

MEASURE SUBMITTED TO THE VOTERS

MUNICIPAL

**CITY OF SAN RAFAEL
PARAMEDIC SERVICES SPECIAL TAX,
APPROPRIATIONS LIMIT INCREASE, AND
REVISED DEFINITION CONTAINED IN
PARAMEDIC TAX ORDINANCE
MEASURE P**

P Shall San Rafael Municipal Code Chapter 3.28, by which the voters approved a special tax to provide paramedic service in the City, be amended to permit, in phased increases, up to \$8.00 additional tax on residential units, and up to \$.01 per square foot additional tax on non-residential structures, to fully fund paramedic service costs, and shall San Rafael's appropriations limit be correspondingly increased?

**CITY OF SAN RAFAEL
PARAMEDIC SERVICES SPECIAL TAX,
APPROPRIATIONS LIMIT INCREASE, AND
REVISED DEFINITION CONTAINED IN
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**FULL TEXT OF ORDINANCE
MEASURE P**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL AMENDING SECTIONS 3.28.030(6), 3.28.040, 3.28.050, 3.28.060 AND 3.28.070 OF CHAPTER 3.28 OF THE SAN RAFAEL MUNICIPAL CODE, TO INCREASE THE SPECIAL PARAMEDIC TAX ON RESIDENTIAL UNITS AND NON-RESIDENTIAL STRUCTURES, IN ORDER TO COVER THE COST OF PARAMEDIC SERVICE, TO INCREASE THE CITY'S APPROPRIATIONS LIMIT AND TO REVISE CERTAIN DEFINITIONS

WHEREAS, the City Council of the City of San Rafael in 1979 and in 1988, adopted an ordinance imposing a special tax to "fully fund" a city-wide paramedic service (Chapter 3.28 of the San Rafael Municipal Code); and

WHEREAS, the Council imposed this tax annually upon all residential units and upon non-residential structures within the City of San Rafael for the purpose of funding the full cost of providing a citywide paramedic service program; and

WHEREAS, under the Paramedic Tax Ordinance, the City Council had the authority to revise the amount of this tax every year to ensure that the full cost of the City's paramedic service program was funded by said special tax; and

WHEREAS, the passage of Proposition 218 by the voters of the State of California in 1996 and the subsequent approval of SB919 by the State Legislature in 1997, eliminated the ability of the City Council to increase the maximum rate of the special paramedic tax without the approval of two-thirds (2/3rds) of the City's electors; and

WHEREAS, in 1999 the voters approved an increase of the paramedic tax to a maximum rate of \$53.00 per residential unit and \$.07

per square foot for non-residential structures, expiring June 30, 2003; and

WHEREAS, the City Council, after reviewing the proposed budget recommendation of the City Manager, finds that the current paramedic tax rate needs to be increased so as to fully fund the City's paramedic service program and further finds that the current tax rate is insufficient to cover the costs and charges of providing paramedic service; and

WHEREAS, the City Council desires to submit to the City's voters on November 5, 2002 an Ordinance proposing to increase the paramedic service special tax so as to fully fund the paramedic service program and proposing to also increase the City's appropriations limit for the next four (4) years in connection with revenue generated by said special tax; and

WHEREAS, because the delivery of paramedic services to persons occupying residential units does not depend upon whether the residential unit is real or personal property, a mobilehome or an apartment, an assisted-living facility or a single-family residence, the definition of residential unit should be modified to clearly state that such is the Council's intent.

NOW THEREFORE, the City Council of San Rafael does ordain as follows:

DIVISION 1:

San Rafael Municipal Code subsection 3.28.030(6) is deleted and a new subsection 3.28.030(6) is added to read as follows:

"(6) "Residential unit" means an individual dwelling space intended for occupancy by one or more persons, as may be set forth in the rolls of the County Assessor, and shall specifically include a mobilehome as defined in section 20.04.020H of this code."

DIVISION 2:

San Rafael Municipal Code section 3.28.040 is hereby deleted and a new section 3.28.040 is hereby added, to read as follows:

Section 3.28.040 -- Special Tax Imposed - Non-residential.

A special tax of up to eight (8) cents per square foot is imposed upon all non-residential structures within the corporate limits of the City of San Rafael, on an annual basis, to fund a paramedic service program.

DIVISION 3:

San Rafael Municipal Code section 3.28.050 is hereby added to read as follows:

Section 3.28.050 -- Special Tax Imposed - Residential.

A special tax of up to a maximum of \$61.00 per residential unit, is imposed upon all residential units within the corporate limits of the City of San Rafael, on an annual basis, to fund a paramedic service program.

DIVISION 4:

San Rafael Municipal Code sub-section 3.28.060(a) is hereby amended to:

- 1) Delete the last two sentences of current subsection 3.28.060(a);
- 2) Add a new subsection 3.28.060(b) to read as follows:
"(b) In its annual determination of the paramedic tax rate, the City Council shall endeavor to maintain parity between the tax rate for residential units and non-residential structures. The City Council shall not set the tax rate in excess of the maximum rates allowed in sections 3.28.040 and 3.28.050 without prior approval of the electorate."
- 3) Redesignate the current subsection 3.28.060(b) as subsection 3.28.060(c).

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DIVISION 5:

The first sentence of section 3.28.070 is hereby deleted and a new first sentence is added to section 3.28.070, to read as follows:

"The special tax imposed by this Chapter for paramedic services is due from every person who is the owner of a residential unit or a non-residential structure within the City of San Rafael, as may be reflected upon the rolls of the County Assessor, at the same time ad valorem property tax is due, and shall be collected in the same manner."

DIVISION 6:

As required by Article XIIB of the California Constitution, the appropriations limit of the City of San Rafael shall be increased each year, for a period of four (4) years, by the total amount collected each year for the Paramedic Services Special Tax (Chapter 3.28, San Rafael Municipal Code).

DIVISION 7:

This Ordinance shall take effect if adopted by the voters of the City of San Rafael at the Special Municipal Election to be held on the 5th day of November, 2002.

ALBERT J. BORO, Mayor

ATTEST:

JEANNE M. LEONCINI, City Clerk

**IMPARTIAL ANALYSIS BY THE CITY ATTORNEY
MEASURE P**

This measure would authorize amendment of the San Rafael Municipal Code to increase the maximum rate of the City's Paramedic Services Special Tax on residential units and non-residential structures. The total increase could not exceed \$8.00 per unit for residential units, and \$.01 per square-foot for non-residential units.

Currently, the maximum Paramedic Tax rate is \$53.00 per unit for residential structures and \$.07 per square-foot for non-residential structures. The current tax rate will expire on June 30, 2003. The paramedic tax will revert to \$40.00 for residential units and \$.05 per non-residential structures if this measure is not approved by the voters.

This measure does not automatically raise the Paramedic Tax to the maximum levels authorized. Rather, each year, the City Council is required to set the tax level after reviewing actual costs of the Paramedic Services program during its budget review process. The City Council could, but need not, increase the tax if, and only if, the Paramedic Services program costs exceed the Paramedic Tax revenue, and the Council could only increase the tax to that level necessary to fully fund the costs of the Paramedic Services program.

This measure would increase the maximum Paramedic Tax rate from \$53.00 to \$61.00 per unit for residential units and from \$.07 per square-foot to \$.08 per square-foot for non-residential structures. This measure would also increase the appropriations limit for the City of San Rafael for four (4) years (2003/2004 through 2006/2007) by the total amount collected under this tax so as to enable the City to expend the money collected, as authorized by Article XIII B of the California Constitution. This measure also revises the definition of "residential unit" contained in the Paramedic Tax Ordinance.

This measure prohibits the City Council from setting the Paramedic Tax rate above the limits authorized. It prohibits the City Council from expending any of the tax revenue collected under it for any purpose other than the San Rafael Paramedic Services program. This measure retains the current requirement that the City Council attempt to maintain parity between the tax rate for residential units and that for non-residential structures.

The ordinance amendments proposed by this measure will be adopted if approved by a two-thirds majority of those electors voting on the measure.

A YES vote approves the measure.
A NO vote rejects the measure.

s/ GARY T. RAGGHIANI
City Attorney of San Rafael

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ARGUMENT IN FAVOR OF MEASURE P

YES ON MEASURE P. It's as simple as this: the cost of providing paramedic services in San Rafael is increasing and the current funding approved by voters must be re-authorized.

MEASURE P IS NOT A NEW TAX. The current tax rate cap of \$53 per residential unit and seven cents per square foot per non-residential structure approved in 1999 must be **re-authorized**. If not re-authorized, the rate will revert to the 1979 level of \$40, causing a severe budget deficit that can mean reduced services.

Also, the current rate cap must be increased to meet the growing demand for emergency medical services. Measure P authorizes a phased increase of no more than \$8 per residential unit and one cent per square foot on non-residential structure over the next four years.

DEDICATED FUNDS. Measure P ensures that approved funding can be used for no other purpose than paramedic services. Last year our paramedics responded to 4,660 emergency calls throughout our community funded by this measure.

MEASURE P NEEDS A 2/3 MAJORITY TO PASS. It takes a supermajority (two-thirds of voters) to approve this measure.

MEASURE P WILL:

- Insure quick paramedic response times, a critical factor in saving lives
- Maintain this vital service at its current level
- Keep our four paramedic units in service

A **YES** vote on Measure P is needed to maintain our life-saving paramedic service at its current level of excellence for everyone in San Rafael.

s/ Richard Geist, MD FACS
Chair, Committee for San Rafael
Paramedic Services

s/ Albert J. Boro
Mayor, City of San Rafael

s/ Irv Golden
Seniors Advocate

s/ Elissa Giambastiani, President & CEO
San Rafael Chamber of Commerce

s/ Steve Mizroch, MD
Physician & Fire Commissioner
City of San Rafael

NO ARGUMENT AGAINST THIS MEASURE

WAS SUBMITTED

END OF MEASURE P

