

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2012-03**

**Adopting Municipal Service Review Determinations, Sphere of Influence Determinations, and
Updating the Sphere of Influence for the Castle Homes County Service Area**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo) to develop and determine the sphere of influence (SOI) of each local governmental agency under LAFCo jurisdiction within the County; and

WHEREAS, Government Code Section 56425(g) requires that LAFCo review and update adopted SOI boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code Section 56430 requires that a municipal services review (MSR) be conducted prior to or in conjunction with a SOI update; and

WHEREAS, LAFCo conducted a municipal services review of the services provided by the Castle Homes County Service Area (CSA); and

WHEREAS, the Castle Homes CSA has a SOI that is coterminous with the CSA's service boundary; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the CSA's coterminous SOI; and

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI update action; and

WHEREAS, the MSR determinations, the SOI determinations and the SOI update was duly considered at a public hearing held on November 29, 2012; and

WHEREAS, the Alameda LAFCo heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said action.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Alameda LAFCo hereby:

1. Adopt the following MSR determinations:
 - a. Growth and Population Projections
 - i. As of 2010, the population within Castle Homes County Service Area (CHCSA) was 57.
 - ii. Based on Association of Bay Area Governments (ABAG) growth projections the population of CHCSA is anticipated to be 69 by 2035.
 - iii. No new developments are anticipated within CHCSA's boundaries and sphere of influence.
 - b. Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence
 - i. Using Census Designated Places, Alameda LAFCo determines that there are no disadvantaged unincorporated communities that meet the basic state-mandated criteria within the County. Alameda LAFCo recognizes, however, that there are communities in the County that experience disparities related to socio-economic, health, and crime issues, but the subject of

this review is municipal services such as water, sewer, and fire protection services to which these communities, for the most part, have access.

- c. *Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies*
 - i. Residents of the Castle Homes community primarily use the private road network.
 - ii. CHCSA serves 2.4 miles of five private roads.
 - iii. There were 52 service requests in FY 10-11.
 - iv. Private roads in CHCSA do not meet County design standards for width, grade, drainage, or handicapped access. The area mostly lacks sidewalk, curb and gutter improvements.
 - v. Infrastructure deficiencies on private roads in unincorporated areas may affect the desirability of annexation of such areas to cities.
 - d. *Financial Ability of Agency to Provide Services*
 - i. CHCSA reported that its financing level was adequate to deliver services.
 - ii. In FY 10-11, CHCSA's revenues exceeded expenses. The fund balance at the end of the fiscal year was \$231,750.
 - iii. CHCSA does not have any long-term debt.
 - e. *Status and Opportunities for Shared Facilities*
 - i. As an Alameda County Congestion Management Agency member, the agency engages in joint studies and planning efforts.
 - ii. CHCSA contracts with Alameda County Public Works Agency for maintenance of private roads and, in that sense, shares facilities.
 - iii. CHCSA engages in joint financing arrangements related to insurance.
 - f. *Accountability for Community Services, Including Governmental Structure and Operational Efficiencies*
 - i. CHCSA is governed by the Alameda County Board of Supervisors. The Board updates constituents, broadcasts its meetings, solicits constituent input, discloses its finances, and posts public documents on its website.
 - ii. The 2006 MSR identified annexation to the City of Hayward as an option. CHCSA is adjacent to the City boundary and lies within the Hayward SOI. However, due to the low-density nature of the residential community and the lack of integration with the Hayward street system and the City's development standards (i.e., curbs, gutters, and sidewalks), annexation was deemed unlikely.
 - iii. No alternative governance structure options with regard to CHCSA were identified.
 - iv. The County demonstrated accountability in its cooperation with the LAFCo information requests.
2. Adopt a provisional SOI which is coterminous with the service boundary for the Castle Homes County Service Area as generally depicted in Exhibit A attached hereto, and require the CSA to report back to LAFCo within 12 months on efforts to annex additional private roadways.
 3. Consider the criteria set forth in Government Code Section 56425(e) and determine as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The area is a low-density residential community. The recommended SOI does not conflict with planned land uses. There is no Williamson Act or agricultural land within CHCSA's bounds and proposed SOI.
 - b. *The present and probable need for public facilities and services in the area* – CHCSA's population is projected to grow slowly in the coming years. It is anticipated that there will be continued wear and tear on the road system, which will demand continued service by CHCSA.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The County appears to have adequate capacity to

provide street maintenance services to the CHCSA territory in the long term. CHCSA streets lack sidewalk, curb and gutter improvements.

CHCSA appears to provide adequate services as the County conducts performance evaluations, productivity monitoring and benchmarking to improve service efficiency, and has a standardized means to track complaints and service requests.

- d. *The existence of any social or economic communities of interest in the area* – The private road network is primarily used by residents of the Castle Homes community, which is considered a community of interest. The residents of the area pay service charges for the services provided by CHCSA, and thus have an interest in the CSA’s activities. There are other streets within the Castle Homes area that are not included in the CSA, and property owners on these other streets have expressed interest in obtaining street maintenance services.
 - e. *Nature, location, extent, functions & classes of services to be provided* - CHCSA provides services on 2.4 miles of private roads by reimbursing the Alameda County Public Works Agency for as-needed staffing. CHCSA acts as a financing mechanism for road maintenance services, as these private roads would not otherwise be maintained by the County.
4. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that update of the agency’s SOI and the related MSR are categorically exempt under Sections 15061(b)(3) and 15306, Class 6 of the CEQA Guidelines.
 5. Direct staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at the public hearing held on November 29, 2012, at 200 Old Bernal Avenue, Pleasanton, California on the motion made by Commissioner Marchand, seconded by Commissioner Wieskamp, and duly carried.

Ayes: 5 (Commissioners Miley, Sblendorio, Wieskamp, Andrade, and Marchand)
Noes: 0
Excused:

/Nate Miley/
Nate Miley, Chair, Alameda LAFCo

Approved as to Form:

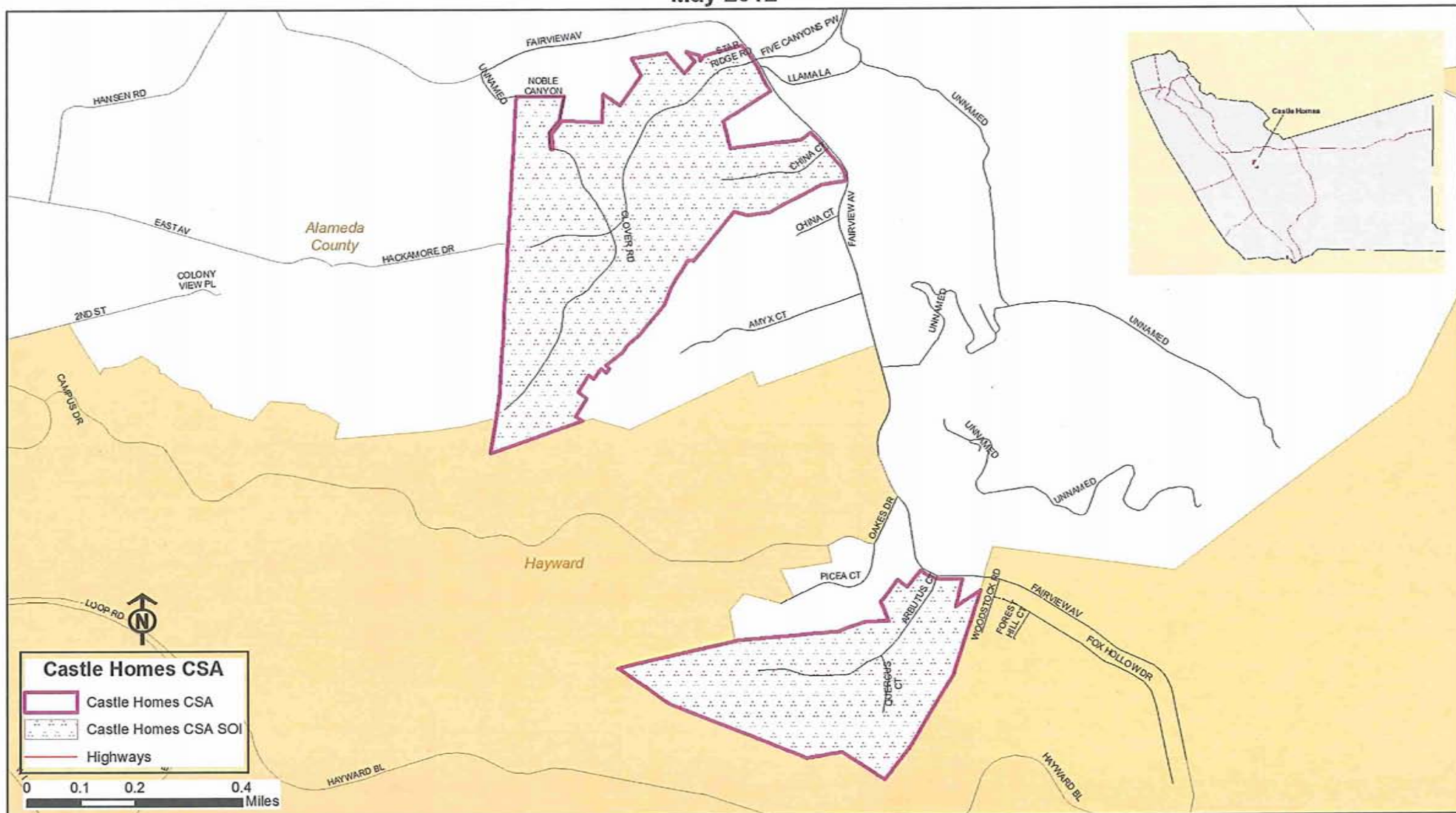
By: _____
Brian Washington, LAFCo Legal Counsel

CERTIFICATION: I hereby certify that the foregoing is a correct copy of a resolution adopted by the Alameda Local Agency Formation Commission, Oakland, California.

Attest: _____
Mona Palacios, LAFCo Executive Officer

Date: 12/17/2012

Castle Homes CSA Service Boundary and SOI* May 2012



*Agency sphere equals the service area boundary

Created for Alameda LAFCo by the Alameda County Community Development Agency