

Appendix B3. Out of Area Service Agreement Application (updated 1/2008)
Alameda Local Agency Formation Commission

1. Name and Address of Applicant (must be public agency):

2. Contact Name and Title: _____

Telephone: _____ FAX: _____

E-mail Address: _____

3. Application Initiated By:

Agency Name: _____

Resolution No.: _____ Date Adopted: _____

Submit 1 copy of Resolution of Application and 2 copies of proposed out of area service agreement with application.

4. Property Owner and Location of Property to Be Served (List additional owners/properties on separate sheet if necessary)

Name of Property Owner/s: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Assessor Parcel Number/s: _____

Name of Property Owner/s: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Assessor Parcel Number/s: _____

5. Type of Service to Be Provided

Check one or more: ___ Water ___ Sewer ___ Police ___ Fire ___ Garbage ___

Other/s: _____

6. Description of Property to Be Served

6a. Is parcel to be served WITHIN your current Sphere of Influence (SOI)? Yes No

6b. If Yes, provide (a) general description of property location in relationship to current city/district boundary line and (b) attach a project area map showing parcel/s, district and SOI boundaries.

Description: _____

6c. If No, provide (a) description of property location in relationship to the SOI boundary, (b) identify other agencies with jurisdiction over area in which property is located, and (c) attach a project area map showing parcel/s, SOI boundary of agency requesting service, and SOI boundary/ies of other agency's that may provide service.

Description: _____

Other Agencies that could provide service: _____

6d. How is the property currently used?

Residential Commercial Agriculture Vacant/Undeveloped
 Church, school, other public use Industrial Habitat, Recreation

6e. What is current zoning designation? _____

General Plan designation? _____

Provide the following land use maps with legends for the project site and immediately adjacent parcels, and clearly identify the project site; County General Plan; City General Plan; Existing Land Use Zones; Prezone if applicable; and Community/Specific Plan if applicable.

6f. Are there any development or building applications on file that would authorize a different or higher density on the subject property/ies or adjacent property/ies?

If Yes, explain and attach a list of projects and application processing numbers.

6g. Is property inhabited? Yes No If Yes, how many residents? _____

6h. Provide the number of existing dwelling units/buildings on the property.

Single family: _____ Multi-Family: _____ Commercial/Industrial: _____

Square footage for commercial industrial _____

6i. Are there other service contracts/agreements currently in effect to serve this parcel or adjoining parcels? Yes No

If Yes, (a) explain and (b) attach 2 copies of other agreements or contracts.

6j. Adjacent Land Uses.

	Existing Land Uses	General Plan Designation	Zoning Designation
North			
South			
East			
West			

7. Environmental Review

This application is subject to the requirements of the California Environmental Quality Act (CEQA). If CEQA review has already been undertaken by another agency, please provide two copies of the environmental documentation including the Notice of Exemption or Notice of Determination and proof of payment of applicable State Fish and Game Department Fees.

7a. Lead Agency. _____

7b. Responsible Agency/ies. _____

7c. Type of action taken:

Exemption Negative Declaration Environmental Impact Report

7d. Date of Certification/Adoption: _____

8. Contract Service Issues

8a. Explain how services are to be extended, what the costs of extension will be and how the costs will be financed?

8b. Will the provision of services be growth inducing? Explain.

8c. Does the proposed service provider have existing capacity to serve the project site?

8d. Will existing customers continue to receive the same or higher level of service if this project is approved? Will the same level of service be provided to the project site as other customers receive?

9. Justification for Out of Area Service Agreement (must check one box below)

Pursuant to Government Code Section 56133, this application is submitted (*you must check one*)

- To address a threat to public health or safety (answer question 9a); or
- In anticipation of a future annexation (answer question 9b)

*Unless there is a threat to public health or safety, the jurisdiction must **justify** why a service agreement is being considered instead of an application for annexation.*

9a. Public Health or Safety Condition

- i. Please summarize the nature, extent and duration of the public health or safety emergency (attach additional page(s) if needed) and attach a copy of certification from appropriate Public Health Officials and any additional information verifying existence of emergency situation.

- ii. What alternatives have been explored to mitigate emergency situation in lieu of executing out of agency service agreement?

- ii. Is Interim Emergency Approval (expedited review) requested? ___ Yes ___ No

9b. Other Special Circumstances

What are other special conditions or unique circumstances that justify use of an out of area service agreement in lieu of filing for annexation? Respond to following (use extra sheet of paper if necessary):

Has annexation been considered? ___ Yes ___ No

Why was it found infeasible?

What barriers need to be overcome before filing an annexation application?

How long would the annexation be anticipated to take? _____

Is there a contractual obligation? _____

Explanation: _____

10. Public Notice, Disclosure, and Other Requirements

- 10a. Provide an 8 ½" X 11" map indicating the project site and identifying all parcels adjacent to and within 300 feet of the project site. Outer boundaries (not adjacent to project site) of large parcels need not be identified. All parcel numbers need to be indicated. (See Appendix E, Exhibit H)
- 10b. Provide a list of all parcel numbers within the 300 foot radius and include the name and address of the property owner as of the most recent assessment roll being prepared.
- 10c. Provide signed financial disclosure statement/s (See Appendix E, Exhibit C) pursuant to Government Code Section 56700.1.
- 10d. Provide one copy of an indemnification agreement (See Appendix E, Exhibit I).
- 10e. Provide two sets of original mailing labels that separately identify applicants, affected agencies, school districts, registered voters and landowners on project site, property owners within 300

feet of project site, and any other party to which notification must be provided. Labels must be current and complete and in Avery 5160 format.

11. Final Comments

- 11a. List any conditions LAFCo should include in its resolution for approval.
- 11b. Provide any other comments or justifications regarding the proposal from any affected local agency, landowner or resident.
- 11c. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

12. Certification

I hereby certify that the above information and accompanying documents are true and correct to the best of my knowledge. I hereby agree to pay all required filing and processing fees as may be needed to complete this application. Further, I understand that LAFCo will not be process an incomplete application and that LAFCo's adopted Procedures require that specific documentation be submitted as part of this application.

Name of Applicant's Authorized Representative

Signature of Applicant's Authorized Representative

Date