

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 03-05

RESOLUTION MAKING DETERMINATIONS AND
APPROVING OUTSIDE SERVICE AGREEMENT

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Reorganization Act of 2000, Division 3 of Title 5, the applicant agency, Tiburon Sanitary District, filed a request with the Marin Local Agency Formation Commission on February 4, 2003, for the approval of an outside service agreement for the temporary provision of sewer service to APN 058-032-05; and

WHEREAS, the agreement is entered into by and between the Tiburon Sanitary District and the owners of the land, Emanuel and Cary Kopstein; and

WHEREAS, the parcel is outside of the jurisdictional boundary but within the sphere of influence of the Tiburon Sanitary District; and

WHEREAS, pursuant to Government Code Section 56133(c)(2), there exists no alternate service provider for the affected territory; and

WHEREAS, the Commission has adopted on December 13, 2001, the *Policies, Procedures and Guidelines* containing Chapter III.1.E, "Outside Service Agreement Policy"; and

WHEREAS, the owners of the land have exhibited the conditions of an inadequate or failing on-site wastewater system; and

WHEREAS, the Executive Officer has reviewed the request for approval and prepared a report, including a recommendation thereon, the report having been presented to and considered by this Commission.

NOW THEREFORE, the Marin Local Agency Formation DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The request for an outside service agreement for APN 058-032-05 is approved with the following terms and conditions;

The term of the agreement will be one year, during which time either the District will confirm available capacity and the property owner shall reapply for annexation to the District, or the property owner shall pursue installation of a new on-site wastewater disposal system.

Section 2. The Executive Officer is hereby authorized to complete proceedings in the manner prescribed by Section 56133 of the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 13th day of February, 2003 by the following vote:

AYES: Commissioners Blanchfield, Chapman, Heller, Rodoni, Rose and Slavitz

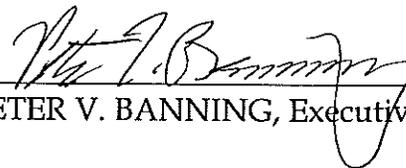
NOES: None

ABSENT: Commissioner Adams



JEFFRY BLANCHFIELD, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer