

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO 02-05

ADOPTION OF DETERMINATIONS FOR THE NOVATO AREA SERVICE REVIEW

WHEREAS, Section 56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that Local Agency Formation Commissions (LAFCOs) conduct service reviews prior to, or in conjunction with, consideration of actions to establish a Sphere of Influence (SOI) as defined in Section 56076, and in accordance with Section 56425 or 56426.5, or update an SOI pursuant to Section 56425; and

WHEREAS, as part of such reviews, LAFCOs must compile and evaluate service-related information and make written determinations regarding infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities for shared facilities, government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, evaluation of management efficiencies, and local accountability and governance; and

WHEREAS, Marin Local Agency Formation Commission initiated a service review of local government services in the Novato area on July 28, 2001 concurrently with a review of adopted spheres of influence in the Novato area as described in the *Novato Area Service Review and Spheres of Influence*; and

WHEREAS, Marin LAFCO consulted with affected and interested agencies, interested parties; and

WHEREAS, Marin LAFCO gathered and compiled the information necessary to conduct the required review and independently evaluated such information; and

WHEREAS, Marin LAFCO issued a Draft Service Review on February 22, 2002 and provided a 21-day public review of said document; and

WHEREAS, Marin LAFCO considered the data, recommendations and determinations contained in the *Novato Area Service Review and Spheres of Influence* report at a noticed public hearing on May 9, 2002 and received all oral testimony and evidence, which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the review, its data, recommendations and determinations; and

WHEREAS, Marin LAFCO considered project related environmental factors and determined that the subject project is Exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061 of the State CEQA Guidelines;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to powers provided in Section 56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Marin Local Agency Formation Commission adopts written determinations as set forth in Exhibit A.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 13th day of June, 2002, by the following vote:

AYES: Commissioners Chapman, Heller, Kress, Murray, Rodoni and Slavitz

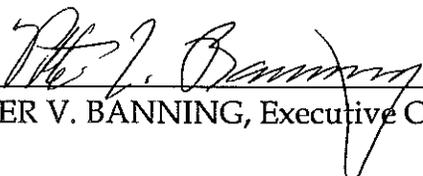
NOES: None

ABSENT: Commissioner Blanchfield



BARBARA HELLER, Vice Chair

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT A

Statement of Written Determinations Novato Area Service Review

1. **Regarding government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, the Commission determines:**

Given the relatively low potential for cost savings and the disadvantages of uneven political accountability for alternatives for reorganization of sanitary sewer service in the Novato area, the Commission favors continuation of cooperative efforts of agencies toward cost efficiency until such time as the effected agencies themselves initiate action toward reorganization.

Organizational alternatives to the current provision of water service by North Marin Water District would not be necessarily advantageous to residents of the District and would require investigation beyond the scope of the current study.

This service review has not identified workable organizational alternatives to the current agencies providing emergency, police, facility maintenance or park and recreation services in the study area.

2. **Regarding infrastructure needs or deficiencies, the Commission determines:**

Existing and planned capacity of wastewater collection, treatment and disposal facilities are sufficient to provide service to build-out of the Novato area under current general plans of the City of Novato and the County. Planning and construction of infrastructure for wastewater recycling is being actively pursued by Novato Sanitary and North Marin Water Districts. Infrastructure needs for sewer collection and treatment can be addressed by Novato Sanitary District as growth occurs and would not be significantly affected by changes to local government structure.

Identified infrastructure needs for fire protection, emergency medical and related services and programs are similarly not related to potential changes to the structure of local government agencies in the study area.

North Marin Water District is able to address infrastructure needs to accommodate planned growth in the area as it occurs.

Police facilities maintained by the City of Novato provide adequate space and functionality to support levels of service defined by the City Council.

Infrastructure needs for maintenance of public facilities are not related to potential changes to the structure of local government agencies or their inter-governmental relationships in the study area.

Changes of organization involving LAFCO action or other changes to local government relationships would not be likely to significantly affect local recreational infrastructure.

3. Regarding growth and population projections for the affected area, the Commission determines:

Extension of sewer service to areas planned for urban and semi-rural residential use in the Novato area will enhance the protection of public health and will not induce growth beyond that provided for in City and County land use plans.

Relocation of Novato Fire Protection District Station No. 4 will address the near term population growth in the study area for purposes of maintaining current levels of fire protection and emergency medical service in the study area.

North Marin Water District is able to provide service for current and projected water needs in the study area.

Facility maintenance services are not expected to be significantly affected by anticipated population growth in the study area.

Local agencies providing park and recreation services in the Novato area will be able to provide service for projected population in the study area. Some fluctuation in provided service levels might be expected as a result of priorities set by agency boards and support for special tax measures. LAFCO actions will not significantly affect population growth in the study area.

4. Regarding financing constraints and opportunities, the Commission determines:

Reorganization of wastewater collection, treatment and disposal service would create neither constraints nor opportunities in the Novato study area.

Novato Fire Protection District has sufficient resources to extend existing levels of service to growth within present district service area provided voter approval of special tax measures.

North Marin Water District will be able to finance planned expansion of domestic water service through existing sources of revenue. Funding for development of a wastewater reuse system is appropriately being sought through participation of local agencies in the North Bay Watershed Association, a joint-powers agency.

The Novato Police Department and other local law enforcement agencies regularly evaluate financial constraints and opportunities for cost savings. Solutions to budgetary problems or financial opportunities with respect to police services would not be affected by anticipated proposals for changes to local government boundaries or organization or other activity undertaken by LAFCO.

Changes of organization among local agencies would neither relieve funding constraints nor create financial opportunities for improving facility maintenance in the study area.

Changes of organization involving LAFCO action would not provide any additional financial resources for local recreational infrastructure finance.

5. Regarding cost avoidance opportunities, the Commission determines:

The City of Novato and special districts in the Novato area regularly evaluate opportunities for cost avoidance. Opportunities for cost avoidance would not be enhanced by anticipated proposals for changes to local government boundaries or organization or other activity undertaken by LAFCO.

Action to reorganize the provision of wastewater collection, treatment and disposal service in the Novato area is not justified by potential cost savings at the present time. Cost avoidance opportunities through wastewater recycling are being actively pursued by water and wastewater agencies.

Opportunities for cost avoidance that would flow from organizational changes subject to LAFCO authority are not currently available.

6. Regarding opportunities for rate restructuring, the Commission determines:

No opportunities for productive rate restructuring through district reorganization have been identified in this service review.

7. Regarding opportunities for shared facilities, the Commission determines:

Novato area agencies presently pursue opportunities for cost savings through shared facilities. Action to reorganize agencies in the Novato area would not necessarily enhance these opportunities.

The City of Novato periodically evaluates the cost and service implications of sharing communications facilities with the County. The financial benefits from this potential service arrangement and/or computer assisted dispatch functions remain as an alternative to the City in its ongoing service and budgetary decision-making.

8. Regarding evaluation of management efficiencies, the Commission determines:

Novato Sanitary District has the resources and management capability to provide sewer service to the study area in both the short and long term. The District meets or exceeds the terms of its operating permits and maintains adequate contingency reserves.

Novato Fire Protection District has the resources and management capability to provide emergency services to the study area in both the short and long term.

North Marin Water District has the resources and management capability to provide water service to the study area in both the short and long term. The District meets or exceeds the terms of its operating permits and maintains adequate contingency reserves.

Novato Police Department and the County Sheriff's Office have the resources and management capability to provide law enforcement services to the study area in both the short and long term.

Management efficiency in the maintenance of public facilities or the provision of park and recreation services in the Novato area would not be enhanced or inhibited by reorganization of local agencies or other LAFCO action.

9. Regarding local accountability and governance, the Commission determines:

Local accountability and governance for city and special district services in the Novato area would not necessarily be enhanced by reorganizing special districts under the available alternatives given the current boundary configuration of districts serving the Novato area.