



TOWN OF FAIRFAX

STAFF REPORT

June 7, 2023

TO: Mayor and Town Council

FROM: Michael Vivrette, Finance Director

SUBJECT: Adopt five resolutions setting taxes to be collected by the Marin County Auditor-Controller for Fiscal Year 2023-24

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, 2023. 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 2023-24**
This tax was extended by the voters in November 2019. This year the tax is set at \$210 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 2023-24**
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 2023-24**
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 2023-24**
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 2023-24**
This tax rate of .0025 of per \$100 assessed valuation is slightly lower than last year's assessment of \$.0250.

FISCAL IMPACT

Required to balance FY 2023-24 budget.

ATTACHMENTS

Five resolutions listed above.

RESOLUTION 23-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
SETTING THE AMOUNT OF THE SPECIAL MUNICIPAL SERVICES TAX FOR
FISCAL YEAR 2023-2024**

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 2023-24 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 2023-24 is a necessity; and

WHEREAS, the Town Council has also determined that for the fiscal year commencing July 1, 2023, 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 2023-24 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 ten dollars (\$210.00) per dwelling unit.
- b) A tax is hereby imposed and levied upon improved business property at the rate of two hundred and ten dollars (\$210.00) for each business occupant and two hundred and ten dollars (\$210.00) 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 7th day of June 2023, by the following vote, to wit:

AYES:
NOES:
ABSENT:

Chance Cutrano, Vice Mayor

Attest: _____
Michele Gardner, Town Clerk

RESOLUTION 23-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
SETTING THE AMOUNT OF THE UTILITY USERS' TAX
FOR FISCAL YEAR 2023-2024**

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 2023-24 is a necessity; and

WHEREAS, the Town Council has also determined that for the fiscal year commencing July 1, 2023, 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, 2023, 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 2022-23;

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 2023-24, 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 7th day of June 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

Chance Cutrano, Vice Mayor

Attest:

Michele Gardner, Town Clerk

RESOLUTION 23-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
SETTING THE PENSION TAX RATE TO SUPPORT FAIRFAX PENSION
OBLIGATIONS FOR FISCAL YEAR 2023-2024**

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 2023-24 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 2023-24 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 2023-24 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 7th day of June 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

Chance Cutrano, Vice Mayor

Attest:

Michele Gardner, Town Clerk

RESOLUTION 23-

**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 2023-24**

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 2023-24 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 7th day of June 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

Chance Cutrano, Vice Mayor

Attest:

Michele Gardner, Town Clerk

RESOLUTION 23-__

**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 2023-2024**

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 2023-24 for the payment of the bonds on property in the Town at the rate of **.00225** 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 7th day of June 2023 by the following vote, to wit:

AYES:

NOES:

ABSENT:

Chance Cutrano, Vice Mayor

Attest: _____
Michele Gardner, Town Clerk