

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 08-12

**RESOLUTION RE-AFFIRMING THE SPHERE OF INFLUENCE OF
THE MARIN RESOURCE CONSERVATION DISTRICT**

WHEREAS, the Marin Local Agency Formation Commission is required to periodically review and update adopted sphere of influence for each city and special district within Marin County under Government Code Section 56425; and

WHEREAS, the Executive Officer has conducted a study of the adopted sphere of influence of local government agencies in the Marin Resource Conservation District service area, prepared a report, including his recommendations thereon, the report having been presented to and considered by this Commission; and

WHEREAS, a public hearing by this Commission was held on the *Marin Resource Conservation District Service Review and Sphere of Influence Update* 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 protests, 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 Executive Officer's report recommendation.

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 Marin Resource Conservation District is hereby re-affirmed to be coterminous with the existing District boundaries as shown on Attachment 1.

Section 2. The statement of determinations required by Government Code Section 56425 are as follows:

The present and planned land uses in the area, including agricultural and open space lands.

Present and planned land uses in the area designated as the sphere of influence of the Marin Resource Conservation District includes low density rural residential, commercial, open space and conservation uses. Re-affirmation of the District's sphere of influence designation will have no effect on the present and planned land uses within the District except to aid in the preservation of agricultural land uses.

The present and probable need for public facilities and services in the area.

Areas included in the Marin Resource Conservation District sphere of influence have benefitted and will continue to benefit from the services provided by the Marin Resource Conservation District.

The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

The facilities and services provided by the Marin Resource Conservation District are sufficient to provide continuing service to the area within the designated district sphere of influence within the scope of currently available grant funding programs for conservation projects.

The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.

The Commission has determined that social and economic communities of interest between areas currently within the boundaries of Marin Resource Conservation District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.

Section 3. Pursuant to Section 15320 of the State CEQA Guidelines, the Commission finds that this re-affirmation of the sphere of influence of the Marin Resource Conservation District is exempt from the provisions of the California Environmental Quality Act because potential changes of organization arising from the sphere of influence will not alter the geographic area in which previously existing local government powers are exercised.

Section 4. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Marin Resource Conservation District service area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 12th day of March 2009, by the following vote:

AYES:

NOES:

ABSENT:

JEFFRY BLANCHFIELD, Chairperson

ATTEST:

PETER V. BANNING, Executive Officer