



# TOWN OF FAIRFAX

## STAFF REPORT

June 1, 2022

**TO:** Mayor and Town Council

**FROM:** Michael Vivrette, Finance Director and Michele Gardner, Town Clerk

**SUBJECT:** Adopt five resolutions setting taxes to be collected by the Marin County Auditor-Controller for Fiscal Year 2022-23

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### **RECOMMENDATION**

Adopt the five resolutions referenced below.

### **DISCUSSION**

Each year, the County Auditor-Controller requires towns to submit enabling resolutions or ordinances setting new or continuing existing taxes to be collected as part of property tax assessments. The Town of Fairfax has several taxes that are collected by the County on our behalf. In order that these assessments may continue, the resolutions need to be adopted prior to July 1, 2022. This staff report references the resolutions included on the Consent Calendar. They are:

- A. Resolution Setting the Amount of the Special Municipal Services Tax for FY 2022-23**  
This tax was extended by the voters in November 2019. This year the tax is set at \$205 per unit, which is an increase of \$5 over last year. In subsequent years, the amount can increase by up to \$5 per year up to a maximum of \$250.
- B. Resolution Setting the Amount of the Utility Users Tax for FY 2022-23**  
This tax rate of 4% is the same as last year's assessment.
- C. Resolution Setting the Pension Tax Rate to Support Fairfax Pension Obligations for FY 2022-23**  
This tax rate of \$.091 per \$100 assessed valuation is the same as last year's assessment.
- D. Resolution Setting a Fee for the Purpose of Funding Local Stormwater Pollution Prevention Activities for FY 2022-23**  
This tax rate of \$15 per run-off unit is the same as last year's assessment.
- E. Resolution Setting the Tax Rate for the general obligation bonds (Measure K Bond Assessment) for FY 2022-23**  
This tax rate of \$.0250 per \$100 assessed valuation is the same as last year's assessment.

### **FISCAL IMPACT**

Required to balance FY 2022-23 budget.

### **ATTACHMENTS**

Five resolutions listed above.

**RESOLUTION 22-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
SETTING THE AMOUNT OF THE SPECIAL MUNICIPAL SERVICES TAX FOR  
FISCAL YEAR 2022-2023**

**WHEREAS**, Ordinance No. 839 was approved by the voters of the Town of Fairfax at a special election held in the jurisdiction on November 5, 2019; and

**WHEREAS**, Ordinance No. 839 authorizes the Town of Fairfax to levy a Special Municipal Services Tax to be imposed and levied through June 30, 2031; and

**WHEREAS**, the Town Council has reviewed a preliminary Operating and Capital Budget for Fiscal Year 2022-23 as presented by the Town Manager, and has determined that in order to maintain the current level of municipal services as well as the long-term fiscal health and stability of the Town, and to maintain the Town's excellent bond rating, the full assessment of this Special Municipal Services Tax for Fiscal Year 2022-23 is a necessity; and

**WHEREAS**, the Town Council has also determined that for the fiscal year commencing July 1, 2022, without the levy of this Special Municipal Services Tax, the cost of providing municipal services will exceed the amount of funds and revenues generated from all other sources of income;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Fairfax authorizes the amount of the Special Municipal Services Tax to be levied and imposed for the 2022-23 fiscal year pursuant to Fairfax Ordinance No. 839 shall be as follows:

- a) A tax is hereby levied and imposed upon improved residential property at the rate of two hundred and five dollars (\$205.00) per dwelling unit.
- b) A tax is hereby imposed and levied upon improved business property at the rate of two hundred and five dollars (\$205.00) for each business occupant and two hundred and five dollars (\$205.00) per dwelling unit.

The foregoing Resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 1st day of June 2022, by the following vote, to wit:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Stephanie Hellman, Mayor

Attest: \_\_\_\_\_  
Michele Gardner, Town Clerk

**RESOLUTION 22-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
SETTING THE AMOUNT OF THE UTILITY USERS' TAX  
FOR FISCAL YEAR 2022-2023**

**WHEREAS**, Ordinance No. 552 requires that the rate of the Telephone, Gas and Electricity Users' Tax shall be set annually by Resolution; and

**WHEREAS**, the Town Council has reviewed a preliminary Operating and Capital Budget for Fiscal Year 2022-23 as presented by the Town Manager, and has determined that in order to maintain the current level of municipal services as well as the long-term fiscal health and stability of the Town, and to maintain the Town's excellent bond rating, the assessment of this Utility Users' Tax for Fiscal Year 2022-23 is a necessity; and

**WHEREAS**, the Town Council has also determined that for the fiscal year commencing July 1, 2022, without the levy of this Utility Users' Tax, the cost of providing municipal services will exceed the amount of funds and revenues generated from all other sources of income; and

**WHEREAS**, the Town Council has also determined that for the fiscal year commencing July 1, 2022, the cost of providing municipal services will require a 4% rate for the Utility Users Tax, which is the same as was assessed for Fiscal Year 2021-22;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Fairfax authorizes the amount of the Telephone, Gas and Electricity Users' Tax for Fiscal Year 2022-23, shall be at the rate of four percent (4%).

The foregoing Resolution was duly passed and adopted at a meeting of the Town Council of the Town of Fairfax held in said Town on the 1st day of June 2022, by the following vote, to wit:

AYES:  
NOES:  
ABSENT:

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Stephanie Hellman, Mayor

Attest:

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Michele Gardner, Town Clerk

**RESOLUTION 22-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
SETTING THE PENSION TAX RATE TO SUPPORT FAIRFAX PENSION  
OBLIGATIONS FOR FISCAL YEAR 2022-2023**

**WHEREAS**, the Town of Fairfax has had a Pension Override Tax as an assessment since the 1960s; and

**WHEREAS**, the Pension Override Tax serves to pay toward the funded and unfunded pension obligations of the Town for Safety and Miscellaneous employees; and

**WHEREAS**, the Town Council has reviewed a preliminary Operating and Capital Budget for Fiscal Year 2022-23 as presented by the Town Manager, and has determined that in order to maintain the current level of benefits and meet the funded and unfunded pension liability through the California Public Employees' Retirement System (CalPERS), the full assessment of this special municipal services Tax for Fiscal Year 2022-23 is a necessity;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Fairfax authorizes the amount of the pension tax rate upon all of the taxable property within the Town of Fairfax to support Fairfax Pension Obligations for Fiscal Year 2022-23 to be \$.091 per \$100 assessed valuation.

The foregoing Resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 1<sup>st</sup> day of June 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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Stephanie Hellman, Mayor

Attest:

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Michele Gardner, Town Clerk

**RESOLUTION 22-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
FAIRFAX SETTING A FEE FOR THE PURPOSE OF FUNDING LOCAL  
STORMWATER POLLUTION PREVENTION ACTIVITIES  
FOR FISCAL YEAR 2022-23**

**WHEREAS**, Ordinance No. 646, Adopting a Regulatory Fee to Fund Clean Stormwater Activities was adopted by the Fairfax Town Council in December 1995, after due consideration and public input; and

**WHEREAS**, Ordinance No. 646 allows the Town to recover the costs of specified projects and activities through the establishment of a fee per “run-off unit;” and

**WHEREAS**, the Town Council has reviewed the stormwater pollution prevention activities and projects which are to be funded by the fee “per run-off unit” and considered the needs of the Town of Fairfax for these important activities and projects;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Fairfax authorizes the fee per run-off unit is established for Fiscal Year 2022-23 at fifteen dollars (\$15) which is to be collected annually by the Marin County Tax Collector with the property tax billings.

The foregoing Resolution was duly passed and adopted at a meeting of the Town Council of the Town of Fairfax held in said Town on the 1<sup>st</sup> day of June 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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Stephanie Hellman, Mayor

Attest:

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Michele Gardner, Town Clerk

RESOLUTION 22-\_\_

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
FAIRFAX SETTING THE TAX RATE IN CONNECTION WITH ITS  
GENERAL OBLIGATION BONDS (MEASURE K BOND ASSESSMENT)  
FOR FISCAL YEAR 2022-2023**

**WHEREAS**, more than two-thirds of the qualified voters in the Town of Fairfax (the "Town"), voting at a municipal election on November 2, 1999, approved the issuance of up to \$6,830,000 of general obligation bonds to finance the acquisition and construction of capital improvements to various streets and storm drains within the Town and to the Town's community facilities within the Town; and

**WHEREAS**, pursuant to the authorization received at such election, the Town has issued three series of general obligation bonds authorized as described above in an aggregate principal amount of \$6,830,000; and

**WHEREAS**, bonds are general obligations of the Town payable solely from *ad valorem* property taxes levied by the Town and collected by the County of Marin and the Town Council is empowered and is obligated to annually levy *ad valorem* taxes for the payment of the bonds and the interest thereon upon all property within the Town subject to taxation by the Town, subject to the limitations set by the voters on November 2, 1999;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Fairfax authorizes the levy of an *ad valorem* tax for fiscal year 2022-23 for the payment of the bonds on property in the Town at the rate of **.0250** per \$100 of tax roll valuation.

This resolution shall take effect from and after the date of its passage and adoption.

The foregoing Resolution was duly passed and adopted at a meeting of the Town Council of the Town of Fairfax held in said Town on the 1<sup>st</sup> day of June 2022 by the following vote, to wit:

AYES:

NOES:

ABSENT:

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Stephanie Hellman, Mayor

Attest: \_\_\_\_\_  
Michele Gardner, Town Clerk