

**SANTA CLARA VALLEY WATER DISTRICT  
MEASURE A**

Shall the measure amending the Santa Clara Valley Water District Ordinance 11-01 to limit Board members to four successive four-year terms be adopted?

YES  
NO

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

California law permits the governing body of a district to propose an initiative limiting the number of terms that a member of the governing body may serve. The Santa Clara Valley Water District Board of Directors (Board) placed on the ballot a measure to amend Ordinance 11-01 of the Santa Clara Valley Water District by increasing the number of terms that members of the Board may serve from three successive four-year terms to four successive four-year terms. The only amendment made by this measure is increasing by one the number of consecutive terms a member of the Board of Directors may serve.

Full terms or partial terms served after December 3, 2010 and prior to the effective date of this measure are included for the purpose of computing successive terms, such that a member of the Board who has served three successive terms after December 3, 2010 will be eligible to serve only one more consecutive term. After serving a fourth successive term, a member of the Board will not be eligible to serve again until after at least four years of absence from service as a member of the Board.

A "yes" vote is a vote to approve the amendment to Ordinance 11-01, increasing the number of terms that members of the Board may serve to four successive four-year terms.

A "no" vote is a vote to reject the amendment to Ordinance 11-01.

James R. Williams  
County Counsel

By: Mary E. Hanna-Weir  
Deputy County Counsel

**COMPLETE TEXT OF MEASURE A**

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**ORDINANCE NO. 11-01**

**AMENDMENT OF THE TERM LIMITS ORDINANCE OF THE SANTA  
CLARA VALLEY WATER DISTRICT LIMITING THE NUMBER OF  
TERMS A BOARD MEMBER MAY SERVE AS A DISTRICT BOARD  
MEMBER**

**The Board of Directors of Santa Clara Valley Water District does  
ORDAIN as follows:**

**SECTION 1**

- A. No person elected or appointed as a District board member in any district, after the effective date of this ordinance, may serve as a District board member in any district, for more than ~~three~~ four successive four-year terms. The foregoing does not disqualify any person from serving on the District Board for any term or terms after at least four years of absence in which the person has not served as a Board member.
- B. For the purpose of this ordinance, a person is deemed to have served a full four-year term if either of the following applies:
  - i. The person was appointed to serve as a District board member in any district, and has completed in excess of two years of a four-year term.
  - ii. The person is a District board member who resigns with less than two full years remaining until the expiration of the term.

**SECTION 2**

Full terms or partial terms served prior to the effective date of this ordinance are not included in terms of computing consecutive terms. The effective date of this ordinance is December 3, 2010.

## ARGUMENT IN FAVOR OF MEASURE A

**Term limits** for elected boards can accomplish many things, but can also eliminate experience and continuity of qualified and effective leadership. This is most important to consider when voting on **Measure A**.

**Valley Water** has not faced such fundamental challenges since 1929. The agency is under federal directive to retrofit **Anderson Dam** for seismic safety. Increasing impacts of climate change have placed **Valley Water** on the front lines of resource infrastructure redevelopment and reformation. Warmer temperatures, loss of Sierra snowpack, droughts, rising sea levels, intensified storms and climate impacts are also driving costly changes to water delivery and storage, along with flood protection and environmental stewardship projects.

Confirming the Board at four term limits would allow complex projects like the **Anderson Dam** retrofit to continue construction and be fully completed by consistent leadership, potentially saving hundreds of millions of dollars by avoiding costly mid-course changes or delays in key infrastructure projects. **Santa Clara County** businesses and residents are focused enough to work with this leadership team in protecting the water supply and critical tax dollars.

Voters still have the ability to choose new leadership every four years, while giving this region the opportunity to benefit from members' expertise by offering longer terms if voters are happy with their performance.

Longer term limits would also provide more ramp-up time for persons with little or no water management experience or skills to gain relevant knowledge for addressing the complexity of **Valley Water's** core operations and capital projects. Voters should see this as an "Informed Hands On Deck" situation.

The Current **Valley Water** Board is demonstrating long-term commitment to strong leadership in delivering real-time critical water supply strategy and flood protection services for residents and businesses that call **Santa Clara County** home.

Voters need to think carefully about maintaining strong informed hands at the water wheel. Please support "Yes" **On Measure A**".

Sammuel Washington  
President, Silicon Valley Black Chamber of Commerce

## REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE A

Measure A is deceptive, unnecessary, and A POWER GRAB BY CAREER POLITICIANS DESPERATE TO CLING TO OFFICE EVEN LONGER.

### VOTE NO ON MEASURE A.

**Measure A** is deceptive because it's masquerading as a "term limit" measure, but it actually INCREASES THE LENGTH OF TIME THAT POLITICIANS CAN STAY IN OFFICE, EVEN THOUGH SOME OF THESE SAME POLITICIANS HAVE ALREADY BEEN IN OFFICE OVER 20 YEARS.

The fact that VALLEY WATER is FAILING IN IMPORTANT WAYS is NOT a good reason to keep the same people in place longer. If anything, it is an argument for making way for new blood, for people who aren't bound by the FAILED approaches they used in the past.

DESPITE WHAT THE POLITICIANS WHO HAVE ALREADY HELD POWER FOR OVER 20 YEARS THINK, THEY ARE NOT INDISPENSIBLE.

Do the four Board members who voted to waste \$3.2M on this election care so little about the district that they are unwilling to pass their knowledge along to new members? Have they been neglecting their duty to document the plans they have already made? Are they unwilling to help new members get up to speed?

There is no logic here, except the logic of politicians WHO HAVE BEEN IN POWER FOR OVER 20 YEARS CRAVING EVEN MORE POWER AND REFUSING to give up their comfortable positions and taxpayer-funded SALARIES AND BENEFITS SUCH AS PET INSURANCE.

*STOP THE POLITICIANS' POWER GRAB.*

### VOTE NO on Measure A.

For more information: [www.SVTaxpayers.org](http://www.SVTaxpayers.org)

Blanca Alvarado  
Former County Supervisor

Joe Dehn  
Chair, Libertarian Party of Santa Clara County

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

Jonathan Fleming  
CEO and Executive Director Silicon Valley Public Accountability Foundation

Brian Holtz  
Director, Purissima Hills Water District

## ARGUMENT AGAINST MEASURE A

**Politicians who have been in office for over 20 years aren't telling the truth in order to get longer terms in office.**

### **Vote NO on Measure A.**

In November 2010, more than 75% of Santa Clara County voters limited the directors of the Santa Clara Valley Water District to three consecutive four-year terms in office. At the time, one director had been in office 14 years. That same director is still there after 25 years, and another has been for 22 years.

Now, these same politicians who have been in office too long want extra terms for themselves—and they are deceiving the voters to get them.

**The politicians supporting this power grab aren't telling you the truth: they call their deception to extend their terms a "limit" because they're so desperate to cling to office.**

### **Why is Measure A so dishonest?**

- It unnecessarily spends \$3.2 million to keep 20+ year politicians in power.
- It was placed on the water board's agenda just days before it was discussed publicly.
- It was approved on a 4-3 vote, with directors Nai Hsueh, Barbara Keegan and Linda LeZotte voting no.
- It will enable the board majority of Gary Kremen, Tony Estremera, Dick Santos, and John Varela to continue their questionable oversight of an agency that fulfills a critical function but with far too little transparency, common sense and accountability.
- According to the Mercury News, these politicians already receive \$59,000 in salary, and, the following taxpayer-funded perks: medical, dental and vision benefits; life insurance; travel insurance when on district business; personal accident insurance; and, pet insurance.

**That's right--it's not enough that politicians in office for 20+ years receive pet insurance paid for by the taxpayers. Now they're trying to deceive you to stay in office even longer!**

### **Vote No on Measure A.**

[www.MeasureANoWay.com](http://www.MeasureANoWay.com)

## ARGUMENT AGAINST MEASURE A-Continued

[www.SVTaxpayers.org](http://www.SVTaxpayers.org)

Mark W.A. Hinkle

President: Silicon Valley Taxpayers Association

Linda J. LeZotte

Director, Valley Water

Nai Hsueh

Director, Valley Water

Blanca Alvarado

Former County Supervisor

Sam Liccardo

Mayor, City of San José

## REBUTTAL TO ARGUMENT AGAINST MEASURE A

A primary role of government is promoting stable growth and development of communities. That is a core responsibility of the Santa Clara Valley Water District as well. This board has made great strides in helping drive economic & business growth in addition to improved residential water services in Santa Clara County and greater Silicon Valley. Projects the board is currently addressing represent their unified effort to support sustainable residential and business growth through solid management of Santa Clara County water resources and systems.

Valley Water is also addressing federal directives to retrofit Anderson Dam for seismic safety. Measure A will help this complex project begin immediately, managed by consistent board leadership and saving potentially millions of taxpayer dollars. Given other critical water resource sustainability efforts happening with regional, state and federal partners, it is wise for voters to allow Valley Water Board members to serve up to four terms to continue uniform and credibly experienced leadership.

Measure A still maintains voters' rights to remove board members and choose new leaders through regular election processes. Measure A also provides the opportunity to maintain board members with strong proven expertise for longer if the voters are happy with their performance and want to re-elect them.

Santa Clara Valley Water District is alone among 2,500 California special districts in requiring term limits. Given the need for consistent expertise on district boards, supporting Measure A will ensure Santa Clara County maintains critical experience during this historic period of water resource protection and resource management for everyone.

VOTE YES ON MEASURE A.

Sammuel Washington  
President, Silicon Valley Black Chamber of Commerce

Dennis Murphy  
Director of Water and Sustainable Life, Sustainable Silicon Valley

Victor Garza  
President, La Raza Roundtable de California

David Bini  
Executive Director, Santa Clara and San Benito Counties Building and Construction Trades Council