

From: [Sergei Lubensky](#)
To: [Lindsay Lara](#)
Cc: [Lyubimaya](#)
Subject: thoughts on the agenda item for tonight's council meeting regarding \$200 yearly assessment on the property values in Baypoint Lagoons
Date: Monday, July 20, 2020 3:30:28 PM

++ My wife and co-owner of the property, Alina Lubensky

Dear Lindsay,

It has been brought to our attention that the City Council of San Rafael will be considering at its meeting tonight making permanent the additional \$200 yearly property tax assessment on the homes in our neighborhood, including ours - at [REDACTED] San Rafael, CA 94901. Having examined the matter, we've come to learn that this additional assessment was applied in 1990 for exactly three years: 1990, 1991 and 1992, based on the signed consent of the developer and approved specifically on that basis by the City County on 8/20/1990. As we understand, the City has since claimed that the intent of the agreement was to extend this increase in perpetuity. However, upon our review of the document, we contend that the language of the agreement does not support this claim and, therefore, that the proposed increase neither has contractual merit going forward nor has been properly applied in the past, after 1992. For this reason, we respectfully request that

1. The motion to make permanent the said increase in assessment shall not carry;
2. The claimable portion of the \$200 overage be returned to the property owners affected by this decision, including my wife and I for the period in which we have been in possession of the property. (2015-present)

Please let us know if you have any questions or comments. We look forward to joining the Council Meeting tonight.

Kind regards,
Sergei & Alina Lubensky
[REDACTED] San Rafael, CA 94901