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Mona Palacios

AGENDA 7 May 12, 2011

May 3, 2011

Honorable Commissioners
Alameda Local Agency Formation Commission

Subject: Annexation of the City of Alameda into the Alameda County Emergency Medical Services District (County Service Area EM 1983-1): LAFCo 2011-4

Dear Commissioners:

The City of Alameda filed this annexation application via Resolution No. 14539 dated January 4, 2011 to annex into the Alameda County Emergency Medical Services District (the EMS District) in order to maintain essential emergency paramedic and trauma care services for the residents of Alameda, and to ensure efficient and orderly boundaries for the EMS District. The subject area is the entire City of Alameda (the City) located in northwest Alameda County bounded by Oakland on the north, east, and south, and the San Francisco Bay to the west. (See Attachment 1 – boundary map).

BACKGROUND

LAFCo approved formation of County Service Area (CSA) EM-1983-1 (Emergency Medical Services District) on October 20, 1983. The CSA was created as a dependent special district under the governance of the Alameda County Board of Supervisors. Typically, a CSA’s boundary includes unincorporated territory, but CSA law provides for incorporated cities within the County to be included if city councils approve a resolution consenting to the annexation (Government Code Section 25210, et.seq.). The City’s registered voters approved the creation and financing of the EMS District in an election held on November 2, 1982. However, the City of Alameda declined to join the EMS District and did not approve a consenting resolution. All other cities in the County adopted and provided LAFCo with resolutions of consent. As a result, the CSA boundary includes the entire County except for the City of Alameda. On September 20, 1984, Alameda LAFCo amended the EMS District’s sphere of influence (SOI) to include the City, thereby making the District’s SOI countywide. In 1997, the EMS District-wide benefit assessment was re-adopted by the voters as a special tax after passage of Proposition 218 invalidated the prior use of benefit assessments.

Though it is not within the District’s service boundary, the City participates in the overall County EMS system via contract with Alameda County. The City operates its own EMS ambulances through its fire department, but it obtains various services, such as paramedic certification and access to trauma centers,

through the County EMS system. Because property owners in the City do not pay the special tax to support the EMS system that all other County property owners do, the City has used its general fund to finance the contract. Given current fiscal conditions, the City now seeks to extend the existing special tax to its property owners, but cannot do so until it annexes into the EMS District. Additionally, inclusion of the City in the EMS District creates a more logical CSA boundary because it would be coterminous with the County boundary.

On November 4, 2004, Alameda LAFCo updated the EMS District's SOI. The municipal service review accepted and SOI update approved by the Commission at that time incorrectly states that the EMS District's SOI and service boundaries are coterminous with the County's boundary. This is not entirely correct since the City is not within the EMS District's service boundary.

During contract negotiations with the City in late 2010, the EMS District suggested that the City might consider annexing into the District and extending the special tax as an alternative to annual contracts. On January 4, 2011, the Alameda City Council voted to apply for annexation into the EMS District and to extend the special tax. At that time, no members of the public spoke either for or against the project.

In addition to standardizing the funding mechanism throughout the EMS District, the annexation of the City of Alameda into the EMS District creates a more logical CSA boundary because it would be coterminous with the County boundary.

It should be noted that the EMS District does not share in the property tax allocation so no tax sharing agreement is required. However, the City has requested that LAFCo condition approval of the application upon extending the existing special tax to the property owners in the annexation area pursuant to Government Code Sections 56886(t).

FACTORS FOR CONSIDERATION

Government Code §56668 lists factors to be considered in the review of a district annexation proposal. The Commission's review must include, but is not limited to, consideration of these factors. Additional information relating to these factors can be found in the Application Questionnaire (Attachment 2).

Table 1 – Factors to be Considered

Factor to Consider	Response
(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.	Alameda's estimated population is 75,409 with a land area of 6,912 acres or 22.7 square miles. The total assessed value is \$8,829,581,582. Alameda is an urban area that is essentially built out, and consists of 20,574 parcels with approximately 15,000 landowners. The City is adjacent to the San Francisco Bay and the urbanized City of Oakland. One area that may be a source of significant growth for the City is known as Alameda Point (the former Alameda Naval Air Station) in the western end of the island. However, no definite development plan exists yet for this area and it is unknown when any development might be approved.
(b) The need for organized community services; the	The proposed annexation area consists of an

Factor to Consider	Response
<p>present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.</p> <p>"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.</p>	<p>incorporated city which provides municipal services to its residents. Through its fire department, the City currently provides emergency medical services and participates with the EMS District via contract. The cost of the annual contract for services is approximately \$850,000 annually. Annexation of the City of Alameda into the EMS District will not have any negative effects on existing service recipients. The City intends to finance services in the annexation area by extending the existing EMS District special tax paid by all other property owners in the County to the landowners in the annexation area. The alternative action to annexation is for the City to continue contracting with the EMS District, financing its participation with general fund dollars which may negatively affect the level of other municipal services provided to residents.</p>
<p>(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.</p>	<p>Since the City already participates in the EMS District, no negative impacts on existing County governmental structures or agencies are expected.</p>
<p>(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. <i>(Note: Section 56377 encourages preservation of agricultural and open-space lands.)</i></p>	<p>The proposal does not include services that would induce, facilitate, or lead to conversion of open space or agricultural lands.</p>
<p>(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.</p>	<p>No prime agricultural lands exist in the annexation area so there is no effect on agricultural land.</p>
<p>(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.</p>	<p>The subject annexation territory includes the entire City of Alameda which has definite and certain boundaries. The County Assessor's Office reports that there are no parcel splits, and none will be created by the proposed annexation.</p>
<p>(g) Consistency with city or county general and specific plans.</p>	<p>The proposal does not change or have any effect on land use and conforms to the City's general plan.</p>
<p>(h) The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.</p>	<p>The subject territory is within the EMS District's SOI.</p>
<p>(i) The comments of any affected local agency.</p>	<p>At its April 12, 2011 meeting, the Alameda County Board of Supervisors approved a resolution supporting the proposed annexation of the City into the EMS District. The EMS Director also supplied a letter of support for the proposed annexation.</p>
<p>(j) The ability of the newly formed or receiving</p>	<p>As mentioned above, the City already participates in</p>

Factor to Consider	Response
entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.	the EMS District via contract so annexation does not affect the District's ability to provide services to the City. Additionally, the existing special tax will be extended to the subject annexation area property owners. The current residential special tax rate is \$26.42 per benefit unit (a residence equals one benefit unit; other types of development have different benefit unit values).
(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.	The proposed project does not impact water supply or demand.
(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.	The proposed project does not impact housing supply or demand.
(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.	Alameda LAFCo received no comments prior to issuance of this report.
(n) Any information relating to existing land use designations.	The proposal does not change or have any effect on land use.
(o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.	The proposed annexation is not expected to have any impact on the promotion of environmental justice.

ENVIRONMENTAL ANALYSIS

The City, as lead agency, has determined that the project is categorically exempt under the California Environmental Quality Act (CEQA). The specific categorical exemption is Section 15319(a), Class 19 which states that:

Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.

In accordance with adopted Alameda LAFCo Guidelines and the applicable provisions of CEQA, LAFCo staff concurs with this determination.

PROTEST PROCEEDINGS

The subject annexation area is inhabited and the proposal does not have consent from all property owners. Therefore, if approved, the Commission must conduct a subsequent protest hearing. Pursuant to Government Code §57000 and Alameda LAFCo policies, the Commission may delegate authority to the Executive Officer to conduct the protest hearing. If approved, staff suggests that protest hearing be held on Monday, June 20, 2011 at the City of Alameda City Council chambers on Santa Clara Avenue.

Honorable Commissioners

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ALTERNATIVES FOR COMMISSION ACTION

Option 1 - Approve the annexation as submitted.

- A. Conclude that LAFCo has reviewed and considered the information provided by the applicant regarding the categorical exemption applied to this project, and finds that adequate and complete for LAFCo review purposes.

- B. Approve the City of Alameda's annexation application referenced as Annexation of the City of Alameda into the Emergency Medical Services District (County Service Area EM 1983-1) subject to the following term and condition:
 - 1. Extension of the EMS District's existing special tax to the property owners within the subject annexation area pursuant to Government Code Sections 56886(t) and 57330.

- C. Conclude that, pursuant to Government Code Section 56663, a protest proceeding must be held and authorize the Executive Officer to conduct the protest proceedings within 60 days in accordance with Government Code Section 57000.

- D. Approve and authorize the execution of the certified Resolution of Annexation and Authorization for the Executive Officer to Conduct Protest Proceedings (Attachment 4).

Option 2

Adopt this report and DENY the proposal.

Option 3

If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

Approve Option 1.

Sincerely yours,



Mona Palacios, Executive Officer

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Attachments

- 1. Boundary Map
- 2. LAFCo Application Questionnaire
- 3. Notice of Exemption
- 4. Draft LAFCo Resolution of Approval

cc: Michael Fisher, Interim Fire Chief
Maria Raff, Alameda Fire Department
Terri Wright, Alameda City Manager's Office

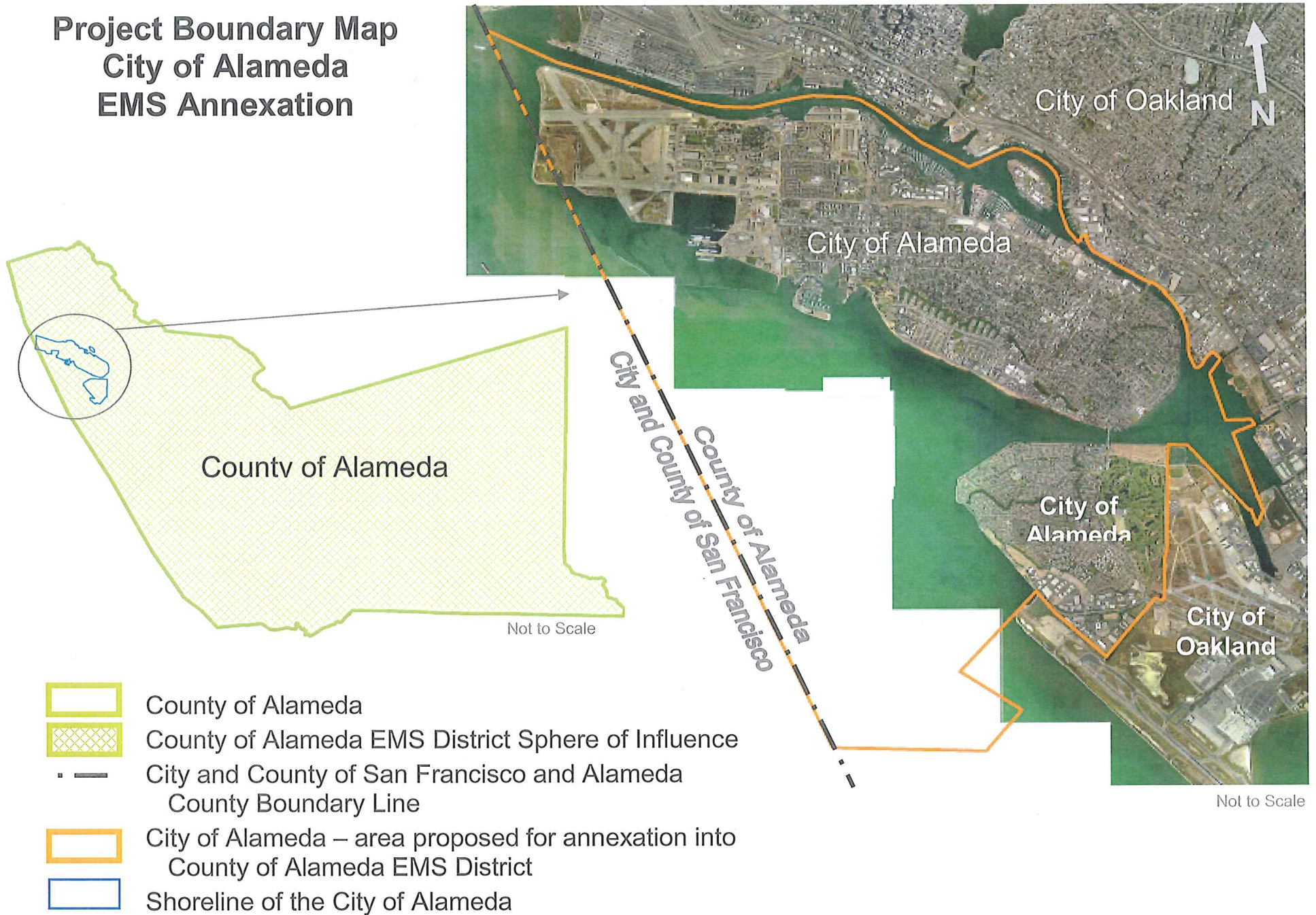
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Lisa Goldman, Acting City Manager, City of Alameda
Donna Mooney, Acting City Attorney, City of Alameda
Dale Fanning, Alameda County Emergency Medical Services District
Alex Briscoe, Alameda County Health Care Services Agency Director
Susan S. Muranishi, Alameda County Administrator
Carol Orth, Alameda County Auditor-Controller's Office
John Thomson, Alameda County Assessor's Office
Al Jordan, County Surveyor's Office
Dustin Zafren, Alameda County Registrar of Voters
Rich Conway, Alameda County Administrator's Office
Brian Washington, LAFCo Legal Counsel
Ineda Adesanya, LAFCo Planner

Project Boundary Map City of Alameda EMS Annexation



Appendix B2. APPLICATION QUESTIONNAIRE
Alameda Local Agency Formation Commission

Attachment 2

1. APPLICANT (Local Agency, Registered Voter, Landowner or 3 Chief Petitioners)

Agency/Individual Name: City of Alameda

1a. Name of Designated Agency Contact or Chief Petitioner. Michael Fisher, Interim Fire Chief

Address. 1300 Park Street, Alameda, CA 94501

Phone. (510) 337-2100 FAX. (510) 521-7851 E-Mail. mfisher@ci.alameda.ca.us

1b. Name 2. Maria Raff

Address. 1300 Park Street, Alameda, CA 94501

Phone. (510) 337-2105 FAX. (510) 521-7851 E-Mail. mraff@ci.alameda.ca.us

1c. Name 3. Terri Wright

Address. 2263 Santa Clara Avenue, Room 220, Alameda, CA 94501

Phone. (510) 747-4884 FAX. (510) 747-4890 E-Mail. twright@ci.alameda.ca.us

2. NAME/TITLE OF APPLICATION PROPOSAL

City of Alameda Annexation into Alameda County Emergency Medical Services District

3. TYPE OF PROPOSAL/PROJECT (Check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> Consolidation | <input type="checkbox"/> Detachment |
| <input type="checkbox"/> Formation | <input type="checkbox"/> Incorporation | <input type="checkbox"/> Exercise of Latent Powers |
| <input type="checkbox"/> Disincorporation | <input type="checkbox"/> Merger | <input type="checkbox"/> Dissolution |
| <input type="checkbox"/> Reorganization | <input type="checkbox"/> Special Study | <input type="checkbox"/> Municipal Service Review |
| <input type="checkbox"/> SOI Amendment | <input type="checkbox"/> SOI Update | <input type="checkbox"/> Initial SOI Determination |
| <input type="checkbox"/> Establishment of Subsidiary District | | |

Describe the proposal or proposed change(s) of organization. Provide a justification for each proposed change. Attach extra sheets if necessary.

The proposed change is annexation of the City of Alameda into the Alameda County EMS District. There is no proposed change in service. The City currently, and will continue to provide emergency medical services in the City of Alameda. The only change is the City of Alameda will be included in the boundary of the Alameda EMS District. The relationship with the County EMS District will not change. Currently the City of Alameda contracts with the County for services provided to all other jurisdictions in the EMS district therefore, annexation will cause **no change in services.**

4. CERTIFIED RESOLUTION OR PETITION (Attach)

Application Initiated By:

(X) Resolution of Application No.: 14539 Date Adopted: January 4, 2011

OR

() Landowner/Registered Voter Petition (The Cortese-Knox-Hertzberg (CKH) Act requires that a petition contain the number of signatures required for each type of requested government change.)

5. BASIC INFORMATION

5a. Describe the proposal area's general location and boundaries (access road/way, closest county road intersection, road junctions, freeways, railroad lines).

The City of Alameda is an island located less than a mile west of Oakland and is surrounded on the east, south east by an estuary and on the west, north west by the San Francisco Bay.

5b. Number of acres 6,912; Square Miles 22.7 in project site.

5c. Number of registered voters 41,558
Source of information <http://www.cityofalamedaca.gov/About-Alameda/Demographics>

5d. Number of dwelling units 32,010 Source of information www.bayareacensus.gov

5e. Number people living on the site 75,409
Source of information California Department of Finance May 2010 Report

5f. Assessed Valuation: Land \$2,918,152,671 Improvements \$5,771,589,473 Total \$8,689,742,144
Source of data is the Alameda County Assessor's Office

5g. Existing Land Uses

Residential, Commercial, Industrial, Mixed Use Planned Development District, Estuary District, and Open Space District.

5h. Proposed Land Uses

No proposed land use changes. This annexation application is not for the purposes of development.

5i. Current and proposed zoning and planning designation(s)

Residential: R-1 One-Family Residence District; R-2 Two-Family Residence District; R-3 Garden Residential District; R-4 Neighborhood Residential District; R-5 General Residential District; and R-6 Hotel Residential District. Commercial: A-P Administrative-Professional District; C-1 Neighborhood Business District; C-2 Central Business District; C-C Community-Commercial District; and C-M Commercial-Manufacturing District. Industrial: M-1 Intermediate Manufacturing District, and M-2 General Industrial District. Other Categories: M-X Mixed Use Planned Development District; E Estuary District; and O Open Space District.

5j. Regional Housing Needs Allocation (RHNA) Requirements and Number of Affordable Units Provided

This application will not help the City of Alameda meet their RHNA goals. ABAG Regional Housing Needs Determination for 1/1/2007 – 6/30/2014 is 2,046 (482 very low, 329 low, 392 moderate, and 843 above moderate). The number of units provided include 640 new construction, 1,688 conserved, and 175 rehabilitated.

5k. Property Information.

Please find the information below in the CD provided.

Number of parcels in project site ___ Number of landowners ___ Source of information: _____

Names & Addresses of All Landowners & Associated Parcel Numbers: **See enclosed CD**

Assessor's Parcel Number/s/Address	Landowner Name/ Address
1.	1.
2.	2.
3.	3.

Applicable Tax Rate Area(s): **See enclosed CD**

Parcel Number/s	Tax Rate Area/s

6. DESCRIPTIONS AND SETTING

6a. Provide the following land use maps with legends for the project site and immediately adjacent parcels, and clearly identify the project site; County General Plan; City General Plan; Existing Land Use Zones; Prezone if applicable; and Community/Specific Plan if applicable.

6b. Is the proposed change consistent with the terms and conditions of the affected local agency's General Plan? Yes X No _____ Explain.

In section 8.2.b. of the Health and Safety Element of the City's General Plan, it indicates that the City will "Maintain the Current level of emergency medical service."

6c. With Community or Specific Plans? Yes X No ___ Not Applicable ___ Explain.

This application is for the entire City of Alameda and is consistent with the City's General Plan.

6d. Describe the proximity of the site to populated areas.

The city of Alameda is urban in nature and located in an urbanized area adjacent to Oakland and the San Francisco Bay.

6e. What are the intended uses of the territory, over the next 5, 10 and 15 years (if different), if application is approved?

This application is not intended to change the use of the territory.

6f. Are any other in-process or anticipated development, planning or land use proposals expected for this site within the next two years? Check all that are applicable.

- Proposals to LAFCO Land Use Entitlements from a county or city
- Permits from state or federal entity

Not applicable: there is no development planned or land use changes requested.

6g. If applicant is a CITY, Government Code Section 56375 requires that the city prezone territory proposed to be annexed.

Has territory been pre-zoned? Yes ___ No ___ If yes, what is the pre-zoning designation and what does it mean?

Not applicable, this application is not requesting the annexation of an unincorporated area or district.

6h. Attach copy of certified City Resolution/ Ordinance Number: 14539.
Date Adopted: January 4, 2011.

6i. If applicant is a DISTRICT, what planning, zoning and subdivision changes are proposed, or have been approved by the city or county?

NA

6j. What is the estimated future population in the territory?

At end of 5 years 79,800 At end of 15 years 84,500 At end of 10 years 82,200

Source of Information Association of Bay Area Governments

6k. Have landowners consented to the proposal? Yes ___ No X

If yes, how many? _____ % of total landowners? _____

If yes, attach originals of Signature Consent Forms.

If no, explain.

It is not feasible to obtain full consent from the entire City. However, a duly noticed public meeting discussing annexation was held and the City Council voted to seek annexation.

6l. How will the proposal affect the physical and economic integrity of agricultural lands, as defined by Section 56016? Explain.

This application will not affect the physical and economic integrity of agricultural lands because there are none in the City of Alameda.

6m. How does the proposed change and its anticipated effects conform with LAFCo policies for promoting planned, orderly, efficient patterns of urban development? Explain.

The city of Alameda is urban now and this application is not proposing a change. Residents currently receive emergency medical services and the scope of these services will not change. The application will however, make the EMS District more efficient and orderly.

6n. Adjacent Land Uses.

This application is not proposing development or annexation to or from an unincorporated area.

	Existing Land Uses	General Plan Designation	Zoning Designation
North			
South			
East			
West			

6o. How will the proposed change affect mutual social and economic interests of adjacent areas? Explain.

No change will occur to mutual social and economic interests of adjacent areas. The City of Alameda will be included in the EMS District along with the other jurisdictions in Alameda County.

6p. Have interested residents, agencies and/or organizations expressed support or opposition to this proposal. If so, identify interested parties and briefly describe issues. It is not necessary to explain the support of initiating agency.

The Alameda County Emergency Medical District has expressed support for this proposal and a letter of support is provided with this application

6q. What is the effect of proposal denial on proposed or approved development if any?

No development is being proposed. If the application is denied, the City of Alameda will continue to provide emergency medical services at the same level, contract with the Alameda County Emergency Medical Services Agency, and pay an annual fee from its general fund.

6r. Is territory contiguous to the district or city's existing boundary? Yes X No ___

If no, is the area less than 300 acres in size, owned by the city and currently being used for a municipal purpose? Explain.

6s. Do the proposed boundaries create an "island" or pocket of unincorporated territory?

Yes ___ No X

If yes, provide supplemental information explaining how the proposal promotes the orderly growth and development of the community.

6t. Each applicant is required to notify **all** affected local agencies of this proposed change. Have all affected local agencies been informed?

Yes X No (Attach a list of the affected agencies and a verification for each.)

Other than the City of Alameda Fire Department, the County of Alameda Emergency Medical Services Agency which administers the Alameda County EMS District is the only other affected agency. This Agency has been notified (see letter of support included in application). The contact information for this agency is Dale Fanning, EMS Director, Alameda County Health Care Services Agency, Public Health Department, Emergency Medical Services District, 1000 San Leandro Boulevard, Suite 200, San Leandro, CA 94577 (510) 618-2050

6u. For district formations, district consolidations, incorporations or city consolidations, provide a proposed agency name (optional). N/A

6v. For district formations, provide the name of the Principal Act under which the proposed district would be governed. N/A

6w. Provide a proposed appropriations limit (optional) if applicable. N/A

7. PLAN FOR PROVIDING MUNICIPAL SERVICES

7a. Provide a plan for providing services (See Part III, Sections 2.24 and 2.25 of Alameda LAFCO's Guidelines, Policies and Procedures for instructions.)

See attachment #7 enclosed which includes information service delivery plan information.

7b. Provide the name, address and contact person for all school districts.

Alameda Unified School District, 2200 Central Avenue, Alameda, CA 94501, Kristen Vital, Superintendent, (510) 337-7060, kvital@alameda.k12.ca.us

7c. Indicate, which agencies currently provide, affected public services within the proposal territory and which agencies are proposed to provide services.

<u>Services</u>	<u>Current Agency</u>	<u>Proposed Agency</u>
Police	<u>City of Alameda</u>	<u>No Change</u>
Fire/EMS	<u>City of Alameda</u>	<u>No Change</u>
Water	<u>East Bay Municipal Water District</u>	<u>No Change</u>
Sewer	<u>East Bay Municipal Water District</u>	<u>No Change</u>
Garbage	<u>Alameda County Industries</u>	<u>No Change</u>
Street Lighting	<u>City of Alameda</u>	<u>No Change</u>
Road Maintenance	<u>City of Alameda</u>	<u>No Change</u>
Flood Control	<u>Alameda County Flood Control District</u>	<u>No Change</u>
Parks & Recreation	<u>City of Alameda</u>	<u>No Change</u>
Library Services	<u>City of Alameda</u>	<u>No Change</u>
Electricity	<u>Alameda Municipal Power</u>	<u>No Change</u>
Transit	<u>Alameda County Transit</u>	<u>No Change</u>
Other	<u>N/A</u>	<u>N/A</u>

7d. If a change in service provider is proposed, has each local agency provided a statement indicating the desire and ability to furnish services? Yes No **No Change**

If yes, a Letter of Agreement from each agency assuming service responsibilities **must be included with the application**. The letter must identify each agency's role and responsibilities as the new service provider and the method for funding additional services (See Part III, Sections 2.24 and 2.25).

If no, explain: No Change

7e. If a change in service provider is proposed, are alternative providers available for any of proposed service providers? Yes ___ No ___ **No Change**

If yes, list providers and explain why they are not proposed to provide service.

7f. Will the related land use project require widening or upgrading of existing streets, the construction of new streets, sewers, or other infrastructures? Yes ___ No X

If yes, describe how modifications will be financed. (See Part III, Sections 2.24 and 2.25).

7g. List any proposed or required terms, conditions or mitigation measures for the proposal. Use an extra sheet if necessary.

Proposal terms and conditions are listed in 11b of this application and include the following: The Alameda County Emergency Medical Services District will extend the existing tax to the new territory in accordance with Government Code 56886 which states "Any change of organization or reorganization may provide for, or be made subject to one or more of, the following terms and conditions. If a change of organization or reorganization is made subject to one or more of the following terms and conditions in the commission's resolution making determinations, the terms and conditions imposed shall constitute the exclusive terms and conditions for the change of organization or reorganization." This includes section (t) of this code which states that "The extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency or a successor local agency in the affected territory."

8. WILLIAMSON ACT LAND CONSERVATION CONTRACTS (agricultural preserves)

Are any agricultural preserves on project site? Yes ___ No X Adjacent parcels? Yes ___ No X

If yes, provide map with site boundaries indicated and contracted lands identified with names and contract numbers.

If yes, has non-renewal formally been requested? _____

If yes, date of request to Alameda County: _____ Date of termination: _____

9. SPHERES OF INFLUENCE (SOI)

Government Code Sections 56375.5 and 56376 require that territory be included in the affected local agency's SOI before a Change of Organization is approved by the Commission.

9a. Is a CHANGE in Sphere of Influence boundaries of any local agency required prior to proposal consideration? Yes ___ No X

If yes, Explain: _____

List affected agencies¹ and provide a contact name and phone number.

Agency	Contact Name	Phone #
No Change		

9b. Is the proposed territory currently within a local agency's (county, city or **special district**) SOI?
 Yes X No

If yes, which agency or agencies? Alameda County Emergency Medical Services District

9c. If a Sphere of Influence initial determination, update or amendment is requested, fully and completely explain each of the following as they pertain to the subject proposal (Government Code Section 56425). If any of the factors are already fully described in the master services plan, the applicable section and page number may be referenced.

- The present and planned land uses in the area subject to the proposed change, including agricultural and open space lands;
- The present and probable need for public facilities and services in the area over the next 10 years;
- The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide;
- All social and economic communities of interest in the area, which may be affected by the project;
- The existence of agricultural preserves or other important agricultural or open space land in the area, which will be included in the SOI, and the effect on maintaining the physical and economic integrity of the resource; and
- The nature, location and extent of any function or classes of services proposed to be provided within the SOI.

9d. A municipal service review (MSR) will need to be completed for affected SOIs pursuant to Government Code Section 56430. If a new agency is being formed, an MSR will need to be prepared. For other types of SOI proposals, please check with the Executive Officer to determine whether an MSR has already been completed.

10. COUNTY/CITY/DISTRICT PROPERTY TAX EXCHANGE AGREEMENT

LAFCO has no jurisdiction to act on an **annexation proposal** until resolutions agreeing to an exchange of property tax are passed by **each** of the affected local agencies (Revenue and Taxation Code Section 99). It is the applicant's responsibility to identify which local agencies (cities and special districts) share in the tax distribution in order to properly determine how future revenue exchange agreements should be structured.

According to Carol Orth, Tax Analysis Division Chief, Alameda County Auditor's Office, the EMS District does not get any 1% property tax distribution.

¹ See Volume I for a definition of this term.

10a. List all affected local taxing agencies.

Agency	Contact Name	Phone #

10b. Have all participating local taxing agencies reached agreement? Yes ___ No ___ N/A X
 (In the case of complex reorganization proposals, multiple agreements may be required)

If yes, attach a certified copy of each local agency's tax exchange resolution and provide the following information:

Local Agency	Resolution Number	Adoption Date

If No, Explain.

11. SPECIAL REVENUES

11a. Do agencies whose boundaries are being changed have existing bonded debt?

Yes ___ No X If yes, please describe:

11b. Will the territory be subject to any new or additional taxes, benefits, charges or fees?

Yes X No ___ If yes, please describe:

The Alameda County Emergency Medical Services District will extend the existing tax to the new territory in accordance with Government Code 56886 which states "Any change of organization or reorganization may provide for, or be made subject to one or more of, the following terms and conditions. If a change of organization or reorganization is made subject to one or more of the following terms and conditions in the commission's resolution making determinations, the terms and conditions imposed shall constitute the exclusive terms and conditions for the change of organization or reorganization." This includes section (t) of this code which states that "The extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency or a successor local agency in the affected territory."

12. ENVIRONMENTAL REVIEW

LAFCo is required to comply with the California Environmental Quality Act (CEQA) for purposes of considering the environmental impact of its actions. If LAFCo is a **RESPONSIBLE** Agency for this application, the applicant **must** submit copies of environmental documents prepared by the Lead Agency and Certified Resolutions or Notices of Exemption or Determination. (See Alameda LAFCO's CEQA Handbook, Adopted CEQA Procedures, and Guidelines, Policies and Procedures, Section 2.23)

Identify the following:

Lead Agency: City of Alameda

Responsible Agency/ies: Local Agency Formation Commission

12a. If LAFCo is a **LEAD** Agency for this application, the applicant **must** submit

- A description of environmental conditions in the project area including topography, agricultural land classification, vegetation, wildlife, land uses, traffic circulation patterns and major water courses and water bodies; and
- A description of how the project might change environmental conditions.

12b. The CEQA document(s) submitted with this application are:

- | | |
|--|--|
| <input type="checkbox"/> Notice/s of Exemption | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Draft Environmental Impact Report | <input type="checkbox"/> Final Environmental Impact Report |
| <input type="checkbox"/> Notice/s of Determination | <input type="checkbox"/> Mitigation Monitoring Program |
| <input type="checkbox"/> Findings of Fact and Statement of Overriding Considerations | |
| <input type="checkbox"/> State Fish and Game Determinations & Fee Receipt | |
| <input checked="" type="checkbox"/> Notice of Exemption | <input type="checkbox"/> Other _____ |

Type of CEQA Review (IS/DEIR/Exemption/other)	Project Description (Actions approved)	Date approved/certified
Exemption	The project is to annex the City of Alameda into the existing County Service Area (CSA) EM 1983-1, Emergency Services Medical (EMS) District. The EMS District will provide the same full range of emergency medical services as are currently being provided by the EMS District within its boundaries. Categorical Exemption - 15319(a). Annexations of existing facilities and lots for exempt facilities reasons why project is exempt or does not require further environmental documentation. It is an annexation to a special district of areas containing existing public or private structures developed to density allowed by the current zoning of the more restrictive governmental agency.	3/15/11

12d. The proponent of any project that has the potential to cause an adverse impact on fish or wildlife must pay a State Department of Fish and Game fee based upon the type of environmental determination that is made. The applicant must provide evidence that the appropriate State fee has been paid, or submit the fee to LAFCo (for a list of current fees, see <http://www.acgov.org/forms/auditor/currentFeeSchedule.pdf>).

According to the California Department of Fish and Game, "The CEQA filing fee will be waived if a project will have no effect on fish and wildlife (Fish and Game Code section 711.4(c)(2)(A)). Projects that are statutorily or categorically exempt from CEQA are also not subject to the filing fee, and do not require a no effect determination (sections 15260 through 15333, Title 14, CCR, Fish and Game Code Section 711.4(d)(1)). Regional Department environmental review and permitting staff are responsible for determining whether a project within their region will qualify for a no effect determination and if the CEQA filing fee will be waived." See the following link for more information: http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html

- No Effect Documentation Negative/Mitigated Negative Declaration
 Environmental Impact Report Clerk Recorder's Fee

13. PUBLIC NOTICE, DISCLOSURE AND OTHER REQUIREMENTS

- 13a. Provide an 8 ½" X 11" map indicating the project site and identifying all parcels adjacent to and within 300 feet of the project site. Outer boundaries (not adjacent to project site) of large parcels need not be identified. All parcel numbers need to be indicated. (See Appendix E, Exhibit H)
- 13b. Provide a list of all parcel numbers within the 300 foot radius and include the name and address of the property owner as of the most recent assessment roll being prepared.
- 13c. Provide signed financial disclosure statement/s (See Appendix E, Exhibit C) pursuant to Government Code Section 56700.1.
- 13d. Provide one copy of an indemnification agreement (See Appendix E, Exhibit I).
- 13e. Provide two sets of original mailing labels that separately identify applicants, affected agencies, school districts, registered voters and landowners on project site, property owners and registered voters within 300 feet of project site, and any other party to which notification must be provided. Labels must be current and complete and in Avery 5160 format.

For display ads please contact any of the following papers and/or the Alameda City Clerk's Office. Contact information is as follows:

Alameda Journal Classified 5707 Redwood Rd, Oakland, CA 94619 (510) 748-1667	Alameda Sun 3215 Encinal Ave Ste J, Alameda, CA 94501 (510) 263-1470
Alameda Times Star 7677 Oakport St, Oakland, CA 94621 (510) 208-6300	Lara Weisiger, the Alameda City Clerk 2263 Santa Clara Avenue, Room 380 Alameda, CA 94501, (510) 747-4800

14. Final Comments

- 14a. List any conditions LAFCo should include in its resolution for approval.
- 14b. Provide any other comments or justifications regarding the proposal from any affected local agency, landowner or resident.
- 14c. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

15. Applicant's Certification

I hereby certify that the information contained in this application and accompanying documents is true, correct, and accurate to the best of my knowledge. In addition, I hereby agree to pay all required filing and processing fees required by the State of California and Alameda LAFCO, including any expenses for preparation of environmental documentation and planning studies needed to complete this application.

I further understand that Alameda LAFCO will not process an incomplete application and that State law and Alameda LAFCO policies and procedures require that specific material be submitted in conjunction with the application.

Michael Fisher

Name of Applicant or Authorized Representative

Interim Fire Chief

Title of Applicant or Authorized Representative

Michael Fisher

Signature of Applicant or Authorized Representative

3-8-2011
Date

Notice of Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Alameda
2263 Santa Clara Avenue, Alameda CA 94501
(Address)

County Clerk
County of Alameda

Project Title: Annexation of City of Alameda into the Alameda County Emergency Services Medical District

Project Location - Specific:

City of Alameda municipal boundary

Project Location - City: Alameda Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The project is to annex the City of Alameda into the existing County Service Area (CSA) EM 1983-1, Emergency Services Medical (EMS) District. The EMS District will provide the same full range of emergency medical services as are currently being provided by the EMS District within its boundaries.

Name of Public Agency Approving Project: Alameda Local Agency Formation Commission

Name of Person or Agency Carrying Out Project: City of Alameda

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: 15319(a). ANNEXATIONS OF EXISTING FACILITIES AND LOTS FOR EXEMPT FACILITIES
Statutory Exemptions. State code number:

Reasons why project is exempt:

It is an annexation to a special district of areas containing existing public or private structures developed to the density allowed by the current zoning of the more restrictive governmental agency.

Lead Agency
Contact Person: Margaret Kavanaugh-Lynch Area Code/Telephone/Extension: 510-747-6884

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: MK Kavanaugh-Lynch Date: 3.15.11 Title: Planning Service Mgr

Signed by Lead Agency Date received for filing at OPR:
Signed by Applicant

Revised 2005

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2011-XX**

**APPROVING A REORGANIZATION AND AUTHORIZING THE EXECUTIVE
OFFICER TO CONDUCT PROTEST PROCEEDINGS**

**Annexation of the City of Alameda into the Alameda County Emergency Medical
Services District (County Service Area EM 1983-1)**

WHEREAS, a resolution application (Resolution No. 14539 dated January 4, 2011) was filed with the Executive Officer of the Alameda Local Agency Formation Commission by the City Council of the City of Alameda, pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code;

WHEREAS, said resolution application shall be referred to as **Annexation of the City of Alameda into the Alameda County EMS District**;

WHEREAS, said reorganization shall include the annexation of the entire City of Alameda (approximately 6,912 acres) into the EMS District (County Service Area EM 1983-1);

WHEREAS, the Executive Officer has reviewed the application and prepared a report, including her recommendations therein, noting that the City of Alameda, as Lead Agency, determined that the project is categorically exempt under the California Environmental Quality Act (CEQA), CEQA Guidelines Section 15319(a), Class 19 and that said application and all environmental documentation has been reviewed and found to be adequate for consideration by the Commission;

WHEREAS, the purpose of this reorganization is to maintain essential emergency paramedic and trauma care services for the residents of Alameda, and to ensure efficient and orderly boundaries for the EMS District;

WHEREAS, the territory is within the Sphere of Influence of the EMS District;

WHEREAS, the County of Alameda, as the governing body for the EMS District, approved a resolution supporting the proposed annexation of the City into the EMS District;

WHEREAS, the territory is considered inhabited because more than 12 registered voters reside there (Government Code §56046), but not all property owners have provided written consent to the annexation;

WHEREAS, when it was formed, the Alameda County Board of Supervisors, as the governing body, intended for the EMS District to be financially self-sufficient through the levy of benefit assessments and the charging of fees;

WHEREAS, the registered voters of each city and the unincorporated area within Alameda County approved advisory Measure C (Alameda County) on November 2, 1982 in support of creating the EMS District and levying a benefit assessment to finance it;

WHEREAS, in 1997 the EMS District-wide benefit assessment was re-adopted by the voters as a special tax after passage of Proposition 218 invalidated the prior use of benefit assessments;

WHEREAS, the EMS District does not share in the 1% property tax distribution formula and therefore no exchange of property taxes is required pursuant to Revenue and Taxation Code Section 99;

WHEREAS, the Commission considered all factors required by law under Government Code §56668;

WHEREAS, in the form and manner prescribed by law, the LAFCo Executive Officer has given notice of the public hearing by this Commission upon said application; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on May 12, 2011 on said proposal;

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. That LAFCo has reviewed and considered the information provided by the applicant regarding the categorical exemption (Section 15319(a), Class 19) applied to this project, and finds that adequate and complete for LAFCo review purposes.
2. That the application of the City of Alameda, referenced as **Annexation of the City of Alameda into the Alameda County EMS District** and comprised of the annexation of the entire City of Alameda (approximately 6,912 acres) to the EMS District, as described in Exhibit A attached hereto and incorporated by reference herein, is hereby approved subject to the following terms and conditions:
 - a. The annexed territory shall be subject to the levying or fixing and collection of the previously authorized special tax (Government Code §§56886(t) and 57330).
3. That the Executive Officer is authorized to implement a protest hearing within 60 days in accordance with Government Code §57000.

* * * * *

This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at a regular meeting held on May 12, 2011 at the Dublin San Ramon Services District Board Room, located at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner < >, seconded by Commissioner < >, and duly carried.

Ayes:

Noes:

Excused:

Chair, Alameda Local Agency Formation Commission

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.

Attest: _____
Mona Palacios, LAFCo Executive Officer

Date: _____