

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 2012-11**

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

**WHEREAS**, the CSA's SOI is currently coterminous with its service boundaries; 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 Morva County Service Area (MCSA) was 81.
- ii. Based on ABAG growth projections, the population of MCSA is anticipated to be 99 by 2035.
- iii. No new developments are anticipated within MCSA's boundaries and SOI, as the area is built out.

(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. MCSA serves 0.1 miles of private roads which are maintained by the Alameda County Public Works Agency.
- ii. There were two service requests in FY 10-11.
- iii. Private roads in MCSA do not meet County design standards in regards to paved width, paving, right-of-way width, grade, drainage, handicapped access, and sidewalk improvements.
- iv. The roadways in MCSA require overlay, due to severe cracking and isolated base failure.
- v. Infrastructure deficiencies on private roads in unincorporated areas may affect the desirability of annexation of such areas to cities.

(d) *Financial Ability of Agency to Provide Services*

- i. While in previous years MCSA has been unable to finance necessary maintenance, with the recent increase in the CSA's assessment, MCSA reported that its financing level was now adequate to deliver services.
- ii. In FY 10-11, MCSA's revenues exceeded expenses. The fund balance at the end of the fiscal year was \$9,316.
- iii. MCSA does not have any long-term debt.
- iv. MCSA needs \$25,000 for a roadway overlay. MCSA plans to spend \$6,500 at this time to fix the problem temporarily by applying slurry seal, and save funds over the next few years for major repairs.

(e) *Status and Opportunities for Shared Facilities*

- i. As an Alameda County Congestion Management Agency member, MCSA engages in joint studies and planning efforts.
- ii. MCSA contracts with the County Public Works Agency for maintenance of private roads and, in that sense, shares facilities.
- iii. MCSA engages in joint financing arrangements related to insurance.

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

- i. MCSA 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. No alternative governance structure options with regard to MCSA were identified.
- iii. MCSA demonstrated accountability in its cooperation with the LAFCo information requests.

2. Retain the existing coterminous SOI for the Morva CSA as generally depicted in Exhibit A attached hereto.
3. 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 – MCSA provides street maintenance services on private roads in the Morva neighborhood in the unincorporated Cherryland area. MCSA provides street maintenance services (not landscaping, sweeping or street lighting) on private roads by reimbursing the Public Works Agency for as-needed staffing.
  - (b) Present and planned land uses, including agricultural and open-space lands – The SOI is consistent with planned land uses in the small residential community with 20 residences on 13 properties. There are no agricultural and open space lands within MCSA’s boundaries, so no impacts on agricultural and open space lands or Williamson Act contracts will occur.
  - (c) Present and probable need for public facilities and services – Minimal growth is anticipated because the area is built out. There will be continued wear and tear on the road system requiring continued service by MCSA.
  - (d) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – MCSA streets do not meet standard widths, but do have sidewalk, curb and gutter improvements. There are additional short-term and long-term improvements planned for both roads. The service provider conducts performance evaluations, productivity monitoring and benchmarking to improve service efficiency.
  - (e) Existence of any social or economic communities of interest – The Morva community is a social and economic community of interest that pays for services rendered by MCSA through service charges. The community is entirely within MCSA’s boundaries and proposed SOI.
4. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that update of the agency’s SOI and the related MSR are categorically exempt under Sections 15061(b)(3) and 15306, Class 6 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 public hearing held on November 29, 2012, at 200 Old Bernal Avenue, Pleasanton, California on the motion made by Commissioner Marchand, seconded by Commissioner Wieskamp, and duly carried.

Ayes: 5 (Commissioners Miley, Sblendorio, Wieskamp, Andrade, and Marchand)  
Noes: 0  
Excused:

      /Nate Miley/

Nate Miley, 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:

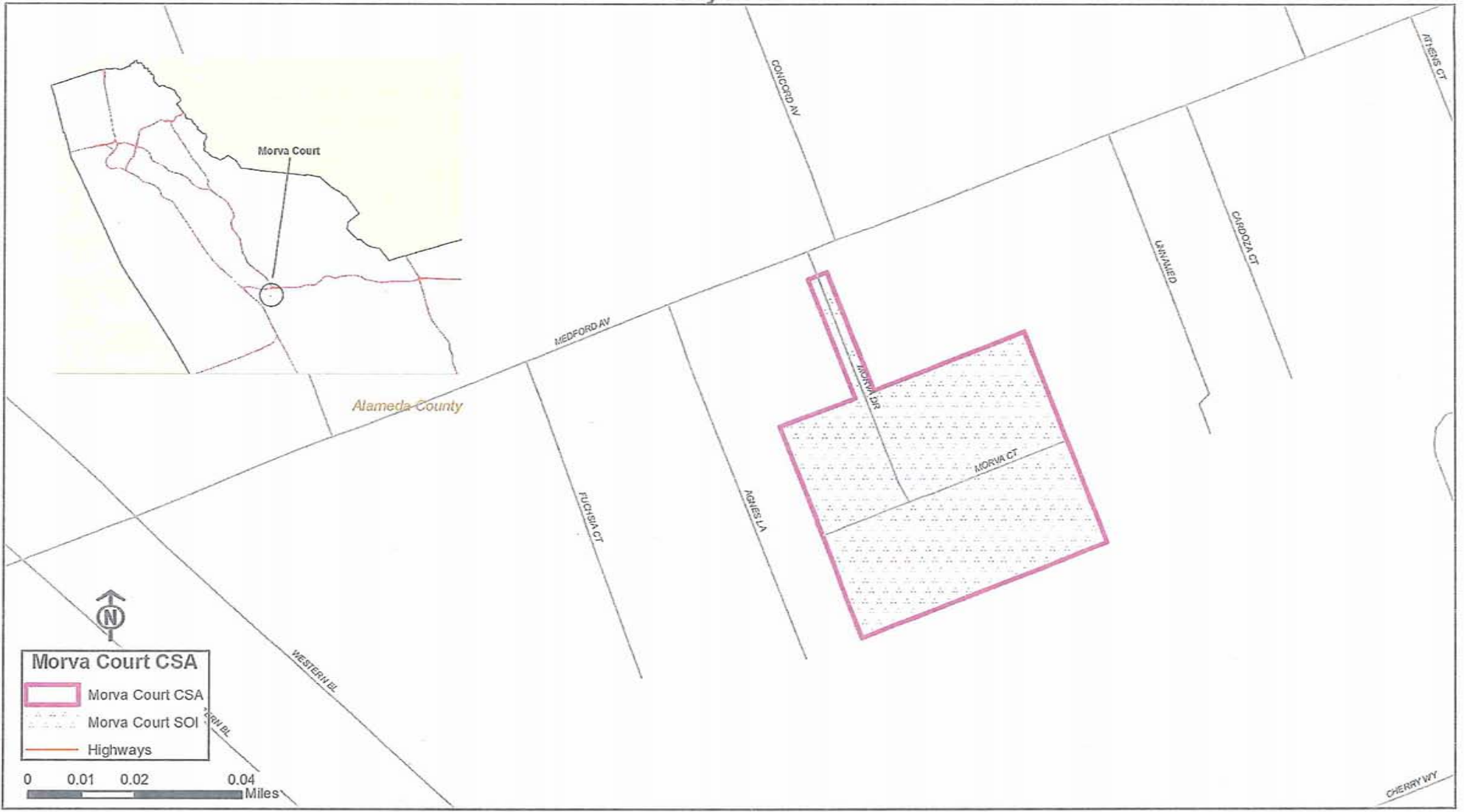


Mona Palacios, LAFCo Executive Officer

Date:

12/17/2012

## Morva Court CSA Service Boundary and SOI\* May 2012



\*Agency sphere of influence equals the service boundary

Created for Alameda LAFCo by the Alameda County Community Development Agency