

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 25-04

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE SAN RAFAEL  
SANITATION DISTRICT**

**WHEREAS** upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years, as necessary, within Marin County under Government Code Section 56425 (g); and

**WHEREAS** the Deputy Executive Officer has conducted a review of the adopted sphere of influence of local government agencies providing wastewater services, prepared a summary, *Central Marin Wastewater Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

**WHEREAS** a public hearing by this Commission was held on the *Central Marin Wastewater Municipal Service Review* and this Sphere of Influence Amendment, and staff's recommendations contained in that report on Thursday, December 12, 2024, 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 San Rafael Sanitation District is hereby amended 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. All currently active powers for the District are listed within the *Central Marin Wastewater Municipal Service Review* within the District's agency profile section.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of the San Rafael Sanitation District 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 Central Marin Wastewater Municipal Service Review area.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: Commissioner Murray, Chu, Lucan, Burdo, Coler, Rodoni, Kious

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Barbara Coler  
Barbara Coler (Feb 14, 2025 11:01 PST)  
Barbara Coler, Chair  
Marin LAFCo

**ATTEST:**  
  
Jason Fried  
Jason Fried, LAFCo Executive Officer

**APPROVED AS TO FORM:**  
  
Malathy Subramanian  
Malathy Subramanian (Feb 14, 2025 11:11 PST)  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-04

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

## EXHIBIT A

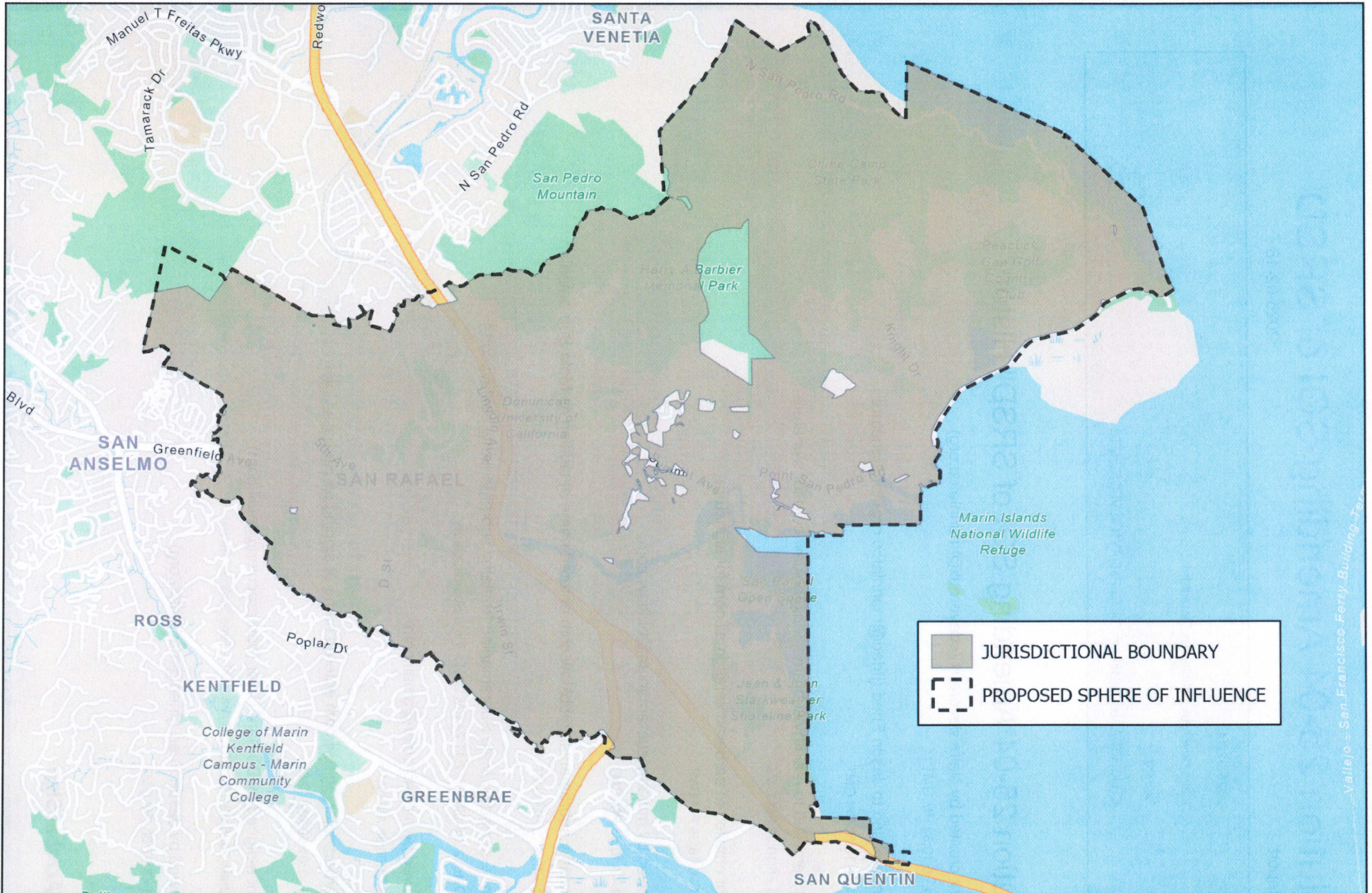
### SAN RAFAEL SANITATION DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

#### GOVERNMENT CODE SECTION 56425

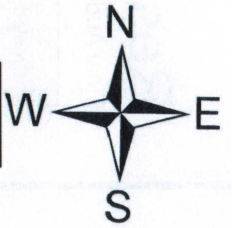
- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of San Rafael, as well as the Marin Countywide Plan. Land uses include primarily low and medium-density residential, commercial, institutional, and other typically urban uses plus open space uses within or surrounded by the Districts' existing boundaries.
- 2) The present and probable need for public facilities and services in the area.
  - The territories within the Districts' boundaries and common sphere of influence are at or nearing build-out with little land available for further development under current zoning restrictions. The present need for public services and facilities within the sphere of influence is primarily for existing land uses and minor infill development. The probable demand for public services and facilities in the future is not expected to exceed population growth of .5% per year under the terms of adopted general plans.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - The trunk lines and sewer mains of the San Rafael Sanitation District are generally sufficient to provide service to the area within the sphere of influence under the assumption of implementation of adopted capital improvement plans.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
  - The Commission has determined that social and economic communities of interest between areas currently within the boundary of the San Rafael Sanitation 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 district 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 District's current jurisdictional boundary surrounds a census tract block group (Tract 1121, Block Group 1) which encompasses the northern portion of the unincorporated California Park area that has been designated by Marin LAFCo as a disadvantaged unincorporated community (DUC) based on 2023 American Community Survey estimates. 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.





# SAN RAFAEL SANITATION DISTRICT
















# Resolution 25-04 Amending SOI of SRSD

Final Audit Report


2025-02-18

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-  Document emailed to malathy.subramanian@bbklaw.com for signature  
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