

DATE: July 2, 2004

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

FROM: Peter Banning, Executive Officer

SUBJECT: Southern Marin Service Review & Sphere of Influence Update

The Commission opened its public hearings on the Southern Marin Service Review and Spheres of Influence Update at its May 13, 2004 meeting, reviewing the staff report and receiving testimony on the proposed spheres of influence of the Town of Tiburon and the cities of Belvedere, Mill Valley and Sausalito. The public hearing on the city spheres of influence was continued to the July 8th meeting. Copies of the staff report were distributed and posted on the LAFCO website on April 26, 2004.

The Commission is currently following the hearing schedule suggested by staff:

Cities of Belvedere, Tiburon, Mill Valley and Sausalito	May 13 and July 8, 2004
Tamalpais and Marin City Community Services Districts	July 8 and August 12, 2004
Strawberry Recreation District	July 8 and August 12, 2004
Southern Marin and Tiburon Fire Protection Districts	August 12 and September 9, 2004
Sanitary Districts	Pending completion of further study

According to the schedule, the Commission's meeting on July 8th will include additional testimony on the proposed amendments to the spheres of influence of the four southern Marin cities. Following testimony, the Commission may close the public hearing and act on the staff recommendations or continue the public hearing on city spheres of influence to a subsequent meeting. The Commission will also open the public hearing and receive testimony on the spheres of influence of the Marin City Community Services District, Tamalpais Community Services District and Strawberry Recreation District.

Comments Received

In addition to the testimony heard by the Commission on May 13th, staff has received the following comments on the Administrative Draft of the staff report and recommendations:

- Town of Tiburon: At its meeting June 16, 2004, the Town Council voted to support the sphere of influence recommended in the staff report. (Letter of Scott Anderson, June 17, 2004, attached.)
- City of Mill Valley: Citing LAFCO's presentation of the staff report to the City Council and other opportunities for city review of the staff recommendations, the Mill Valley City Manager concurs with the staff recommendations for amendments to the Mill Valley sphere of influence. (Letter of Don Hunter, June 28, 2004, attached.)
- Ron Jewett, resident, Muir Woods Park: Mr. Jewett pointed out that 18 parcels recommended for inclusion in the Mill Valley sphere of influence on Map 9, page 102, do not derive access from Edgewood Avenue as shown on the map. The last address on Edgewood Avenue is 777. Staff has verified Mr. Jewett's comments and will amend the recommendation.
- Strawberry Recreation District: The SRD Board of Directors voted December 10, 2003 to recommend to LAFCO that the SRD service area be excluded from the sphere of influence of the Town of Tiburon. (Letter of Mark Joseph, December 19, 2003, attached.)

Community Services Districts and Recreation District Spheres of Influence

The hearing schedule proposed by staff calls for the Commission to open the public hearing on the spheres of influence of the Marin City Community Services District, Tamalpais Community Services District and Strawberry Recreation District at the July 8th meeting and extend opportunities for testimony to the meeting on August 12th.

Each of these three districts provides services to a large unincorporated community that has previously been included in the sphere of influence of a city. The general direction of staff recommendations in this review has been to amend city spheres of influence to exclude these areas on the basis of their physical relationship to existing city boundaries, the service impacts of annexing large populations to cities and the relatively high degree of community autonomy that characterizes the Tam Valley, Marin City and Strawberry.

If Tam Valley, Marin City and Strawberry are excluded from the spheres of influence of Mill Valley, Sausalito and Tiburon as recommended, the spheres of influence of the districts serving those areas should assume that each district's services will be needed for the foreseeable future, rather than being subject to annexation by a city. Accordingly, staff's recommendations for these three districts are as follows:

Agency	SOI Recommendation	Map Reference
Tamalpais Community Services District	Reaffirm the TCSD sphere of influence without change.	Map 16
Marin City Community Services District	Amend the existing "interim" sphere of influence to designate a coterminous sphere of influence (equal to existing District boundaries) in the expectation that the Marin City area will remain unincorporated and benefit from the services of MCCSD for the foreseeable future.	Map 21
Strawberry Recreation District	Amend the existing "interim" sphere of influence to designate a coterminous sphere of influence (equal to existing District boundaries) in the expectation that the Strawberry area will remain unincorporated and benefit from the services of SRD for the foreseeable future.	Map 22

Recommended Actions

Staff recommends that the Commission take the following actions with respect to city spheres of influence:

1. Receive additional public hearing testimony on the staff report and recommendations.
2. Close the public hearing if testimony is deemed complete.
3. Adopt resolutions 04-03 through 04-06, directing that the map exhibit to Resolution 04-06 (Mill Valley sphere of influence) be modified to exclude 18 parcels lacking access from Edgewood Avenue.

If public testimony is not complete or if issues remain outstanding, the Commission should continue the public hearing on the southern Marin city spheres of influence to the Commission's next regular meeting on August 12, 2004.

Staff recommends that the Commission take the following actions with respect to the spheres of influence of the Marin City Community Services District, Tamalpais Community Services District and Strawberry Recreation District:

1. Open the public hearing and receive testimony.
2. Continue the hearing to the Commission's next regular meeting on August 8, 2004, to ensure adequate opportunity for public input.

Respectfully submitted,

Peter Banning
Executive Officer