

**MARINWOOD COMMUNITY SERVICES DISTRICT
MEASURE Q**

Q MEASURE Q: To maintain paramedic services in Marinwood and keep trained paramedics, shall Ordinance No. 20 be adopted to permit phased increases up to \$23.00 annually above the current rate on residential units, and up to \$.03 per square foot annually above the current rate on non-residential structures; and, shall Marinwood Community Services District's appropriation limit be correspondingly increased?	YES
	NO

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF
MEASURE Q**

**MARINWOOD COMMUNITY SERVICES DISTRICT
SPECIAL TAX INCREASE**

If this measure is approved by a two-thirds vote, the Marinwood Community Services District would be authorized to increase the existing special tax for paramedic services by up to twenty-three dollars (\$23) to a maximum of one hundred eight dollars (\$108) for each residential unit and by three cents (\$0.03) to a maximum of fourteen cents (\$0.14) per square foot for non-residential structures, and the District's appropriations limit would be increased by an amount equal to the proceeds of the special tax.

s/PATRICK K. FAULKNER
County Counsel

ARGUMENT IN FAVOR OF MEASURE Q

For thirty years, Marinwood Community Services District, along with other unincorporated County areas, has participated in paramedic services provided by San Rafael. In 1979, Marinwood residents voted to tax themselves to fully fund participation in the paramedic program, and every four years since, the tax has been re-authorized and increased to keep pace with costs and increases in the level of service. The current tax will expire in July of 2011.

Since the paramedic service was initiated in 1980, there has been significant increase in emergency calls for paramedic service. In 2009 alone, paramedics responded to over 5,000 calls, over 300 in Marinwood. Your approval of Measure Q is needed to keep the paramedic program in place and to meet the costs associated with increased service and increased costs for fuel, supplies, equipment and wages.

Measure Q will increase the annual maximum tax rate to \$108.00 for residential units and to 14 cents per square foot for non-residential structures. The actual annual tax amount will be based on actual costs, not the maximum tax, but in any case cannot exceed the \$108.00 maximum and cannot exceed the cost of providing the service.

The proceeds from this tax can only be spent on the paramedic program, and they are audited annually.

A YES vote on Measure Q will ensure that all households continue to receive the protections and benefits of this vital life-saving service. **The Approval of two-thirds of those voting is required to pass this measure.**

s/BRUCE A. ANDERSON

s/TAREY AYN READ

s/THOMAS ROACH

s/MARY COLOMBO

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Q

The proponents of the Argument in Favor of Measure Q incorrectly state that this tax increase is necessary to retain Marinwood's paramedic service. This is wrong: **the paramedic service is already funded through July 2011.**

This is not a vote against firemen or paramedics who continue to provide invaluable service to all of us. It is a vote against greedy politicians who are grasping at every opportunity to tax a small district like Marinwood to balance their budget.

San Rafael currently contracts with Marinwood Fire Department to provide service to Mont Marin, San Rafael Park, Smith Ranch Retirement Community, Northgate Industrial Park and other north San Rafael locations. San Rafael refuses to reimburse Marinwood fairly for these services. They refuse to use the same economic formula to calculate their reimbursement to Marinwood as they use to calculate Marinwood's reimbursement to them for paramedic services. This underpayment for services they receive results in each Marinwood residence subsidizing San Rafael to the tune of roughly \$275 every year.

And they don't care what we think because we can't vote in San Rafael elections!

This tax increase is unjustified and unfair.

s/CAMERON CASE

former Director Marinwood Community Services District Board of Directors

s/WALTER K. DODS

former Director Marinwood Community Services District Board of Directors

s/JOHN HAMMOND

Marinwood Community Emergency Response Team (CERT) Chairman

s/DAVID MITCHELL

former Director Marinwood Community Services District Board of Directors

s/CHARLES G. WALKER

former Director Marinwood Community Services District Board of Directors

ARGUMENT AGAINST MEASURE Q

Once again, the City of San Rafael wants to alleviate their self-induced fire department budget problems by digging even deeper into the pockets of Marinwood residents. Each Marinwood residence currently subsidizes San Rafael to the tune of roughly \$275 every year because of the refusal of San Rafael to fairly compensate the Marinwood Fire Department for services to North San Rafael.

This new tax increase is neither needed nor justified.

Do not be misled by San Rafael's emotional arguments. Defeat of this measure will have absolutely no effect on the quality or level of paramedic service. More importantly, neither will passage! If passed our tax rate will increase almost 25% to the highest in the County and the entire Bay Area.

There has been no real opportunity for Marinwood to participate in developing the "budget" that magically attempts to justify the increase. San Rafael simply tells our District Board of Directors what the increase is going to be and then says "take it or leave it".

San Rafael can do this because they have an exclusive state franchise to provide paramedic services and thus there is no competition.

It appears that our own Community Services District Board does not support this measure, given that they had the opportunity to support it at a noticed public meeting but failed to do so and individual members have expressed personal opposition.

As former long time directors of our District Board, involved community members and long time residents, we urge everyone to ask questions, analyze the budget, not be swayed by false emotional arguments and to vote "NO" on Measure Q. This is not a vote against paramedic service or firefighters but against another unwarranted tax increase by an agency (San Rafael) who is using their position to take further advantage of Marinwood.

s/CAMERON P. CASE

former Director Marinwood Community Services
District Board of Directors

s/WALTER K. DODS

former Director Marinwood Community Services
District Board of Directors

s/JOHN F. HAMMOND

Marinwood Community Emergency Response Team
(CERT) Chairman

s/DAVID S. MITCHELL

former Director Marinwood Community Services
District Board of Directors

s/CHARLES G. WALKER

former Director Marinwood Community Services
District Board of Directors

REBUTTAL TO ARGUMENT AGAINST MEASURE Q

The City of San Rafael does compensate the Marinwood Community Services District for providing fire department emergency response services in Northern San Rafael. This amount is negotiated by the Marinwood Board of Directors and is deemed acceptable. In exchange, San Rafael also provides all of their department resources for large scale incidents in Marinwood and CSA 13. Cost increases for the paramedic tax were presented and justified at the annual paramedic budget meeting to service area representatives, including Marinwood CSD Board Members. Increased costs as well as service level enhancements throughout the service area were reasons noted for the increase.

s/THOMAS ROACH

s/TAREY READ

s/BRUCE ANDERSON

FULL TEXT OF MEASURE Q

ORDINANCE NO. 20

AN ORDINANCE OF THE BOARD OF DIRECTORS OF MARINWOOD COMMUNITY SERVICES DISTRICT INCREASING THE AMOUNT OF THE SPECIAL TAX FOR PARAMEDIC SERVICES

WHEREAS for more than twenty five years, Marinwood Community Services District has imposed a special tax to fund participation in regional Paramedic Services provided by the City of San Rafael; and

WHEREAS, in 2006 the voters of Marinwood Community Services District approved an increase of the maximum Paramedic Tax rate to \$85.00 for residential units and \$.11 per square foot for non-residential structures; and

WHEREAS, the City Council of the City of San Rafael finds that the current Paramedic Tax rate needs to be increased so as to fully fund the Paramedic Services program; and

WHEREAS, the Board of Directors of Marinwood Community Services District desires to submit to the District's voters on November 2, 2010 an amendment to the Paramedic Tax ordinance which would authorize an increase of the maximum Paramedic Special Tax rate; and

WHEREAS, the Board of Directors of Marinwood Community Services District desires to increase the District's appropriations limit by the amount of revenue generated by the Paramedic Special Tax in accordance with California Constitution Article XIII B for the next four (4) years;

NOW THEREFORE, the Board of Directors of Marinwood Community Services District does ordain as follows:

SECTION I. Authority, Purpose and Intent. This ordinance is adopted pursuant to Article 3.5 of Chapter 1, Part 1, Division 1, Title V of the California Government Code (Sections 50075, et seq.), Government Code Section 61615.1 and Articles XIII(A) and XIII(B) of the California Constitution, and it is the purpose and intent of this ordinance to impose a special tax on property within the Marinwood Community Services District for the purposes of funding paramedic services.

SECTION II. Maximum Tax. Upon enactment of this ordinance as hereinafter provided, a special tax shall be imposed commencing with fiscal year 2011-2012 for the purposes outlined in Section I hereof in an amount not to exceed one-hundred eight dollars (\$108.00) per year for each living unit and fourteen cents (\$.14) per square foot for each non-residential structure.

SECTION III. Tax Rate. The Board shall determine annually, based upon a budget recommended to it, whether the basic rate shall be revised to reflect changes in charges and costs.

SECTION IV. Appropriations Limit. As required by Article XIII B of the California Constitution, the appropriations limit of the Marinwood Community Services District shall be increased each year, for a period of four (4) years, by the total amount collected each year for the Paramedic Service Special Tax.

SECTION V. Method of Collection. The special tax imposed by this ordinance for the purposes outlined in Section I is due from every person who owns a living unit, new residential structure, commercial unit or new commercial structure within the Marinwood Community Services District, 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 District.

An action for the collection of any tax due hereunder may be commenced in the name of the District in any court having jurisdiction of the cause.

SECTION VI. Delinquencies. To any amount of the tax created by this ordinance which becomes delinquent, the Marin County Tax Collector shall add a penalty in an amount equal to any penalties 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 VII. Severance Clause. If any section of this ordinance is held invalid or unenforceable by any court and that judgment of unenforceability becomes a final judgment, then that section may be amended by a majority vote of this Board to conform with the judgment of such court, provided such amendment is consistent with the purpose and intent of this ordinance.

If any section, subsection, sentence, phrase, or clause of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The people of the Marinwood Community Services District hereby declare that they would have adopted this ordinance, and each section, subsection, sentence, phrase, or clause thereof, irrespective of the fact that any one or more sections, subsections, sentences, phrases or clauses may be declared invalid.

SECTION VIII. Effective Date. This ordinance shall become effective not later than thirty (30) days after its adoption by the Board of Directors of Marinwood Community Services District, but shall not take effect unless and until it is approved by two-thirds of the voters voting upon this ordinance at an election to be held on November 2, 2010.

SECTION IX. Repeal Prior Ordinance. Marinwood Community Services District Ordinance No. 19 is hereby repealed.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Marinwood Community Services District held this ____ day of ____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

s/WILLIAM HANSELL
President of the Board

ATTEST:

s/CAROLYN SULLIVAN
Secretary of the Board