

TOWN OF SAN ANSELMO MEASURE B

B **MEASURE B:** In order to increase San Anselmo Library open hours, improve children’s services at the Library including hiring a special children’s librarian, and enhance general Library services, shall an ordinance be adopted approving a Special Library Services Tax of \$49.00 per year per real estate parcel located in the Town of San Anselmo, for a period of five (5) years, to be used to augment the money from the Town of San Anselmo’s General Fund currently used to fund library services in San Anselmo?

YES

NO

TOWN ATTORNEY’S IMPARTIAL ANALYSIS OF MEASURE B

If approved by the voters, this measure would adopt a new Town of San Anselmo ordinance imposing a Special Library Services Parcel Tax on all residential and non-residential parcels in San Anselmo, the proceeds of which would be used exclusively for library services at the San Anselmo Public Library.

If approved by the voters, the special parcel tax would be imposed each year for five years starting in fiscal year 2010-2011, at the rate of \$49 per parcel on all parcels. The tax would be included on and payable with the property owner’s Marin County property tax bill.

The measure would require that the tax proceeds be used only locally for purposes of increasing San Anselmo Public Library’s open hours, improving children’s services at the library, hiring a children’s librarian, and general enhancement of library services.

The measure would require that the tax proceeds be placed into a separate account subject to an annual report by the Town’s Finance Director.

The purpose of the tax would be to augment Library funding currently provided by the Town of San Anselmo, and not to replace such funding. Accordingly, if the Town were to reduce its annual funding of the Library, then the tax would continue only if the Town’s funding of the Library were to remain above 90% (ninety percent) of the amount budgeted for 2008-2009. That amount is \$420,000. If the Town Council were to adopt a budget that reduced Library funding below that amount, then the tax would no longer be levied.

The measure would provide a full or partial rebate of the tax, upon approved application to the Town’s Tax Equity Board, for any person claiming inability to pay for tax.

Pursuant to California Constitution Article XIII B, the measure would provide that the appropriations limit for the Town would be increased one times the aggregate sum authorized to be levied as a special tax in each of the five years proposed for the Library tax.

To become effective, this measure must be approved by two-thirds of the electors voting at the election.

A **YES** vote approves the measure.

A **NO** vote rejects the measure.

s/ROBERT F. EPSTEIN
Town Attorney of San Anselmo

ARGUMENT IN FAVOR OF MEASURE B

The San Anselmo Library lost one third of its budget in 2006 due to an economic crisis suffered by the San Anselmo Town government. Now the poorest public library in Marin, our Library is open only 36 hours a week. We no longer have a Children’s Librarian and many children’s services and programs have been eliminated. The budget for books, movies and new computer equipment has been greatly reduced.

Measure B will enable the Library to keep its doors open for 50 hours, 7 days a week; will allow the hiring of a Children’s Librarian and additional technical staff; will support increased specialized programming for all ages; will improve the number and capabilities of public computer workstations; and will increase the budget for books, DVDs, audios and other materials by at least 50%.

How much will all of this cost? The cost to each parcel owner (not each resident) will be only 10 cents a day (if you itemize deductions; or 13 cents a day if you don’t).

Imagine once again having a vibrant San Anselmo library . . . and for about the cost of one latte a month per parcel!

Measure B funds will be dedicated to the expansion and enhancement of the Library’s services, and cannot be used for any other purposes. You do not have to worry that your money will be used for non-Library programs which you don’t support or desire.

By voting Yes on B you are giving yourself a vastly improved Town Library at an extraordinarily small cost.

Give yourself, your children, and our community a great gift: Vote Yes on B.

LEAGUE OF WOMEN VOTERS, by
s/SANDRA MARGARET SMITH, 1st Vice President
SAN ANSELMO CHAMBER OF COMMERCE, by
s/CONNIE RODGERS, President
s/JEFF KROOT, San Anselmo Town Council
s/TOM McINERNEY, San Anselmo Town Council
s/JOHN D. WRIGHT
Trustee, Tamalpais Union High School District

NO ARGUMENT AGAINST MEASURE B WAS FILED

**FULL TEXT OF MEASURE B
RESOLUTION NO. 3901**

**A RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF SAN ANSELMO CALLING AND
GIVING NOTICE OF THE HOLDING OF AN
ELECTION TO BE HELD JUNE 8, 2010
AND REQUESTING THE BOARD OF SUPER-
VISORS OF THE COUNTY OF MARIN TO
CONSOLIDATE SAID ELECTION; AND
AUTHORIZE THE TOWN CLERK OR HER
DULY AUTHORIZED OFFICERS AND AGENCY
TO CARRY OUT ALL THE NECESSARY
PROCEDURES FOR SAID ELECTION SUB-
MITTING TO THE VOTERS THE QUESTION
RELATING TO A SPECIAL LIBRARY
SERVICES TAX.**

Whereas, an initiative petition was filed with the Town Clerk requesting that a Special Library Services tax of \$49 per year per real estate parcel be presented to the voters to fund enhanced Library services; and

Whereas, Joanne Kessel, Administrative Services Technician, submitted a Certificate of Sufficient Petition Signatures regarding the initiative petition; and

Whereas, under the provisions of the laws relating to general law cities in the State of California, an election shall be held on June 8, 2010 for the submission to the voters of the question relating to a Special Library Services Tax of \$49 per year per parcel;

Whereas, it is desirable that the election be consolidated with the statewide election to be held on the same date and that within the Town, the precincts, polling places, and election officers of the two elections to be the same; and

Whereas, it is desirable that the county election department of County of Marin canvass the returns of the Primary Election and that the election be handled in all respects as if there were only one election; and

Whereas, the Town Council desires to submit to the voters at the election a question relating to a Special Library Services Tax.

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

Section 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered an election to be held in the Town of San Anselmo, California, on Tuesday, June 8, 2010.

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

Section 3. That the Town Council, pursuant to its rights and authority, does order submitted to the voters at the election the following question:

In order to increase San Anselmo Library open hours, improve children’s services at the Library including hiring a special children’s librarian, and enhance general Library services, shall an ordinance be adopted approving a Special Library Services Tax of \$49.00 per year per real estate parcel located in the Town of San Anselmo, for a period of five (5) years, to be used to augment the money from the Town of San Anselmo’s General Fund currently used to fund library services in San Anselmo?	YES
	NO

Section 4. Pursuant to Elections Code Section 9203, the Town Attorney prepared the following Title and Summary:

TITLE: AN ORDINANCE ESTABLISHING AN ANNUAL \$49.00 TAX ON EACH REAL ESTATE PARCEL IN THE TOWN OF SAN ANSELMO FOR FIVE YEARS FOR THE EXCLUSIVE PURPOSE OF ENHANCING FUNDING FOR CHILDREN’S AND GENERAL SERVICES AT THE TOWN LIBRARY.

Summary: The purpose of this initiative is to place on the ballot a proposed ordinance that would establish an annual tax in the amount of \$49.00 (forty nine dollars) on each real estate parcel in the Town of San Anselmo exclusively to enhance funding for the Town Library. The proposed ordinance includes a sunset provision that terminates the tax after a period of five (5) years. The proposed ordinance requires that all revenue generated by the tax be used exclusively for purposes of increasing San Anselmo Library open hours, improving children’s services at the library including hiring a children’s librarian, and enhancement of general Library services. The proposed ordinance is intended to generate revenue that would augment the funding already budgeted for the Library. The proposed ordinance provides, therefore, for immediate termination of the tax should the Town Council, during the five year period of the tax, adopt a budget that reduces Library funding below 90% (ninety percent) of the amount budgeted for the Library in the 2008-2009 Town budget.

Section 5. Pursuant to 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 in accordance with said Section 9280. Arguments for and against said measure may be filed in accordance with applicable provisions of the law. Pursuant to Section 9285 of the Elections Code of the State of California, (the provisions of which are hereby adopted), when the clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. The rebuttal arguments shall be filed with the Town Clerk not more than 10 days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct

argument which it seeks to rebut. The text of the measure shall be printed on the ballot in the voter information portion of the sample ballot.

Section 6. That the County Election Department is authorized to canvass the returns of said election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 7. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

Section 8. That the Town Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 9. That the polls for the election shall be open at 7:00 a.m. of the election and shall remain open continuously from that time until 8:00 p.m. of the same day, when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

Section 10. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 11. That notice of the time and place of holding the election is given and Town Clerk is authorized, instructed, and directed to give further or additional notice of the election, in time, form, and manner as required by law.

Section 12. That the Town Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Election Department of the County of Marin.

I, the undersigned hereby certify that the foregoing is a full, true, and complete copy of a resolution duly passed and adopted by the Council of the Town of San Anselmo at a regular meeting thereof held on the 23rd day of February 2010, by the following vote:

AYES: Coleman, Greene, Kroot, McInerney, Thornton

NOES: None

ABSENT: None

ABSTAIN: None

s/BARBARA THORNTON
Mayor

**FULL TEXT OF MEASURE B
INITIATIVE MEASURE SUBMITTED
TO THE VOTERS**

MUNICIPAL

**TOWN OF SAN ANSELMO
SPECIAL LIBRARY SERVICES TAX
MEASURE B**

In order to increase San Anselmo Library open hours, improve children’s services at the Library including hiring a special children’s librarian, and enhance general Library services, shall an ordinance be adopted approving a Special Library Services Tax of \$49.00 per year per real estate parcel located in the Town of San Anselmo, for a period of five (5) years, to be used to augment the money from the Town of San Anselmo’s General Fund currently used to fund library services in San Anselmo?

**TOWN OF SAN ANSELMO
SPECIAL LIBRARY SERVICES TAX
FULL TEXT OF ORDINANCE
MEASURE B**

ORDINANCE NO. ____

**AN ORDINANCE OF THE PEOPLE OF THE
TOWN OF SAN ANSELMO, CALIFORNIA,
ADOPTING A SPECIAL LIBRARY SERVICES TAX
BY ADDING A NEW CHAPTER 7 “SPECIAL
LIBRARY SERVICES TAX” TO TITLE 8 OF
THE SAN ANSELMO MUNICIPAL CODE**

**THE PEOPLE OF THE TOWN OF SAN ANSELMO
DO ORDAIN AS FOLLOWS:**

SECTION 1. ADDITIONS TO CODE. A new Chapter 7 entitled “Special Library Services Tax” is hereby added to the San Anselmo Municipal Code as follows:

8-7.01 Title

This chapter shall be known as the “Special Library Services Tax Law of the Town of San Anselmo”.

8-7.02 Necessity, Authority, and Purpose

The voters of San Anselmo hereby determine that the cost to maintain adequate library operating hours, staff and general services, and children’s services for the residents of the Town of San Anselmo exceeds the amount of funds and revenues provided by the Town and generated from all other sources. The voters further determine that the levy of a special Library Services Tax of \$49 on each real estate parcel located in the Town of San Anselmo for a period of five years, when added to all other current Library funding and revenues, would be sufficient to maintain an adequate level of library services. Accordingly, a tax is imposed by this chapter pursuant to Section 37100.5 of the Government Code of the State of California.

8-7.03 Tax Imposed

A Special Library Services Tax in the amount of \$49 per year per parcel is hereby imposed effective July 1, 2010, and levied annually on each real estate parcel located in the Town of San Anselmo for a five year period through and including June 30, 2015.

8-7.04 Impact of Town Funding of the Library on the Tax.

The express purpose of this tax is to augment funding currently provided by the Town of San Anselmo, and not to supplant or replace such funding. Therefore if, during the term of the tax set forth in Section 8-7.03, the Town should determine that conditions warrant a reduction in its annual funding of the Library, the tax will continue to be levied only if Town funding of the library remains above 90% (ninety percent) of the amount budgeted for 2008-2009, which is \$420,000. If the Town Council adopts a budget that reduces funding below that amount, this Chapter will immediately become invalidated in its entirety and the tax will no longer be levied.

8-7.05 Inviolability of tax revenue

Revenue to the Library provided by this Special Library Services Tax may not under any circumstances be subject to appropriation to any purpose other than annual funding of the Library.

8-7.06 Increase of Appropriations Limit

Constitution Article XIII B, the appropriations limit for the Town of San Anselmo, will be increased one times the aggregate sum authorized to be levied as a special tax in each of the years covered by this ordinance.

8-7.07 Use of County Records

The records of the Marin County Assessor as of March 1st of each year may be used to determine the actual use of each parcel of real property for the purposes of determining the tax imposed by this chapter.

8-7.08 Personal Liability

The tax levied and imposed by this chapter shall be collected by the Marin County Tax Collector at the same time as, and along with, the property taxes collected by the Marin County Tax Collector. However, the tax shall not become a tax lien on the property against whose owner the tax is assessed. The owner of the property shall be personally liable for nonpayment of the tax.

8-7.09 Deposit and Use of Funds from Special Library Services Tax

All proceeds from the taxes imposed and levied by this chapter shall be paid into the "Special Library Services Tax Account" to be used exclusively for increasing San Anselmo Library open hours, improving children's services at the library including hiring a special children's librarian, and enhancement of general Library services.

8-7.10 Partial Invalidity

If any section, subsection, sentence, phrase, or clause of this chapter is for any reason held by any court to be invalid, such invalidity shall not affect the remaining portions of this chapter. The voters hereby declare that they would have adopted this chapter, and each section, subsection, sentence, phrase, or clause thereof, irrespective of whether any one or more sections, subsections, sentences, phrases, or clauses be declared for any reason invalid.

8-7.11 Rebates / Tax Equity Board

The Tax Equity Board established by resolution of the Town Council shall receive and act upon applications for full or partial rebates for persons claiming inability to pay

the tax provided for in this chapter (§ 1, Ord. 845, eff. August 9, 1983).

8-7.12 Exemptions

Improved property used exclusively for educational, scientific, charitable, or religious purposes owned and operated by institutions, foundations, or corporations organized and operated for educational, hospital, scientific, charitable, or religious purposes shall be granted an exemption to the tax imposed by this chapter on proof that any such organization has first qualified as an exempt organization under subsection (c) of Section 23701 of the Revenue and Taxation Code of the State of California, and subsection (3) of subsection (c) of Section 501 of the United States Internal Revenue Code of 1954.

8-7.13 Penalty for Disclosure of Information on Applications for Rebate of Special Library Services Tax

Any person disclosing the name of any person and any financial information obtained from an application for a rebate of a Special Library Services Tax shall be guilty of an infraction.

SECTION 2. EFFECTIVE DATE. This Ordinance relates to the levying and collection of the Town Special Library Services Tax and shall be in full force and effect ten (10) days after the certification by the Town Council of the election returns indicating passage of the Ordinance by two-thirds of the voters casting votes in the election. The Special Library Services Tax will be assessed beginning fiscal year 2010-2011.