

MEASURE SUBMITTED TO THE VOTERS

MUNICIPAL

**CITY OF SAN RAFAEL
PARAMEDIC SERVICE SPECIAL TAX ON RESIDENTIAL
AND NON-RESIDENTIAL STRUCTURES AND
APPROPRIATIONS LIMIT INCREASE
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 \$13.00 additional tax on residential units, and up to \$.02 per square foot additional tax on non-residential structures, through 2003, to fully fund paramedic service costs, and shall San Rafael's appropriation limit be correspondingly increased?

**CITY OF SAN RAFAEL
PARAMEDIC SERVICE SPECIAL TAX ON
RESIDENTIAL
AND NON-RESIDENTIAL STRUCTURES
AND APPROPRIATIONS LIMIT INCREASE
MEASURE P
FULL TEXT OF MEASURE P**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL AMENDING SECTION 3.28.060(a) OF, DELETING AND AMENDING SECTION 3.28.040 OF, AND ADDING SECTION 3.28.050 TO, CHAPTER 3.28 OF THE SAN RAFAEL MUNICIPAL CODE, TO INCREASE THE SPECIAL PARAMEDIC TAX ON RESIDENTIAL AND NON-RESIDENTIAL CLASSIFIED STRUCTURES, IN ORDER TO COVER THE COST OF PARAMEDIC SERVICE, AND TO INCREASE THE CITY'S APPROPRIATIONS LIMIT

WHEREAS, the City Council of the City of San Rafael in 1979 and in 1988, adopted a "fully funded" paramedic service tax (Chapter 3.28 of the San Rafael Municipal Code) to be imposed annually upon all residential and non-residential properties within the City of San Rafael for the purpose of providing the full cost of the City of San Rafael's paramedic 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 complete cost of the City's paramedic service program was covered by the special paramedic tax revenue; and

WHEREAS, the passage of Proposition 218 by the voters of the State of California in November of 1996 and the subsequent approval of SB919 by the State Legislature, has eliminated the ability of the City Council to adjust the amount of the special paramedic tax without the approval of two-thirds (2/3) of the City's electors voting in an election; and

WHEREAS, the City Council, after reviewing the proposed budget recommendation of the City Manager, finds that the paramedic tax rate needs to be increased so as to fully fund the City's paramedic service program; that the current tax rate is insufficient to cover the costs and charges of providing paramedic service, and that the general fund moneys are currently subsidizing the City's paramedic service program in ever increasing amounts; and

WHEREAS, the City Council desires to submit to the City's qualified electors on November 2, 1999 an Ordinance increasing the paramedic service special tax so as to fully fund the paramedic service program and to correspondingly increase the City's appropriations limit for the next three (3) years.

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 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 a maximum of \$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 subsection 3.28.060(a) is hereby amended to add the following language to the end of the subsection:

"In its annual determination of the paramedic 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 rates 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 three (3) 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 General Municipal Election to be held on the 2nd day of November, 1999. If the proposed increase to the special paramedic 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

Measure P Continued on Next Page



**IMPARTIAL ANALYSIS BY 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 Tax on residential and non-residential structures. The total increase could not exceed \$13.00 per unit for residential structures, and \$.02 per square-foot for non-residential structures. Currently, the maximum Paramedic Tax rate is \$40.00 per unit for residential structures and \$.05 per square-foot (with a \$2,500.00 flat-tax maximum) for non-residential structures. 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 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 \$40.00 to \$53.00 per unit for residential structures and from \$.05 per square-foot to \$.07 per square-foot for non-residential structures. This measure would eliminate the flat-tax limit provision currently applicable to the tax on non-residential structures. This measure would also increase the appropriations limit for the City of San Rafael for three (3) years 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 prohibits the City Council from setting the Paramedic Tax rate above the limits authorized. This measure 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 structures and that for non-residential structures.

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.

GARY T. RAGGHIANI
City Attorney of San Rafael

ARGUMENT IN FAVOR OF MEASURE P

YES ON MEASURE P. It's as simple as this: The cost of providing paramedic service in San Rafael exceeds the current amount of funding available to pay for it.

MEASURE P IS NOT A NEW TAX. The current tax rate of \$40 per residential unit and five cents per square foot per non-residential structure is insufficient to cover the cost of the growing demand for emergency medical services. Measure P authorizes an increase in the limit of the current paramedic tax that should be adequate to maintain current service levels through 2003. Phased increases can not add more than a total of \$13 for residential units and 2 cents per square foot for non-residential structures over the next three years.

DEDICATED FUNDS. Measure P ensures that approved funding can be used for no purpose other than paramedic services.

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

MEASURE P WILL:

- Insure quick 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 excellent level for everyone in San Rafael.

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

s/ Carney J. Campion
Committee for San Rafael Paramedic Services

s/ Candice A. Gonzalez
Committee for San Rafael Paramedic Services

s/ Stephen G. Mizroch, MD
Committee for San Rafael Paramedic Services

s/ Paul G. Sloan
Committee for San Rafael Paramedic Services

**NO ARGUMENT AGAINST THIS MEASURE
WAS SUBMITTED**

End Of Measure P

