



***PUBLIC WORKS EXTENDED SERVICES
COUNTY SERVICE AREA
MUNICIPAL SERVICE REVIEW
DRAFT FINAL***

November 29, 2012

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

1. AGENCY OVERVIEW	2
FORMATION	2
BOUNDARY	3
SPHERE OF INFLUENCE	3
ACCOUNTABILITY AND GOVERNANCE.....	6
MANAGEMENT AND STAFFING	7
GROWTH AND POPULATION PROJECTIONS.....	7
FINANCING	9
2. MUNICIPAL SERVICES.....	10
SIDEWALK MAINTENANCE SERVICES	10
3. MSR DETERMINATIONS	12
4. SPHERE OF INFLUENCE UPDATE.....	14

1. AGENCY OVERVIEW

The Public Works Extended Services County Service Area (PWCSA), also known as CSA PW-2006-1, was formed to provide extended public works services in the unincorporated areas of Alameda County. The CSA is presently inactive, but was approved to provide sidewalk construction and repair. The CSA is administered by the Alameda County Public Works Agency. This is the first municipal service review for PWCSA.

FORMATION

PWCSA was established by LAFCo on July 13, 2006, as a dependent special district.¹

The principal act that governs the PWCSA is the County Service Area law.² The principal act authorizes county service areas to provide a wide variety of municipal services, including street maintenance, fire protection, extended police protection, water and sewer services.³ A CSA may only provide those services authorized in its formation resolution unless the Board of Supervisors adopts a resolution authorizing additional services. All districts must apply and obtain LAFCo approval to exercise latent powers or, in other words, those services authorized by the principal act but not provided by the district at the end of 2000.⁴

PWCSA was formed primarily as an administrative and funding mechanism, intended to form a “shell” for the entire unincorporated area of Alameda County, under which various service zones could be formed. The service zones could be formed at the request of property owners, at the direction of the Alameda County Board of Supervisors, or as a condition of approval for a planned development. Property owners would also have to vote in favor of the proposed service and its funding in compliance with local and State requirements.

¹ LAFCo Resolution No. 2006-16.

² California Government Code §25210 et seq

³ California Government Code §25213.

⁴ Government Code §56824.10.

BOUNDARY

The PWCSA boundary includes all of the unincorporated areas of Alameda County. The land area inside PWCSA includes 427 square miles.

Prior to 2009, as areas were annexed into the cities within the County, the territory was automatically detached from PWCSA.⁵ However, the CSA law was adjusted in 2009, removing the allowance for the automatic adjustment of a CSA's boundaries upon annexation to a city. Consequently, PWCSA's bounds, as they exist now, include portions of the cities that have annexed territory since 2009, which includes Hayward, Livermore and Pleasanton. Each city annexation post-2009 is shown in Figure 1-1. LAFCo staff is aware of this issue and plans to correct PWCSA's bounds in accordance with legal requirements. PWCSA's bounds, as shown in Figure 1-2, reflect the adjusted bounds to account for the anticipated corrections.

Extra-territorial Services

The County Public Works Agency does not provide services outside of the CSA's boundaries (all unincorporated areas).

Unserved Areas

At present, the CSA does not provide services; therefore, all areas are considered unserved by the CSA.

SPHERE OF INFLUENCE

The Commission established an SOI for PWCSA concurrent with formation in 2006.⁶ Prior to 2009, as areas were annexed to the cities, the boundaries of affected CSAs were automatically adjusted pursuant to State law; however, the CSAs' SOIs were never automatically adjusted to reflect these changes. Consequently, for city annexations between 2006 and 2009, these areas were detached from PWCSA but not its SOI. After 2009, as these areas were annexed to the cities, the territory remained within PWCSA's bounds and SOI. Each city annexation which has occurred since 2006 is shown in Figure 1-1. Future city annexations will include concurrent detachment from all affected CSAs as appropriate. PWCSA's SOI will be updated following the adoption of this MSR to reflect any necessary changes.

⁵ Streets and Highways Code §22613.

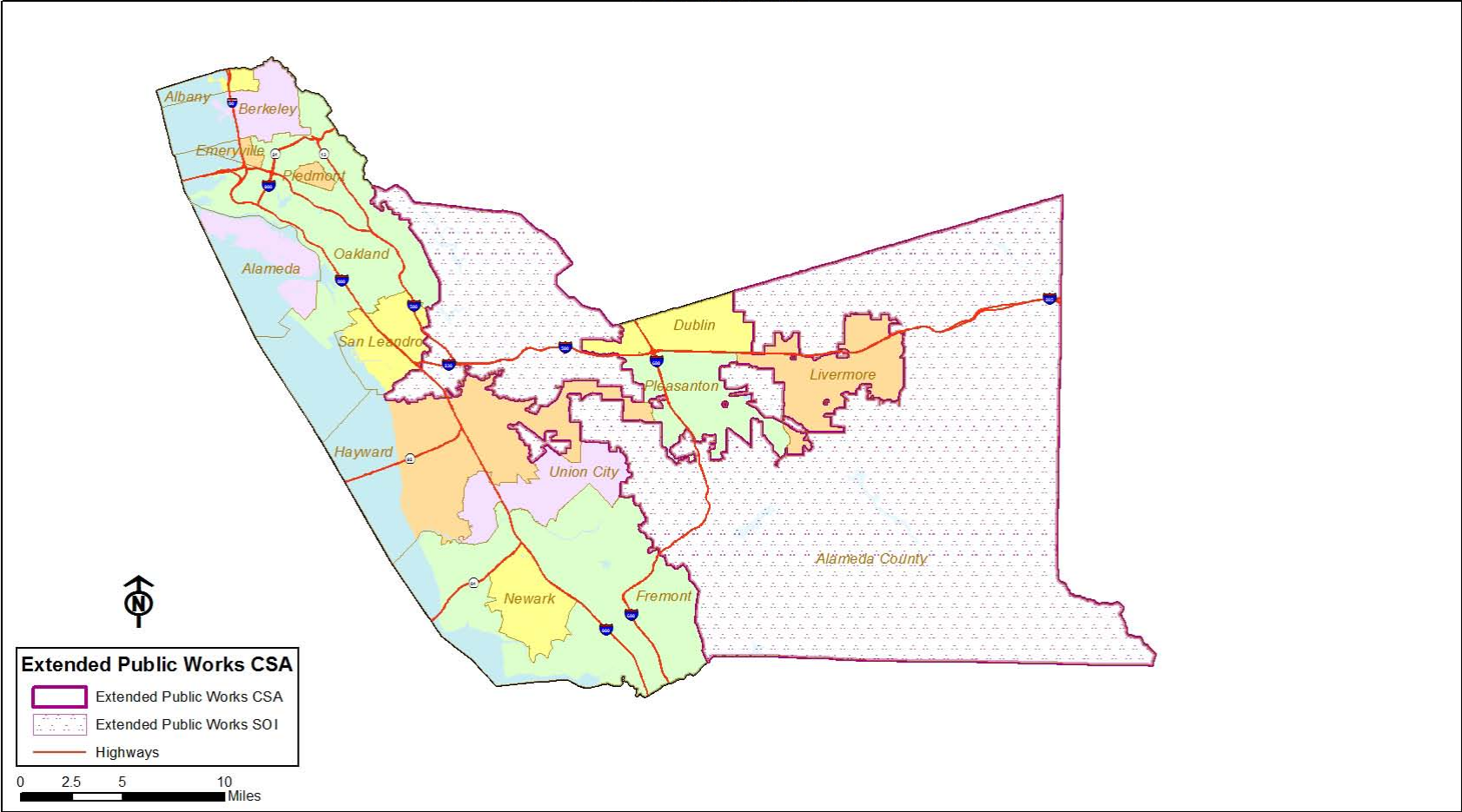
⁶ LAFCo Resolution No. 2006-15.

Figure 1-1: City Annexations Post-2006

Applicant Name	Proposal Name	LAFCo No.	Acreage	Impact bounds or SOI?
City of Dublin	Fallon Crossing Reorganization	2006-47	75.18	SOI
City of Dublin	Casamira Valley Reorganization PA-03-060 and 06-030	2007-09	244.12	SOI
City of Dublin	Dublin Ranch North Annexation Area	2010-04	157.7	Bounds and SOI
City of Hayward	Mission Garin Reorganization	2006-12	246	SOI
City of Hayward	Mt. Eden Annexation – Phase I	2007-02	137.66	SOI
City of Hayward	Mt. Eden Annexation – Phase II	2010-02	61	Bounds and SOI
City of Livermore	Las Positas Road Reorganization No. 6	2008-05	9.4	SOI
City of Livermore	Las Positas Reorganization #5 (Hilliker Place)	2009-05	45	Bounds and SOI
City of Livermore	Southeast Area National Labs Reorganization	2011-08	1,022	Bounds and SOI
City of Livermore	Pleasanton Gravel Company Detachment of APN 904-0010-007 (from City of Livermore)	2009-03	1.09	Bounds and SOI
City of Pleasanton	Annexation No. 151 Dutra	2008-01	10.5	SOI
City of Pleasanton	Vineyard Avenue Annexation/Detachment No. 148	2008-02	8.4 + 2.79 annex 6.73 detach	SOI
City of Pleasanton	Annexation No. 152 – Martin Ave Buffer Zone	2011-01	13.26	Bounds and SOI
City of Pleasanton	Staples Ranch Reorganization No. 149	2011-02	163*	Bounds and SOI
Note: *Also Detachment of .12 acre from & annexation of .13 acre to city of Livermore				

Figure 1-2: Public Works Extended Services CSA Boundaries and SOI

Extended Public Works CSA Service Area and SOI*
November 2012



*Agency sphere of influence differs from the service boundary

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.

PWCSA 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 PWCSA. The five supervisors are elected by district for four-year terms of office. Current board member names, positions, and term expiration dates are shown in Figure 1-3.

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. Board actions and meeting minutes are available via 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.

Figure 1-3: Public Works Extended Services CSA Governing Body

Public Works Extended Services 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			
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:	Weekly on Tuesdays at 9:30			
Location:	1221 Oak Street, Oakland, CA 94612			
Agenda Distribution:	Internet and County Administration Building			
Minutes Distribution:	Internet			

Presently, PWCSA does not have citizen advisory committees; however, as part of the service zone formation process, the County envisions creating volunteer citizen advisory groups prior to a ballot process. These groups could provide input in terms of the specific nature and extent of services, fees, etc. During PWCSA's formation, the County conducted outreach at a series of public and community meetings between March 2004 and October 2005. Presentations were made to the Alameda County Board of Supervisors, County Planning and Transportation Committee, Unincorporated Services Committee, Castro Valley Municipal Advisory Committee, San Lorenzo Village Homes Association, and the Cherryland Community Association. Presently, there are no outreach efforts to inform constituents of the potential for enhanced services, if they so desired.

The Alameda County Public Works Agency, which administers PWCSA, demonstrated accountability and transparency in its disclosure of information and cooperation with LAFCo questionnaires and information requests. The agency responded to LAFCo's written requests for information and cooperated with map and boundary inquiries.

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.

Once PWCSA is made active, the Alameda County Public Works Agency will staff the CSA on an as-needed and reimbursable basis, and all finances will be managed by the County. The County will develop service plans on an as-needed basis.

GROWTH AND POPULATION PROJECTIONS

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

Land Use

The County is the land use authority for the unincorporated areas. PWCSA encompasses every land use designated by the County—Rural, Low to High Density Residential, Major Commercial, Industrial, Mixed Use, Parklands, Agriculture, and Public. The topography, natural boundaries, drainage, level of development, and projected growth vary considerably in the unincorporated areas of the County.

Existing Population

As of 2010, the population of the area in PWCSA is 141,266. PWCSA is sparsely populated with a large area to serve. Its population density—331 residents per square mile—is dramatically 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 the CSA's estimated 2010 Census population, the population of the area within the CSA is anticipated to reach 171,779 by 2035, with an average annual growth rate of 0.8 percent. Per ABAG population projections, the rate of growth in PWCSA is expected to be similar to the unincorporated growth rate through 2035. From 2010 to 2035 the population of unincorporated area of Alameda County is estimated to grow by 22 percent, while the entire County is anticipated to grow by 27 percent.

Within PWCSA's boundaries, housing starts have been increasing in the eastern part of the County. A majority of the growth in the County is anticipated to take place in the incorporated areas of Dublin and Livermore.

Planned and proposed residential developments in the unincorporated area include the Greenville Road Subdivision, which is a proposed eight structure single family development on 160 acres in the South Livermore Valley area⁷ and the Tract 8057 Residential Subdivision, which consists of a 10.1-acre vacant property on the north side of Fairview Avenue in unincorporated Alameda County, is proposed to have 15 single family residences.⁸

One of the driving forces behind PWCSA's formation was an increase in demand for extended public works services. The intent of PWCSA is to provide flexibility for property owners to decide the type and level of extended services they desire for their neighborhood. Consequently, the Public Works Agency does not have a master plan for pre-defined service zones, and service provision will be based on request for services.

⁷ County of Alameda Community Development Agency, Greenville Road Subdivision Project – Initial Study, September 2011.

⁸ County of Alameda Community Development Agency, Tract 8057 Residential Subdivision Project – Initial Study, February 2012.

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 PWCSA and identifies the revenue sources currently available to the District.

At PWCSA's formation, the County's intent was to create a shell CSA; and at the appropriate time, more specifically define services, zones and fees/assessments. Fees/assessments would be subject to voter/landowner approval as dictated by applicable law. PWCSA is presently inactive and has no revenue sources and no expenditures.

2. MUNICIPAL SERVICES

SIDEWALK MAINTENANCE SERVICES

Service Overview

During the formation process, the County determined that, in general, the need for extended public works type services existed.

PWCSA was formed to provide extended services limited to sidewalk construction and repair in the unincorporated areas of Alameda County.

Specifically, the intent of PWCSA is to be an administrative and funding mechanism to finance sidewalk construction and repair within the unincorporated County; however, the specific level, nature and cost of services were to be determined at a later date based on the identified service demand.⁹ PWCSA is presently inactive. The County reported that it does not anticipate making use of PWCSA in the near future.

According to the County, one type of request for extended services by property owners has been for the construction of sidewalks. In the past, sidewalks in the unincorporated area have primarily been funded and installed through development projects, major capital projects funded through grants, or by private property owners who desired sidewalks. Under PWCSA, a group of property owners could petition the County for sidewalks, a zone could be formed to provide the desired services, and a cost plan could be developed. Subsequently, a ballot process would be initiated, and if successful, the Board of Supervisors would then approve the service zone.

Demand for Services

The County identified an increase in requests for extended public works services as the driving force in the formation of PWCSA.

Infrastructure and Facilities

PWCSA does not directly own or maintain any facilities presently. It is the intent that PWCSA will fund sidewalk improvements and construction in unincorporated areas in the

⁹ LAFCo Resolution No. 2006-15.

County. Existing County facilities and infrastructure will likely be used if and when PWCSA becomes active.

Infrastructure Needs or Deficiencies

As PWCSA is not presently responsible for infrastructure maintenance, no needs or deficiencies were identified.

Shared Facilities and Regional Collaboration

When PWCSA becomes active, it will practice facility (including staff and equipment) sharing through the Alameda County Public Works Agency.

Service Adequacy

As PWCSA does not presently provide services, there is no way to determine service adequacy.

3. MSR DETERMINATIONS

Growth and Population Projections

- ❖ As of 2010, the population within Public Works Extended Services County Service Area (PWCSA) is 141,266.
- ❖ Based on ABAG growth projections the population of PWCSA is anticipated to be 171,779 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 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.

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

- ❖ The County identified an increase in requests for extended public works services as the driving force in the formation of PWCSA.
- ❖ The future capacity of PWCSA will greatly depend upon community support, and the constituents' willingness to approve a special tax or benefit assessment for enhanced services.
- ❖ As PWCSA is not presently responsible for infrastructure maintenance, no needs or deficiencies were identified.
- ❖ As PWCSA does not presently provide services, there is no way to determine service adequacy.

Financial Ability of Agency to Provide Services

- ❖ PWCSA is presently inactive and has no revenue sources and no expenditures.

- ❖ Fees/assessments would be subject to voter/landowner approval as dictated by applicable law.

Status and Opportunities for Shared Facilities

- ❖ When PWCSA becomes active, it will practice facility (including staff and equipment) sharing through the Alameda County Public Works Agency.

Accountability for Community Services, Including Governmental Structure and Operational Efficiencies

- ❖ PWCSA 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 County Public Works Agency is responsible for management of PWCSA, and cooperated with LAFCO inquiries.
- ❖ It is recommended that outreach efforts be made in order to educate constituents on the potential for enhanced public works services, if they so desired.
- ❖ No alternative governance structure options with regard to PWCSA were identified.

4. SPHERE OF INFLUENCE UPDATE

Existing Sphere of Influence Boundary

The Commission established a coterminous SOI for PWCSA following the last round of MSRs in 2004. Prior to 2009, as areas were annexed to the cities, the territory of all CSAs were automatically adjusted pursuant to State law; however, the CSAs' SOIs have not been automatically adjusted to reflect these changes. Consequently, as areas were annexed into cities between 2006 and 2009, these areas were detached from PWCSA and not its SOI, which was coterminous with the CSA's boundaries as of 2006. After 2009, as these areas were annexed to the cities, the territory remained within PWCSA's bounds and SOI.

SOI Options

Two options were identified with respect to PWCSA's SOI.

Option #1 – SOI reduction to exclude all unincorporated islands and areas annexed into cities

Should the Commission wish to reflect the anticipation that unincorporated islands will eventually be annexed by the respective surrounding cities, LAFCo may adopt an SOI that includes all unincorporated areas with the exception of these islands. Such an SOI would require no action of the part of the District or LAFCo, but would indicate the Commission's desire to encourage cities to annex unincorporated islands and to discourage the creation of islands and confusing boundaries. This option would also eliminate those areas that have been annexed into cities since 2006.

Option #2 – SOI reduction to include only unincorporated territory

During the District's formation, the Commission adopted a coterminous SOI as it was unlikely that the SOI would need to extend beyond the existing boundary within the next five years. This continues to hold true during this SOI update. Should the Commission wish to reflect that the CSA is not expected to grow beyond its existing service boundary, then an SOI coterminous with the County's unincorporated territory would be appropriate. This option would eliminate those areas that have been annexed into cities since 2006.

Recommended Sphere of Influence Boundary

Given concerns that a coterminous SOI would promote islands of unincorporated SOI territory, which may result in mapping and illogical boundary issues, and that a coterminous SOI is somewhat inconsistent with LAFCo policies, which discourage the creation of islands and confusing boundaries, it is recommended that the Commission consider Option #1—an SOI reduction which excludes all unincorporated islands.

Proposed Sphere of Influence Determinations

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

- ❖ PWCSA was formed to provide extended services limited to financing of sidewalk construction and repair in the unincorporated areas of Alameda County. However, the specific level, nature and cost of services will to be determined at a later date based on the identified service demand.

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

- ❖ PWCSA has no authority over land use. No change to the present or planned uses will result from confirming this SOI.
- ❖ There are various areas throughout the unincorporated County which are designated Agricultural, Open Space, Parklands, and land subject to Williamson Act contracts. However, specific impacts to agricultural lands cannot be assessed until such time as the County defines the specific nature and location of extended services.
- ❖ The SOI is consistent with the County's existing plans and zoning designations for the area.

Present and probable need for public facilities and services

- ❖ The County has determined that, in general, the need for extended public works type services exists, but the specific level, nature and cost of services are yet to be determined based on the identified service demand.

Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

- ❖ The County Public Works Agency is willing and able to provide the services proposed under PWCSA, provided adequate revenues (i.e., fees/assessments) are approved by the voters.

Existence of any social or economic communities of interest

- ❖ The specific level, nature, location and cost of services will be determined at a later date based on identified service demand, need and funding. However, PWCSA could improve social and economic interests of the unincorporated areas of the County through the provision of enhanced municipal services and improvements.
- ❖ Developed unincorporated communities in Alameda County that are considered social or economic communities of interest are Castro Valley, Ashland, Cherryland, Fairview, and Sunol.