

DATE: October 5, 2007

TO: Members, Local Agency Formation Commission  
Interested Agencies and Individuals

FROM: Peter Banning, Executive Officer  
Evelyn Ellis, Assistant Planner

SUBJECT: Bolinas Area Service Review and Sphere of Influence Update

### **Background**

The public hearing for the *Bolinas Area Service Review and Sphere of Influence Update* was opened at the Commission's August 9, 2007 meeting and continued to the October 11, 2007 meeting to allow time for further comment.

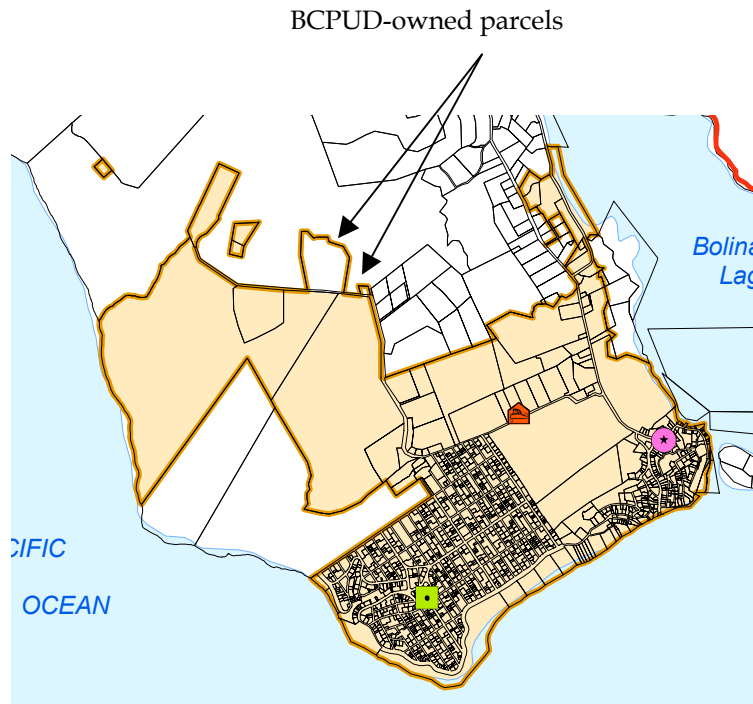
### **Response to Comments**

Staff has received one comment letter from Jennifer Blackman, General Manager of Bolinas Community Public Utility District (see Attachment A). Ms. Blackman's letter provides additional detail on information in the report with respect to the District's water supply and conversion to a more advanced filtration system.

Ms. Blackman's comments also question the report's projected build-out statistics in light of the long-standing water service moratorium due to limitations on water supply. "Build-out" is a means of expressing the amount of development theoretically permitted under existing general plan and zoning ordinances. It is included here to aid in understanding demand for the District's services and does not imply that that demand can be met. The Commission is required to consider demand for service when determining spheres of influence. Limitations on the District's ability to extend that service (also a required consideration) under the moratorium are acknowledged on page 12.

Ms. Blackman also notes that the report provides two inconsistent estimates of the District's jurisdictional area at 2.5 and 5 square miles. The estimate developed for this report, as measured by the Marinmap geographic information system, is 1,621 acres or 2.532 square miles.

Most importantly, Ms. Blackman identifies two parcels lying outside of the District's boundary and sphere that are owned by the District and asserts that they should be included in the District map. The two parcels are shown in the map detail below. Staff is unable to find any record of these parcels being included in the District's jurisdiction in LAFCO records, County records or the records of the State Board of Equalization.



It should be noted that property owned by local government agencies outside of their jurisdictional boundaries may be subject to property tax. For this reason, the Commission should consider inclusion of both parcels in the District's sphere of influence so that the District may act to annex them.

### **Environmental Review**

The draft Resolution 07-27 (Attachment B) attached to this staff report includes a statement of determinations as required by Government Code Section 56425 and direction to staff to issue a Notice of Exemption from the California Environmental Quality Act based on the finding that inclusion of the two BCPUD - owned parcels shown above (as recommended below) constitutes a minor alteration in land use limitations which would not result in changes in land use or density as exempted under Section 15305 of the State CEQA Guidelines.

## Recommendations

Staff recommends that the Commission receive additional testimony presented at the continued public hearing and take action on the proposed service review findings and sphere of influence recommendations contained in the *Bolinas Area Service Review and Sphere of Influence Update* report published on August 3, 2007 unless subsequent testimony at the Commission's October 11, 2007 meeting requires further consideration.

In response to comments of the Bolinas Community Public Utility District, staff recommends that the BCPUD sphere of influence be amended to include parcels owned by the District as shown in Attachment 1 of Draft Resolution 07-28 Sphere of Influence Bolinas Community Public Utility District. Staff recommends that the sphere of influence of the Bolinas Fire Protection District be reaffirmed without change.

Recommended actions by resolution are:

- 1) Approve Draft Resolution 07-27 Bolinas Area Municipal Service Review
- 2) Approve Draft Resolution 07-28 Sphere of Influence Bolinas Community Public Utility District (amended)
- 3) Approve Draft Resolution 07-29 Sphere of Influence of the Bolinas Fire Protection District

Respectfully submitted,

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Peter Banning, Executive Officer

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Evelyn Ellis, Assistant Planner

Attachments:

- A. Letter from Jennifer Blackman, General Manager, Bolinas Community Public Utility District, August 22, 2007
- B. Draft Resolution 07-27 Bolinas Area Municipal Service Review
- C. Exhibit A, Statement of Written Determinations, Bolinas Area Service Review
- D. Draft Resolution 07-28 Sphere of Influence Bolinas Community Public Utility District
- E. Draft Resolution 07-29 Sphere of Influence of the Bolinas Fire Protection District