

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2006-11**

**ADOPTING A SPHERE OF INFLUENCE FOR THE ALAMEDA COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7**

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 within the County; and

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

WHEREAS, Government Code Section 56430 requires that a municipal services review 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 Alameda County Flood Control and Water Conservation District, Zone 7 and adopted written determinations as required by Government Code Section 56430 on November 10, 2005; and

WHEREAS, Zone 7 is one of 10 active zones of the Alameda County Flood Control and Water Conservation District; and

WHEREAS, Zone 7 differs from all of the other zones in that it was created under special legislation and has a seven-member independently elected Board of Directors; and

WHEREAS, Zone 7 provides wholesale water, water treatment and flood control service to the cities of Dublin, Livermore, and Pleasanton and the surrounding unincorporated areas of eastern Alameda County; and

WHEREAS, Zone 7 currently has no adopted SOI; and

WHEREAS, no change in regulation, land use or development will occur as a result of adopting a countywide SOI which is coterminous with the District's current service boundary; 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 location of this SOI map;

WHEREAS, the SOI adoption was duly considered at a public hearing held on January 12, 2006; 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 a SOI, which is coterminous with the service boundary, for the Alameda County Flood Control and Water Conservation District, Zone 7 as generally depicted in Exhibit A attached hereto.
2. Adopt the following SOI policies:

- Policy Recommendation #1: LAFCo to encourage the ACWD and Zone 7 boards to approve a service agreement relating to territory within both districts' boundaries.

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

- The present and planned land uses in the area, including agricultural and open-space lands* – The District's SOI is compatible with present and planned land uses because it only provides potable water to urban service providers. City and County policies support the provision of adequate water, wastewater and flood control services for City and County residents. City and County plans include land uses and population growth needing these services. The adoption of this SOI will not adversely affect agricultural or open space land or be growth inducing. No change to the present or planned uses will result from adoption of this SOI.
- The present and probable need for public facilities and services in the area* – Services are currently being provided and need to be continued. No changes in public facilities or services provided by the District will result from adoption of this SOI.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – Zone 7 has adequate water supplies to accommodate projected growth and is constructing a new treatment plant to accommodate growth. Treatment processes need to be upgraded to address high mineral content in the western portion of the service area, and seismic upgrades are needed at the Patterson Water Treatment Plant. Drought preparedness, emergency preparedness and distribution system integrity are adequate. Zone 7 follows six conservation best management practices. The District maintains flood control infrastructure throughout most of its boundary area. Channel capacity enhancements are needed. The District identifies needed capacity enhancements in flood control channels through its capital improvement planning process. Although there have been no recent expansions in the 100-year flood plain, Zone 7 anticipates future flood plain expansions due to growth-related increases in runoff. The District is in compliance with NPDES permit requirements. Performance-based budgeting and program audits are used to promote efficiency. Adoption of the SOI will not affect the present capacity of public facilities and adequacy of public services or the services provided by the District.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* - The District provides wholesale water, water treatment and flood control service to the cities of Dublin, Livermore, and Pleasanton and the surrounding unincorporated areas of eastern Alameda County. Adoption of the SOI will not affect the existence of any social or economic communities of interest in the area that are relevant to the District.
- The existence of agricultural preserves or other important agricultural or open space land in the area which could be considered within an agency's SOI, and the effect on maintaining the physical and economic integrity of such resources in the event that such resources are within a SOI of a local governmental agency* – There is substantial agricultural and open space land within Zone 7. However, Zone 7 provides retail irrigation water service only to agricultural accounts (mainly vineyards) within its bounds. Groundwater management, flood control and retail irrigation services benefit agriculture. Irrigation, water and flood control services which are needed in all areas, are already being provided, and do not, by themselves, induce or encourage growth on agricultural or open space lands. Adoption of the SOI will not adversely affect agricultural or open space land or be growth inducing. No Williamson Act contracts will be adversely affected.

f. *Nature, location, extent, functions & classes of services to be provided* - The District provides wholesale potable water, retail irrigation water, recycled water, water storage and distribution, water treatment, water conservation, groundwater management and extraction, monitoring and recharge, and flood control services including maintenance (blockage and vegetation removal, channel capacity enhancement, cleaning and repair, fence repair, pump maintenance, desilting and dredging) stormwater management, erosion control, floodwater detention, bank stabilization, environmental creek restoration, pollution prevention, water conservation, engineering, planning and design services to the cities of Dublin, Livermore, and Pleasanton and the surrounding unincorporated areas of eastern Alameda County.

4. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that adoption of a SOI, which is coterminous with the District's current service boundary, is categorically exempt under Section 15061(b)(3) 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 a regular meeting held on January 12, 2006, at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Foulkes, seconded by Commissioner Hosterman, and duly carried.

Ayes: 6 (Commissioners Butler, Crowle, Foulkes, Hosterman, Lockhart and Miley)
Noes: 0
Excused: 3 (Commissioners Combs, Kamena and Steele)

 /Robert Butler/

Robert Butler, Chair, Alameda LAFCo

Approved as to Form:

By: Brian Washington

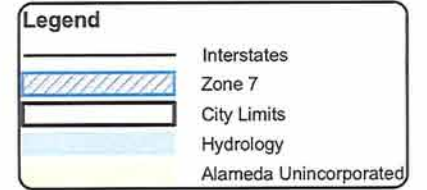
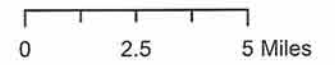
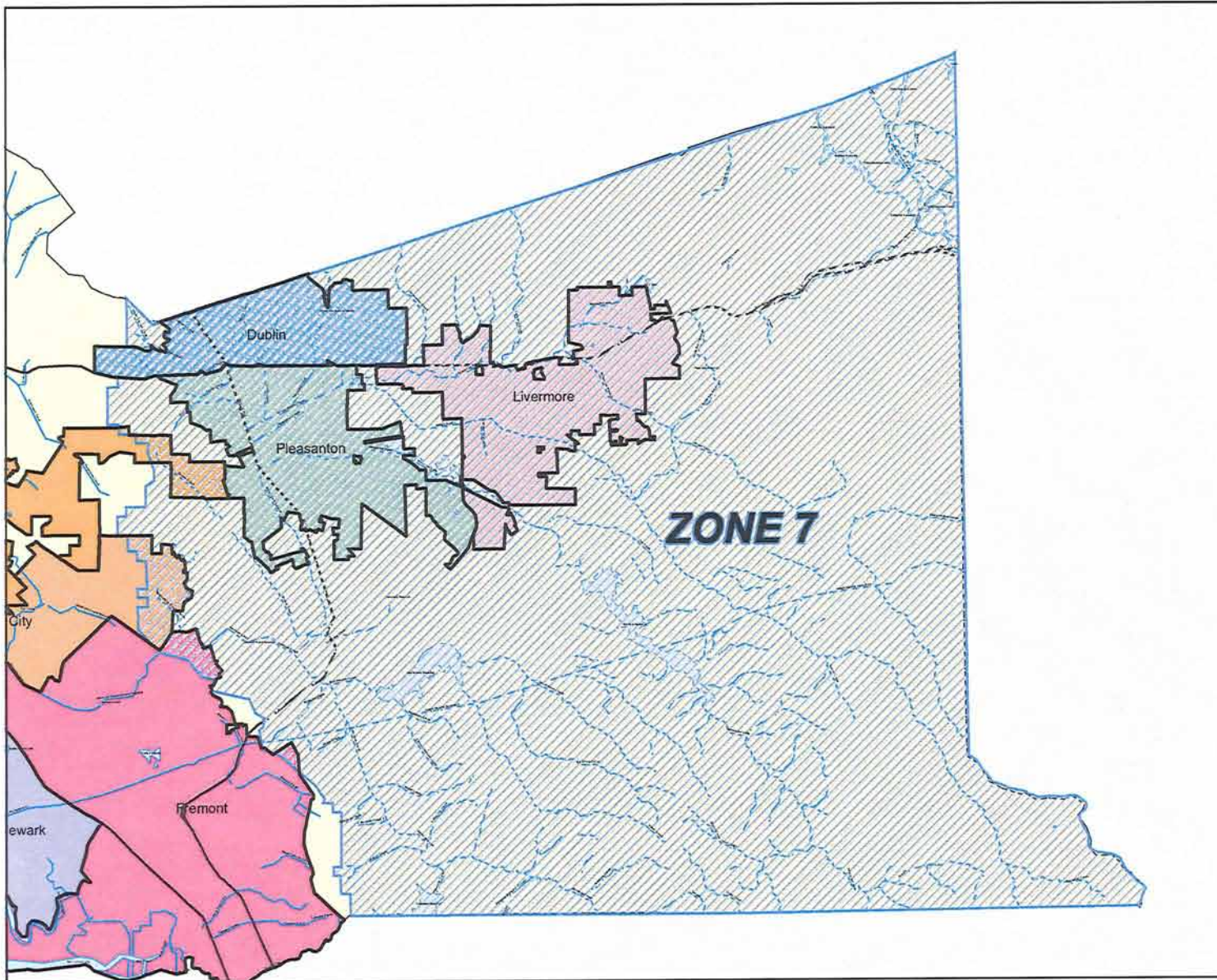
Brian Washington, LAFCo Legal Counsel

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: Crystal Hishida Graff
Crystal Hishida Graff, LAFCo Executive Officer

Date: 2/3/06

Flood Control and Water Conservation District: Zone 7



Alameda County Reference Map

