

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 66-46

RESOLUTION MAKING DETERMINATIONS AND
APPROVING THE PETITION FOR FORMATION
OF THE TAMALPAIS COMMUNITY SERVICES DISTRICT
AND REVISIONS THERETO

File #153
Legal Descrip See
Reso 66-24
see also 67-7

WHEREAS, a permissive petition for the formation of the Tamalpais Community Services District as successor to the Tamalpais Valley Sanitary District was heretofore filed with the Executive Officer of this Local Agency Formation Commission, and said Executive Officer has examined said petition and executed his certificate determining and certifying that said petition is sufficient as a permissive petition; and

WHEREAS, after proper public notice a public hearing by this Commission was held and after such hearing this petition was referred to a Reorganization Committee as specified in Local Agency Formation Commission Resolution No. 66-13 of May 5, 1966; and

WHEREAS, said Reorganization Committee considered the petition together with related matters as specified in Resolution 66-13 and subsequently filed its report with this Commission on August 4, 1966; and

WHEREAS, after proper notice this Commission on August 4, 1966 held a public hearing, duly continued to August 11, 1966, on the report of the Reorganization Committee.

WHEREAS, this Commission on August 11, 1966 unanimously adopted Resolution No. 66-24 approving the petition for formation of the district and directing the Executive Officer to forward a copy of the resolution to the County Clerk of the County of Marin; and

WHEREAS, the Board of Supervisors of the County of Marin after proper notice held a public hearing on September 13, 1966 and upon close of the hearing referred the proposal back to the Local Agency Formation Commission for a review of the boundaries of the proposed district, especially in the area of Tennessee Valley; and

WHEREAS, after proper notice, this Commission on December 1, 1966 held a public hearing on the proposal as referred by the Board of Supervisors.

NOW, THEREFORE, THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. The petition for the formation of the Tamalpais Community Services District as successor to the Tamalpais Valley Sanitary District with powers of public recreation; collection, treatment and disposal of sewage; and collection and disposal of garbage or refuse is approved.

2. The recommendations of the Reorganization Committee as specified in their report, as revised by this Commission, are approved and that report is incorporated into this resolution as Exhibit "A".

3. The boundaries of said district shall be as set forth in the map dated December 1, 1966, attached and incorporated into this resolution as Exhibit "B".

4. The Board of Supervisors of the County of Marin is hereby directed to initiate proceedings in compliance with this resolution.

5. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 1st day of December, 1966 by the following vote:

Ayes: Commissioners Jan Paul Dyk, H. G. Marchant, Peter H. Behr, Byron W. Leydecker, J. Wayne Womack.

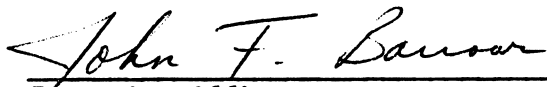
Noes: None.

Absent: None.



Chairman, Local Agency Formation Commission

ATTEST:



Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

FROM: THE REORGANIZATION COMMITTEE ON THE TAMALPAIS
COMMUNITY SERVICES DISTRICT

Marin County Local Agency Formation Commission Resolution 66-13 ordered the "Petition for Formation of the Tamalpais Community Services District" to this Reorganization Committee. That Resolution specified several matters on which the Reorganization Committee was instructed to study and report.

The Committee held its first meeting as specified on May 26, 1966 with the following members:

Gale Bishel, representing Tamalpais Valley Sanitary District
Robert Alexander, representing Almonte Sanitary District
Donald Frost, representing Kay Park Sewer Maintenance District
William Remensperger, representing Sausalito-Marín City Sanitary District

Mr. William Hargreaves, representing the petitioners for the Tamalpais Community Services District, also attended the meetings. John Barrows provided staff services.

Subsequently, the Almonte Sanitary District was eliminated as a subject district. Later meetings were held on June 16, 1966 and July 27, 1966.

The matters to be studied by the Committee are indicated below, followed in each case by the Committee's comment or recommendation.

1. The need for inclusion of all ranch or rural areas in southern Tennessee Valley within the proposed district.

Recommendation: The direction of population growth south in Tennessee Valley, the proposed location of a community center in Tennessee Valley, and the desirable site for a future sewage treatment plant on Tennessee Cove, dictate the inclusion of all lands draining into Tennessee Cove within the proposed district.

2. The possibility of extending the proposals to include other services and other areas: Tamalpais Fire District may be considered for inclusion within this proposal and the basic petition may be expanded to include other services beyond the three which the petitioners have requested.

Recommendation: Both functional and geographic expansion of the district would have an adverse effect on its acceptability by the voters. No changes are therefore proposed.

3. Working with the petitioners and with the County Public Works Department, the boundaries should be established as definite and certain.

Comment: The Public Works Department has prepared the new map and legal description of the boundaries as determined by your Commission.

4. The problem of the Kay Park Sewer Maintenance District should be analyzed as to how best to continue to provide sewer service to that district.

Recommendation: The Kay Park Sewer Maintenance District should continue to be operated as a special district providing sewer service to the area within

its boundaries. The territory within those boundaries should also be included within the proposed Tamalpais Community Services District for park and recreation and garbage collection services. This separate arrangement for sanitary services should be continued for not more than ten years after the effective date of the proposed new district. Within that time, the sewer lines will be renovated and connected to the lines now operated by the Tamalpais Sanitary District. At that time the sewer maintenance district would be dissolved and the Tamalpais Community Services District would operate the sewers in the area.

5. The inclusion of the small areas of the Almonte and Sausalito-Marín City Sanitary District should be analyzed.

Recommendation: The area of the Sausalito-Marín City Sanitary District indicated in the original petition for inclusion in the Community Services District should be so included and thereby detached from Sausalito-Marín City. Your Commission has previously removed the areas of Almonte Sanitary District from the proposed Community Services District.

6. The methods which will be used to provide sewer service in that area of the proposed district which does not now receive sewer service should be considered.

Recommendation: The present sewer lines of the Tamalpais Valley Sanitary District may be extended into any area of the proposed Community Services District subject to approval by the Sausalito-Marín City Sanitary District. The Tamalpais Valley Sanitary District now contracts with the latter district for sewage treatment services, and through this contract Sausalito-Marín City Sanitary District has veto power over any extensions of sanitary services by Tamalpais Valley Sanitary District. This contractual arrangement would be continued placing the Tamalpais Community Services District in the position of the Tamalpais Valley Sanitary District as a party to the contract.

7. The question of tax equity within the district between areas receiving sewer service and those that do not must be reviewed.

Recommendation: Since it is legally impossible for the Community Services District to levy two different taxes in different areas of the District, it will be necessary to replace the current sewer operating tax with a sewer service charge.

8. The future of the employees of Tamalpais Valley Sanitary District must be specified.

Recommendation: The one employee of the Tamalpais Valley Sanitary District should be continued as an employee of the Community Services District with no break in service and with the same retirement plan and other fringe benefits now available.

9. An effective date for the new district must be set.

Recommendation: The effective date of the new district should be July 1, 1967.

10. Study the relationship of Marin Municipal Water District's possible entry into sewage collection and treatment services in this general area of the County.

Comment: The Marin Municipal Water District has not begun planning for Marin-cello sewage disposal. After conversations with the [Director], it appears reasonable to assume that a single treatment plant on the Pacific Ocean could serve both Marin-cello and the proposed Community Services District.

Beyond these matters, your Commission should include the following in your findings:

1. The election to confirm the formation of the Community Services District should be held only within the boundaries of the proposed district.
 - * 2. The election should be consolidated with the November, 1966 general election, or as close thereto as is legal.
 3. In counting the votes of said election, Tamalpais Valley Sanitary District should be considered a "major district" so that confirmation must be made by voters in: (1) the Tamalpais Valley Sanitary District and (2) other areas of the proposed Tamalpais Community Services District.
 4. The same election shall provide for the election of five directors of the new Community Services District in accordance with procedures of law governing such districts.
- * The Marin County Local Agency Formation Commission on August 11, 1966 amended this item as follows:

The election could be consolidated with the November, 1966 General Election, or could be held on a special election. Because of the necessity to certify the creation of the new district, if approved, to the State Board of Equalization prior to January 1, 1967, the election should be held at the earliest possible date in 1966.

JFB:ds
July 27, 1966