

DATE: September 5, 2008

TO: Members, Local Agency Formation Commission

FROM: Peter Banning, Executive Officer

SUBJECT: Executive Officer's Report and Recommendation: **Proposed Annexation of the Hamilton Main Gate Area to the Novato Sanitary District (File #1293)**

Consideration of this proposal has been continued several times by the Commission since the public hearing opened on May 8, 2008. As noted in the attached staff report, Novato Sanitary District advised that terms and conditions of approval would be appropriate in order to assure that property owners in the affected area (Novato Unified School District and Novato Children's Center that were already receiving sewer service on a contractual basis) provided for maintenance access and paid District connection fees. Continuances were granted to allow time for terms and conditions of approval to be devised by the affected parties.

Novato Sanitary District has not forwarded proposed terms and conditions for consideration by the Commission and now advises staff that the attachment of terms and conditions are not necessary for approval of this proposal by LAFCO.

Staff recommends that the Commission take the actions listed on pages 4 and 5 of the attached staff report in approving this proposal.