

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION ADOPTED BY THE MARIN LOCAL  
AGENCY FORMATION COMMISSION ESTABLISHING  
A SPHERE OF INFLUENCE FOR THE  
TIBURON SANITARY DISTRICT NO. 5

WHEREAS, one of the purposes of a Local Agency Formation Commission is to establish sphere of influence boundaries for local agencies; and

WHEREAS, in the case of Resource Defense Fund vs. Santa Cruz LAFCo, the California Appellate Court decided that LAFCo shall establish an agency's sphere of influence prior to approving any change to said agency's service boundary; and

WHEREAS, the Marin Local Agency Formation Commission created an interagency task force to complete special district sphere of influence studies for agencies serving the Richardson Bay and also Las Gallinas/Lucas Valley areas, said program including a total of twenty-two (22) agencies; and

WHEREAS, the Special District Sphere of Influence Task Force held an organizational meeting with local agency representatives, solicited and received information about each agency, and prepared an Administrative Draft Report dated May 11, 1983, which was then forwarded to each special district for their review and comments; and

WHEREAS, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, a public hearing was held on June 7, 1983, regarding the Tiburon Sanitary District No. 5 Sphere of Influence Report at which time LAFCo received public testimony and also considered (1) the environmental determination suggested by the Marin County Environmental Coordinator, (2) the Task Force report and recommendation, (3) state mandated criteria, (4) Marin LAFCo "Adopted Policy Guidelines," and other matters relevant to the local program.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Marin Local Agency Formation Commission does hereby establish a sphere of influence boundary for the Tiburon Sanitary District No. 5. Said sphere of influence shall include the

current district service area and the unincorporated area east of the district boundary along Paradise Drive north to Trestle Glen Boulevard.

Section 2. The Tiburon Sanitary District No. 5 Sphere of Influence Report, being one section within the Special District Sphere of Influence Study dated May 11, 1983, is hereby adopted as amended.

Section 3. The location of said boundaries is shown on an attached map, attached hereto and incorporated herein.

Section 4. Marin Local Agency Formation Commission Adopted Policy Guidelines, marked Exhibit "B", incorporated herein.

Section 5. The Tiburon Sanitary District No. 5 Sphere of Influence display map dated June 7, 1983, identified the location of said sphere of influence boundary and is hereby adopted. Said map shall be maintained in the office of the Marin Local Agency Formation Commission.

Section 6. Amendment to the adopted sphere of influence boundary is authorized by law and provided for in said Commission's adopted policies. Any future changes to the adopted sphere of influence boundary shall be initiated in accordance with applicable statutes and conducted at a public hearing.

Section 7. Environmental documents relevant to the project have been considered by the Commission in their review and determination. Pursuant to the California Environmental Quality Act and the Commission's Adopted Environmental Guidelines, the Tiburon Sanitary District No. 5 Sphere of Influence Report is hereby issued a Negative Declaration.


PASSED AND ADOPTED, following a public hearing by the Marin Local Agency Formation Commission on the 7th day of June, 1983, by the following vote:

AYES: Commissioners Aramburu, McCart, Giacomini, Boessenecker and Breiner

NOES: None

ABSTAIN: None

ABSENT: None

  
JOAN BOESSENECKER, Chairman  
Marin Local Agency Formation Commission

ATTEST:

  
WARREN K. NELSON, Executive Officer

