

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 12-02

**RESOLUTION INITIATING PROCEEDINGS FOR THE CONSOLIDATION OF
THE ALTO, ALMONTE, HOMESTEAD VALLEY AND RICHARDSON BAY
SANITARY DISTRICTS**

WHEREAS, on December 8, 2011, the Marin Local Agency Formation Commission adopted amended sphere of influence designations for the Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts establishing spheres of influence in common for these four sanitary districts; and

WHEREAS, the designation of spheres-of-influence-in-common is assigned to reflect the Commission's conclusion that the services provided by Almonte, Alto, Homestead Valley and Richardson Bay Sanitary Districts could be most efficiently provided by a single sanitary district subject to further consideration by the Commission.

WHEREAS, the Commission desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the consolidation of Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts (referred hereafter collectively as "the Districts") into a consolidated sanitary district; and

WHEREAS, a notice of intent to adopt this resolution is not required and has not been given; and

WHEREAS, the territory proposed to be reorganized is legally inhabited and includes the entirety of the boundaries of the Districts as shown on Attachment A; and

WHEREAS, this proposal is consistent with the adopted spheres of influence of the Districts; and

WHEREAS, the reasons and potential benefits of the proposed consolidation may include economies of scale, management efficiency and local political accountability that warrant further consideration through subsequent public hearings; and

WHEREAS, the Commission certifies that the proposed consolidation is categorically exempt from CEQA pursuant to Section 15320 of the State CEQA Guidelines (Class 20 categorical exemption) which provides exemption for changes of organization that do not alter the geographic area to which local government services are extended; and

WHEREAS, the Commission desires to construct terms and conditions of approval with the participation and input of the Districts that balance the need for protection of the interests of rate-payers of the existing Districts and district employees without unnecessarily restricting the prerogatives of the governing board of the consolidated Successor District; and

WHEREAS, if approved, this proposal, would be subject to terms and conditions of approval that would define the following implementation measures , subject to further review, addition and amendment:

1. The effective date of consolidation;
2. The name of the consolidated district;
3. The status and operation of existing laws, ordinances, resolutions, actions, contracts, agreements, rules and regulations, policies and procedures, that have been enacted, adopted or passed by the Districts to the effective date of the consolidation;
4. The size, composition and membership of the governing board of the consolidated successor district;
5. The appropriation limit of the successor district;
6. The sphere of influence of the successor district;
7. The establishment of separate rate or billing zones reflecting the predecessor Districts' collection system service areas and the purpose and scope of operation of those rate or billing zones;
8. Provisions defining the use of funds or reserves previously held by the predecessor districts to restrict their use for performing the contracts, capital replacement, or reconstruction functions in the territories of the predecessor districts from which those funds were derived;
9. The disposition or other terms of continued employment of existing contract and regular employees of the Districts after the effective date of consolidation, including basic compensation, vested vacation, sick leave and any other personal leave time;

10. Re-allocation of ad valorem-based property tax revenue previously payable to the predecessor districts;
11. Disposition of assets of the predecessor districts;
12. Disposition of capacity entitlements in the treatment plant and other jointly used SASM capital facilities owned by the predecessor districts;
13. Disposition of debts, liabilities, contracts, and obligations of the predecessor districts;
14. Other matters as directed by the Commission under its authority to attach terms and conditions of approval pursuant to Government Code Section 56885.5 and 56886.

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

Section 1. That proceedings for the consolidation of Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts into a single consolidated sanitary district are initiated in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 2. The Executive Officer is hereby authorized and directed to compile all application materials for the processing of this proposal, including a plan for providing services, in the manner prescribed by Section 56653 of the Government Code and as specified in the Policies, Procedures and Guidelines adopted by this Commission.

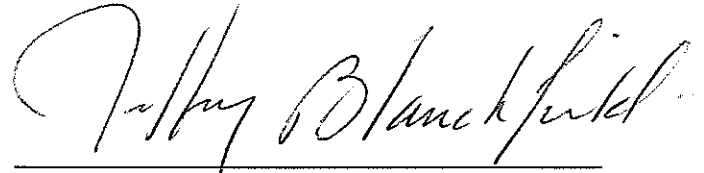
Section 3. The Executive Officer is hereby authorized and directed to solicit the input of the staff and board members of the Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts in the development of terms and conditions of approval governing the implementation of the consolidation of those Districts. These consultations shall be concluded within 45 days of the date of this resolution and prior to issuance of a Certificate of Filing and scheduling a public hearing on this proposal.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission
on this 12th day of January, 2012, by the following vote:

AYES: Commissioners Arnold, Blanchfield, Condon, Heller & Sears

NOES: Commissioners Asbo & Murray

ABSENT: Commissioner Rodoni



JEFFRY BLANCHFIELD, Chairperson

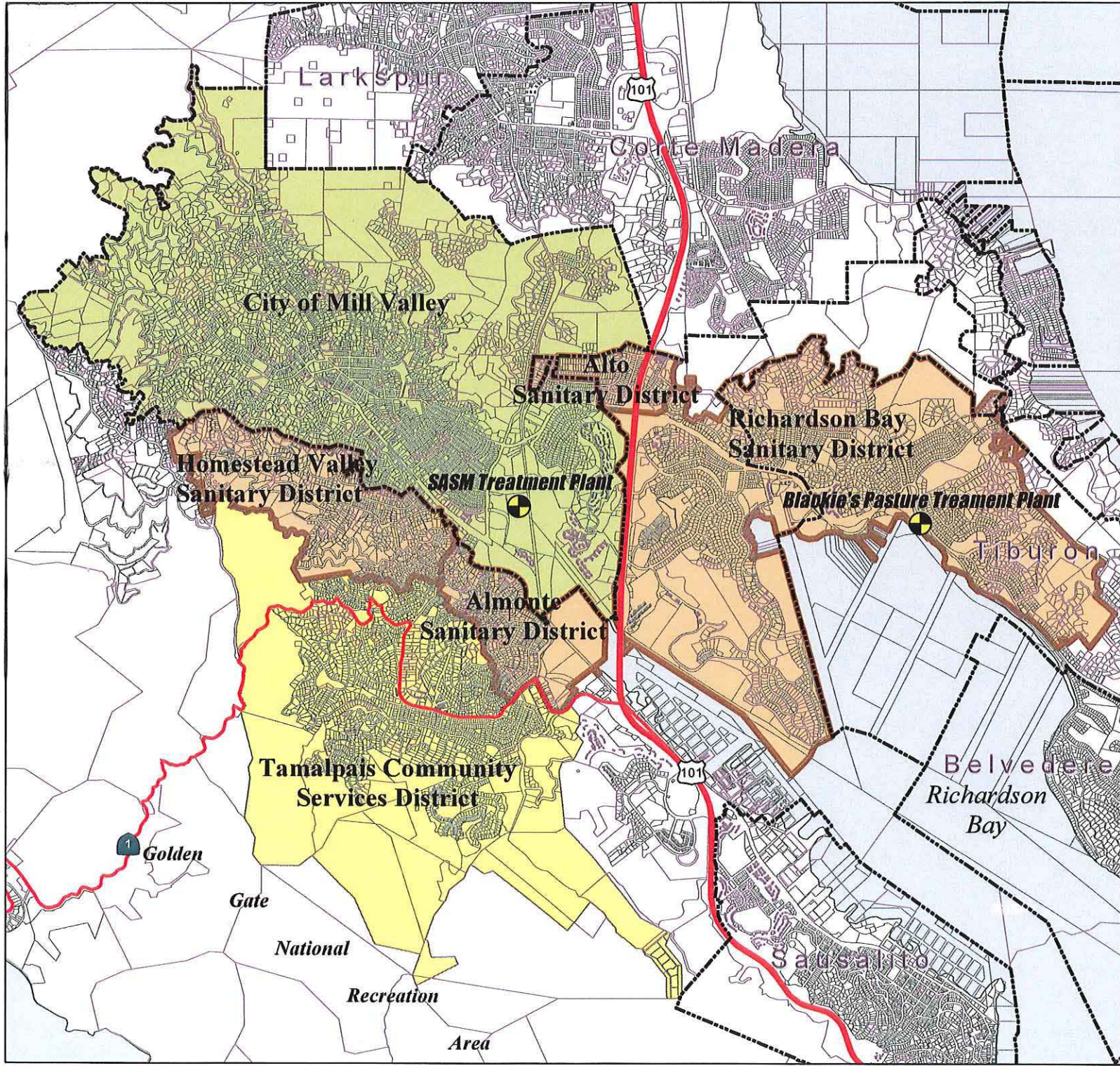
ATTEST:


PETER V. BANNING, Executive Officer

May 2012

Marin Local Agency
Formation Commission

Proposed Consolidation of Alto, Almonte, Homestead Valley and Richardson Bay Sanitary Districts



Legend

- Consolidation of Agencies
- Tamalpais Community Services District
- City of Mill Valley
- Parcel
- City Boundary
- Treatment Plant

Prepared by:
COUNTY OF MARIN
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS
for the:
LOCAL AGENCY FORMATION COMMISSION

APRIL 2012 FILE: SASM_CONSOLIDATION.MXD
THIS MAP IS REPRESENTATIONAL ONLY. DATA ARE NOT SURVEY ACCURATE.

