

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 24-09

RESOLUTION ESTABLISHING THE SPHERE OF INFLUENCE OF THE MARIN COUNTY SERVICES AREA No. 31

WHEREAS on June 7th, 1994, the residents of Marin County voted to approve Measure R to form Marin County Service Area No. 31, which also created a benefit assessment district for structural fire protection services in unincorporated Marin County; and

WHEREAS the Executive Officer has conducted a review of the adopted spheres of influence of local government agencies providing multi-regional services and prepared a summary, *Multi-Regional Services Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS during the course of that review in which Marin County Service Area No. 31 was included, it was discovered that at no time following the formation of Marin County Service Area No. 31 was a sphere of influence ever established; and

WHEREAS a public hearing by this Commission was held on the *Multi-Regional Services Municipal Service Review* and this establishment of a Sphere of Influence, 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 testimony, 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 proposal and the Executive Officer's report.

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 County Service Area No. 31 is hereby established as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and establishing of the sphere of influence of the Marin County Service Area No. 31 is exempt from the provisions of the California Environmental Quality Act because it can be seen with

certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the multi-regional services area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on August 8, 2024, by the following vote:

AYES: Commissioner Coler, Kious, Murray, Chu, Lucan and Moulton-Peters

NOES: _____

ABSTAIN: _____

ABSENT: Commissioner Burdo

barbara coler
Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried
Jason Fried, LAFCo Executive Officer

Malathy Subramanian
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 24-09

- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

MARIN COUNTY SERVICE AREA No. 31 SPHERE OF INFLUENCE
DETERMINATIONS

GOVERNMENT CODE SECTION 56425

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

Present and planned land uses in the adopted sphere of influence are governed by the Marin Countywide Plan. Based on currently adopted zoning standards, each of the unincorporated census-designated places is essentially built out at this time. Land uses within the sphere of influence include residential, agricultural, commercial, industrial, coastal, and open space.

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

The need for Marin County Service Area No. 31's current facilities and services included in the sphere of influence anticipated to continue into the foreseeable future. With the continued impacts of climate change and the increased frequency of wildfires in areas of wildland-urban interface, the services provided to CSA No. 31 are critical to the residents within the District. Continued efforts on the behalf of the Marin County Fire Department towards fire prevention and fuel reduction will continue to be necessitated throughout the sphere of influence.

- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The operating departments and public facilities of the Marin County Service Area No. 31 are adequate to provide service to the District's proposed sphere of influence, which differs from its established boundary in that the area of Angel Island State Park has not been included in the sphere of influence. This purposeful omission of the area from the sphere is meant to show the Commission's intention to work proactively and collaboratively with the Town of Tiburon, Tiburon Fire Protection District, Marin County Fire Department, California Department of Forestry and Fire Protection, and the California Department of Parks and Recreation to ensure a more orderly and efficient delivery of fire protection and emergency medical services to Angel Island State Park.

While the District's current capacity to provide service is sufficient, its ability to continue to provide this service throughout the District's boundary could soon be impacted as the tax being levied throughout the District has not been adjusted since the formation of the District in the early 1990s. Given the significant increase of costs of service since that time, if an adjustment to the current tax measure is not passed in the near future, the District's ability to provide service could be impacted.

- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.

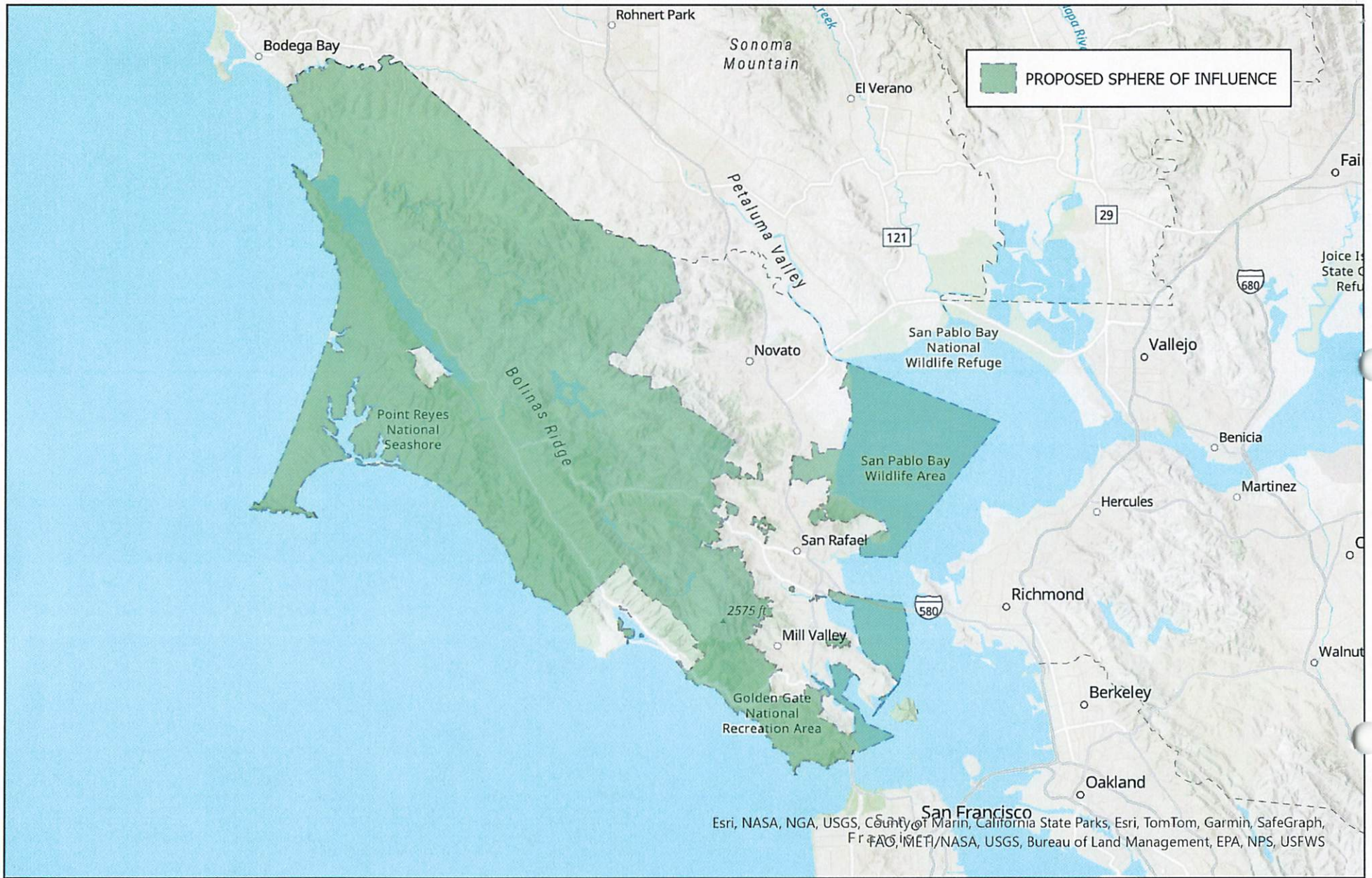
The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Southern Marin Fire Protection District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.

- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

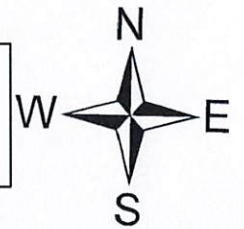
The operating departments and public facilities of the Marin County Service Area No. 31 are adequate to provide service to the areas within the District's sphere of influence and have the capacity to compensate for projected future growth within the sphere.


The District's current jurisdictional boundary surrounds a census tract block group (Tract 1290, Block Group 1) that has been designated by Marin LAFCo as a disadvantaged unincorporated community (DUC) based on 2020 U.S. Census Bureau Redistricting Data. A disadvantaged community is defined in Water Code Section 7905.5(a) as a community with an annual median household income of less than 80 percent of the statewide median household income. The statutory definition of DUCs comes from Government Code Section 56033.5, which defines DUCs as "inhabited territory" that constitutes all or a portion of a disadvantaged community. "Inhabited territory" may be defined by Government Code Section 56046 as having at least 12 registered voters, or it can be determined by "commission policy".

Per Marin LAFCo's policy, Marin LAFCo will include considerations of disadvantaged unincorporated communities within a city or District sphere of influence in statements of written determinations of municipal service reviews. Marin LAFCo will prohibit the approval of city annexations greater than 10 acres that are contiguous to a disadvantaged unincorporated community unless the city applies to annex the disadvantaged unincorporated community as well. At this time Marin LAFCo has no applications for annexation for any lands contiguous to the identified DUC. Should LAFCo in the future get such a request then it will work with the community to determine if it is in the best interest of those living within the DUC to be annexed. If it is not in the community's best interest, then they would not be included in that application.



MARIN COUNTY SERVICE AREA NO. 31 PROPOSED SPHERE OF INFLUENCE



Signature: 
Malathy Subramanian (Aug 13, 2024 15:36 PDT)

Email: malathy.subramanian@bbklaw.com

Signature: 
Jeff Fried (Aug 13, 2024 15:33 PDT)

Email: jfried@marinlafco.org

Signature: 
Barbara Coler (Aug 13, 2024 15:33 PDT)

Email: bcoler@townoffairfax.org











Resolution 24-09 (Establishing the SOI for CSA No. 31)


Final Audit Report

2024-08-13


Created:	2024-08-13
By:	claire devereux (cdevereux@marinlafco.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA4MZIVX2szJOLQIFXTtHr14Bgmm1pL7nc

"Resolution 24-09 (Establishing the SOI for CSA No. 31)" History

-  Document created by claire devereux (cdevereux@marinlafco.org)
2024-08-13 - 9:39:16 PM GMT
-  Document emailed to malathy.subramanian@bbklaw.com for signature
2024-08-13 - 9:39:23 PM GMT
-  Document emailed to Jason Fried (jfried@marinlafco.org) for signature
2024-08-13 - 9:39:23 PM GMT
-  Document emailed to bcoler@townoffairfax.org for signature
2024-08-13 - 9:39:23 PM GMT
-  Email viewed by Jason Fried (jfried@marinlafco.org)
2024-08-13 - 9:40:23 PM GMT
-  Document e-signed by Jason Fried (jfried@marinlafco.org)
Signature Date: 2024-08-13 - 9:40:38 PM GMT - Time Source: server
-  Email viewed by bcoler@townoffairfax.org
2024-08-13 - 10:31:56 PM GMT
-  Signer bcoler@townoffairfax.org entered name at signing as barbara coler
2024-08-13 - 10:33:08 PM GMT
-  Document e-signed by barbara coler (bcoler@townoffairfax.org)
Signature Date: 2024-08-13 - 10:33:10 PM GMT - Time Source: server
-  Email viewed by malathy.subramanian@bbklaw.com
2024-08-13 - 10:35:17 PM GMT

 Signer malathy.subramanian@bbklaw.com entered name at signing as Malathy Subramanian

2024-08-13 - 10:36:09 PM GMT

 Document e-signed by Malathy Subramanian (malathy.subramanian@bbklaw.com)

Signature Date: 2024-08-13 - 10:36:11 PM GMT - Time Source: server

 Agreement completed.

2024-08-13 - 10:36:11 PM GMT