

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

RESOLUTION NO. 21-

**PROVIDING FOR LEVY OF THE SPECIAL TAX PURSUANT TO
THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION MEASURE IN THE
COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT
AND AUTHORIZING A PROCEDURE FOR CORRECTING SPECIAL TAX AMOUNTS
FOR FISCAL YEAR 2021-2022**

WHEREAS, the Santa Clara Valley Water District (Valley Water) owns property and builds, operates and maintains infrastructure in Santa Clara County to: ensure a safe, reliable water supply for the future; reduce toxins, hazards and contaminants, such as mercury and pharmaceuticals, in waterways; protect water supply and local dams from the impacts of earthquakes and natural disasters; restore fish, bird and wildlife habitat, and provide open space access; and provide flood protection to homes, business, schools, streets and highways; and

WHEREAS, in the General Election on November 3, 2020, Santa Clara County voters overwhelmingly approved Measure S, the special tax for designated purposes as specified in Valley Water's Resolution No. 20-64, which was a renewal of Valley Water's Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program). Voters first approved a community-focused program to address waterways and water supply in 2000 as the Clean, Safe Creeks and Natural Flood Protection Plan, then again in 2012 as the Safe, Clean Water and Natural Flood Protection Program.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District (Board) as follows:

FIRST: The Chief Executive Officer (CEO) of Valley Water has directed a summary report to be prepared for fiscal year July 1, 2021 through June 30, 2022, that includes the proposed special tax rates for that year ("Report"), and presented that Report on May 11, 2021, as an attachment to an agenda memorandum with the subject "Safe, Clean Water and Natural Flood Protection Special Tax Summary Report and Resolution Setting the Special Tax Rates for Fiscal Year 2021-2022 (FY 2021-22)."

SECOND: A special tax is hereby levied on each parcel of real property in the Combined Zone consisting of the aggregate metes and bounds of District Zones One, Two, Three, Four, and Five as presently existing ("Combined Zone") for the purposes stated in the Report, and as authorized according to the minimum special tax amounts and special tax calculation methods described in this Resolution. Except for the minimum special tax as hereinafter indicated, the special tax for each parcel of real property in the Combined Zone is computed by determining that parcel's area in acres or fractions thereof, its land use category (as hereinafter defined), and then multiplying the area by the special tax rate applicable to land in such land use category.

A minimum special tax shall be levied on each parcel of real property having a land area up to: (i) 0.25 acre for Groups A, B, and C; and (ii) up to 10 acres for Groups D and E urban areas. For Group E rural areas, the minimum special tax shall be calculated the same as for the E urban areas category but shall apply to parcels of 80 acres or less. A minimum special tax shall be levied in Group B per unit for condominiums and townhouses without regard to parcel size.

THIRD: Special tax rates for land use categories for each parcel of land in the Combined Zone are defined and established as follows:

- Group A: Land used for commercial or industrial purposes: \$552.43 per acre, \$138.09 minimum for parcels up to 0.25 acre.
- Group B: Land used for institutional purposes such as churches and schools or multiple dwellings in excess of four units, including (1) apartment complexes, mobile home parks, and recreational vehicle parks: \$414.33 per acre, \$103.58 minimum for parcels up to 0.25 acre; and (2) condominiums and townhouses: \$33.61 per unit.
- Group C: Parcels up to 0.25 acre used for single-family residences and multiple-family units up to four units: \$69.02. The first 0.25 acre of a parcel of land used for single-family residential purposes: \$69.02.
- Group D: (1) Disturbed agricultural land, including irrigated land, orchards, dairies, field crops, golf courses and similar uses: \$3.54 per acre, \$35.40 minimum on parcels less than 10 acres. (2) The portion of a parcel, if any, in excess of 0.25 acre used for single-family residential purposes: \$3.54 per acre.
- Group E: Vacant undisturbed land (1) in urban areas: \$1.04 per acre, \$10.43 minimum on parcels less than 10 acres; and (2) in rural areas: \$0.14 per acre, with a \$10.43 minimum.
- Group F: Parcels used exclusively as well sites for residential uses are exempt from the special tax.

Parcels owned by federal, state, or local government agencies are exempt from this special tax.

FOURTH: Valley Water provides an exemption from the special tax for low-income owner-occupied residential properties for taxpayer-owners 65 years of age or older as follows:

Residential parcels where the total annual household income does not exceed 75 percent of the latest available figure for state median income at the time the annual tax is set, and where such parcel is owned and occupied by at least one person who is aged 65 years or older, shall be exempt from the applicable special tax for fiscal year 2021-2022 upon requesting such exemption from Valley Water prior to or during fiscal year 2021-2022. Granting similar exemptions for fiscal years beyond fiscal year 2021-2022 will be made at the discretion of the Board.

FIFTH: Any special tax amount found to be in error and that results in an overstatement of tax to a property owner may be corrected by a check or checks drawn upon the Safe, Clean Water and Natural Flood Protection Fund upon approval by the Valley Water Chief Financial Officer and pursuant to procedures approved by Valley Water's CEO and District Counsel.

Providing for Levy of the Special Tax Pursuant to the Safe, Clean Water and Natural
Flood Protection Measure in the Combined Flood Control Zone of the Santa Clara
Valley Water District and Authorizing a Procedure for Correcting Special Tax Amounts for
Fiscal Year 2021-2022

Resolution No. 21-

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by
the following vote on May 11, 2021:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

TONY ESTREMER
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors

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