

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2013-02**

**Adopting Municipal Service Review Determinations, Sphere of Influence Determinations, and
Updating the Sphere of Influence for the Alameda County Resource Conservation District**

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 Alameda County Resource Conservation District (ACRCD); and

WHEREAS, the ACRCD has a countywide SOI that is larger than the District's jurisdictional boundary; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's coterminous 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 were duly considered at a public hearing held on January 10, 2013; 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 Alameda County Resource Conservation District (ACRCD) was 305,625.
 - ii. Based on Association of Bay Area Governments (ABAG) growth projections the population of ACRCD is anticipated to be 388,144 by 2035.
 - iii. There is the potential for ACRCD's population growth rate to be higher than the countywide growth rate as its bounds include areas that are urbanizing with a higher potential for new developments.
 - iv. Urban expansion reduces the areas for agricultural activities, open space, and habitat management, but results in a partial restructuring of services to urban outreach and conservation, education, and stream and runoff assistance.

- 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. The farming community and farm acreage generally has been declining in Alameda County.
 - ii. The future demand for resource conservation education and creek restoration programs may relate to population growth, as well as public awareness.
 - iii. ACRCDD does not own or maintain any infrastructure, and consequently there were no infrastructure needs or deficiencies identified.
 - iv. ACRCDD's offices appear to have sufficient capacity to provide adequate services.
 - d. Financial Ability of Agency to Provide Services
 - i. ACRCDD reported that its financing level was adequate to deliver services.
 - ii. ACRCDD's primary revenue source is project funds.
 - iii. ACRCDD maintains a healthy reserve of \$295,468 and does not have any long-term debt.
 - e. Status and Opportunities for Shared Facilities
 - i. ACRCDD works in partnership with various other county, state, federal and local agencies.
 - ii. ACRCDD has also been an active collaborator with citizen and landowner organizations.
 - iii. ACRCDD's office is located in the Alameda County Agricultural Center, which it shares with other organizations and programs that it partners with for various programs. ACRCDD also shares its offices with the local partnership office of the Natural Resources Conservation Service.
 - f. Accountability for Community Services, Including Governmental Structure and Operational Efficiencies
 - i. ACRCDD practices good governance and accountability. ACRCDD makes efforts to engage and educate constituents through outreach activities in addition to legally required activities such as agenda posting. ACRCDD is transparent as indicated by cooperation with the MSR process and information disclosure.
 - ii. One possible governance alternative for ACRCDD is consolidation with Contra Costa Resource Conservation District (CCRCDD). Possible benefits of an RCD consolidation may be capitalizing on each other's existing programming, economies of scale, greater regional collaboration and planning on regional issues and concerns, and provide efficiency for funding projects at a regional level. The two districts have not discussed the possibility of consolidation; however, ACRCDD voiced concerns that the two districts serve different functions and purposes, which would minimize any benefit from this kind of reorganization.
 - iii. An additional option is to expand ACRCDD's boundary area to become countywide. ACRCDD's SOI is countywide; and the scope of some of the District's resource conservation programs extends beyond its current boundaries.
 - iv. Another governance structure option is to detach all the urban areas from the District to realign ACRCDD's boundaries with the original rural vision; however, this would not reflect the District's current service area which includes some urban areas.
2. Retain the countywide SOI for the Alameda County Resource Conservation District 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. *The present and planned land uses in the area, including agricultural and open-space lands* – City and county plans include land uses and population growth, which will stress agricultural land resources, create substantially more impervious surfaces, and increase the amount and velocity of runoff thus exacerbating soil erosion problems. ACRCDD has no authority over the types and nature of land uses within its boundary. City and county policies support the provision of watershed protection and resource conservation services for city and county residents. District services enhance agricultural productivity and open space conservation and do not induce or encourage urban growth. ACRCDD’s boundary and SOI include all agricultural lands in the County. ACRCDD will continue to provide agriculture enhancement services, which help maintain the physical and economic integrity of open space and agricultural lands. No Williamson Act contracts will be adversely affected.
 - b. *The present and probable need for public facilities and services in the area* – There is an existing demand for ACRCDD’s services. It is anticipated that this demand for services will likely continue; however urbanization will enhance demand in non-agricultural areas. It is likely that urbanized areas will increase use of ACRCDD’s services to combat soil erosion, and water quality and flooding problems.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – ACRCDD has the capacity to serve additional areas. ACRCDD continues to receive project funding from federal, state and local agencies, and continues to collaborate with and advise agencies. The District has received no recent complaints. Based on ACRCDD’s management practices, accountability to constituents, number of complaints, and continued willingness of agencies to work with ACRCDD, services offered by the District appear to be adequate.
 - d. *The existence of any social or economic communities of interest in the area* – All county residents benefit from services provided by ACRCDD. Agricultural areas benefit from Farm Bill and agricultural programs provided by ACRCDD.
 - e. *Nature, location, extent, functions & classes of services to be provided* – ACRCDD provides creek and habitat restoration, equine facilities management, watershed management, erosion prevention, soil conservation, responsible agricultural programs such as grassland reserves, environmental quality and habitat incentives, grant administration, permit coordination, technical education and training, clean water education and other resource conservation services to undeveloped areas in the southern and eastern portions of the County, most territory in the cities of Dublin, Pleasanton and Livermore, and undeveloped hill and marsh areas in the cities of Hayward, Fremont, Newark, and Union City. ACRCDD also provides public education services to urban areas, and its watershed restoration activities serve urban as well as rural areas throughout the County.
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.

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This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at the public hearing held on January 10, 2013, at 7051 Dublin Blvd., Dublin, California on the motion made by Commissioner Haggerty, seconded by Commissioner Sbranti, and duly carried.

Ayes: 7 (Commissioners Haggerty, Miley, Sblendorio, Wieskamp, Johnson, Sbranti, and Marchand)
Noes:
Excused:

/Nate Miley/

Nate Miley, Chair, Alameda LAFCo

Approved as to Form:

By: 
Andrew Massey, 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: 2/22/2013

