

MEASURE SUBMITTED TO THE VOTERS

DISTRICT

MARINWOOD COMMUNITY SERVICES DISTRICT
SPECIAL TAX FOR PARK, OPEN SPACE
AND STREET LANDSCAPE MAINTENANCE
MEASURE D

D Shall Marinwood Community Services District Ordinance 16, which imposes an annual special tax of one hundred and fifty (\$150.00) dollars on each improved parcel within Marinwood Community Services District for park, open space and street landscape maintenance, and which allows for annual cost of living adjustments to the special tax, be approved and shall the Marinwood Community Services District appropriations limit be increased by the amount of this voter-approved tax?

MARINWOOD COMMUNITY SERVICES DISTRICT
SPECIAL TAX FOR PARK, OPEN SPACE
AND STREET LANDSCAPE MAINTENANCE
FULL TEXT OF ORDINANCE NO. 16
MEASURE D

ORDINANCE NO. 16

ORDINANCE OF MARINWOOD COMMUNITY SERVICES
DISTRICT IMPOSING A SPECIAL TAX FOR PARK, OPEN SPACE
AND STREET LANDSCAPE MAINTENANCE AND INCREASING
THE MARINWOOD COMMUNITY SERVICES DISTRICT'S
APPROPRIATION LIMIT IN THE AMOUNT OF THIS SPECIAL TAX

WHEREAS, pursuant to Marinwood Community Services District Ordinance No. 7, each improved parcel in Marinwood Community Services District currently pays seventy-five (\$75.00) dollars per year for park, open space and street landscape maintenance; and

WHEREAS, the Board of Directors of Marinwood Community Services District now desires to increase the funds available for park, open space and street landscape maintenance.

NOW THEREFORE, THE BOARD OF DIRECTORS OF MARINWOOD COMMUNITY SERVICES DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section I. Repeal of Ordinance 7. Ordinance 7 of Marinwood Community Services District Imposing a Service Charge for Park Maintenance is hereby repealed, if this Ordinance is approved by two-thirds of the voters of the Marinwood Community Services District.

Section II. Tax Imposed. A special tax of one hundred and fifty (\$150.00) dollars per year is imposed on each improved parcel in Marinwood Community Services District.

Section III. Inflation Adjustment. The Board of Directors may, by resolution passed by a simple majority of the Board, increase the amount of the special tax by the amount of the U.S. Department of Labor, Bureau of Labor Statistics San Francisco Bay Area All Urban Consumers Consumer Price Index percent increase for the preceding calendar year.

Section IV. Tax Rate. The Board of Directors shall determine annually, based on a budget recommended to it, whether the basic tax rate shall be revised to reflect changes in charges and costs. If the Board determines that the basic tax rate shall be revised at a rate lower than set forth in Section II and III hereof, it shall so revise said rate by resolution passed by a simple majority of the Board.

Section V. Increase of Appropriations Limit. Pursuant to Article VIII B of the California Constitution, the appropriations limit of the Marinwood Community Services District shall be increased by the amount equal to the proceeds of the special tax.

Section VI. Method of Collection. The special tax imposed by this ordinance is due from every person or entity which owns an improved parcel within the Marinwood Community Services District and as reflected upon the rolls of the County Assessor at the same time ad valorem tax is due and is to be collected in the same manner. The Marin County Tax Collector shall collect the tax and any penalty or interest due hereunder. The full amount due under this Ordinance shall constitute a debt to the Marinwood Community Services District.

Section VII. Delinquency. To any amount of the special tax created by this Ordinance which becomes delinquent, the Marin County Tax Collector shall add a penalty in the amount equal to any penalty owing for delinquencies in the ad valorem property tax. The tax and penalty shall bear interest at the same rate as the rate for unpaid ad valorem property tax until paid.

Section VIII. Publication. This ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the directors voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin.

Section IX. Effective Date. This ordinance shall take effect thirty (30) days from and after the date of its adoption. This ordinance shall not be considered adopted unless and until it is approved by two-thirds of the voters voting upon this measure at an election to be held March 8, 2005.

PASSED AND ADOPTED at an adjourned regular meeting of the Board of Directors of Marinwood Community Services District, County of Marin, held on the ____ day of _____, 2005 by the following vote:

AYES:
NOES:
ABSENT:

Bruce Anderson, President
Board of Directors of Marinwood Community Services District

ATTEST:

Thomas D. Horne, Secretary
Board of Directors of Marinwood Community Services District



**IMPARTIAL ANALYSIS BY COUNTY COUNSEL
MEASURE D**

If this Measure is approved by a two-thirds vote, the Marinwood Community Services District shall be authorized to impose an annual special tax of One Hundred Fifty Dollars (\$150.00) per improved parcel for the stated purposes. If the measure passes, the Marinwood Community Services District appropriations limit will be increased by the amount of the voter-approved tax.

Dated: December 17, 2004

PATRICK K. FAULKNER
County Counsel

ARGUMENT IN FAVOR OF MEASURE D

Marinwood Community Services District needs your help to pass Measure D to enable the District to continue to maintain Marinwood's parks, open space and street landscape to a level expected by the community.

Measure D will raise the existing \$75 special tax to \$150. The \$75 special tax has been in place since 1988. It currently makes up about 35% of the maintenance budget, the balance of which must come from general property taxes. Despite aggressive cost cutting, the CSD is unable to continue an acceptable level of maintenance – inflation and the taking of property taxes by the State have taken their toll. The park maintenance staff has been reduced from seven to five full-time workers. Nevertheless, these workers are still responsible for the maintenance of 15 acres of park, 10 acres of roadside landscaping, 16 pedestrian walkways and over 700 acres of open space.

The proposed tax can only be used for park, street landscape and open space maintenance. It cannot be used for building or pool maintenance, or for recreation activities.

Maintaining and enhancing the community infrastructure increases property values and adds to the quality of life that makes Marinwood such a desirable place to live. We urge you to adopt Measure D.

s/ David S. Mitchell, Board Member
Marinwood Community Services District

s/ Bruce Anderson, President, Board of Directors
Marinwood Community Services District

s/ James L. Rey, II
Resident

s/ Thomas Roach
Resident – Fire Chief

s/ Cameron Case
Resident

**NO ARGUMENT AGAINST THIS
MEASURE WAS SUBMITTED**

END OF MEASURE D

