



***ESTUARY BRIDGES
COUNTY SERVICE AREA
MUNICIPAL SERVICE REVIEW FINAL***

November 29, 2012

Prepared for the
Local Agency Formation Commission of Alameda County
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TABLE OF CONTENTS

- 1. AGENCY OVERVIEW2**
 - FORMATION2
 - BOUNDARY2
 - SPHERE OF INFLUENCE3
 - ACCOUNTABILITY AND GOVERNANCE.....5
 - MANAGEMENT AND STAFFING6
 - GROWTH AND POPULATION PROJECTIONS7
 - FINANCING8
- 2. MUNICIPAL SERVICES.....10**
 - BRIDGE SERVICES.....10
- 3. MSR DETERMINATIONS12**
- 4. SPHERE OF INFLUENCE UPDATE.....14**

1. AGENCY OVERVIEW

Estuary Bridges CSA (EBCSA) was formed to finance the operation and maintenance three draw bridges crossing the Oakland Estuary between the cities of Alameda and Oakland. However, EBCSA is presently inactive, and operation and maintenance of these bridges is carried out by the Alameda County Public Works Agency (ACPWA). The most recent municipal service review (MSR) for the EBCSA was adopted in May 2006.

FORMATION

EBCSA was formed on February 28, 1989 as a dependent special district. EBCSA was created to assist with use and distribution of special district augmentation funds to finance the operation and maintenance of three draw bridges crossing the Oakland Estuary between the cities of Alameda and Oakland—the High Street Bridge, the Park Street Bridge and the Miller-Sweeney Bridge. EBCSA became inactive in FY 93-94, when the legislature abolished special district augmentation funding. EBCSA lost its sole funding source as a result, and Alameda County took over financing these services.

The principal act that governs EBCSA is the County Service Area (CSA) law.¹ The principal act authorizes CSAs to provide a wide variety of municipal services, including street maintenance, fire protection, extended police protection, water and sewer services.² A CSA may only provide those services authorized in its formation resolution unless the Board of Supervisors adopts a resolution authorizing additional services. Additionally, all districts must apply and obtain LAFCo approval to exercise latent powers (those services authorized by the principal act but not provided by the district at the end of 2000).³

BOUNDARY

EBCSA's boundary area includes the entirety of Alameda County, except for the cities of Berkeley and Hayward. Each of the 12 cities included in EBCSA adopted a resolution of consent for inclusion in the CSA at the time of formation. The total land area within the boundary of EBCSA is 606 square miles.

¹ California Government Code §25210 et seq

² California Government Code §25213.

³ Government Code §56824.10.

Prior to 2009, as areas were annexed into Hayward and Berkley, the territory was automatically detached from EBCSA.⁴ However, the CSA law was changed in 2009, removing the allowance for the automatic adjustment of a CSA's boundaries upon annexation to a city. Consequently, EBCSA's bounds, as they exist now, include portions of the City of Hayward, which has completed one annexation since 2009—61 acres in the Mt. Eden area. LAFCo staff is aware of this issue and plans to correct EBCSA's bounds in accordance with legal requirements. EBCSA's bounds, as shown in Figure 1-2, reflect the adjusted bounds to account for the anticipated corrections.

Extra-territorial Services

The three draw bridges, which EBCSA was formed to maintain, lie within its bounds, spanning the Oakland Estuary to link the cities of Alameda and Oakland. No services are provided outside of EBCSA's boundaries; although, residents and non-residents of the CSA make use of the bridges.

Unserved Areas

EBCSA is inactive and does not provide services. However the bridges that EBCSA was formed to maintain are operated and maintained by ACPWA, and consequently they are not considered unserved.

SPHERE OF INFLUENCE

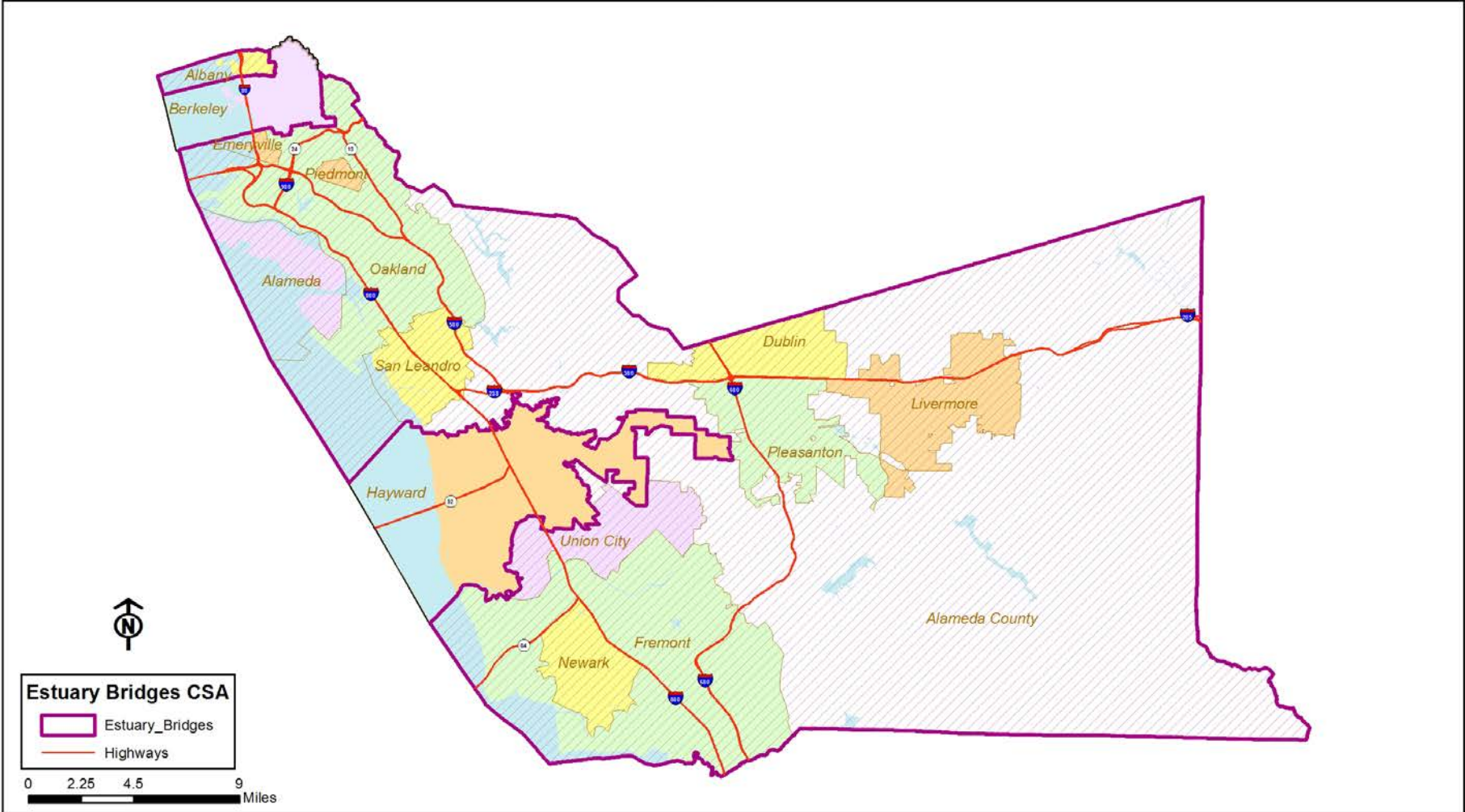
LAFCo adopted a Sphere of Influence (SOI) for the first time for EBCSA in 2006. Due to the inactive status of EBCSA, the Commission chose to adopt a zero SOI. At that time, LAFCo adopted a policy to encourage the County to initiate dissolution of EBCSA and consider LAFCo initiation of dissolution as part of the next MSR cycle, if the County does not take action.

EBCSA was formed to assist with use and distribution of special district augmentation funds. The fund no longer exists and EBCSA is no longer in use. During the SOI updates in 2006, LAFCo adopted a policy to encourage the County to initiate dissolution of EBCSA and consider LAFCo initiation of dissolution as part of the next MSR cycle, if the County does not take action. EBCSA's boundaries and SOI are shown in Figure 1-1.

⁴ Streets and Highways Code §22613.

Figure 1-1: Estuary Bridges CSA Boundaries and SOI

Estuary Bridges CSA Service Boundary and SOI*
May 2012



*Agency sphere of influence is zero

Created for Alameda LAFCo by the Alameda County Community Development Agency

ACCOUNTABILITY AND GOVERNANCE

Accountability of a governing body is signified by a combination of several indicators. The indicators chosen here are limited to 1) agency efforts to engage and educate constituents through outreach activities, in addition to legally required activities such as agenda posting and public meetings, 2) a defined complaint process designed to handle all issues to resolution, and 3) transparency of the agency as indicated by cooperation with the MSR process and information disclosure.

EBCSA was formed as a dependent special district with the Alameda County Board of Supervisors as its governing body. There are five members of the governing body of EBCSA. The five supervisors are elected by district to four-year terms of office.

The governing body meets weekly. Agendas for each weekly meeting are posted by the Board Clerk on the internet and at the County Administration Building. The Board Clerk provides notice for meetings and disseminates minutes. Board actions and meeting minutes are available on the internet. Through the County website, the public has access to live audio/visual webcasts and archived audio and/or visual webcasts of regular Board meetings for viewing online at their convenience. The County also discloses finances, plans and other public documents via the internet. Current board member names, positions, and term expiration dates are shown in Figure 1-2.

Figure 1-2: Estuary Bridges CSA Governing Body

Estuary Bridges CSA				
<i>District Contact Information</i>				
Contact:	Daniel Woldesenbet, Director, Alameda County Public Works Agency			
Address:	399 Elmhurst Street, Hayward, CA 94544			
Telephone:	(510)670-5480			
Fax	(510)670-5541			
Email/website:	http://www.acgov.org/pwa/			
<i>Board of Directors</i>				
Member Name	Position	Term Expiration	Manner of Selection	Length of Term
Scott Haggerty	Supervisor, Dist. 1	January 2013	Elected	4 years
Richard Valle	Supervisor, Dist. 2	January 2015	Elected	4 years
Wilma Chan	Supervisor, Dist. 3	January 2015	Elected	4 year
Nate Miley, President	Supervisor, Dist. 4	January 2013	Elected	4 years
Keith Carson, Vice President	Supervisor, Dist. 5	January 2013	Elected	4 years
<i>Meetings</i>				
Date:	Every Tuesday at 9:30am.			
Location:	Meetings are held in the Board Chambers at 1221 Oak Street, 5th floor in Oakland.			
Agenda Distribution:	Posted on the internet and County Administration Building.			
Minutes Distribution:	Available on the County website.			

EBCSA does not conduct public outreach or solicit constituent input directly. However, ACPWA has actively engaged affected cities in discussions in the past regarding financing of the drawbridge operations.

ACPWA accepts complaints by email, phone and in writing. ACPWA's telephone number is posted on each of the draw bridges. ACPWA reported that it received minimal complaints in 2011 regarding the bridges within EBCSA; although, the exact number was not provided. Vessels may complain about draw bridge delays to the U.S. Coast Guard—the agency regulating drawbridge operations. ACPWA reported that there were no complaints made through the U.S. Coast Guard regarding the EBCSA bridges in 2011.

EBCSA demonstrated accountability in its disclosure of information and cooperation with the LAFCO questionnaires and other requests for information.

MANAGEMENT AND STAFFING

While public sector management standards vary depending on the size and scope of the organization, there are minimum standards. Well-managed organizations evaluate employees annually, track employee and agency productivity, periodically review agency performance, prepare a budget before the beginning of the fiscal year, conduct periodic financial audits to safeguard the public trust, maintain relatively current financial records, conduct advanced planning for future service needs, and plan and budget for capital needs.

EBCSA is presently inactive and as such does not maintain staff, conduct performance evaluations, track agency workload or monitor productivity. ACPWA has taken on the responsibility of operating and maintaining the Estuary bridges, and, therefore, ACPWA's staffing and management is discussed here.

ACPWA staffs bridge operations, preventative maintenance, and as-needed repairs. Each of the three draw bridges is staffed by a four-person crew (12 full-time equivalent staff) with staggered shifts over a 24-hour period. The bridge tenders handle all bridge operation responsibilities and some preventive maintenance. ACPWA also has three full-time stationary engineers that handle complex electrical and mechanical issues.

ACPWA conducts performance evaluations through work load statistical reports and preparation of annual accomplishments in order to identify achievements and areas in need of improvement.

ACPWA staff indicated that it monitors productivity with the results published quarterly for ACPWA management.

Management practices conducted by ACPWA include performance-based budgeting and annual financial audits. ACPWA did not identify benchmarking practices related to bridge services.

The County has a mission statement. Neither EBCSA nor ACPWA has a strategic plan. However, the Board of Supervisors adopted Alameda County's Strategic Vision in 2008 to provide a multi-year, comprehensive, and far-reaching roadmap with high-level strategic direction for the County's agencies and departments, who are responsible for implementation through their own strategic plans and activities. ACPWA has a capital improvement plan which includes bridge needs with a planning time horizon of seven years. EBCSA does not prepare an annual report.

GROWTH AND POPULATION PROJECTIONS

This section discusses the factors affecting service demand, such as land uses, and historical and anticipated population growth.

Land Use

EBCSA's boundary area is approximately 606 square miles. The County is the land use authority for the unincorporated areas. Cities are the land use authorities within the respective city boundaries. Since EBCSA is essentially countywide, with the exception of the cities of Hayward and Berkley, it encompasses every land use designated by the County and those 12 cities.

Existing Population

As of 2010, the population of the area in EBCSA was 1,183,602. Its population density—1,733 residents per square mile—is slightly lower than the countywide density of 1,840 people per square mile.

Projected Growth and Development

Based on Association of Bay Area Governments (ABAG) growth projections and EBCSA's estimated 2010 Census population, the population of the area within EBCSA is anticipated to grow by 29 percent and reach 1,524,632 by 2035, with an average annual growth rate of one percent. Per ABAG population projections, the rate of growth in EBCSA is expected to be similar to the countywide growth rate through 2035. From 2010 to 2035 the population of unincorporated area of Alameda County is estimated to grow by 22 percent, while of the whole County—by 27 percent.

The County reported that growth patterns have not been affecting demand for bridge services within EBCSA in the last few years. Slow or no growth is anticipated by the County within EBCSA boundary area in the next several years, due to economic slowdown; however, no formal projections have been made by the County.

While there are a few small developments that are planned in the unincorporated area of the County, these developments consist of few residential dwelling units and are not anticipated to have a significant impact on bridge demand.

The City of Alameda has been soliciting proposals for development of a former naval base. If this development occurred it is anticipated that it would have an effect on demand for bridge services. Former proposals have included plans for up to 1,700 dwelling units.

FINANCING

The financial ability of agencies to provide services is affected by available financing sources and financing constraints. This section discusses the major financing constraints faced by EBCSA and identifies the revenue sources currently available to the CSA.

Prior to EBCSA's formation, the County Road Fund (i.e., gas taxes) financed the annual cost of maintaining and operating the three bridges in the CSA. When EBCSA was formed in 1989, the County adopted agreements with each city included in the CSA to use the Special District Augmentation Fund,⁵ County Road Fund and/or special assessments to finance EBCSA, but not to levy special assessments within city boundaries without prior consent of each city. At that time, the Special District Augmentation Fund (SDAF) existed to reallocate property tax revenues among special districts. The SDAF was established in each county with payments into the fund to be made based on a formula in State law, and with the county supervisors determining how to distribute the funds to special districts within the County. In FY 1993-94 the legislature abolished SDAF. EBCSA lost its SDAF funding, as a result, and presently does not receive any other income.

The County has since taken on the financing of the bridge related services, and reported that financing levels are generally adequate to provides services.

Revenues

The County finances the annual cost of maintaining and operating the three bridges with gas tax revenues, the half cent transportation sales tax (Measure B) and interest income. These revenue sources are tracked in the County Road Fund. In years when major capital projects are undertaken, federal grants constitute a significant share of CSA revenues. In FY 10-11, sources of funds for the bridge maintenance and operation services consisted of 26 percent from Measure B revenue (\$608,176), 74 percent from gas tax transfer revenue (\$1,755,250), and less than one percent in interest revenue from the County Road Fund (\$1,100).

Expenditures

Expenditures by ACPWA in FY 10-11 for each of the three bridges in EBCSA are as follows:

❖ High Street Bridge: \$869,667

⁵ The Special District Augmentation Fund (SDAF) was created by Assembly Bill 8 (1979) to provide supplemental income for special districts as a response to financial hardships caused by Proposition 13. The SDAF was abolished in 1993 as part of the second Educational Revenue Augmentation Fund shift.

- ❖ Park Street Bridge: \$922,297
- ❖ Miller-Sweeney Bridge: \$572,562
- ❖ Total Expenditures: \$2,364,526

Liabilities and Assets

EBCSA does not have any long-term debt and does not maintain a fund balance or reserves.

Financing Efficiencies

The County engages in joint financing arrangements related to insurance. The County receives excess workers compensation and liability coverage through the California State Association of Counties Excess Insurance Authority—a joint powers authority.

2. MUNICIPAL SERVICES

BRIDGE SERVICES

Service Overview

As an inactive agency, Estuary Bridges CSA does not provide services. The ACPWA provides operation and preventative maintenance of the three draw bridges for which EBCSA was formed to provide services. Operations include the opening of the drawbridges, which may be opened for vessels at any time, except morning and evening rush hours on weekdays. Maintenance activities include routine care and upkeep, as well as emergency repairs.

Demand for Services

Demand for bridge maintenance services is driven by the amount of traffic and the need for bridge opening. There are about 100,000 vehicles that drive on the EBCSA bridges. Heavy commute hours are 8 am to 9 am and 4 pm to 6 pm Monday thru Friday.

In 2011, there were 2,047 vessel openings.

Infrastructure and Facilities

Key infrastructure includes the three bridges—the High Street, Miller-Sweeney and Park Street Bridges—which are owned by the County. Each bridge is equipped with traffic signals, electrical brakes, emergency back-up hydraulic brakes, counterweights, machinery rooms, and operating towers. All three of the bridges were identified as being in good condition.

Draw Bridges	Description	Condition	Year Built
High Street Bridge	250-foot vehicle/pedestrian bridge crossing Oakland Estuary with a double leaf bascule design	Good	1939
Miller-Sweeney Bridge	215-foot vehicle/pedestrian bridge crossing Oakland Estuary with a single leaf bascule design	Good	1973
Park Street Bridge	250-foot vehicle/pedestrian bridge crossing Oakland Estuary with a double leaf bascule design	Good	1935

Infrastructure Needs or Deficiencies

There are no deficiencies or load restrictions, according to recent State inspection reports. All three bridges are slated for seismic retrofit in accordance with the “No Collapse” design criteria. There is no federal or state deadline imposed to complete the seismic retrofiting. The Miller-Sweeney Bridge is intended to be the “Lifeline” structure. The schedule to retrofit these bridges will depend on availability of federal funds.

Shared Facilities and Regional Collaboration

ACPWA operates and maintains the three County-owned draw bridges, and also provides reimbursable bridge operations and preventative maintenance services to the U.S. Army Corps of Engineers for the Fruitvale Ave. Railroad Bridge and to Cal Trans for the Bay Farm Island Bridge and Bay Farm Island Bike Bridge. There may be an opportunity for the County to provide reimbursable maintenance services for the Posey Tube, which is presently owned and operated by CalTrans.

Service Adequacy

This section reviews indicators of service adequacy, including safety, difficulty of use and restrictions.

There are no deficiencies or load restrictions, according to recent State inspection reports; however, the following safety restrictions apply to the EBCSA bridges:

- ❖ In windy conditions (over 30 mph), operating the High Street Bridge requires extreme caution.
- ❖ Cranes or trucks with high loads that extend forward of the front wheels or require a special transportation permit should use the Miller-Sweeney Bridge, which has no overhead steel structure.
- ❖ Metal tire mounted vehicles are not permitted to cross the bridges unless on a trailer.

3. MSR DETERMINATIONS

Growth and Population Projections

- ❖ As of 2010, the population within Estuary Bridges County Service Area (EBCSA) was 1,183,602.
- ❖ Based on Association of Bay Area Governments (ABAG) growth projections the population of EBCSA is anticipated to be 1,524,632 by 2035.

Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence

- ❖ Using Census Designated Places, Alameda LAFCo determines that there are no disadvantaged unincorporated communities that meet the basic state-mandated criteria. 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.

Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- ❖ Although, there are regularly occurring peak commuting periods that lead to congestion, ACPWA indicated that the bridges have the capacity to meet existing automobile and vessel demand
- ❖ EBCSA infrastructure includes three draw bridges, which are all considered to be in good condition; however they are planned to be retrofit for seismic safety on an undetermined schedule.
- ❖ The bridges appear to be adequately operated and maintained based on the lack of any deficiencies or load restrictions identified in recent State inspection reports.

Financial Ability of Agency to Provide Services

- ❖ EBCSA does not have any revenue sources to provide services.
- ❖ The County reported that bridge maintenance financing (through other sources) was adequate to deliver services.

- ❖ The main sources of revenue for bridge maintenance and operation activities are gas tax and transportation sales tax.

Status and Opportunities for Shared Facilities

- ❖ The County engages in joint financing arrangements related to insurance.
- ❖ Along with the three EBCSA bridges the County also provides reimbursable bridge operations and preventative maintenance services to the U.S. Army Corps of Engineers for the Fruitvale Ave. Railroad Bridge and to Cal Trans for the Bay Farm Island Bridge and Bay Farm Island Bike Bridge.

Accountability for Community Services, Including Governmental Structure and Operational Efficiencies

- ❖ EBCSA 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 agency demonstrated accountability in its cooperation with the LAFCo information requests.
- ❖ Given that the Commission adopted a zero SOI in 2006 and EBCSA has continued to remain inactive, a governance option for EBCSA is dissolution.

4. SPHERE OF INFLUENCE UPDATE

Existing Sphere of Influence Boundary

EBCSA has a zero SOI.

SOI Options

One option was identified with respect to EBCSA's SOI.

Option #1 – Retain zero SOI

EBCSA was formed in 1989 and an SOI was established in 2006. EBCSA was formed to assist with use and distribution of Special District Augmentation Fund. The fund no longer exists and EBCSA is no longer in use. Due to the inactive operational status of EBCSA, the Commission elected to establish a zero SOI in 2006. The adoption of a zero SOI was seen as a step toward dissolution and more efficient service delivery through a reduction of unnecessary public entities.

This situation continues to hold true during the current SOI updates. Should the Commission wish to continue to encourage the County to initiate dissolution of EBCSA and possibly consider LAFCo-initiated dissolution, then a zero SOI should be maintained.

Recommended Sphere of Influence Boundary

Since no services are presently provided by EBCSA, its status has remained inactive since 1993, and there is no identified need for EBCSA in the near future, it is recommended that the Commission maintain a zero SOI. The County has indicated that it would like to maintain EBCSA as a potential financing mechanism should the need arise in the future; however, no specific financing source has been identified and current financing for bridge operations and maintenance is considered to be adequate. Any assessments levied within cities inside the CSA would have to be approved by those cities' registered voters.

Given the County's preference to retain the option to make use of EBCSA, the Commission could reaffirm the zero SOI and address the issue of the status of the CSA during the next SOI update, as was done in the previous SOI update. A more proactive approach may be adopting a time period within which certain requirements must be met to prevent the dissolution of EBCSA. These requirements may include 1) reporting back to the Commission on specific plans to make use of the CSA or 2) activating the CSA and identifying a regular funding source.

Proposed Sphere of Influence Determinations

Nature, location, extent, functions, and classes of services provided

- ❖ Estuary Bridges CSA (EBCSA) was formed to finance the operation and maintenance of three draw bridges crossing the Oakland Estuary between the cities of Alameda and Oakland. However, EBCSA is presently inactive, and operation and maintenance of these bridges is carried out by the Alameda County Public Works Agency (ACPWA).

Present and planned land uses, including agricultural and open-space lands

- ❖ The boundary area includes a diverse mix of land use, including agricultural and open-space designated lands.
- ❖ 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.

Present and probable need for public facilities and services

- ❖ There is a persistent need for the bridge services that EBCSA was created to finance as indicated by the approximately 100,000 vehicles that travel over the EBCSA's bridges per day and the 2,047 vessel openings in 2011.
- ❖ The population level is expected to grow, as is the volume of vehicles using the drawbridges.

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.

Existence of any social or economic communities of interest

- ❖ Social or economic communities of interest are the cities of Oakland and Alameda, commuters and other bridge users, ships that make use of the drawbridges, and businesses relying on workers and shoppers that make use of the bridges.