

Marin County Parks Rush Creek Landscaping and Lighting District

Important Information Regarding Your Community's Assessment Rates

Your property is part of the Rush Creek Landscaping and Lighting District (the "District"). All homeowners in your community pay an annual assessment to fund the costs of shared landscaping throughout the neighborhood. In April 2024, you will receive a notice and ballot requesting your vote on whether to increase the annual assessment rate from \$949.00 to \$1,316.00.

Please read on for answers to commonly asked questions associated with this process.

Q 1: "Why is an assessment increase being proposed?"

A 1: The current annual assessment of \$949.00 has remained unchanged since the Rush Creek community was established in 1995, hampering the ability of the District to keep pace with rising expenses. The Landscape and Lighting District was formed via County Resolution #95-125 in 1995 in conjunction with the construction of the Rush Creek community, with the purpose to fund newly developed landscape and lighting improvements as part of that residential area. Due to inflation and the age of current landscaping (i.e., plants and the irrigation system), the current assessment is no longer sufficient to cover the annual maintenance costs to service the improvements in the community, nor accumulate any reserve funds for unforeseen repair expenditures, long-term maintenance costs or landscape renovations.

Your Neighborhood Review Team initiated an effort to pursue an assessment increase to help maintain the aesthetic appeal of the shared features within Rush Creek as they relate to landscaping, which include the trail and sidewalk/bicycle pathways along the north side of Atherton Road. Rush Creek LLD residents receive annual service and budget presentations via public meetings, and additional meetings and discussions have occurred in the past year to explore a potential assessment increase and to solicit community feedback. Three assessment scenarios were presented and discussed with attendees of the February 7th homeowner's meeting. Following the meeting, community input was provided and facilitated the recommendation to pursue the assessment option with the most modest increase. The proposed new assessment will also include an Assessment Range Formula to allow for reasonable increases and inflationary adjustment to the initial maximum assessment amount.

Q 2: "What will my assessment pay for?"

A 2: The increased assessment will help sustain the current level and frequency of landscape maintenance in the community. In addition, it will replenish the District's reserve fund, which has been depleted over recent years, to allow the District to begin the process of replacing aging plants and related facilities such as irrigation, trails, and pathways within the district boundaries. The balloted assessment amount will allow the District to fund existing operation and maintenance expenses, as well as collect an additional \$13,460 annually for Operational Reserves and Capital Improvement Project funding.

Q 3: "Why do property owners have to go through the balloting process?"

A 3: The balloting process is a state constitutional provision, Article XIII D (Proposition 218). Since 1997, any time a new or increased assessment is proposed, the initiative must be presented to affected property owners in a mailed-ballot proceeding to provide them an opportunity to cast their ballot for, or against, the new/increased assessment before that new or increased assessment can be imposed. Each parcel has

one ballot to return. The majority result of all returned ballots informs the decision on the proposed assessment increase.

Q 4: “Why is there an inflationary adjustment?”

A 4: To ensure adequate funding in the future, the proposed assessment for which you will be balloted includes an annual inflationary adjustment of three percent (3%). This adjustment limits future increases, but also provides for reasonable inflationary adjustments for future years. However, this inflationary adjustment does not mean that your annual assessment will automatically increase. The annual budget shall be based on the estimated expenses for that year and may result in an assessment that is less than the adjusted maximum assessment allowed.

Q 5: “When will I be asked to vote regarding the proposed increase?”

A 5: Below is the schedule for the 2024 assessment rate ballot proceeding.

Week of April 8, 2024 Ballots mailed April 4, 2024	Homeowners receive ballots in mail
April 16, 2024 at 10:00 am	Public Information Meeting (as part of a regularly scheduled Board of Supervisor Meeting)
May 21, 2024 Before close of Public Hearing	Deadline to submit completed ballots by close of Public Hearing which begins at 10:00am
May 21, 2024 at 10:00am	Board of Supervisors holds Public Hearing, ballots are tabulated and Board adopts appropriate resolutions for levy of assessments
July 1, 2024	New assessment rates take effect

Q 6: “What does your vote mean?”

A 6: A “Yes” vote means you approve of the proposed assessment increase to maintain the landscape improvements within your District that includes an annual inflationary adjustment of 3% per fiscal year. This assessment increase and inflationary adjustment will help ensure that the landscape improvements within the Rush Creek Landscaping and Lighting District will continue to be maintained appropriately.

A “No” Vote means you do not approve the proposed increase to your annual assessment to maintain the landscape improvements within your District. If a majority protest exists to the proposed increased assessment, the services currently being provided will be reevaluated. Since the current assessments do not generate adequate funding to support the current level of maintenance being provided, a majority protest to the proposed assessment increase may result in a reduction to the level/frequency of landscape maintenance and/or watering. In addition, as maintenance costs continue to rise over time, the maintenance provided could be reduced further and it is likely that dead plant material will be removed but not replaced.

Q7: “How can I get more information?”

A 7: Marin County Parks has scheduled a public information (property owner) meeting, as part of a regularly scheduled Board of Supervisors Meeting, on April 16, 2024, at 10:00 am, in the Board of Supervisors Chambers at Marin County Civic Center (3501 Civic Center Drive, San Rafael, California). This agenda item is an opportunity to provide property owners with background information about the District, the proposed assessment increase, and the assessment ballot process, as well as provide an opportunity to make public comment.

To learn more about the history of the Rush Creek Landscaping and Lighting District, please visit the County's webpage; <https://www.parks.marincounty.org/about-us/boards-and-commissions/rush-creek-landscaping-and-lighting-district>.