

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 2012-08**

**Adopting Municipal Service Review Determinations, Sphere of Influence Determinations, and  
Updating the Sphere of Influence for the Extended Public Works 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 Extended Public Works County Service Area (CSA); and

**WHEREAS**, the CSA's SOI is currently coterminous with its service boundaries; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the CSA's 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 Public Works Extended Services County Service Area (PWCSA) is 141,266.
- ii. Based on Association of Bay Area Governments (ABAG) growth projections the population of PWCSA is anticipated to be 171,779 by 2035.

(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. The County identified an increase in requests for extended public works services as the driving force in the formation of PWCSA.
- ii. The future capacity of PWCSA will greatly depend upon community support, and the constituents' willingness to approve a special tax or benefit assessment for enhanced services.
- iii. As PWCSA is not presently responsible for infrastructure maintenance, no needs or deficiencies were identified.
- iv. As PWCSA does not presently provide services, there is no way to determine service adequacy.

(d) Financial Ability of Agency to Provide Services

- i. PWCSA is presently inactive and has no revenue sources and no expenditures.
- ii. Fees/assessments would be subject to voter/landowner approval as dictated by applicable law.

(e) Status and Opportunities for Shared Facilities

- i. When PWCSA becomes active, it will practice facility (including staff and equipment) sharing through the Alameda County Public Works Agency.

(f) Accountability for Community Services, Including Governmental Structure and Operational Efficiencies

- i. PWCSA 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. The County Public Works Agency is responsible for management of PWCSA, and cooperated with LAFCo inquiries.
- ii. It is recommended that outreach efforts be made in order to educate constituents on the potential for enhanced public works services.
- iii. No alternative governance structure options with regard to PWCSA were identified.

2. Reduce the SOI for the Extended Public Works CSA to exclude all unincorporated island areas and areas annexed into cities as generally depicted in Exhibit A attached hereto.

3. Consider the criteria set forth in Government Code Section 56425(e) and determine as follows:

(a) Nature, location, extent, functions, and classes of services provided – PWCSA was formed to provide extended services limited to financing of sidewalk construction and repair in the unincorporated areas of Alameda County. However, the specific level, nature and cost of services will be determined at a later date based on the identified service demand.

(b) Present and planned land uses, including agricultural and open-space lands – PWCSA has no authority over land use. No change to the present or planned uses will result from confirming this SOI. There are various areas throughout the unincorporated County which are designated Agricultural, Open Space, Parklands, and land subject to Williamson Act contracts. However,

specific impacts to agricultural lands cannot be assessed until such time as the County defines the specific nature and location of extended services. The SOI is consistent with the County's existing plans and zoning designations for the area.

- (c) Present and probable need for public facilities and services – The County has determined that, in general, the need for extended public works type services exists, but the specific level, nature and cost of services are yet to be determined based on the identified service demand.
  - (d) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – The County Public Works Agency is willing and able to provide the services proposed under PWCSA, provided adequate revenues (i.e., fees/assessments) are approved by the voters.
  - (e) Existence of any social or economic communities of interest – The specific level, nature, location and cost of services will be determined at a later date based on identified service demand, need and funding. However, PWCSA could improve social and economic interests of the unincorporated areas of the County through the provision of enhanced municipal services and improvements. Developed unincorporated communities in Alameda County that are considered social or economic communities of interest are Castro Valley, Ashland, Cherryland, Fairview, and Sunol.
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.

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This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at a 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: \_\_\_\_\_

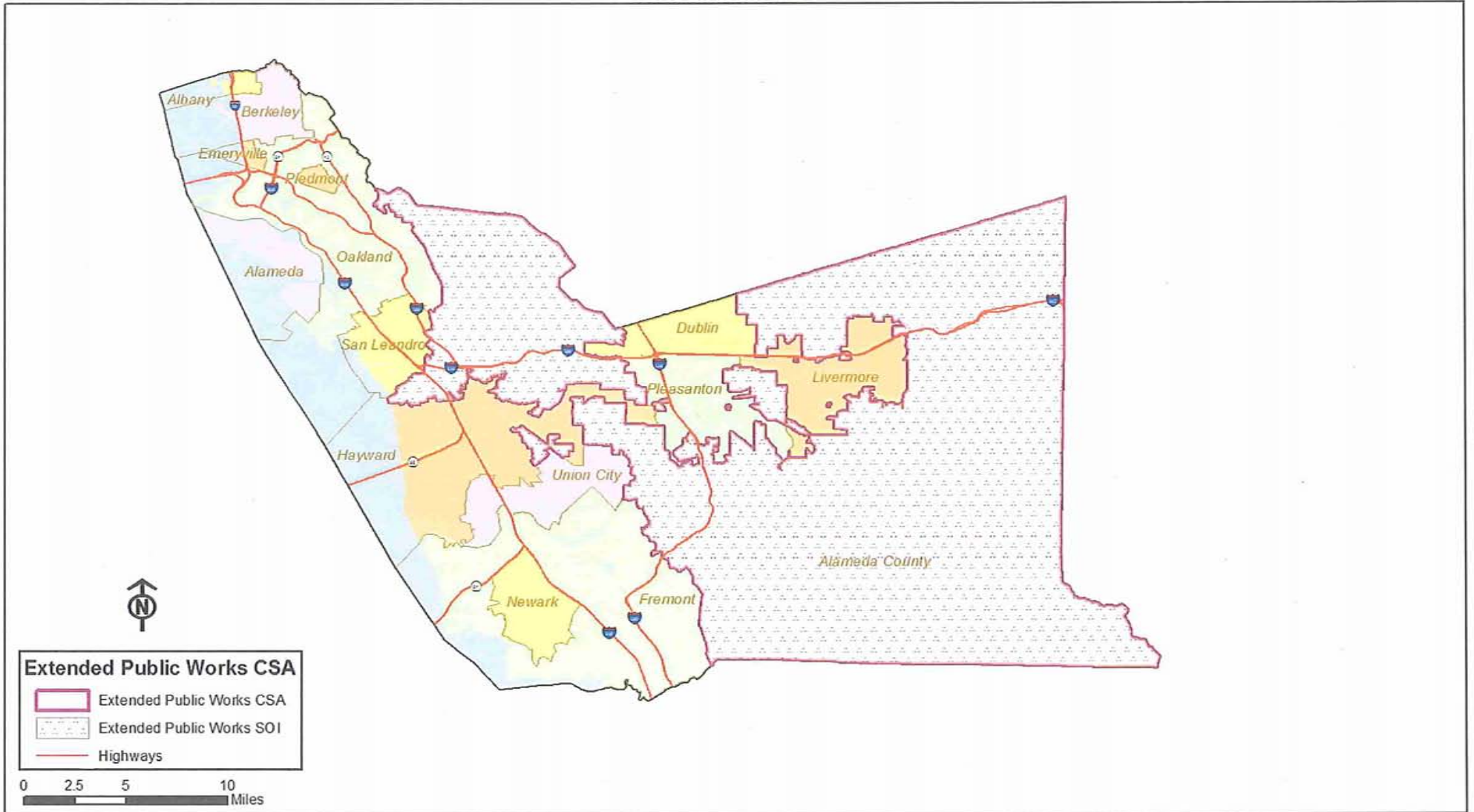


Mona Palacios, LAFCo Executive Officer

Date: \_\_\_\_\_

12/17/2012

# Extended Public Works CSA Service Area and SOI\* November 2012



\*Agency sphere of influence differs from the service boundary

Created for Alameda LAFCo by the Alameda County Community Development Agency