

**RESOLUTION NO. 11985**

**RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS**

**BAYPOINT LAGOONS LANDSCAPING AND LIGHTING DISTRICT  
(Pursuant to the Landscaping and Lighting Act of 1972)**

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The City Council of the City of San Rafael resolves:

1. The City Council intends to levy and collect assessments within Baypoint Lagoons Landscaping and Lighting District, City of San Rafael, Marin County, California, during the fiscal year 2006-2007. The area of land to be assessed is located in the City of San Rafael, Marin County.

2. The improvements to be made in this assessment district are generally described as follows:

Creating, maintaining and monitoring open space habitat. Each year for the foreseeable future, cattail and non-native plant removal will be undertaken to enhance the habitat. In the future, a monitoring assessment will be completed to document the effectiveness of the removal effort. The monitoring will be done in accordance with the proposal for SPINNAKER LAGOON MANAGEMENT, as prepared by Resource Management International, Inc. previously known as Western Ecological Services Company, Inc., dated February 25, 1998, and the letter dated November 28, 1999 by Wetlands Research Associates. A future Report will reflect anticipated costs to provide funds for the monitoring program necessary to demonstrate the contingent viability of the diked marsh area. Future monitoring is the best way to demonstrate to interested agencies the success of the mitigation program that is the responsibility of the District. In concert with this, motor controls will be installed at the Cayes Pump Station to better regulate the levels in the Lagoon.

3. In accordance with this Council's resolution directing the filing of an Engineer's Annual Report, CSW/Stuber-Stroeh Engineering Group, Inc., Engineer of Work, has

filed with the City Clerk the report required by the Landscaping and Lighting Act of 1972. All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district and the proposed assessments upon assessable lots and parcels of land within the assessment district.

4. The proposed assessment does not increase the assessment from the previous year.

5. On Monday, the 7<sup>th</sup> day of August, 2006 at the hour of 8:00 o'clock P.M., the City Council will conduct a public hearing on the question of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located in the Chambers of the City Council, 1400 Fifth Avenue, San Rafael, California.

6. The City Clerk is authorized and directed to give the notice of hearing required by the Landscaping and Lighting Act of 1972 by publishing a copy of this resolution once in the Marin Independent Journal, publication to be completed not less than ten (10) days before August 7, 2006.

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**I, JEANNE M. LEONCINI**, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on the 19<sup>th</sup> day of June, 2006, by the following vote, to wit:

**AYES: COUNCILMEMBERS: Cohen, Heller, Miller and Mayor Boro**

**NOES: COUNCILMEMBERS: None**

**ABSENT: COUNCILMEMBERS: Phillips**

/s/ Jeanne M. Leoncini (Seal)  
**JEANNE M. LEONCINI, City Clerk**

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