

**RESOLUTION NO. 17-04**

**MARIN LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING A REORGANIZATION**

**CORTE MADERA SANITARY DISTRICT  
(County Sanitary District No. 2)**

**ROSS VALLEY SANITARY DISTRICT  
(County Sanitary District No. 1)**

“Summit Drive No. 1 Reorganization”  
(LAFCO File No. 1336)

**WHEREAS**, Corte Madera Sanitary District (CMSD) has filed a resolution of application with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks Commission approval to reorganize approximately 4.5 acres of incorporated land in the Town of Corte Madera consisting of four residential parcels at 238, 244, 246, and 260 Summit Drive with corresponding assessment numbers of 021-161-02, 021-161-20, 021-161-26, and 021-161-17, respectively; and

**WHEREAS**, the proposal specifically seeks to annex 244, 246, and 260 Summit Drive to CMSD and 238 Summit Drive to Ross Valley Sanitary District (RVSD); and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public hearing along with a necessary concurrent sphere of influence amendments for consistency under Government Code Section 56375.5 on June 8, 2017;

**WHEREAS**, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented June 8, 2017.

2. The Commission serves as a responsible agency under California Environmental Quality Act (CEQA) for the proposed reorganization given CMSD – and through its parent governing body, Corte Madera – has assumed lead agency status as the initiating party. CMSD has determined the proposal is a project under CEQA, but exempt from further review under Public Resources Code Section 15302(c). This exemption contemplates the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The Commission has independently reviewed this determination and concurs within the finding as responsible agency.
3. The proposal to reorganize the affected territory involving CMSD and RVSD is APPROVED without modification as provided below:
  - a) All of 238 Summit Drive is annexed to RVSD.
  - b) All of 244, 246, and 260 Summit Drive are annexed to CMSD.
4. The proposal approval is CONDITIONED on the following terms being satisfied within one calendar year – June 8, 2018 – unless a prior written request for a time extension is received and approved by the Commission.
  - a) Approval and completion of concurrent sphere of influence amendments involving CMSD and RVSD to accommodate the annexations as stated.
  - b) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - c) An indemnification agreement signed by the applicant in a form approved by Commission Counsel.
  - d) Submittal of a final map and geographic description of the affected territory as designated by the Commission conforming to the requirements of the State Board of Equalization as determined by the Executive Officer.
5. The proposal is assigned the following distinctive short-term designation:

“Summit Drive No. 1 Reorganization”
6. The affected territory as designated by the Commission is shown in Exhibit “A” and further described in Exhibit “B.” (To be added prior to recordation.)
7. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
8. The Commission waives conducting authority proceedings under Government Code Section 56663.
9. Both CMSD and RVSD utilize the regular assessment roll of the County of Marin.

10. Upon effective date of the proposal, 238 Summit Drive will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by RVSD. This parcel will also be subject to all of the rates, rules, regulations, and ordinances of the RVSD.
11. Upon effective date of the proposal, 244, 246, and 260 Summit Drive will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by CMSD. These parcels will also be subject to all of the rates, rules, regulations, and ordinances of the CMSD.
12. The effective date shall be the date of recordation of the Certificate of Completion.
13. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on June 8, 2017 by the following vote:

AYES: Baker, Murray, Condon, Connolly, McEntee, Rodoni, and Skelton

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

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

ABSENT: \_\_\_\_\_

ATTEST:

APPROVED:

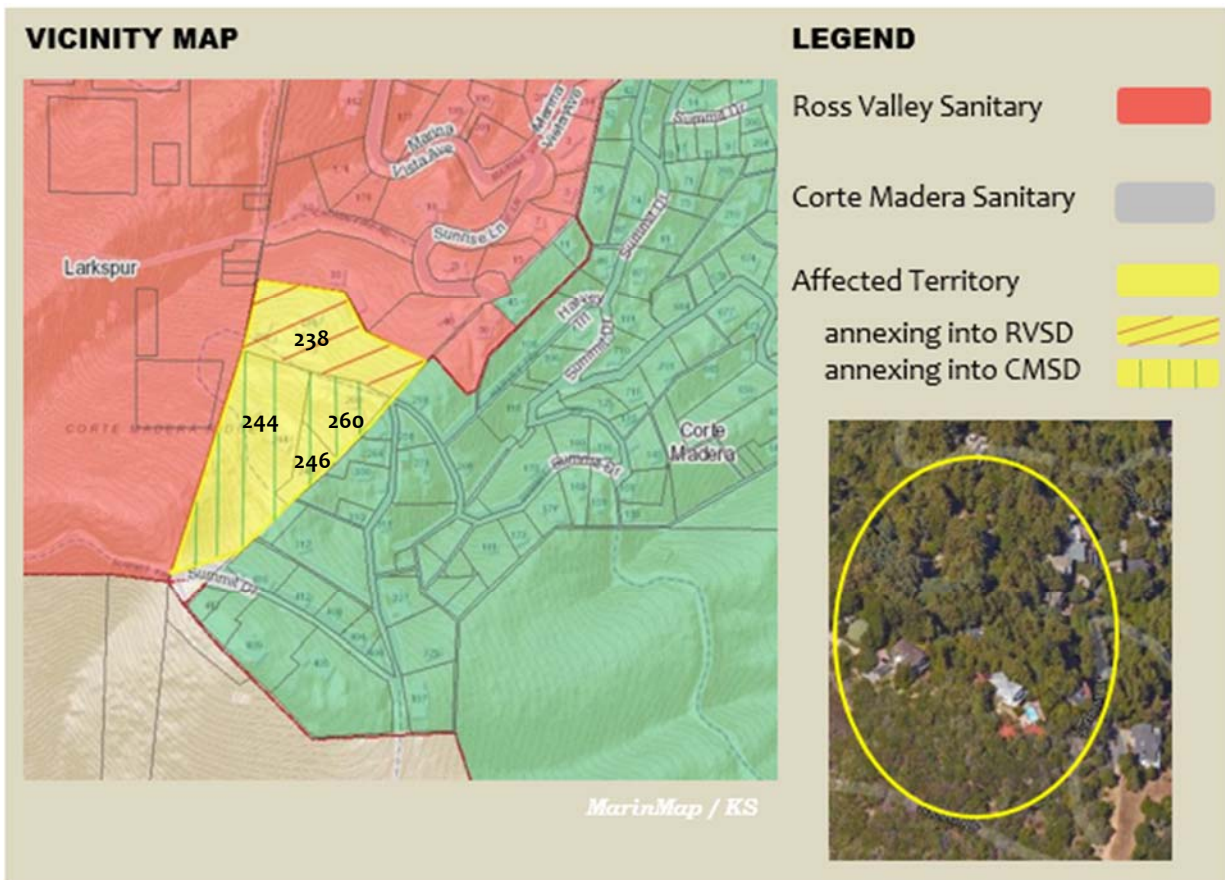


Keene Simonds  
Executive Officer

Carla Condon  
Vice Chair

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**EXHIBITS A and B**  
**AFFECTED TERRITORY**



\* The above aerial map serves as a placeholder and shall be replaced prior to final recordation with a map (Exhibit “A”) and geographic description (Exhibit “B”) meeting the requirements of the State Board of Equalization.