

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 96-02

RESOLUTION MAKING DETERMINATIONS AND APPROVING  
THE "REDWOOD BOULEVARD NORTH REORGANIZATION",  
INCLUDING ANNEXATION TO THE CITY OF NOVATO AND THE NOVATO  
SANITARY DISTRICT

THIS LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY  
MAKES THE FOLLOWING DETERMINATIONS AND FINDINGS:

A. Proposals for the reorganization of certain property (the "Reorganization Territory") for inclusion in the City of Novato ("City") and the Novato Sanitary District ("Sanitary District"), in the County of Marin ("Reorganization Proposal"), have been filed with the Executive Officer of this Local Agency Formation Commission ("Commission") pursuant to the Cortese-Knox Local Government Reorganization Act, Title 5, Division 3, commencing with Section 56000 of the Government Code, as amended ("Act"). The Reorganization Territory is more fully described in Exhibits A, B, C, and D, the contents of which are incorporated by this reference as though set forth in full.

B. On this date, this Commission adopted Resolution No. 96-01 (the "SOI/USA Resolution") approving amendments to the Novato Sanitary District and City of Novato sphere of influence and urban service area (the "SOI/USA Boundary Amendments"). As part of the SOI/USA Resolution, this Commission adopted findings under the California Environmental Quality Act ("CEQA") (Exhibit B). This Commission has reviewed environmental documentation relevant to the Reorganization Proposal. It is the intent of the Commission that Exhibit B shall serve as its required CEQA determination for the SOI/USA Amendment and the Reorganization proposal.

C. The County of Marin has entered into a Master Property Tax Agreement (1990) with the City regarding the allocation of tax revenues upon reorganization.

D. At the time and in the form and manner prescribed by law, the Executive Officer of this Commission gave notice of public hearing by this Commission on the Reorganization Proposal.

E. The public hearing on the Reorganization Proposal was held by this Commission upon the date and at the time and place specified in the notice of public hearing, and all interested persons were afforded an opportunity to comment and be heard on the matter.

F. The Executive Officer reviewed the Reorganization Proposal and prepared a report to this Commission making evaluations, conclusions, and recommendations regarding the

Reorganization Proposal ("Executive Officer's Report"). The Executive Officer's Report was presented to and considered by this Commission.

G. At the public hearing on the Reorganization Proposal, the Commission considered all relevant information in the record as a whole, including without limitation the application materials and all other relevant materials for the SOI/USA Boundary Amendment and the Reorganization Proposal, the environmental impact report regarding all LAFCO actions and the urban development of the Reorganization Territory, the Marin Countywide Plan, County approvals for development of the Reorganization Territory, the City's General Plan Extension from the Governor's Office of Planning and Research, the applicable City General Plan, Measure B enacted by the City voters on November 7, 1995, the Act, this Commission's Policy Guidelines, the Executive Officer's Report, other environmental documents, documents referenced in the attached exhibits, communications from other public agencies, the administrative record for the SOI/USA Boundary Amendment, other public records germane to this action, the written and oral evidence presented prior to and at the public hearing of this Commission, and the other evidence constituting the administrative record as a whole for this action (collectively "Administrative Record").

NOW, THEREFORE, THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN DOES RESOLVE, FIND, ORDER AND DETERMINE AS FOLLOWS:

1. Recitals Made Part Of This Action; Action Based On Record. The above-stated recitals are true and correct and are made a part of this action. Each of the actions taken herein by this Commission is independently reviewed, considered and based on the Administrative Record.

2. Environmental Impacts. Pursuant to Administrative Code title 14, section 15096(a), this Commission reaches its own conclusions on whether and how to approve the Reorganization Proposal. This Commission considered environmental impacts relevant to each component of the Reorganization Proposal in adopting the SOI/USA Resolution, and adopted findings and a statement of overriding considerations that comply with any applicable requirements of CEQA as part of the SOI/USA Resolution. Those findings and statement of overriding considerations address all impacts from the components of the Reorganization Proposal, and all mitigation measures and alternatives, that are within the jurisdiction and responsibility of this Commission. The contents of those findings and statement of overriding considerations are hereby incorporated by this reference as if set forth in full at this place and are deemed to apply to the Reorganization Proposal as well as the SOI/USA Boundary Amendment. No additional analysis of environmental impacts is required.

3. Consideration of Factors. In acting on each of the components of the Reorganization Proposal, this Commission has considered, among others, all of the factors presented in the Executive Officer's Report. The Commission adopts as its written statement of findings and determinations, the evaluations and conclusions of the Executive Officer's Report. The evaluations and conclusions of the Executive Officer's Report are hereby incorporated by this reference as if set forth in full at this place.

4. Reorganization Territory. The Reorganization Territory includes approximately 180 acres, is uninhabited, and is assigned the following distinctive short form designation: "Redwood Boulevard North Reorganization" for inclusion within the City and the Sanitary District.

5. Approval of Reorganization Proposal. This Commission, having considered the Administrative Record as a whole and all of the factors set forth in this Resolution, does hereby approve the requested Reorganization Proposal to include the Reorganization Territory within the City and within the Sanitary District, subject to the terms and conditions set forth below. The boundaries of each reorganization, for the City and the Sanitary District, as set forth in the Reorganization Proposal, are approved as submitted and are as described in the attached Exhibits A, B, C, and D. The contents of Exhibits A, B, C and D are incorporated by this reference as though set forth in full at this place.

6. Conditions of Reorganization. Any resolution authorizing either or both of the reorganizations approved by this Resolution shall impose the following terms and conditions:

(a) The reorganizations approved by this Resolution are subject to the provisions of the Master Property Tax Agreement (1990) between the City and Marin County regarding allocation of tax revenues upon reorganization.

(b) In the event that pursuant to rules, regulations or ordinances of the Sanitary District, as now or hereafter amended, the Sanitary District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the Sanitary District, such payment will be made to the Sanitary District in the manner and at the time as provided by the rules, regulations or ordinances of the Sanitary District, as now or hereafter amended.

(c) Upon and after the effective date of reorganization, the Reorganization Territory, any inhabitants within the Reorganization Territory, and any persons entitled to vote by reason of residing or owning land within the Reorganization Territory, shall be subject to the jurisdiction of the Sanitary District; shall have the same rights and duties as if the Reorganization Territory had been a part of the Sanitary District upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of the Sanitary District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the Sanitary District, as now or hereafter amended.

7. City Appointed As Conducting Authority. For the reasons stated in the Reorganization Proposal, and pursuant to Government Code section 56029(e), the City is hereby designated as the conducting authority for further proceedings on all components of the Reorganization Proposal, and the Council of the City is directed to initiate proceedings with

public notice and hearing in compliance with this Resolution, and is authorized to take further proceedings in compliance with applicable provisions of State law.

8. Severance Clause. If any portion, part, section, subsection, subdivision, sentence, phrase, word, term, provision, covenant or condition of this Resolution (collectively, "portion"), or the application of any portion of this Resolution to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, such portion shall be considered severed from this Resolution and the remaining portions of this Resolution, or the application of this Resolution to other situations, shall continue in full force and effect. This Commission declares that its intent is to adopt each portion of this Resolution independently and separately, and that it would have adopted each portion of this Resolution regardless of the validity or enforceability of other portions of this Resolution.

9. The Executive Officer is authorized and directed to mail certified copies of this resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED following a duly noticed public hearing, by the Marin Local Agency Formation Commission on the 4th day of January, 1996 by the following vote:

AYES: Commissioners Barner, Giacomini, Keess, Richardson, Wine and Williams  
NOES: Commissioner Thayer  
ABSTAIN: None  
ABSENT: None

Erwin Williams  
Erwin Williams, Chairman,  
Marin Local Agency Formation Commission

ATTEST:

[Signature]  
Dawn Mittleman, Executive Officer

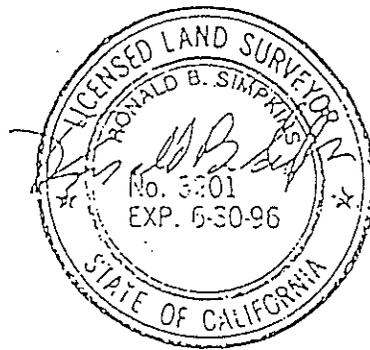
Dated: January 4, 1996

The foregoing instrument is a correct copy of the original on record in the office of the Local Agency Formation Commission of the County of Marin, State of California.

By [Signature]  
Executive Officer

Revised: June 13, 1995  
Date: June 8, 1995  
File: S-170-030

Exhibit C  
(1 of 2 pages)



### DESCRIPTION

REDWOOD BOULEVARD NORTH  
(BUCK CENTER FOR RESEARCH IN AGING)  
ANNEXATION TO CITY OF NOVATO

Mapping No. 6/95

Beginning at a point on the existing boundary of the City of Novato, said point also being the most westerly corner common to Parcels 1 and 2 as shown on the Parcel Map of "Pashberg Land Division" recorded in Book 19 of Parcel Maps, Page 23, Marin County Records;

thence along said City of Novato boundary, also being the southwesterly line of said Parcel 2, North 43°06'52" West (North 43°07'06" West 19 P.M. 23) 2,430.00 feet;

thence leaving said City of Novato boundary line North 46°53'08" East 1,100.00 feet;

thence South 71°33'40" East 2,401.16 feet to the easterly line of said Parcel 2;

thence along said easterly line South 02°06'57" East (South 02°07'14" East 19 P.M. 23) 540.00 feet to the common easterly corner of Parcels 1 and 2 as shown on said Pashberg Parcel Map (19 P.M. 23);

thence along the line of said Parcel 1 South 65°20'41" East 570.17 feet;

thence North 70°24'46" East 369.28 feet;

thence South 18°39'34" West 259.45 feet (South 18°39'36" West 259.42 19 P.M. 23);

thence South 43°23'16" West 370.97 feet;

thence South 59°45'52" East 1,133.57 feet;

thence South 28°23'45" West 93.90 feet;

thence South 34°02'38" West 529.62 feet (South 33°55'37" West 531.93 19 P.M. 23);

thence South 15°41'20" West 116.82 feet;

thence South 15°36'14" East 225.26 feet; ( South 15°36'14" East 225.28 19 P.M. 23);

thence South 10°29'03" West 152.60 feet to the existing boundary of the City of Novato;

thence along said City boundary, also being the line of said Parcel 1, South 85°50'18" West 69.23 feet (South 85°17'01" West 69.23 19 P.M. 23);

thence North 19°22'07" West 191.64 feet (North 19°55'24" West 191.64 19 P.M. 23);

thence North 40°52'07" West 137.30 feet (North 41°07'25" West 137.29 19 P.M. 23);

thence North 75°37'07" West 98.40 feet (North 75°37'21" West 98.40 19 P.M. 23);

thence North 75°45'07" West 942.00 feet (North 75°45'21" West 939.32 19 P.M. 23);

thence South 10°19'53" West 159.80 feet (South 10°19'39" West 156.66 19 P.M. 23);

thence South 01°28'07" East 174.40 feet (South 01°28'21" East 174.39 19 P.M. 23);

thence South 04°29'53" West 206.50 feet (South 04°29'39" West 206.49 19 P.M. 23);

thence South 07°37'53" West 91.92 feet (South 07°37'39" West 90.90 19 P.M. 23);

thence North 59°57'07" West 819.36 feet (North 59°57'22" West 819.57 19 P.M. 23);

thence North 43°06'52" West 900.00 feet (North 43°07'06" West 900.00 19 P.M. 23), to the  
POINT OF BEGINNING.

Containing 180.05 acres.

DESCRIPTION

REDWOOD BOULEVARD NORTH  
ANNEXATION TO NOVATO SANITARY DISTRICT  
(BUCK CENTER FOR RESEARCH IN AGING)

Mapping No. 16/95

Beginning at a point on the existing boundary of the Novato Sanitary District, said point also being the most westerly corner common to Parcels 1 and 2 as shown on the Parcel Map of "Pashberg Land Division" recorded in Book 19 of Parcel Maps, Page 23, Marin County Records;

thence along said Novato Sanitary District boundary and the extension thereof, also being the southwesterly line of said Parcel 2, North 43°06'52" West (North 43°07'06" West 19 P.M. 23) 2,430.00 feet;

thence leaving said southwesterly line of Parcel 2, North 46°53'08" East 1,100.00 feet;

thence South 71°33'40" East 2,401.16 feet to the easterly line of said Parcel 2;

thence along said easterly line South 02°06'57" East (South 02°07'14" East 19 P.M. 23) 540.00 feet to the common easterly corner of Parcels 1 and 2 as shown on said Pashberg Parcel Map (19 P.M. 23);

thence along the line of said Parcel 1 South 65°20'41" East 570.17 feet;

thence North 70°24'46" East 369.28 feet;

thence along said Parcel 1 of 19 P.M. 23 South 18°39'34" West 259.45 feet;

thence South 43°23'16" West 370.97 feet;

thence South 59°45'52" East 1,133.57 feet;

thence South 28°23'45" West 93.90 feet;

thence South 34°02'38" West 529.62 feet;

thence South 15°41'20" West 116.82 feet;

thence South 15°36'14" East 225.26 feet;

thence South 10°29'03" West 152.60 feet;

thence South 85°50'18" West 69.23 feet;

thence North 19°22'07" West 191.64 feet;

thence North 40°52'07" West 137.30 feet;

thence North 75°37'07" West 98.40 feet to the existing boundary of Novato Sanitary District;

thence along said Novato Sanitary District Boundary and the boundary of 19 P.M. 25 North 75°45'07" West 942.00 feet;

thence South 10°19'53" West 159.80 feet;

thence South 01°28'07" East 174.40 feet;

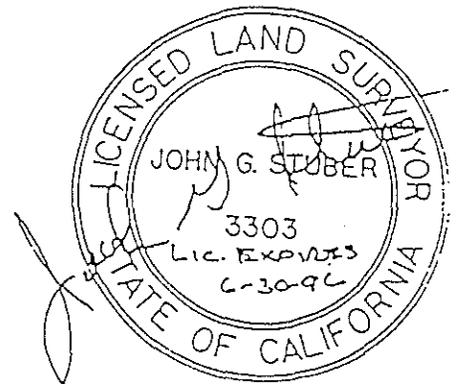
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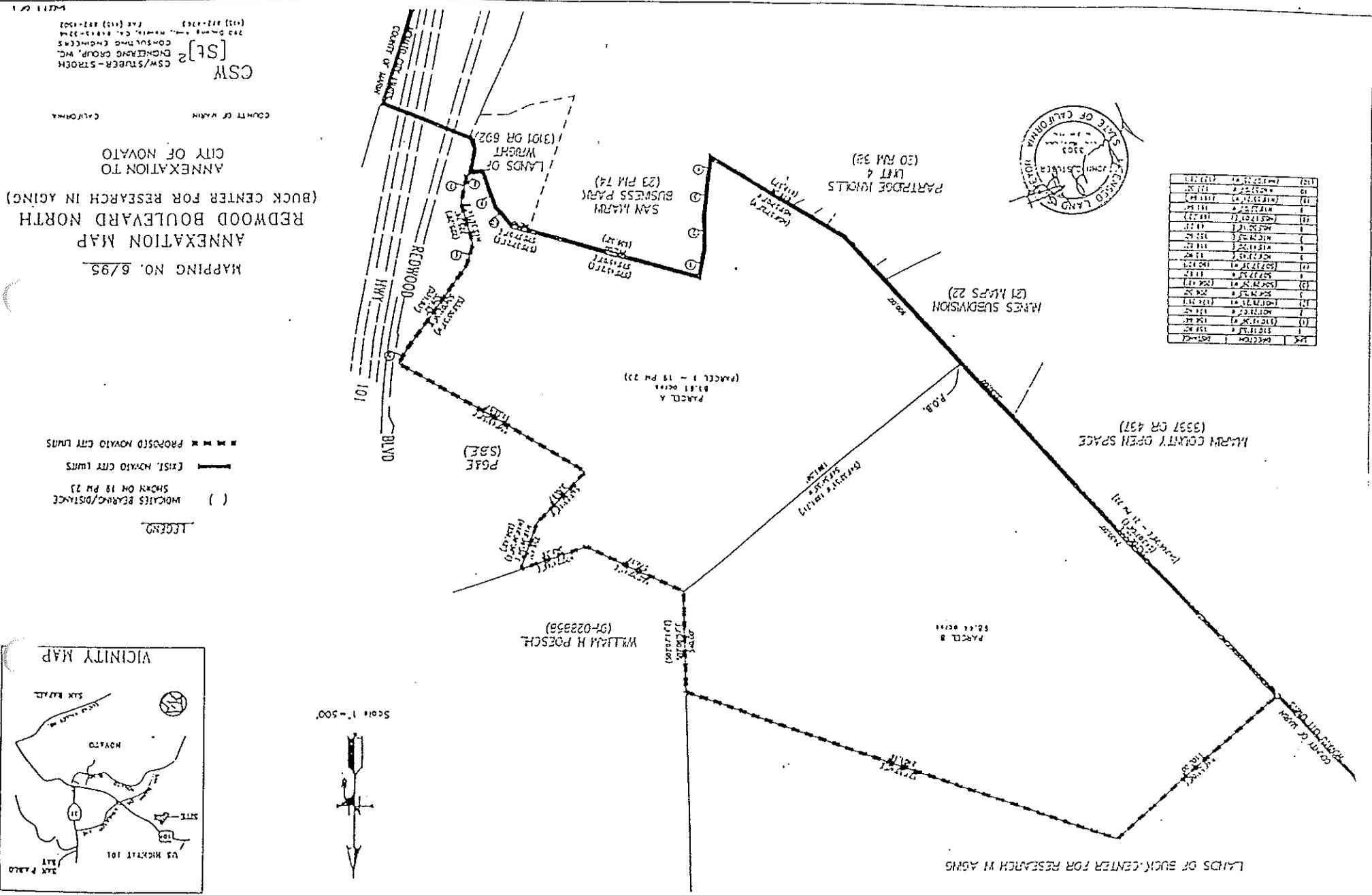
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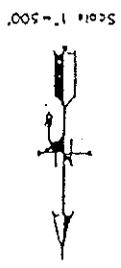
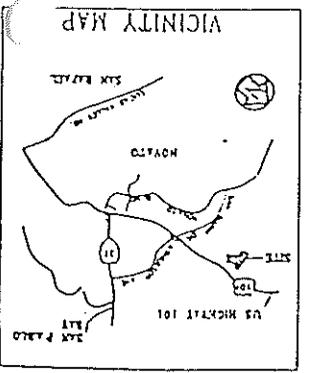
thence North 43°06'52" West 900.00 feet; to the POINT OF BEGINNING.

Containing 180.05 acres.





1	1181.14	100.00
2	1181.14	100.00
3	1181.14	100.00
4	1181.14	100.00
5	1181.14	100.00
6	1181.14	100.00
7	1181.14	100.00
8	1181.14	100.00
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43	1181.14	100.00
44	1181.14	100.00
45	1181.14	100.00
46	1181.14	100.00
47	1181.14	100.00
48	1181.14	100.00
49	1181.14	100.00
50	1181.14	100.00



**LEGEND**

( ) MODALITIES BEARING/DISTANCE SHOWN ON 18 PM 23

— EXIST. NOVAJO CITY LIMITS

--- PROPOSED NOVAJO CITY LIMITS

**MAPPING NO. 6/95**

**ANNEXATION MAP**

**REDWOOD BOULEVARD NORTH**

**(BUCK CENTER FOR RESEARCH IN AGING)**

**ANNEXATION TO**

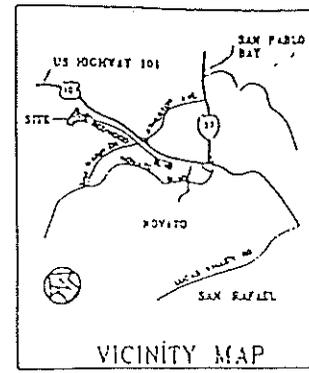
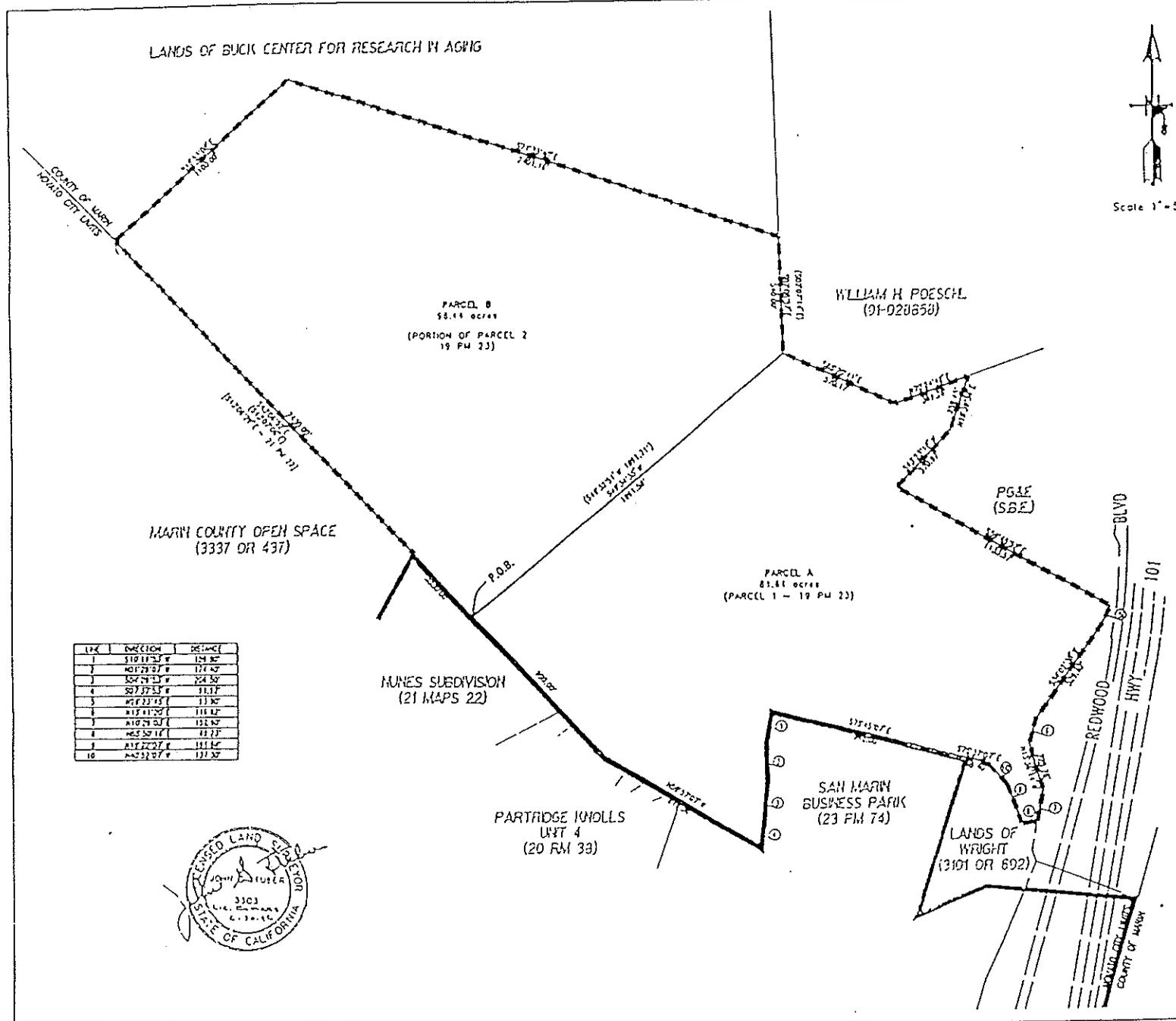
**CITY OF NOVAJO**

COUNTY OF MARIN  
CALIFORNIA

**CSW**

**[St]2**

CSW/STUBER-STROHM  
ENGINEERING GROUP, INC.  
220 DOWNEY AVENUE, SUITE 200  
DUBLIN, CALIFORNIA 94568  
(916) 837-4300



**LEGEND**

- ( ) INDICATES BEARING/DISTANCE SHOWN ON 19 PM 23
- EXIST. NOVATO SANITARY DISTRICT LIMITS
- — — PROPOSED NOVATO SANITARY DISTRICT LIMITS
- AREA = 180.05 ACRES (TOTAL)

LINE	DIRECTION	DISTANCE
1	S10°17'53" E	124.82'
2	N01°29'52" E	174.50'
3	S54°29'53" E	254.50'
4	S17°23'53" E	111.12'
5	N12°23'43" E	111.82'
6	N15°11'20" E	111.82'
7	N10°29'52" E	124.82'
8	N65°29'17" E	111.12'
9	N17°23'07" E	111.12'
10	N45°23'07" E	124.82'



MAPPING NO. 16/95  
**ANNEXATION MAP**  
**REDWOOD BOULEVARD NORTH**  
**(BUCK CENTER FOR RESEARCH IN AGING)**  
 ANNEXATION TO  
 NOVATO SANITARY DISTRICT  
 DATE: NOV. 7, 1995  
 COUNTY OF MARIN CALIFORNIA

CSW  
 [St]²  
 CSW/STUBER-STROCH  
 ENGINEERING GROUP, INC.  
 CONSULTING ENGINEERS  
 780 Oakridge Ave., Novato, CA. 94945-3244  
 (415) 892-1743 FAX (415) 892-4507