protect the quality of education in Los Gatos elementary and middle schools. The parcel tax rate has not increased in 20 years, thus the value of this tax has steadily declined due to inflation and can no longer support the level of academic programming it did 20 years ago.

Measure B will protect high-quality education and renew existing local funding to attract and retain highly qualified teachers, expand programs and labs in science, technology, engineering, arts and math, and protect core academic programs including reading and writing.

Fiscal accountability is required, and all funds will stay local to support District schools. Measure B will automatically expire after eight years unless renewed by voters. No funds can be taken by the State and independent citizens' oversight and annual audits are required. Seniors will continue to be eligible for an exemption from the cost.

TERMS

A. Amount and Basis of Tax

Beginning July 1, 2022, the District shall be authorized to levy an annual qualified special tax at the rate of \$335 per parcel on all Parcels of Taxable Real Property. Beginning on July 1, 2023, the rate of the special tax shall be increased by two percent (2%) every year to account for increases in the cost of living. The authorization to levy this special tax shall expire on June 30, 2030.

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

1. Any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector.
2. All property that is otherwise exempt from or upon which are levied no *ad valorem* property taxes in any year shall not be

COMPLETE TEXT OF MEASURE B-Continued

considered a Parcel of Taxable Real Property for purposes of the special tax in such year.

3. 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, may, pursuant to procedures adopted by and upon application to the District, be treated as 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. The Board declares and the voters by approving the Measure concur, they understand and intend that the modifications allowed by this paragraph would result in an increase in the number of parcels subject to the special tax.

This special tax is estimated to raise \$3.2 million 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 and the cost of living increase.

Adoption of this Measure shall not impact the continued levy, through June 30, 2022, of the special tax authorized by Measure B, adopted by voters in 2013.

B. Exemptions

Under procedures adopted by the District, upon application or confirmation of a continuing exemption, 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");
2. Receiving Supplemental Security Income for a disability, regardless of age and occupying said parcel as a 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 a principal residence ("SSDI Exemption").

Exemptions granted under prior special taxes levied by the District will not require re-approval, subject to the District's right to verify a property owner's continuing qualification for exemption.

The District shall annually provide to the Santa Clara County Assessor/Tax Collector or other appropriate County official a list of parcels that the District has approved for an exemption.

COMPLETE TEXT OF MEASURE B-Continued

C. Claim/Exemption Procedures

With respect to all general property tax matters within its jurisdiction, the Santa Clara County Assessor/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 Senior Citizen Exemption, the SSI Exemption, the SSDI exemption, 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, 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 tax official shall be determined by the District, in coordination with the County tax official 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. 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.
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 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. *Independent Oversight Committee.* An independent oversight committee 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. The Board shall have the option to designate any current independent oversight committee and its membership to serve as the independent oversight committee for this Measure.

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

COMPLETE TEXT OF MEASURE B-Continued

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.

ARGUMENT IN FAVOR OF MEASURE B

Voting YES on B renews critical, locally controlled funding for Los Gatos elementary and middle schools that will expire next June.

For nearly 30 years, kindergarten through 8th grade students in Los Gatos and Monte Sereno have relied on this locally controlled funding to retain our highly qualified teachers and protect our top-quality education programs. However, the current parcel tax hasn't increased in over 20 years and the value has declined over \$90 due to inflation, meaning it can't support the programs and teachers it used to.

If Measure B expires, our schools will lose \$2.7 million in funding each year. Without Measure B, deep cuts, including laying off more than 15% of its teaching staff, will be required—impacting every school and student in our District.

All Measure B funds go directly to our local schools. No funds can be taken away by the State and no funds can be used for administrator salaries.

Renewing Measure B with a modest increase ensures that our schools continue to provide a rigorous academic curriculum in STEAM and excellent electives to foster well-rounded students.

Yes on B protects K-8 education by:

- Attracting and retaining highly qualified teachers
- Protecting core academic programs including reading and writing
- Expanding programs and labs in science, technology, engineering, arts and math

Strict financial accountability:

- All funds must stay in our local schools and cannot be taken by Sacramento
- No funds can be used for administrator salaries
- An independent oversight committee ensures all funds are spent as promised
- Seniors will continue to be eligible for an exemption

Whether or not you have school-age children, protecting quality schools is a wise investment that also protects property values.

Measure B protects exceptional education for local students and keeps our community strong. Join hundreds of parents, retirees and community leaders—**vote YES on Measure B.**

Kimberly K. Richman
Los Gatos Realtor

James A. Russell
Retired School Principal and Member, Santa Clara County Republican Central Committee

Marico Sayoc
Mayor, Town of Los Gatos

Krissy Adams
Los Gatos Elementary School Teacher and Native Resident

Mike Wasserman
Supervisor of District 1 and President, Santa Clara County Board of Supervisors

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE B

With this latest "temporary" parcel tax, the Los Gatos Union School District claims they need a tax increase to continue providing quality education with declining enrollment.

The district wants to extend the 8-year parcel tax passed in 2013 for another 8 years, even though voters rejected the 2017 parcel tax. And they want a \$45 increase.

Have they earned this tax increase that will cost you over \$2,680 over the next 8 years (on top of the taxes you are already paying)?

Let's look at the latest English Literacy Results:

2019-20 school year results: 21.95% below grade level.

Let's look at the latest Math Results:

2019-20 school year results: 23.49% below grade level.

Results DECLINED in both subjects from prior years.

The District rewarded students, parents, and taxpayers for the passage of the 2013 parcel tax by dropping English and math proficiency.

Source: California Department of Education Data Partnership (ed-data.org)

Should you, the voters, reward the district for dropping English and math proficiency?

If no, we encourage you to vote **NO on Measure B.**

The statewide elementary average expense per student is \$13,489 per year. Los Gatos Union School District is \$15,280 or 113% over the statewide average. Yet, they want more of your hard-earned money to pad their salaries and fat pension plans.

Tell the Los Gatos Union School Board to be fiscally responsible by voting **NO on Measure B.**

If you reward failure, you will get more failure!

For more information, please visit us at

<http://www.svtaxpayers.org>

Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

B. Brezoczky
District Resident

ARGUMENT AGAINST MEASURE B

With this latest "temporary" parcel tax, the Los Gatos Union School District claims they need a tax increase to continue providing quality education with declining enrollment.

The district wants to extend the 8-year parcel tax passed in 2013 for another 8 years, even though voters rejected the 2017 parcel tax. And they want a \$45 increase.

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The District rewarded students, parents, and taxpayers for the passage of the 2013 parcel tax by **dropping English and math proficiency**.

Source: California Department of Education Data Partnership

Should you, the voters, reward the district for dropping English and math proficiency?

If no, we encourage you to vote **NO on Measure B**.

The statewide elementary average expense per student is \$13,489 per year. Los Gatos Union School District is \$15,280 or 113% over the statewide average. Yet, they want more of your hard-earned money to pad their salaries and fat pension plans.

The measure says that none of the funds will be used for administration. But funds generated separately from this parcel tax can and will be used for administration expenses without limits. So, that is really an empty promise. **Do not be fooled.**

Tell the Los Gatos Union School Board to be fiscally responsible by voting **NO on Measure B**.

If you reward failure, you will get more failure!

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<http://www.svtaxpayers.org>

Mark W.A. Hinkle
President: Silicon Valley Taxpayers Association

Blasius Brezoczky
District Resident

Brian Edward Richardson
District Resident

REBUTTAL TO ARGUMENT AGAINST MEASURE B

The four opponents have their facts **WRONG**. Two of them don't even live in our community. They don't understand the needs of our schools and they are not invested in our community's or students' futures.

We talk proudly about our great schools, but they will not stay this way if we don't support them.

- **If Measure B expires, the District will need to lay off 15% of its teaching staff.** The current parcel tax hasn't increased in 20 years. Renewing Measure B will prevent teacher layoffs, add STEAM programs and improve literacy and math education.
- **All funds from Measure B will be spent here in our local schools.** No money can be taken away by the State. Citizens' oversight ensures Measure B supports education, not administrators. Oversight Committee information can be found at www.tinyurl.com/MeasureBoversight.
- **Strong schools support our community.** This past year, many students and families struggled as everyone was required to shelter-in-place. Supporting our local schools now is more important than ever. They provide a safe place for students to learn, stay active, and socialize. And they support strong property values.
- **Our schools rely on Measure B passing.** For nearly 30 years, our schools have relied on the stable, local funding that Measure B seeks to renew. Measure B protects core academic programs and keeps highly qualified teachers in classrooms.

As local parents, business leaders, and neighbors, we believe that maintaining quality education in our elementary and middle schools is important. **Join us—and vote YES on B.**

Waseem Bashiti
LGUSD Parent and Chair, Current Parcel Measure Oversight Committee

Selin Gurses Acar
Financial Professional, Los Gatos Education Foundation President and LGUSD Parent

Catherine C. Somers
Executive Director, and on behalf of LG Chamber of Commerce

Jak Van Nada
50 Year Resident

Andrew Howard
Parent, Certified Financial Planner™, and Former Chair, Los Gatos Union Financial Advisory Committee