

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 72-40

RESOLUTION APPROVING THE REORGANIZATION INVOLVING THE DISSOLUTION
OF THE TERRA LINDA COMMUNITY SERVICES DISTRICT AND THE ANNEXATION
OF THE SAME TERRITORY TO THE CITY OF SAN RAFAEL

WHEREAS, Terra Linda Community Services District Resolution No. 13
and City of San Rafael Resolution No. 4274, substantially similar resolutions
proposing a reorganization consisting of the dissolution of the Terra Linda
Community Services District and the annexation of all territory within the
district to the City of San Rafael, were filed with the Executive Officer of
this Commission; and

WHEREAS, at the times and in the form and manner provided by law
the Executive Officer has given notice of a public hearing by this Commis-
sion upon the resolutions of application; and

WHEREAS, the public hearing by this Commission was held upon the
date and at the time and place specified in said notice of public hearing.

NOW, THEREFORE, the Local Agency Formation Commission of the County
of Marin does hereby resolve, determine and order as follows:

1. The reorganization involving the dissolution of the Terra Linda
Community Services District and the annexation of all the territory within
said district to the City of San Rafael is approved subject
to the following conditions:

A. The City of San Rafael shall be the successor to the Terra
Linda Community Services District and all property and assets of the district
shall be transferred to the City of San Rafael on the effective date of this
reorganization.

B. The territory subject to this reorganization shall be exempt
from any liability for the outstanding bonded indebtedness of the City of San
Rafael applicable to city sewer bonds.

C. The City of San Rafael shall assume the liability for payment
of all principal, interest and any other amounts becoming due on account of the

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outstanding bonded indebtedness which is presently the legal liability of the Terra Linda Community Services District.

D. The territory subject to this reorganization shall assume liability, together with the remainder of the city, for bonded indebtedness from any city bonds issued for open space acquisition if such bonds are approved by the San Rafael voters on September 19, 1972.

E. All incumbent regular employees of the Terra Linda Community Services District shall become employees of the City of San Rafael upon the effective date of this reorganization with no reduction or diminution in salaries or fringe benefits; the positions and existing salaries of such employees being as follows:

1 Fire Chief	\$1,325 per month
1 Fireman	800 per month
1 Fireman	625 per month
1 Recreation Director	805 per month

F. The territory subject to this reorganization shall be pre- zoned by the City of San Rafael prior to November 7, 1972.

G. The effective date of this reorganization is January 1, 1973.

H. The City agrees to construct a new fire station in the area generally west of Las Gallinas Road and on the north of Freitas Parkway in the immediate vicinity of the Terra Linda Community Services District.

I. The City agrees to place before the voters in April, 1973, a ballot measure amending the City Charter to delete any reference to the number of members on the City Parks and Recreation Commission and on the City Fire Commission.

2. The Commission understands that the Terra Linda Community Services District Board and the City Council of the City of San Rafael have reached the following understandings in regard to this proposed reorganization.

A. Existing part-time Community Services District employees will be employed by the City wherever feasible in the opinion of the City Manager.

B. The City agrees to provide the level of police protection proportionate to the needs of the area subject to this reorganization.

C. The City agrees to improve street lighting on the south side of Freitas Parkway.

D. The City agrees to continue existing zoning insofar as city zoning code allows in rezoning the area subject to this reorganization.

E. The City agrees that the swimming pool at the Community Services District Recreation Center will be maintained on an open access basis subject to appropriate user charges as determined by the City Council, and that fee schedule of user charges will include an annual use fee.

F. The City agrees that the first priority in expenditure of any remaining funds in the district reserve account on the effective date of this reorganization will be for acquisition of open space.

G. The City agrees that incumbent regular employees of the Terra Linda Community Services will be given credit for seniority for purposes of vacation, sick leave, and other fringe benefits.

H. The City agrees that the incumbent Terra Linda Community Services District Fire Chief will be employed in the class of Fire Captain in the San Rafael Fire Department.

I. The City agrees to continue, if at all possible, the existing recreation programs conducted by the Community Services District, including the swimming and nursery school programs.

J. The City agrees that if the present Community Services District fire station is no longer needed for fire protection purposes, it will be devoted to recreation oriented uses.

3. The boundaries of this proposed reorganization are identical with the boundaries of the Terra Linda Community Services District.

4. The territory proposed for reorganization is found to be inhabited.

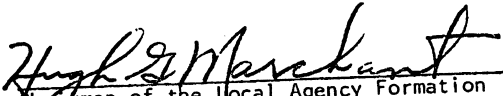
5. The Marin County Board of Supervisors is hereby directed to initiate proceedings in compliance with this resolution.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 7th day of August, 1972, by the following vote:

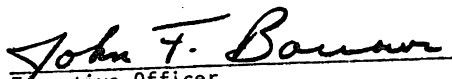
AYES: Commissioners Baar, Baptiste, Jones, Barbier, Marchant

NOES: None

ABSENT: None


Chairman of the Local Agency Formation
Commission of the County of Marin

ATTEST:


Executive Officer

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

By 
Executive Officer