

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION 16-07

**MAKING DETERMINATIONS AND APPROVING A CHANGE OF ORGANIZATION  
INVOLVING THE NOVATO SANITARY DISTRICT**

“Atherton Avenue No. 1 Change of Organization”  
(LAFCO File No. 1332)

**WHEREAS**, Ravinder and Ishvinder Parmar have filed a validated landowner petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks approval to annex approximately 4.30 acres of unincorporated land to the Novato Sanitary District; and

**WHEREAS**, the affected territory represents one recorded lot with two existing detached single-family residences with dual addresses of 775 and 777 Atherton Avenue and identified by the County of Marin Assessor’s Office as 143-101-37; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public hearing on June 9, 2016;

**WHEREAS**, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented June 9, 2016.
2. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposed annexation. The Commission finds there are no significant impacts the environment from the annexation as attested by the Commission in adopting a negative declaration on the project at a hearing held on June 9, 2016.

3. The proposal to annex the affected territory to the Novato Sanitary District is APPROVED without amendment.
4. The proposal approval is CONDITIONED on the following terms being satisfied within one calendar year – or June 9, 2017 – unless a prior written request for a time extension is received and approved by the Commission.
  - a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - b) An indemnification agreement signed by the applicant in a form approved by Commission Counsel.
  - c) Submittal of a final map and geographic description of the affected territory as designated by the Commission conforming to the requirements of the State Board of Equalization as determined by the County Surveyor’s Office.
  - d) Submittal of an agreement signed and recorded by the applicant consenting to the annexation of the affected territory to the City of Novato if and when an application is initiated. The agreement shall run with the affected territory and in a form provided by Commission Counsel and in consultation with the City of Novato.
5. The proposal is assigned the following distinctive short-term designation:

“Atherton Avenue No. 1 Change of Organization”
6. The affected territory as designated by the Commission is shown in Exhibit “A” and further described in Exhibit “B.”
7. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
8. The Commission waives conducting authority proceedings under Government Code Section 56663.
9. The Novato Sanitary District utilizes the regular assessment roll of the County of Marin.
11. Upon effective date of the proposal, the affected territory as designated by the Commission will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the Novato Sanitary District. It will also be subject to all of the rates, rules, regulations, and ordinances of the Novato Sanitation District.
12. The effective date shall be the date of recordation of the Certificate of Completion.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on June 9, 2016 by the following vote:

AYES: Arnold, Connolly, Baker, Blachfield, Murray, and Phillips

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Attest,



\_\_\_\_\_  
Jeffrey Blanchfield  
Chair

Prepared,



\_\_\_\_\_  
Keene Simonds  
Executive Officer