

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-15

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF BEL MARIN KEYS COMMUNITY SERVICE 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 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 Novato area, prepared a summary, *Novato 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 *Novato 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 the Bel Marin Keys Community Service District (BMKCSD) 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 the BMKCSD 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 Novato 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:

Jason Fried, LAFCo Executive Officer

APPROVED AS TO FORM:

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-15

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

EXHIBIT A

BEL MARIN KEYS COMMUNITY SERVICE 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 Marin Countywide Plan. The planning area mainly covers single-family homes and open space which includes water right of ways.
- 2) The present and probable need for public facilities and services in the area.
 - The BMKCSO current facilities and services included in the BMKCSO sphere of influence are sufficient to provide those services to the area within the designated district 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 the BMKCSO are adequate to provide service to the District's currently designated district boundaries 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 city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the BMKCSO 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 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.