

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2006-38**

**APPROVING THE UPDATE OF THE SPHERE OF INFLUENCE FOR THE
CITY OF EMERYVILLE**

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 City of Emeryville and adopted written determinations as required by Government Code Section 56430 on May 11, 2006; and

WHEREAS, the City of Emeryville provides stormwater, park, recreation, wastewater, and street and street light maintenance services directly; contracts with the City of Oakland for library services; and contracts with private companies for solid waste collection, street sweeping services and vector services; and

WHEREAS, the City of Emeryville incorporated in 1896; and

WHEREAS, the City lies in the western portion of Alameda County, bordered to the north by the City of Berkeley and to the southwest by the City of Oakland; and

WHEREAS, Emeryville's SOI was established by LAFCo in 1983 and is coterminous with the City's boundaries; and

WHEREAS, no subsequent boundary or SOI changes have occurred; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the City'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 location of this SOI map; and

WHEREAS, the SOI update 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. Retain the existing the SOI for the City of Emeryville, which is coterminous with its boundary, as generally depicted in Exhibit A attached hereto.

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

- a. *The present and planned land uses in the area, including agricultural and open-space lands* – The City primarily consists of urban developed land, including 36 percent of commercial use and 22 percent residential use, most of which is high density. Emeryville also has a significant amount of industrial use (15 percent). Approximately eight percent of the City limits is parks and open space, most of which is occupied by Eastshore State Park. Emeryville’s growth is expected to occur primarily through infill development, redevelopment, and conversion and intensification opportunities throughout the community. The City encourages infill development and conversion of industrial land to denser commercial and residential use. The SOI is consistent with planned land uses.
- b. *The present and probable need for public facilities and services in the area* – The population in the City is expected to continue to grow. Growth areas in the City include redevelopment housing projects on 36th and San Pablo Avenue and mixed-use redevelopment on the former King Midas Card Club site. Bay Street is another growth area where five parcels are being redeveloped into a regional retail center with associated residential development.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – For the most part, municipal services provided in the city are adequate with the exception of wastewater, street and park service. A Regional Water Quality Control Board order requires the replacement or rehabilitation of Emeryville’s sewer to reduce infiltration of rainwater. Pavement backlog in the City exceeds \$200,000 per street mile. Emeryville has a lower number of developed park acres than the statutory standards. Emeryville does have additional planned park acres and park facilities. The City conducts productivity monitoring to improve service efficiency.
- 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* - Neighborhood planning areas include the Peninsula, North and South Bayfront, Doyle (a residential area), North Hollis (a commercial and industrial area), South Hollis, Park Avenue District (a designated historic area), and the Triangle. Economic communities include the Emeryville Market Place and Powell Street Plaza, as well as most of the area west of the railroad tracks.
- 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* - The City limits do not include any agricultural lands. No agricultural, open space or Williamson Act lands will be affected as no changes in the SOI are proposed.

4. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the 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.

* * * * *

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

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

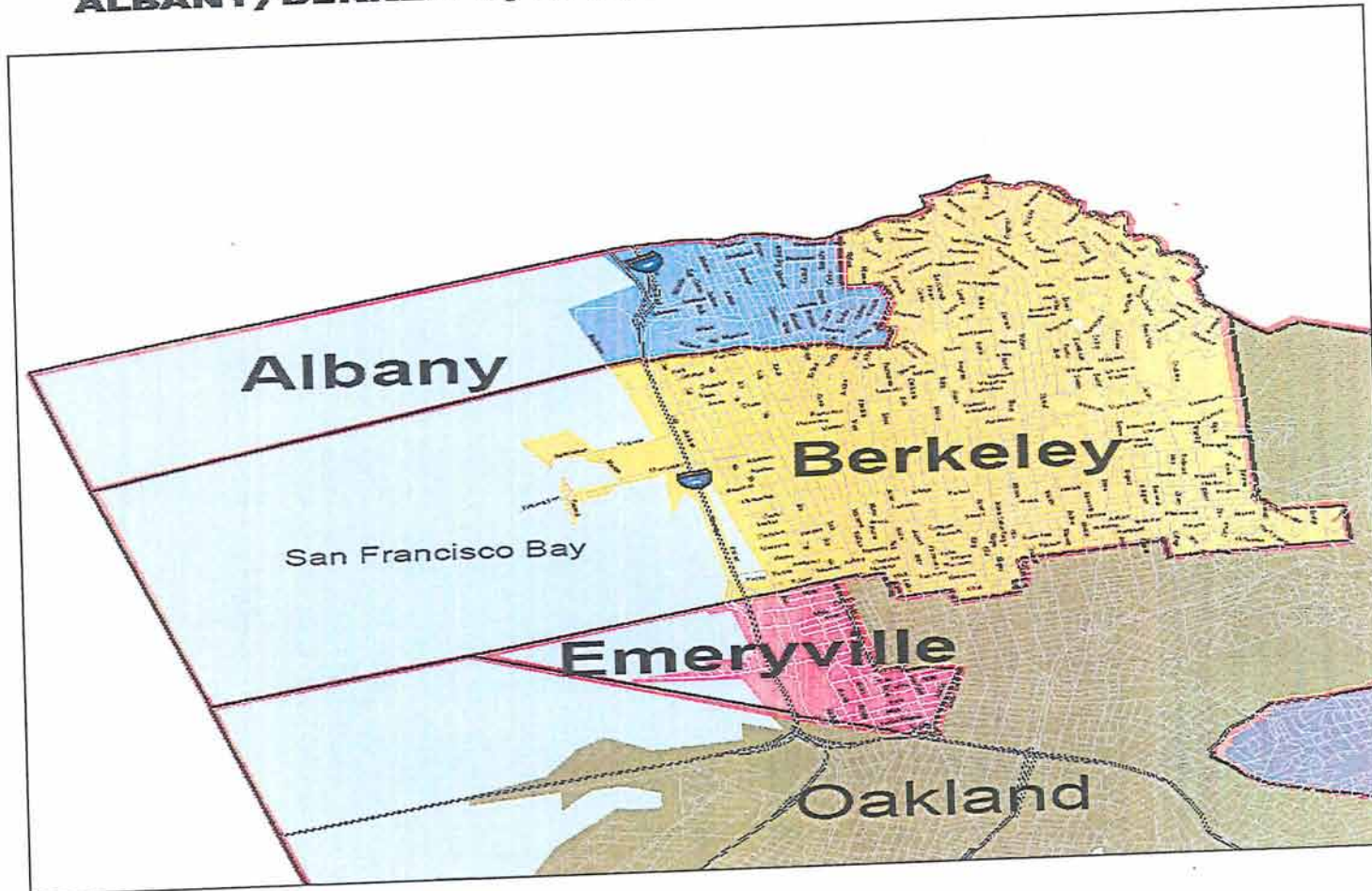
Crystal Hishida Graff, LAFCo Executive Officer

Date:

7/27/06

Exhibit A

ALBANY/BERKELEY/EMERYVILLE CITY LIMITS & SOI



Alameda County Reference Map

