

DATE: May 4, 2007

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

FROM: Peter Banning, Executive Officer

SUBJECT: Ross Valley Area Service Review & Sphere of Influence Update

**Summary and Recommendation**

The public hearing for the Ross Valley Area Service Review & Sphere of Influence Update was opened at the Commission's April 12, 2007 meeting and continued to the May 10, 2007 meeting to allow time for further comment. The recommendations contained in the previous staff report are as follows:

<u>Agency</u>	<u>SOI Recommendation</u>	<u>Reference</u>
<b>Town of Corte Madera</b>	Amend the Town's sphere of influence to delete unincorporated portions of Ring Mountain in public ownership that will not require urban services provided by the Town.	Map 7
<b>Town of Fairfax</b>	Amend the Town's sphere of influence to delete publicly owned open space areas to the west, north and south of the Town's current boundary.	Map 8
<b>Town of San Anselmo</b>	Re-affirm existing sphere of influence (including Sleepy Hollow and Lower Sun Valley areas) without change.	Map 9
<b>Town of Ross</b>	Amend the Town's sphere of influence to delete unincorporated areas. Recommended sphere of influence to be coterminous with the Town's boundary.	Map 10

<u>Agency</u>	<u>SOI Recommendation</u>	<u>Map Reference</u>
<b>Sanitary District #1</b>	Amend the District's sphere of influence to designate an "interim" sphere including the Murray Park Sewer Maintenance District service area and excluding publicly owned open space to the west of the existing boundary.	Map 12
<b>Sanitary District #2</b>	Amend the District's sphere of influence to designate an interim sphere of influence coterminous with existing district boundaries. Two small open space areas in the vicinity of Paradise Drive included in the San #2's existing sphere of influence should be excluded.	Page 107
<b>Sleepy Hollow Fire Protection District</b>	Amend the District's sphere of influence to designate an interim sphere of influence coterminous with existing district boundaries indicating continued support of consolidation efforts.	Page 110
<b>Kentfield Fire Protection District</b>	Amend the District's sphere of influence to designate an interim sphere of influence coterminous with existing district boundaries indicating continued support of consolidation efforts.	Page 109
<b>County Service Area #16</b>	Affirm without change the "zero sphere of influence" designation for CSA #16.	Map 14
<b>County Service Area #17</b>	Amend the existing "zero sphere of influence for CSA #17 and adopt a status quo sphere of influence coterminous with the District's existing boundaries.	Map 14
<b>County Service Area #27</b>	Affirm without change the existing sphere of influence of CSA #27 that is coterminous with current boundaries.	Map 15

This memorandum also summarizes issues, recommendations and editorial comments received since the publication of the Ross Valley Area Service Review and Sphere of Influence Update on April 6, 2007. Copies of each comment letter received are attached to this response.

Staff recommends that the Commission review 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 Ross Valley Area Service Review and Sphere of Influence Update report published on April 6, 2007 unless subsequent testimony at the Commission's May 10, 2007 meeting requires further consideration. Draft resolutions for the service review and each sphere of influence to be amended or affirmed are attached.

### **Comments of Linda Kelly, Town Manager, Town of Fairfax**

Ms. Kelly's letter (Attachment A) generally concurs with the recommendations in the staff report of April 6, 2007. She provides detailed comments on specific information in the report. Following are some of the key comments:

1. Ms. Kelly points out that the 2006/07 budget amount of \$11.12 million for the Town of Fairfax is inaccurate. The 2006/07 General Fund amount is actually \$6,207,930.
2. The Town of Fairfax also offers public works and planning services and should be noted.
3. The Ross Valley Fire Service section might include that 460 parcels in the County of Marin unincorporated area are served by Ross Valley Fire Service under contract with the County.
4. Table 14 on page 55 summarizes and compares police services for Ross Valley towns. A similar chart for fire services would be useful and could be used to demonstrate cost efficiency of Ross Valley Fire Service.
5. Measure F funding for the Town of Fairfax was mentioned several times in the report. However, parcel tax funding measures for other towns in Ross Valley were not noted. When staff was collecting information about finances in the towns of Ross Valley, there was recent defeat of a measure for the Town of San Anselmo. This was also mentioned in the report. The passing of Fairfax's Measure F was pointed out as a success for the Town in gaining additional revenue for services such as police and fire protection, unlike San Anselmo.

6. The Ross Valley Fire agencies have joined to form the Central Marin Community Emergency Response Training (CERT) consortium. This is worth mentioning under Cost Avoidance Opportunities on page 53.
7. The Fairfax Police Department, Town Hall and Fire Station are all in a flood plain and sustained significant flood damage from the 12/31/05 flood disaster and are in process of repair. The buildings also need to be upgraded to comply with ADA standards. This should be noted under "Infrastructure Needs or Deficiencies" on Page 57
8. On Page 59, electric vehicles are referenced as being an opportunity for shared facilities for police agencies. In 2006, the manufacturer required the vehicles be returned and they are no longer available for police agency use.
9. The Towns of Fairfax and San Anselmo Public Works Departments share an aerial bucket truck used for banner hanging, tree trimming, holiday lights, etc. This should be included on page 64, the "Opportunities for Shared Facilities for Street and Landscape Maintenance."
10. A notation of the author of the Ross Valley Fire Consolidation overview should be included.
11. The recent joint efforts of the Ross Valley towns participating in Ross Valley Watershed and Flood Control for funding flood infrastructure and watershed improvements should be mentioned in this report.

#### **Comments of Joseph Remley, Acting District Manager, Ross Valley Sanitary District**

Mr. Remley's letter (Attachment B) generally concurs with the recommendations in the staff report of April 6, 2007. He provides detailed comments on specific information in the report. Following are some of the key comments:

1. The report states that SD #1 administers the solid waste franchise in two unincorporated portions of its Service Area. As of May 2, 2006, SD#1 no longer administers a solid waste franchise. At the board meeting, staff was directed to transfer the District's solid waste franchise to the County.
2. The report states that SD#1 operates and maintains collection systems of the Murray Park and San Quentin Sewer Maintenance Districts. However, the District only maintains the system in Murray Park. This is mentioned in several places in the report including the recommendation.
3. In Table 4, the services for the San Quentin Sewer Maintenance District should be changed to "sewer collection and transportation services".

4. The Murray Park Sewer Maintenance District no longer contracts with the City of Larkspur but since 1993 contracts with Sanitary District #1.
5. Mr. Remley also noted that the District and the County are currently entering discussions for the District to annex Murray Park and San Quentin Village Sewer Maintenance Districts and will keep Marin LAFCO posted.

### **Environmental Review**

Each of the draft resolutions 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 these actions will not alter the existing land use planning authority of the County of Marin and will not alter existing service availability within the study area. Potential changes of organization arising from the amended or affirmed spheres of influence will therefore not alter the geographic area in which previously existing local government powers are exercised. The specific sections of the State CEQA Guidelines cited in the resolutions above are Section 15306 for the municipal service review and Sections 15061(b)(3) and 15320 for the amended and affirmed spheres of influence.

### **Recommendations**

Following the close of the public hearing, staff recommends that the Commission review 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 *Ross Valley Area Service Review and Sphere of Influence Update* report published on April 6, 2007 unless subsequent testimony at the Commission's May 10, 2007 meeting requires further consideration.

Actions to approve staff recommendations are:

- 1) Approve Draft Resolution 07-09 Ross Valley Area Service Review
- 2) Approve Draft Resolution 07-10 Sphere of Influence of the Town of Corte Madera
- 3) Approve Draft Resolution 07-11 Sphere of Influence of the Town of Fairfax
- 4) Approve Draft Resolution 07-12 Sphere of Influence of the Town of San Anselmo
- 5) Approve Draft Resolution 07-13 Sphere of Influence of the Town of Ross
- 6) Approve Draft Resolution 07-14 Sphere of Influence of the Sanitary District #1
- 7) Approve Draft Resolution 07-15 Sphere of Influence of the Sanitary District #2

- 8) Approve Draft Resolution 07-16 Sphere of Influence of Sleepy Hollow Fire Protection District
- 9) Approve Draft Resolution 07-17 Sphere of Influence of Kentfield Fire Protection District
- 10) Approve Draft Resolution 07-18 Sphere of Influence of County Service Area #16
- 11) Approve Draft Resolution 07-19 Sphere of Influence of County Service Area #17
- 12) Approve Draft Resolution 07-20 Sphere of Influence of County Service Area #27

Respectfully submitted,

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Peter Banning  
Executive Officer

Attachments:

- A. Letter of Linda Kelly, Town of Fairfax, April 16, 2007
- B. Letter of Joseph Remley, Ross Valley Sanitary District, April 12, 2007
- C. Draft Resolution 07-09 Ross Valley Area Municipal Service Review
- D. Draft Resolution 07-10 Sphere of Influence of the Town of Corte Madera
- E. Draft Resolution 07-11 Sphere of Influence of the Town of Fairfax
- F. Draft Resolution 07-12 Sphere of Influence of the Town of San Anselmo
- G. Draft Resolution 07-13 Sphere of Influence of the Town of Ross
- H. Draft Resolution 07-14 Sphere of Influence of the Sanitary District #1
- I. Draft Resolution 07-15 Sphere of Influence of the Sanitary District #2
- J. Draft Resolution 07-16 Sphere of Influence of Sleepy Hollow Fire Protection District
- K. Draft Resolution 07-17 Sphere of Influence of Kentfield Fire Protection District
- L. Draft Resolution 07-18 Sphere of Influence of County Service Area #16
- M. Draft Resolution 07-19 Sphere of Influence of County Service Area #17
- N. Draft Resolution 07-20 Sphere of Influence of County Service Area #27