

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-21

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF  
SANITARY DISTRICT No. 5**

**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 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 in the Tiburon Peninsula area, prepared a summary, *Tiburon Peninsula Area 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 *Tiburon Peninsula Area Municipal Service Review* 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 Sanitary District No. 5 is hereby amended 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.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of Sanitary District No. 5 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 Tiburon Peninsula area.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: McEntee, Murray, Connolly, Coler, Arnold, Loder, Kious

NOES: None

ABSTAIN: None

ABSENT: None



Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

  
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Jason Fried, LAFCo Executive Officer

**APPROVED AS TO FORM:**

  
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Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-21

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

## EXHIBIT A

## SANITARY DISTRICT No. 5 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 General Plans of the City of Belvedere, Town of Tiburon, and the Marin Countywide Plan. The majority of the developable land within the District's boundary is currently built out, and the few remaining undeveloped parcels are primarily designated as single-family residential.
- 2) The present and probable need for public facilities and services in the area.
  - Sanitary District No. 5's current facilities and services included in the City of Novato sphere of influence are sufficient to provide those services to the area within the designated city sphere of influence.
- 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 Sanitary District No. 5 are adequate to provide service to the District's currently designated district and areas within its sphere of influence as amended.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
  - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of Sanitary District No. 5 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 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.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.