

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 24-08

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF THE MARIN MUNICIPAL WATER DISTRICT**

**WHEREAS** upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years, as necessary, within Marin County under Government Code Section 56425 (g); and

**WHEREAS** the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies providing multi-regional services, prepared a summary, *Multi-Regional Services Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

**WHEREAS** a public hearing by this Commission was held on the *Multi-Regional Services Municipal Service Review* and this Sphere of Influence reaffirmation and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

**NOW, THEREFORE**, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Marin Municipal Water District is hereby reaffirmed as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference. Each of the District's currently active powers are listed within its Agency Profile section within the *Multi-Regional Services Municipal Service Review*.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirming of the sphere of influence of the Marin Municipal Water District is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Multi-Regional Services area.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on August 8, 2024, by the following vote:

**AYES:** Commissioners Coler, Kious, Murray, Chu, Lucan and Moulton-Peters

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

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

**ABSENT:** Commissioner Burdo

barbara coler  
Barbara Coler, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

Jason Fried  
Jason Fried, LAFCo Executive Officer

Malathy Subramanian  
Malathy Subramanian, LAFCo Counsel

**Attachments to Resolution No. 24-08**

- a) Exhibit A - Determinations
- b) Exhibit B - Map

## EXHIBIT A

## MARIN MUNICIPAL WATER DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.

Present and planned land uses in the adopted sphere of influence are governed by the multiple municipal general plans, Marin Countywide Plan, and multiple community plans. Land use within the District is primarily residential but also includes agricultural, industrial, commercial, and recreational land uses.

- 2) The present and probable need for public facilities and services in the area.

The need for Marin Municipal Water District's facilities and services included in the sphere of influence is expected to continue for the foreseeable future. As the primary provider of potable water in Marin County, the District plays an integral part in the day-to-day lives of Marin County residents, as well as being a linchpin to a majority of the proposed growth in a significant area of the County. The District has shown a commitment to ensuring access to clean water for Marin County residents for years to come.

- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The operating departments and public facilities of the Marin Municipal Water District are adequate to provide service to the District's currently established boundary and areas within its sphere of influence. The District has committed significant planning and resources to upgrade its infrastructure throughout its service area. Through numerous large-scale capital improvements as well as making the necessary financial decisions to accommodate future infrastructure needs, the District continues to meet the needs of the residents within its boundary.

- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Marin Municipal Water District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.

- 5) For an update of a sphere of influence for a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The operating departments and public facilities of the Marin Municipal Water District are adequate to provide service to the District's current boundary and areas within its sphere of influence and have the capacity to compensate for projected future growth within the service boundary.

The District's current jurisdictional boundary surrounds two census tract block groups (Tract 1290, Block Group 1, and Tract 1121, Block Group 1) which encompass the general areas of the

unincorporated community of Marin City and the northern portion of the California Park area that have both been designated by Marin LAFCo as disadvantaged unincorporated communities (DUC) based on 2020 U.S. Census Bureau Redistricting Data. A disadvantaged community is defined in Water Code Section 7905.5(a) as a community with an annual median household income of less than 80 percent of the statewide median household income. The statutory definition of DUCs comes from Government Code Section 56033.5, which defines DUCs as “inhabited territory” that constitutes all or a portion of a disadvantaged community. “Inhabited territory” may be defined by Government Code Section 56046 as having at least 12 registered voters, or it can be determined by “commission policy”.


Per Marin LAFCo’s policy, Marin LAFCo will include considerations of disadvantaged unincorporated communities within a city or district sphere of influence in statements of written determinations of municipal service reviews. Marin LAFCo will prohibit the approval of city annexations greater than 10 acres that are contiguous to disadvantaged unincorporated communities unless the city applies to annex the disadvantaged unincorporated community as well. At this time Marin LAFCo has no applications for annexation for any lands contiguous to the identified DUCs. Should LAFCo in the future get such a request then it will work with the community to determine if it is in the best interest of those living within the DUC to be annexed. If it is not in the community’s best interest, then they would not be included in that application.





**MARIN MUNICIPAL WATER DISTRICT SPHERE OF INFLUENCE**



Signature:   
Malathy Subramanian (Aug 13, 2024 15:34 PDT)

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Signature: 

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# Resolution 24-08 (Reaffirming of the SOI of Marin Municipal Water District)


Final Audit Report


2024-08-13


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