

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 26-06

RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT AND MAKING WRITTEN DETERMINATIONS

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, prepared a summary, *Novato Area 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 *Novato Area Municipal Service Review* and this Sphere of Influence Update, and staff's recommendations contained in that report on Thursday, June 11, 2026, 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 Bel Marin Keys Community Services District is hereby reaffirmed 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 *Novato Area 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 reaffirming of the sphere of influence of the Bel Marin Keys Community Services 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 *Novato Area Municipal Service* area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2026, by the following vote:

AYES: Commissioners Coler, Rodoni, Chu, Murray, Kious, Lucan and Burdo

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler
Barbara Coler (Jun 15, 2026 11:06:51 PDT)
Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried
Jason Fried, LAFCo Executive Officer

Malathy Subramanian
Malathy Subramanian (Jun 15, 2026 10:34:24 PDT)
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 26-06

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

EXHIBIT A

BEL MARIN KEYS COMMUNITY SERVICES DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

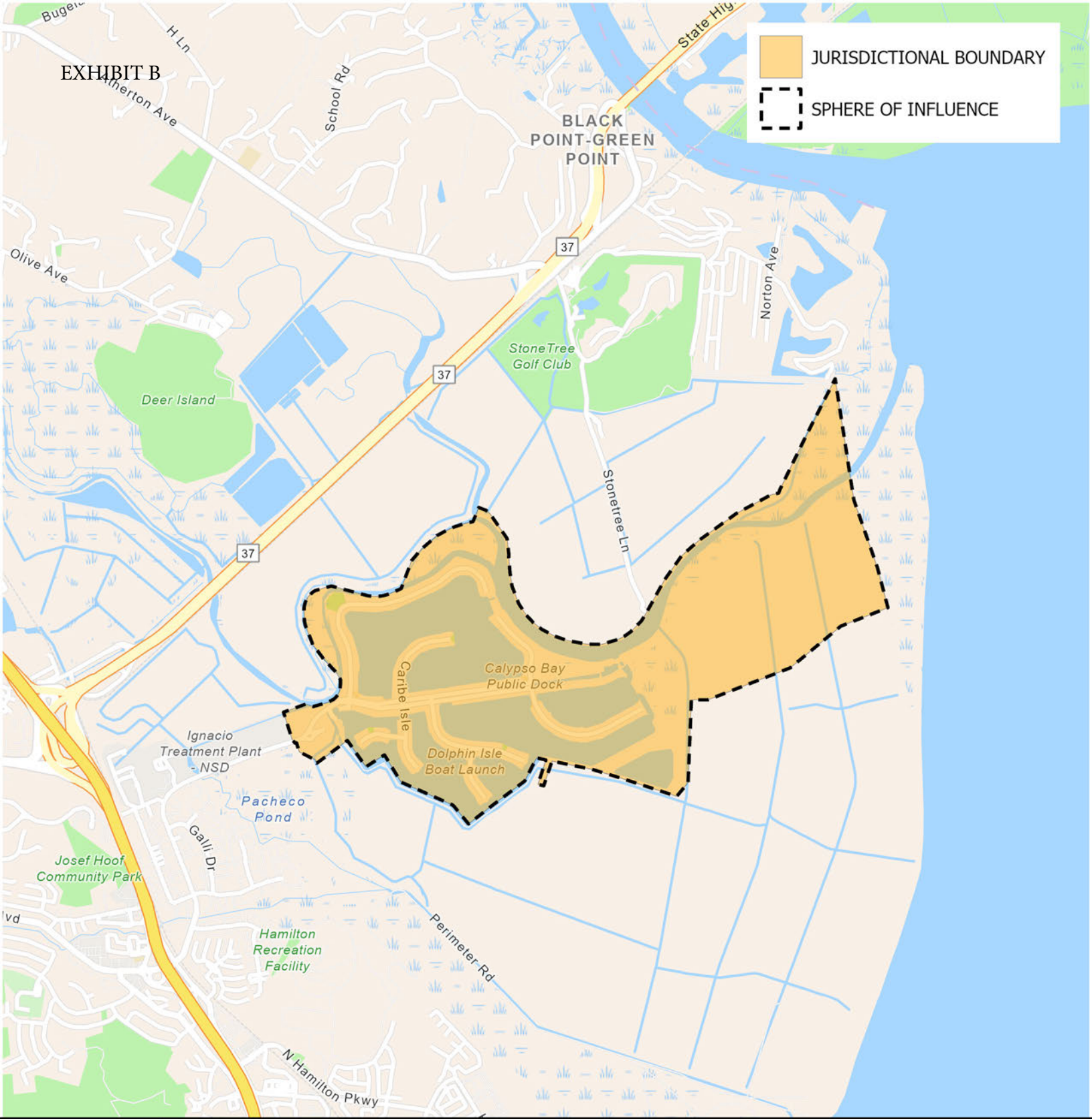
- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Land use within the BMKCSD jurisdictional boundary is governed by the Marin Countywide Plan and the Marin County Housing Element. Approximately 45% of district lands are designated residential single-family; approximately 35% are designated waterways and open anchorage; approximately 15% are designated open space and agricultural; and the remaining area is designated for public facilities and parks. This land use pattern reflects the district's character as a planned, water-oriented residential community. The district's land area is fully built out with respect to residential development. The Marin County 2023–2031 Housing Element identified no RHNA development sites within or contiguous to the BMKCSD boundary.

Marin LAFCo determines that present and planned land uses within the BMKCSD sphere of influence are stable and consistent with the district's current service capacity. The fully built-out, single-family residential and waterway character of the service area does not present land use pressures that would require expansion of the sphere of influence or changes to authorized services. The sphere of influence boundary is appropriate for the existing and planned land uses within the area.

- 2) The present and probable need for public facilities and services in the area.
 - The Bel Marin Keys community has a present and ongoing need for the specialized suite of services provided by BMKCSD, particularly lagoon maintenance, marine infrastructure management, and flood protection. These services are essential to the safety, habitability, and property value of all 764 residential parcels within the district, and no other governmental entity is positioned to provide them.
 - The most pressing near-term service needs are concentrated in the district's marine infrastructure—specifically the modernization of the North Lock electrical and mechanical systems, ongoing dredging to maintain navigable depths, and the armoring of the South Levee with rip rap. These needs are anticipated in the district's capital planning and are being funded through Measure G.
 - The probable long-term need for flood protection infrastructure maintenance is significant and will intensify as sea-level rise projections materialize over the 50-year service life of the new BMK Unit V levee completed in 2021. The district's engagement in the Hamilton–Bel Marin Keys Unit V Phase 2 tidal restoration work is expected to provide ongoing flood buffer benefits that reduce demand on the community's primary levee system.
 - No new or expanded public facilities or services are needed beyond the district's current and authorized service portfolio to serve the existing fully built-out community. The need for public facilities and services within the sphere is well-matched to the district's current service capacity and financial resources.
 - Marin LAFCo determines that there is a stable and ongoing need for the public facilities and services provided by BMKCSD within its existing sphere of influence. The district's services are uniquely suited to the needs of this waterfront community, and the service demand profile is expected to remain consistent with the current level of service delivery for the foreseeable future, with incremental increases in capital infrastructure maintenance requirements as existing systems age.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is

authorized to provide.

- BMKCSD's lagoon and marine infrastructure systems are functionally operational and providing essential services to the community. However, the North Lock's aging electrical components and the pending South Levee rip rap project represent known capacity constraints and deficiencies that require near-term capital investment. The district has proactively identified these needs, secured voter-approved dedicated funding through Measure G, and engaged qualified engineers and contractors to address them.
 - The district's water quality management program for the lagoons is active and responsive. Recurring algae blooms in 2024 and 2025 prompted accelerated treatment schedules, and the district's investment in aeration and circulation infrastructure is reducing reliance on chemical interventions. The commissioning of a comprehensive North Lagoon diffuser network mapping study in January 2026 represents a forward-looking approach to long-term ecological service adequacy.
 - Flood protection services are adequate for the present risk environment, bolstered significantly by the completion of the Phase 1 BMK Unit V levee in 2021. The district's continued engagement in Novato Creek sediment management and South Levee maintenance supports service adequacy. The district's ongoing negotiations regarding South Levee ownership transfer will determine the scope of future direct maintenance obligations.
 - Parks, recreation, street lighting, and landscape maintenance services are presently adequate to meet community needs. Active capital improvement programs funded through Measure A ensure that aging park amenities are systematically maintained and upgraded.
 - Marin LAFCo determines that BMKCSD has the present capacity to adequately provide its authorized services within the existing sphere of influence. While certain marine infrastructure components are aging, the district has demonstrated the fiscal means, technical expertise, and operational planning needed to address these deficiencies in a timely manner. No service gaps exist that would warrant immediate structural changes to the district's governance or service delivery model.
- 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.
- Marin LAFCo determines that there are no social or economic communities of interest within or contiguous to the BMKCSD sphere of influence that are relevant to the Commission's sphere of influence determination at this time. The existing sphere of influence boundary appropriately reflects the unified, self-contained nature of the Bel Marin Keys residential community.
- 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.
- Marin LAFCo determines that there are no disadvantaged unincorporated communities within or contiguous to the BMKCSD sphere of influence, and therefore no present or probable need for DUC-targeted public facilities or services exists within the sphere. This determination is consistent with the high median household income and fully served, incorporated-adjacent character of the Bel Marin Keys community.



Bel Marin Keys Community Services District Sphere of Influence & Jurisdictional Lands













Resolution 26-06 - Reaffirming BNKCSD SOI and Determinations

Final Audit Report

2026-06-15


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