

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2006-51**

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

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, but 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 Oakland and adopted written determinations as required by Government Code Section 56430 on May 11, 2006; and

WHEREAS, the City of Oakland provides a full range of municipal services including police, fire, paramedic, stormwater, wastewater, park, recreation, library, street and street light maintenance, and street sweeping services directly; and contracts with private companies for ambulance transport, street light maintenance, solid waste collection, and ferry operation services; and

WHEREAS, the City of Oakland incorporated on May 4, 1852; and

WHEREAS, the City lies in the northwestern portion of Alameda County; and

WHEREAS, Oakland's SOI was established by LAFCo on September 15, 1983; and

WHEREAS, the SOI includes a small area south of Redwood Road that is outside the city limits but not in Redwood Regional Park; and

WHEREAS, the SOI includes four eastern hill fringe areas—Villanova Drive, Manzanita Court, Starkville and Diablo Courts—in Oakland's SOI (areas are served by the City of Oakland and located in Contra Costa County) and prior LAFCo action specified that development in Contra Costa County adjacent to Oakland should not be permitted until the areas are annexed to Alameda County and the City of Oakland; and

WHEREAS, subsequent to the SOI adoption, LAFCo approved a boundary realignment and SOI change involving Oakland and San Leandro, which included detachment and annexation of parcels from both cities; and

WHEREAS, in 1992, following a county line adjustment, a portion of the Villanova Drive was annexed to Alameda County and the City of Oakland; thus, Oakland's current SOI includes its boundary area, the areas south of Redwood Road that are within Alameda County, and portions of the three fringe areas in Contra Costa County; and

WHEREAS, in 1996, LAFCo approved a landowner petition to annex 30 acres of fringe area near Redwood Road to Oakland; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District'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 public hearings held on July 13 and November 9, 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. Reduce the existing SOI for the City of Oakland as generally depicted in Exhibit A attached hereto to exclude the Panoramic Hill area.

2. Adopt the following SOI Policies:

- Policy Recommendation #1: LAFCo shall encourage the cities of Hayward, Livermore, Oakland and Pleasanton to annex, where appropriate, various islands and fringe areas including those currently receiving service.
- Policy Recommendation #2: LAFCO shall encourage Alameda and Contra Costa counties to explore options to enable efficient delivery of services to territory within, but not accessible to Contra Costa County (i.e. Skyline Blvd.), including annexations to Oakland and EBMUD and adjustments to the County lines, as appropriate.
- Policy Recommendation #3: LAFCo shall continue to encourage the cities of Berkeley and Oakland to work together to resolve service issues in the Panoramic Hill area including consideration of a reorganization of territory in the Panoramic Hill area.

3. 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 with open space in the Oakland Hill. Present land uses are diverse and include residential as well as significant industrial and commercial use. The SOI is consistent with planned land uses. The City has approximately 100 parks within its boundary, as well as several recreational areas along its perimeter. Lake Merritt occupies a large amount of the open space. There is no agricultural use within the City. Oakland has plans to attract 10,000 residents to the downtown area. In addition to its existing Coliseum and Downtown redevelopment areas, Oakland is developing two new redevelopment areas in West Oakland and in Central City East to encourage growth in older, blighted neighborhoods. Oakland is also exploring transit villages at BART station locations. A transit village is currently being constructed at the Fruitvale station.
- (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. Oakland's growth areas include Chinatown, the airport area, West Oakland and the hill areas. The Chinatown area is growing due to mixed-use housing development and various neighborhood improvements. In the airport vicinity, East Oakland is projected to experience high job

growth from airport and related jobs. Another commercial development growth area is West Oakland. The main residential growth areas are in the North and South Hill areas.

- (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 fire, wastewater and park service. Oakland had a higher average fire response time than the County average. Fire facilities are outdated and the City needs to build new facilities. The State RWQCB enforcement orders require Oakland to improve old, defective sewer lines causing infiltration and inflow. The City also reported high sewer overflow rates in 2004. Oakland has a lower number of developed park acres than statutory park acreage standards. Oakland does not have additional planned park acres and park facilities. The City conducts productivity monitoring and performance-based budgeting 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 - Economic communities include the downtown, the waterfront, the seaport, the Coliseum area and the airport area. The Panoramic Hill area is divided by the Oakland-Berkeley city limits. The Skyline area has parcels, which straddle the County line causing service inefficiencies.
- (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 – No agricultural, open space or Williamson Act lands will be affected by approval of the proposed SOI. No SOI expansions are proposed. In addition, the proposed policies only provide service and environmental benefits by formalizing the status of the urban service provider, or cleaning up service inefficiencies.

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.

* * * * *

This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at a regular meeting held on November 9, 2006, at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Crowle, seconded by Commissioner Kamena, and duly carried.

Ayes: 6 (Commissioners Crowle, Haggerty, Kamena, Lockhart and Sblendorio)
Noes: 0
Excused: 3 (Commissioners Combs, Foulkes and Miley)

Janet Lockhart

Janet Lockhart, Chair, Alameda LAFCo

Approved as to Form:

By:



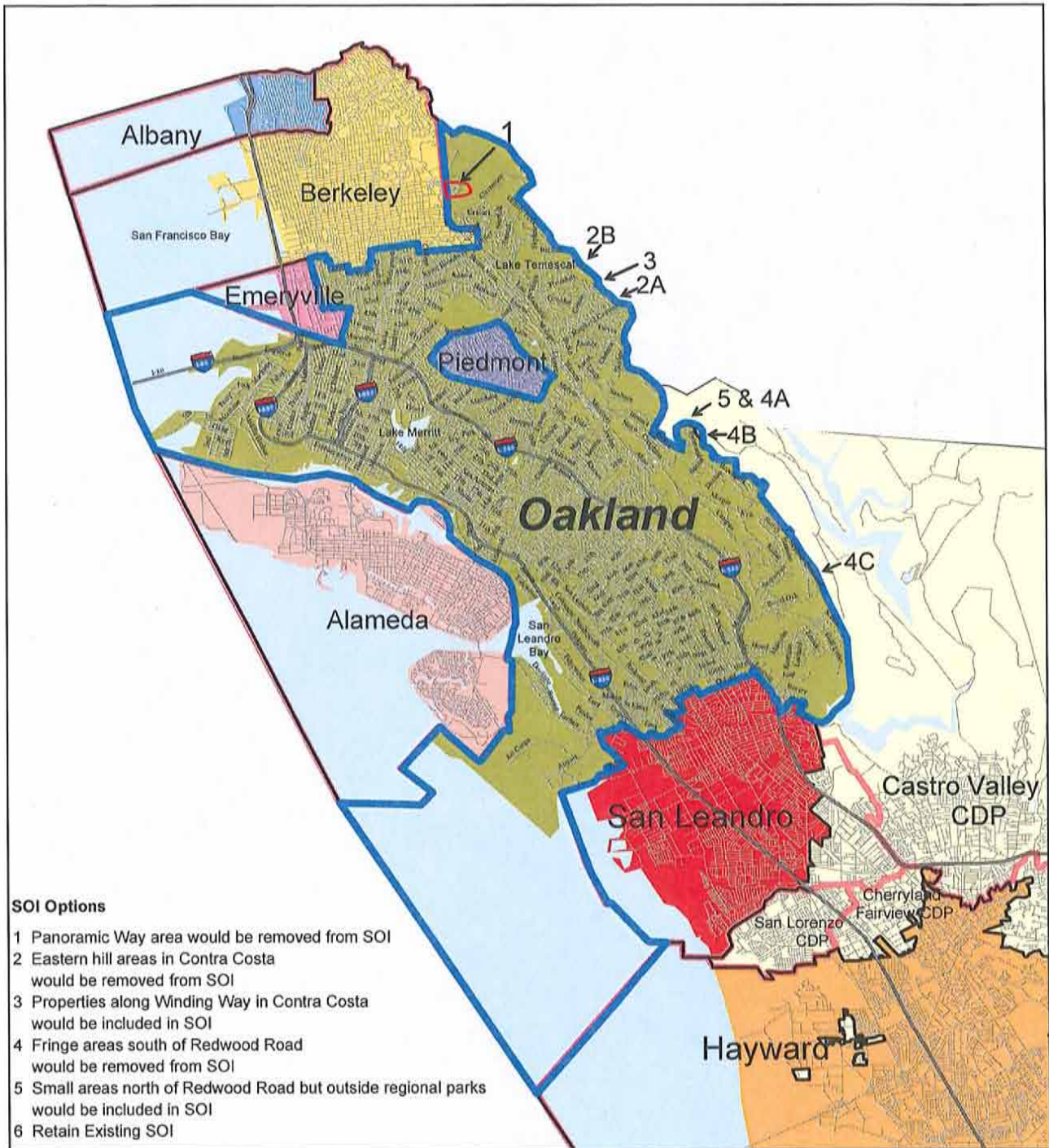
Brian Washington, LAFCo Legal Counsel

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

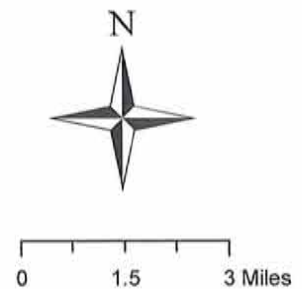
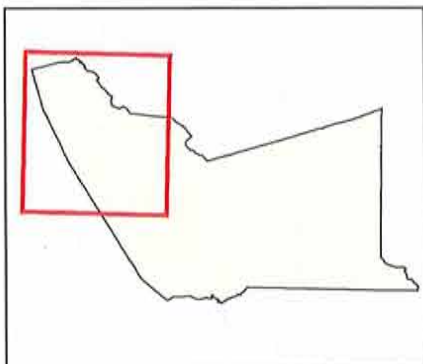
Attest: 
Crystal Hshida Graff, LAFCo Executive Officer

Date: 11/15/06

City of Oakland SOI Options



SOI not yet verified by the Commission



City of Oakland Option 1

