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

DIVISION 1:
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 seven (7) cents per square foot with a flat tax limitation of $500.00 for each one (1) cent per square foot tax levied, is imposed upon all non-residential classed structures within the corporate limits of the City of San Rafael, on an annual basis, to fund a paramedic service program.

DIVISION 2:
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 $53.00 per living unit, is imposed upon all residential classed 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 sub-section 3.28.060(a) is hereby amended to add the following language to the end of the subsection:
"In its annual determination of the tax rate, the City Council shall endeavor to maintain parity between the tax rate for residential classed structures and non-residential classed structures. The City Council shall not set the tax rate in excess of the maximum rate allowed in sections 3.28.040 and 3.28.050 without prior approval of the electorate."

DIVISION 4:
The appropriations limit of the City of San Rafael shall be increased for a period of four (4) years by the total amount collected by the Paramedic Service Special Tax (Chapter 3.28, San Rafael Municipal Code) as required by Article XIII B of the California Constitution.

DIVISION 5:
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 3rd day of November, 1998. If the increased tax is not adopted, the paramedic special tax will remain at the level currently imposed.

Albert J. Boro
Mayor

ATTEST:

Jeanne M. Leoncini
City Clerk
IMPARTIAL ANALYSIS BY CITY ATTORNEY
MEASURE J

This measure would authorize an amendment to the San Rafael Municipal Code to increase the maximum rate of the Paramedic Service Special Tax on residential and non-residential structures located within the City. Currently, the Paramedic Tax is $40.00 per living unit for residential structures and five (5) cents per square foot, with a limit imposed of $500 for every one (1) cent per square foot of tax levied (this will result in a maximum of $2,500), for non-residential structures. This measure would approve increasing the maximum tax rate to $53.00 per living unit for residential structures, and seven (7) cents per square foot, with a limit of $500 for every one (1) cent per square foot of tax levied (this will result in a maximum of $5,500), on non-residential structures. This measure would also approve increasing the appropriations limit of the City of San Rafael for four (4) years by the total amount collected under this tax so as to enable the City to expend the amount collected, as authorized per Article XIII B of the California Constitution.

This measure would establish a maximum rate for the paramedic tax. The actual tax imposed each year would continue to be set by the City Council, following review of all costs of the Paramedic Service Program during the annual City budget process. The City Council may, but need not, increase the tax if, and only if, the paramedic program costs are determined to exceed the current paramedic tax revenue, and only to the level necessary to fully fund the paramedic service program. This measure does not result in automatic raising of the paramedic tax to the maximum levels permitted under it. This measure prohibits the City Council from setting paramedic tax rates in excess of the "ceiling" established by this measure. In the past five years, the City Council has adjusted this tax 3 times: 1994 from $28.40 to $34.10, 1995 from $34.10 to $37.00, and 1996 from $37.00 to $40.00. This measure will not affect the current requirement that the City Council continue to attempt to maintain parity between the tax rate for residential living units and non-residential occupancies.

All proceeds derived from imposition of this tax are required to be specifically used for funding of Paramedic Service within the City of San Rafael.

The ordinance amendment 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.

Dated: August 14, 1998

GARY T. RAGGHIANTI
City Attorney

ARGUMENT IN FAVOR OF MEASURE J

In 1997, San Rafael paramedics responded to 3583 life saving calls. This is an 87 percent increase since paramedic service began in 1980. The tax rate to residents has NOT increased since 1996.

MEASURE J IS NOT A NEW TAX.
Measure J sets a maximum cap of $53.00 for residential units and 7 cents per square foot for non-residential occupancies. This is a ceiling amount that accounts for possible future increase in costs associated with the paramedic service over the next four years. It will not result in an automatic raising of the paramedic tax to the maximum level. The actual amount is set by City Council after public notice and hearing and only for the amount necessary to fully fund this vital service. In fact, over the past five years, the City Council has adjusted this tax only three times.

The demand for paramedic services is increasing -- Measure J allows the City the flexibility to meet this essential need!

Measure J will:
- keep our three paramedic units in service
- add a fourth paramedic unit
- insure quick response times
- maintain excellent emergency service
Measure J funds will be used for emergency paramedic services -- not for any other city services.

Measure J needs a two-thirds voter approval to pass.

A YES vote on Measure J is needed to maintain our superior quality paramedic program that delivers rapid emergency response and protection of lives.

s/ Albert J. Boro
Mayor
s/ Gary O. Phillips
Vice-Mayor
s/ Paul M. Cohen
Councilmember
s/ Barbara Heller
Councilmember
s/ Cyr N. Miller
Councilmember

NO ARGUMENT AGAINST THIS MEASURE
WAS SUBMITTED

End of Measure J