RESOLUTION NO. 4245

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO CALLING A MUNICIPAL ELECTION TO BE HELD IN ITS JURISDICTION ON NOVEMBER 6, 2018, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS A MEASURE AUTHORIZING THE CONTINUATION OF A SPECIAL TAX FOR PARAMEDIC SERVICES; REQUESTING THE MARIN COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE SAID ELECTION WITH THE GENERAL ELECTION CONDUCTED ON THAT DATE; REQUESTING ELECTION SERVICES OF THE COUNTY CLERK AND DIRECTING THAT REBUTTAL ARGUMENTS MAY BE RECEIVED.

WHEREAS, on November 4, 2014, the electors of the Town of San Anselmo adopted a special tax for funding paramedic services through the Ross Valley Paramedic Authority (RVPA); and

WHEREAS, the RVPA special tax has been annually levied and each four years the tax rate is reset and approved by election; and

WHEREAS, the RVPA special tax is scheduled to expire on June 30, 2019; and

WHEREAS, the Town Council desires to submit to the voters at a municipal election on November 6, 2018, a measure authorizing the continuation of the special tax for RVPA services; and

WHEREAS, the maximum allowable tax is established at $75.00 per residential unit plus a $.50 County administrative fee, and $75.00 per 1500 square feet of structure in non-residential use, plus a $.50 County administrative fee, which will annually raise approximately $472,000 beginning in year one; and

WHEREAS, if the measure receives approval from two-thirds of the voters voting thereon, the resolution in the form attached hereto as Exhibit A shall be adopted;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1.

Adoption of this resolution is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq. (“CEQA”), because it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment. (CEQA Guidelines §15061(b)(3)).

Section 2.

1. That the Town Council of the Town of San Anselmo hereby calls a municipal election to be held on November 6, 2018, at which election the question to be presented to the voters of the Town of San Anselmo shall be:

   Shall the measure continuing the special tax for paramedic services for four years in the amount of $79.50 in the first year and increasing $4 annually to a
maximum of $91.50 per taxable living unit, or per 1,500 square feet of structure on a developed parcel in nonresidential use, which will annually raise approximately $472,000 beginning in year one, and increasing the appropriations limit by the amount of said tax be adopted?

The text of the proposed resolution to be submitted to the voters is attached hereto as Exhibit A and incorporated herein by reference; and

2. That pursuant to the requirements of California Elections Code section 10403, the Board of Supervisors of the County of Marin is hereby requested to consent and agree to the consolidation of said election; and

3. That the Town Council acknowledges the consolidated election will be held and conducted in the manner prescribed in California Elections Code section 10418; and

4. That pursuant to California Elections Code section 9280, the Town Clerk shall transmit a copy of the measure to the Town Attorney who shall prepare an impartial analysis of the measure; and

5. That arguments for and against said measure may be filed in accordance with applicable provisions of the law. Pursuant to California Elections Code section 9285, rebuttal arguments shall be permitted for this measure.

6. That the Town Clerk is hereby directed to file a copy of this resolution with the Board of Supervisors for the County of Marin.

7. That the Board of Supervisors for the County of Marin is hereby requested to render the necessary services for the Town of San Anselmo related to the conduct of the election to be held on November 6, 2018.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of San Anselmo held this 26th day of June, 2018 by the following vote:

AYES: Wright, Brown, Colbert, Coleman
NOES: None
ABSENT: Greene

John Wright, Mayor

ATTEST

Carla Kacmar, Town Clerk
EXHIBIT A

A RESOLUTION OF THE TOWN OF SAN ANSELMO AUTHORIZING THE CONTINUATION OF A SPECIAL TAX FOR PARAMEDIC SERVICES

THE PEOPLE OF THE TOWN OF SAN ANSELMO DO HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1.

A. Purpose and Imposition of Tax

Pursuant to Government Code section 37100.5, a special tax for the purpose of paramedic services ("paramedic tax") shall be imposed on all developed parcels of real property within the Town of San Anselmo for each fiscal year, commencing with fiscal year 2019-2020 as follows:

1. Residential Uses: A tax of $79.50 per residential unit, as defined in section 10-3.1701 of the San Anselmo Municipal Code, on a parcel shall be imposed for fiscal year 2019-2020. Beginning with fiscal year 2020-2021, the Town Council may approve an annual increase to said amount not to exceed $4.00 annually to a maximum of $91.50 for fiscal year 2022-2023.

2. Non-Residential Uses: A tax of $79.50 per 1,500 square feet of structure on the parcel shall be imposed for the fiscal year 2019-2020. Beginning in fiscal year 2020-2021, the Town Council may approve an annual increase to said amount not to exceed $4.00 annually to a maximum of $91.50 for fiscal year 2022-2023.

The records of the Marin County Assessor as of March 1st of each year shall determine the use and improvement of each parcel for calculation of the special tax applicable to that parcel in the following fiscal year.

For purposes of this resolution, the term "parcel" shall mean a parcel of real property having a separate assessor's parcel number as shown on the last equalized assessment roll for the County of Marin.

B. Annual Report and Approval of Tax Levy

The Town Council shall receive an annual report regarding the paramedic tax pursuant to California Government Code section 50075.1. In addition, the Town Council shall annually approve a resolution establishing the amount of the special tax levy, in an amount that does not exceed the maximum amount specified in this resolution. The special tax shall not be measured by value of the property.

C. Special Account

The proceeds of the special tax imposed by this resolution shall be placed in a special fund to be used solely for the purpose of providing paramedic services.

D. Collection
The special paramedic tax imposed by this resolution shall be collected in the same manner, on the same dates, and shall be subject to the same penalties and interest as other charges and taxes fixed and collected by the County of Marin on behalf of the Town of San Anselmo. Said special tax, together with all penalties and interest thereon, shall constitute a lien upon the parcel upon which it is levied until it has been paid, and said special tax, together with all penalties and interest thereon, shall, until paid, constitute a personal obligation to the Town of San Anselmo by the persons who own the parcel on the date the tax is due.

E. Amendment
The Town Council shall be empowered to amend this resolution by three affirmative votes of its members to carry out the general purposes of this resolution, to conform the provisions of this resolution to applicable state law, to modify the methods of collection, or to assign the duties of public officials under this resolution.

In no event shall the Town Council amend this resolution to increase the maximum amount of the special tax established in section A of this resolution, unless approved by two-thirds of the voters voting thereon.

F. Exemptions
The special paramedic tax shall not be imposed upon any parcel that is exempt from the special tax pursuant to any provision of the Constitution or any paramount law. The Town Council by resolution may adopt exemptions to the special tax imposed by this resolution.

G. Termination of Provisions. This resolution shall be null and void as of twelve o’clock midnight, June 30, 2023, and shall have no force and effect whatsoever after said time and date. Notwithstanding the previous sentence, Section D relating to the collection and enforcement of liens or obligations for the special tax previously levied hereunder, shall continue in effect until such time as the collection and enforcement procedures have been completed.

H. Accountability Measures. The Town Finance & Administrative Services Director shall annually file a special tax accountability report with the Town Council. The annual report shall contain both of the following: (a) the amount of funds collected and expended for the paramedic tax and (b) the status of any project required or authorized to be funded by such special tax, as required by California Government Code Section 50075.3, as such law is amended from time to time.

SECTION 2.

The Appropriations Limit of the Town of San Anselmo established under California Constitution Article XIIIIB, section 6, shall be increased by the proceeds received from the special tax imposed by this resolution.

SECTION 3.

If any section, subsection, sentence, phrase or clause of this resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this resolution.

SECTION 4.
This resolution shall be adopted and become effective only if approved by 2/3rds of the voters voting thereon, at an election to be held on November 6, 2018.

I hereby certify that the foregoing resolution was PASSED, APPROVED AND ADOPTED by the people of the Town of San Anselmo voting on the 6th day of November, 2018 by the following vote:

By: 

__________________________  ATTEST

John Wright, Mayor  Carla Kacmar, Town Clerk