

**RESOLUTION NO. 2024-49**

**RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS  
DECLARING THE RESULTS OF THE PROPERTY OWNER PROTEST BALLOT  
PROCEEDING CONDUCTED FOR THE PROPOSED NEW OR INCREASED ASSESSMENTS  
SPECIFIC TO THE RUSH CREEK LANDSCAPING AND LIGHTING DISTRICT,  
COMMENCING FISCAL YEAR 2024/2025 AND APPROVING CERTAIN  
RELATED ACTIONS**

WHEREAS, the Marin County Board of Supervisors (“Board”), in their official capacity as the legislative body for the Rush Creek Landscaping and Lighting District, pursuant to the provisions of the Landscaping and Lighting Act of 1972 being Part 2, Division 15 of the California Streets and Highways Code (“1972 Act”), and the California Constitution Article XIII D (“California Constitution”), called and duly held a property owner protest ballot proceeding for a proposed new or increased assessments within the Rush Creek Landscaping and Lighting District (“District”). The proposed new or increased annual assessments for the District, as presented to the affected property owners of record in this notice and ballot proceeding, included and identified the initial maximum assessment rate for fiscal year 2024/2025; the proportional assessment amount balloted for each respective parcel; the annual inflationary adjustment applicable to future assessments; and the total amount balloted for the District. The assessments as presented are intended to fund the special benefit costs and expenses related to the operation, maintenance, and servicing of common area landscaping, bike and equestrian paths, neighborhood park, common area trees, drainage ditches, fire preventative maintenance area, and related landscaping appurtenances and facilities; and,

WHEREAS, the landowner(s) of record within the District as of the close of the Public Hearing held on May 21, 2024 did cast their ballots, weighted by the proportional financial obligation of each ballot, the results of which are illustrated below:

Total Ballots Cast	Yes Total	No Total
\$ 73,696	\$ 55,272	\$ 18,424

NOW, THEREFORE, THE BOARD OF SUPERVISORS IN THEIR OFFICIAL CAPACITY AS THE BOARD OF DIRECTORS OF THE RUSH CREEK LANDSCAPING AND LIGHTING DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. That the foregoing recitals are true and correct.
2. The protest proceedings for the proposed new or increased assessment was conducted pursuant to the provisions of the California Constitution with ballots presented to the affected property owner(s) for receipt by the Clerk of the Board prior to the conclusion of the Public Hearing on May 21, 2024, with each ballot weighted according to the proportional financial obligation of the affected property.
3. The tabulation and canvass of the property owner protest ballots was conducted by the Clerk of the Board or their designee, with all valid protest ballots returned by the affected property owners being counted, the results of which as shown herein, have been presented to the Board and are hereby confirmed.

