## ALAMEDA LOCAL AGENCY FORMATION COMMISSION RESOLUTION NO. 2006-28

## ADOPTING A SPHERE OF INFLUENCE FOR THE ESTUARY BRIDGES 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 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 Estuary Bridges County Service Area (CSA) and adopted written determinations as required by Government Code Section 56430 on May 11, 2006; and

WHEREAS, the Estuary Bridges County Service Area (CSA) serves three drawbridges connecting the cities of Alameda and Oakland, and does not plan any additional bridges; and

WHEREAS, all related services are being provided by ACPWA rather than the inactive CSA; and

WHEREAS, the CSA was formed in 1989 as a dependent district and is governed by the County Board of Supervisors; and

WHEREAS, the CSA's boundary area includes all of Alameda County except the cities of Berkeley and Hayward; and

WHEREAS, no SOI was established; and

WHEREAS, no change in regulation, land use or development will occur as a result of adopting a zero 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 location of this SOI map; and

WHEREAS, the SOI adoption was duly considered at a public hearing held on July 13, 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 zero SOI for the CSA as generally depicted in Exhibit A attached hereto.
- 2. Adopt the following SOI policies:
- <u>Policy Recommendation #1</u>: LAFCo should encourage the County to initiate dissolution of CSA and consider LAFCo initiation of dissolution as part of the next MSR cycle if the County does not take action.

- 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 boundary area includes a diverse mix of land use including agricultural and open-space designated lands.
  - b. The present and probable need for public facilities and services in the area The population level is expected to grow, as is the volume of vehicles using the drawbridges.
  - c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide The bridges are in good condition. There are no deficiencies or load restrictions, according to recent State inspection reports. The bridges will require seismic retrofit in the future. The service provider conducts performance evaluation, productivity monitoring and benchmarking to improve service efficiency. The District does not provide direct services.
  - d. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency – Communities of interest include the Cities of Oakland and Alameda, commuters and other bridge users, businesses relying on workers and shoppers.
  - e. 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—While there are agricultural and open space lands throughout the County, no impacts on agricultural and open space lands or Williamson Act contracts will occur due to the nature and location of services.
  - f. Nature, location, extent, functions & classes of services to be provided The CSA serves three drawbridges connecting the cities of Alameda and Oakland. The District provides no direct services.
- 4. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that this SOI update 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.

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This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at a regular meeting held on July 13, 2006, at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Foulkes, seconded by Commissioner Kamena, and duly carried.

Ayes: 7 (Commissioners Combs, Foulkes, Steele, Miley, Lockhart, Kamena, and Sblendorio)

Noes: 0

Excused: 0

/Janet Lockhart/

Janet Lockhart, Chair, Alameda LAFCo

Approved as to Form: By:

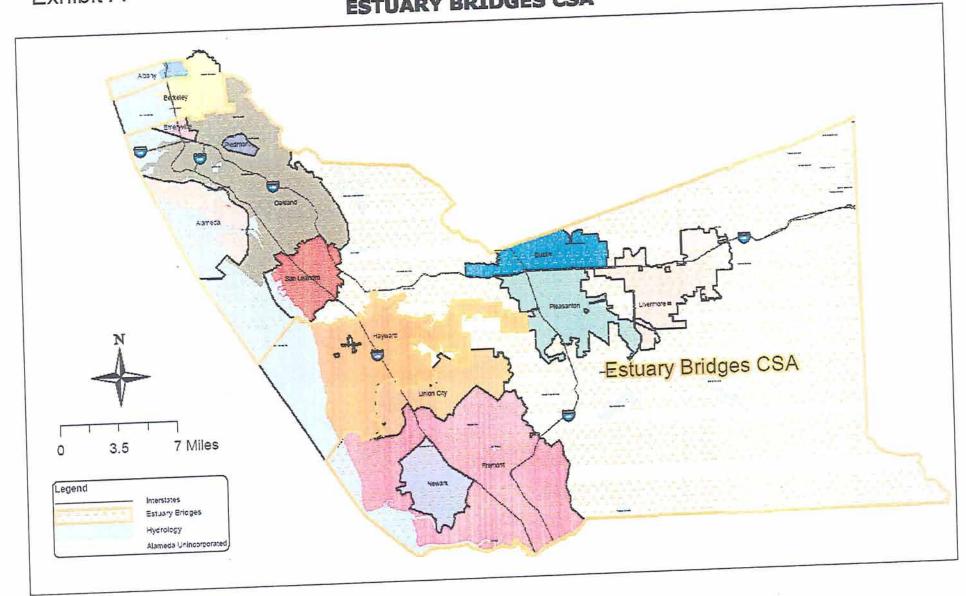
Brian Washington, LAFCo Legal Counsel

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

Attest: Marco Harris Date: 1/27/06
Crystal Hishida Graff, LAFCo Executive Officer

## Exhibit A

## **ESTUARY BRIDGES CSA**



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