

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2012-06**

**Adopting Municipal Service Review Determinations, Sphere of Influence Determinations, and
Updating the 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 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 Estuary Bridges County Service Area (CSA); and

WHEREAS, the Estuary Bridges CSA has a zero SOI; 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 Estuary Bridges County Service Area (EBCSA) was 1,183,602.
- ii. Based on Association of Bay Area Governments (ABAG) growth projections the population of EBCSA is anticipated to be 1,524,632 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. Although there are regularly occurring peak commuting periods that lead to congestion, the Alameda County Public Works Agency (ACPWA) indicated that the bridges have the capacity to meet existing automobile and vessel demand.
- ii. EBCSA infrastructure includes three draw bridges, which are all considered to be in good condition; however they are planned to be retrofitted for seismic safety on an undetermined schedule.
- iii. 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.

(d) Financial Ability of Agency to Provide Services

- i. EBCSA does not have any revenue sources to provide services.
- ii. The County reported that bridge maintenance financing (through other sources) was adequate to deliver services.
- iii. The main sources of revenue for bridge maintenance and operation activities are gas tax and transportation sales tax.

(e) Status and Opportunities for Shared Facilities

- i. The County engages in joint financing arrangements related to insurance.
- ii. 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.

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

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

2. Retain the existing the zero SOI for the Estuary Bridges CSA.
3. Adopt the following SOI policy: LAFCo shall encourage the County to initiate dissolution of the Estuary Bridges CSA if no plan to activate the CSA is provided to LAFCo within 12 months from the adoption date of this resolution.
4. Consider the criteria set forth in Government Code Section 56425(e) and determine as follows:

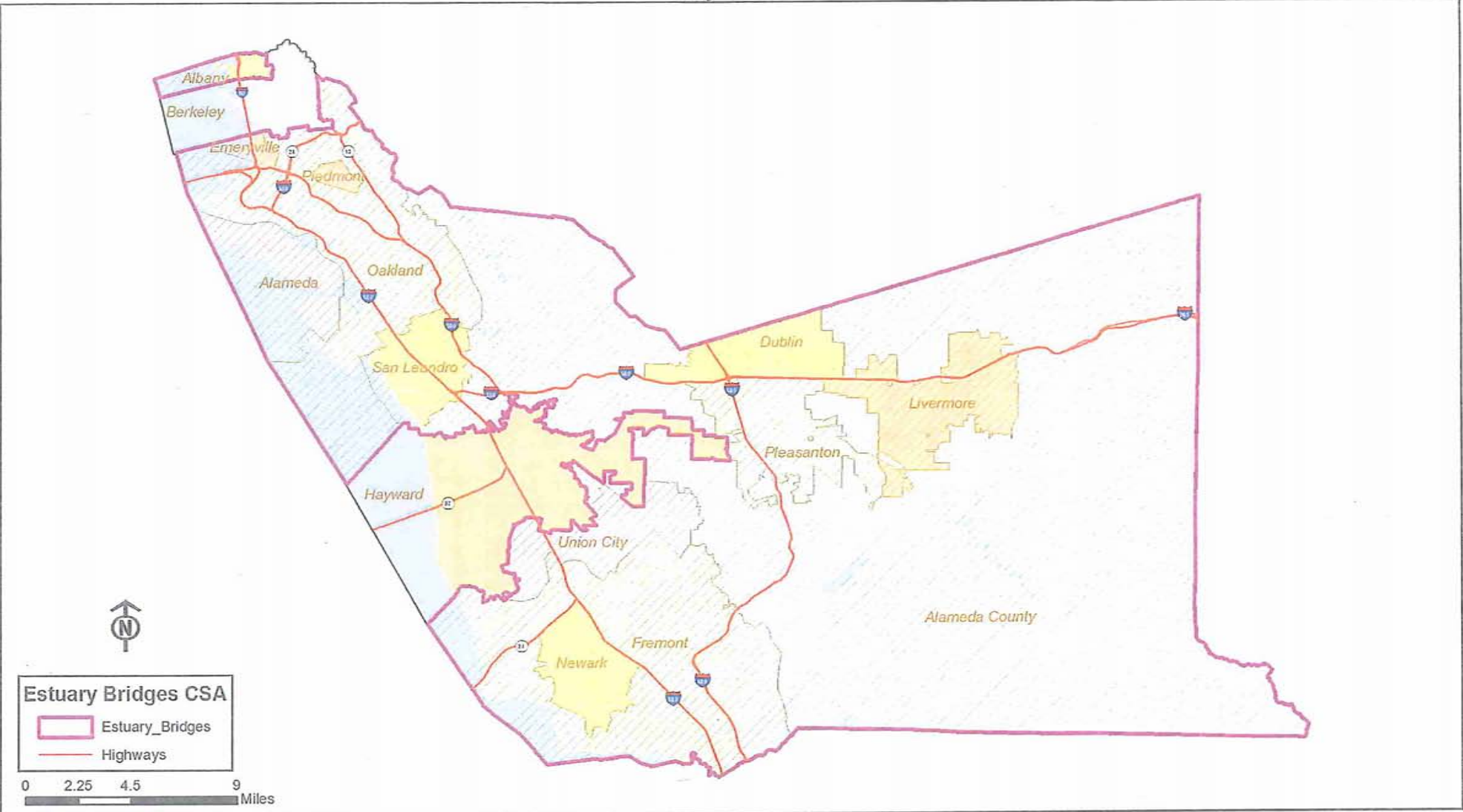
- (a) Nature, location, extent, functions, and classes of services provided – EBCSA was formed to finance the operation and maintenance of three draw bridges crossing the Oakland

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
Mona Palacios, LAFCo Executive Officer

Date: 12/17/2012

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