

Alameda Local Agency Formation Commission

NOTICE OF REGULAR MEETING AND AGENDA

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

THURSDAY, JANUARY 16, 2020

2:00 P.M.

CITY OF DUBLIN COUNCIL CHAMBERS
100 CIVIC PLAZA, DUBLIN, CALIFORNIA

Scott Haggerty, Chair – Sblend Sblendorio, Vice Chair – John Marchand – Jerry Thorne – Nate Miley – Ralph Johnson – Ayn Wieskamp,
David Haubert, Alternate – Richard Valle, Alternate – Georgan Vonheeder-Leopold, Alternate – Tom Pico, Alternate

On behalf of the Chair, the Commission welcomes you to its meetings and your interest is appreciated. **If you wish to speak to a matter on the agenda, please complete a Speakers Card and submit it to staff.** When your name is announced, please come forward and give your name and address, and state your comments or questions. If you wish to speak on a matter not on the agenda, please wait until the Chair calls for Public Comment. Speakers may have a time limitation imposed at the discretion of the Chair. Alameda LAFCO meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required.

Only those issues which are brought up at the public hearing described in this notice, or in written correspondence delivered to the LAFCO Commissioners at or prior to the hearing, may be raised in any legal challenge to the actions taken by the Commission.

1. **2:00 P.M. – Call to Order and Pledge of Allegiance**
2. **Roll Call**
3. **Service Recognition of LAFCO Analyst Theresa Rude-Smith and Commission Clerk Sandy Hou** for their distinguished service ahead of their retirements.
4. **Adjourn to Closed Session** – Public Employee Performance Evaluation of Executive Officer
5. **Public Comment:** Anyone from the audience may address the Commission on any matter not listed on the agenda and within the jurisdiction of the Alameda LAFCO. The Commission cannot act upon matters not appearing on the agenda. *Speakers are limited to three (3) minutes.*
6. **Consent Items**
 - a. Approval of Meeting Minutes: November 14, 2019 Regular Meeting
 - b. Approval of Meeting Minutes: December 16, 2019 Special Meeting
7. **Budget Update for Fiscal Year 2019-2020 and First Quarter Report (Regular)** – The Commission will review a report comparing budgeted to actual transactions for fiscal year 2019-2020 through the second quarter. Alameda LAFCO is on pace to finish the fiscal year with a balanced budget. This

includes a \$180,000 fund balance applied to offset agency apportionments. The report is being presented to the Commission to accept and file and to provide direction to staff as needed.

LAFCO Staff Recommendation: Accept and file the report as presented.

8. **City of Alameda Healthcare District | Report (Regular)** – The Alameda Local Agency Formation Commission (LAFCO) will receive a status update and report from the City of Alameda Healthcare District as requested by the Commission at its May 9, 2019 meeting. The report is being presented for information only at this time with subsequent action, if needed, to be taken at a later date.

LAFCO Staff Recommendation: Accept and file the report as presented and provide direction to staff as needed.

9. **Protest Hearing Results | Annexation of the City of Albany to the Alameda County Mosquito Abatement District (Public Hearing)** – The Commission will receive the results of the protest hearing conducted for the annexation of the City of Albany to the Alameda County Mosquito Abatement District (ACMAD). The noticed hearing was held by the Executive Officer on Wednesday, January 8, 2020. The number of protests received did not reach the threshold to either terminate the annexation proposal or subject the proposal to an election. The Commission’s approval to transfer mosquito control services and responsibilities to the affected territory will be ordered once all terms are satisfied. Staff recommends the Commission adopt a draft resolution ordering the annexation without an election.

LAFCO Staff Recommendation: Adopt the draft resolution ordering the annexation.

10. **Proposed Out of Area Service Agreement | 27398 Fairview Avenue to the City of Hayward (Public Hearing)** – The Commission will consider an out of area service agreement filed by the City of Hayward requesting approval to extend public wastewater services outside of its jurisdictional boundary to one affected lot located at 27398 Fairview Avenue in the unincorporated community of Fairview. The affected territory as submitted is developed with a single-family residence on one legal lot. The purpose of the proposal is a response to a failing septic system and potential health and safety hazard by extending public wastewater services to the affected territory. Staff recommends approval of the proposal with standard terms.

LAFCO Staff Recommendation: Adopt the draft resolution approving the out of area service agreement of 27398 Fairview Avenue with the City of Hayward.

11. **Proposed Out of Area Service Agreement | 354 Virginia Way to the City of Pleasanton (Public Hearing)** – The Commission will consider an out of area service agreement filed by the City of Pleasanton requesting approval to extend public wastewater services outside of its jurisdictional boundary to one affected lot located at 354 Virginia Way in the unincorporated community of Remen Tract. The affected territory as submitted is developed with a single-family residence on one legal lot. The purpose of the proposal is a response to a failing septic system and potential health and safety hazard by extending public wastewater services to the affected territory. Staff recommends approval of the proposal with standard terms.

LAFCO Staff Recommendation: Adopt the draft resolution approving the out of area service agreement of 354 Virginia Way with the City of Pleasanton.

- 12. Proposed Out of Area Service Agreement | 280 Oak Lane to the City of Pleasanton (Public Hearing)**
The Alameda Local Agency Formation Commission (LAFCO) will consider an out of area service agreement filed by the City of Pleasanton requesting approval to extend public water services outside of its jurisdictional boundary to one affected lot located at 280 Oak Lane in the unincorporated area of Alameda County. The affected territory as submitted is developed with a single-family residence on one legal lot. The purpose of the proposal is to establish a public water connection to the affected territory. Staff recommends approval of the proposal with standard terms.

LAFCO Staff Recommendation: Adopt the draft resolution approving the out of area service agreement of 280 Oak Lane with the City of Pleasanton.

- 13. Progress Report | Municipal Service Review on Water, Wastewater, Flood Control and Stormwater Services (Regular)** – The Alameda Local Agency Formation Commission (LAFCO) will receive a progress report from QK Associates on its countywide municipal service review for water, wastewater, flood control and stormwater services. The presentation will provide an update on work to date and outline on a completion deadline. The report is being presented for Commission discussion and feedback. A PowerPoint presentation will be provided at the time of the regular meeting.

LAFCO Staff Recommendation: Provide direction to staff as needed.

- 14. Matters Initiated by Members of the Commission**

- 15. Informational Items**
- a. Current and Pending Proposals
 - b. Progress Report on Work Plan
 - c. CALAFCO Letter

- 16. Adjournment of Regular Meeting**

- 17. Next Meetings of the Commission**

Policy and Budget Committee Meeting

Thursday, February 6, 2020 at 2:00 pm at City of Dublin, 100 Civic Plaza, Dublin, CA

Regular Meeting

Thursday, March 12, 2020 at 2:00 p.m. at Castro Valley Sanitary District, 21040 Marshall St, Castro Valley, CA

DISCLOSURE OF BUSINESS OR CAMPAIGN CONTRIBUTIONS TO COMMISSIONERS

Government Code Section 84308 requires that a Commissioner (regular or alternate) disqualify herself or himself and not participate in a proceeding involving an "entitlement for use" application if, within the last twelve months, the Commissioner has received **\$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter.** A LAFCo decision approving a proposal (e.g., for an annexation) will often be an "entitlement for use" within the meaning of Section 84308. Sphere of Influence determinations are exempt under Government Code Section 84308.

If you are an applicant or an agent of an applicant on such a matter to be heard by the Commission and if you have made business or campaign contributions totaling \$250 or more to any Commissioner in the past twelve months, Section 84308(d) requires that you disclose that fact for the official record of the proceeding. The disclosure of any such contribution (including the amount of the contribution and the name of the recipient Commissioner) must be made either: 1) In writing and delivered to the Secretary of the Commission prior to the hearing on the matter, or 2) By oral declaration made at the time the hearing on the matter is opened. Contribution disclosure forms are available at the meeting for anyone who prefers to disclose contributions in writing.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 3 months after a final decision is rendered by LAFCO. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) working days prior to the meeting for any requested arrangements or accommodations.

Alameda LAFCO
Administrative Office
1221 Oak Street,
Suite 555 Oakland,
California 94612
T: 510.272.3784
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SUMMARY ACTION MINUTES
ALAMEDA LOCAL AGENCY FORMATION COMMISSION
REGULAR MEETING

City of Dublin Council Chambers, 100 Civic Drive, Dublin, CA

November 14, 2019

1. Call to Order and Pledge of Allegiance

Chair Haggerty called the meeting to order at 2:00 p.m. The Pledge of Allegiance was recited.

2. Roll Call.

Roll was called. A quorum was present of the following commissioners:

County Members: Scott Haggerty and Nate Miley (arrived 2:16, item 7)

City Members: John Marchand, Jerry Thorne and alternate David Haubert

Special District Members: Ayn Wieskamp and Ralph Johnson

Public Members: Sblend Sblendorio and alternate Tom Pico

Not Present: Alternate County Member Richard Valle and alternate Special District Member Georgean Vonheeder-Leopold

Staff present: Rachel Jones, Executive Officer; Theresa Rude, Analyst; Andrew Massey, Legal Counsel; and Sandy Hou, Clerk

3. Public Comment

Chair Haggerty invited members in the audience to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission. There were no comments.

4. Consent Items

Meeting Minutes of September 12, 2019 Regular Meeting

Upon motion by Commissioner Marchand, second by Commissioner Wieskamp, item approved.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)

NOES: 0

ABSENT: 1 (Miley)

ABSTAIN: 0

5. Budget Update for Fiscal Year 2019-2020 and First Quarter Report (Regular)

Staff provided summary of written report, noting that Alameda LAFCO is on pace to finish the fiscal year with a balanced budget.

Commissioner Thorne motioned, Commissioner Sblendorio seconded to accept and file the report. Motion passed.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)

NOES: 0

ABSENT: 1 (Miley)

ABSTAIN: 0

6. Annexation of Dumbarton Quarry Regional Park to Union Sanitary District (Public Hearing)

Annexation filed on behalf of the East Bay Regional Park District to annex approximately 91.01 acres of territory located within the City of Fremont to the Union Sanitary District in order to provide wastewater services in support of the future Dumbarton Quarry Regional Park restrooms, shower facilities, and laundry facility.

Staff provided summary of written report. She noted that if approved an addendum would be added to the mitigated negative declaration. There were no questions or discussion.

Upon motion by Commissioner Sblendorio, second by Commissioner Wieskamp the annexation was approved per staff's recommendation.

AYES: 6 (Haggerty, Johnson, Marchand, Sblendorio, Thorne, Wieskamp)
NOES: 0
ABSENT: 1 (Miley)
ABSTAIN: 0

7. Annexation of the City of Albany to the Alameda County Mosquito Abatement District (Public Hearing)

Annexation proposal from the Alameda County Mosquito Abatement District (ACMAD) to annex the entire City of Albany into the District in order to create a countywide mosquito abatement district covering all cities within the County of Alameda to streamline essential public health services.

Staff gave a summary of the written report. LAFCO Counsel pointed out that in its consideration of the proposed annexation, per LAFCO law, the Commission should give great weight to the fact that the Albany City Council had submitted a letter in opposition of the annexation.

Upon receiving motion & second from Commissioners Wieskamp and Johnson, Chair Haggerty opened the Public Hearing. The following speakers offered comments:

- Ryan Clausnitzer, General Manager of the Alameda County Mosquito Abatement District, summarized the key reasons for the District's proposal. He responded to questions/comments from the Commission, providing historical background on why Albany has not been included in the district and how the district could provide cost efficient mosquito services in Albany.
- Rochelle Nason, Mayor of City of Albany, spoke in opposition of the proposal, noting that the City is happy with the current arrangement of having the Alameda County Vector Control provide Albany's minimal mosquito abatement services.
- Amy Shrago, on behalf of Supervisor Keith Carson, spoke in opposition to the proposal, and noted that the property owners do pay for vector control services that includes a small portion for mosquito abatement.
- Robert Gay, Chief of Environmental Health for Alameda County Vector Control, spoke in opposition to the proposal.
- Subru Bhat, resident of Union City and member of the Alameda Public Health Commission spoke in support of the annexation and expressed that both districts need to work together.
- Jan O. Washburn, citing his past experience in mosquito research at UC Berkeley and his 24 years of experience serving on the board of the ACMAD, spoke in support of the annexation.

- Joe Galligan, President of San Mateo County Mosquito & Vector Control spoke in support of the annexation.

Upon motion and second by commissioners Sblendorio and Johnson, the hearing was closed.

Commissioner Marchand noted that the proposed annexation would accomplish more efficient delivery of services, something that LAFCOs are charged with ensuring.

Upon motion by Commissioner Sblendorio, second by Commissioner Wieskamp the annexation was approved per staff's recommendation.

AYES: 6 (Johnson, Marchand, Miley, Sblendorio, Thorne, Wieskamp)
 NOES: 1 (Haggerty)
 ABSENT: 0
 ABSTAIN: 0

8. Update and Report on Priority Conservation Areas (Regular) - A Report back to the Commission from the September 12, 2019 regular meeting.

Staff summarized the written report, noting that she was no longer recommending the Commission consider adding to its mandatory factors to review when reviewing a change of organization if the property is located within a high priority conservation area because such review is already included when the Commission is considering the consistency of a regional transportation plan.

Upon motion by Commissioner Marchand, second by Commissioner Wieskamp the report was accepted.

AYES: 7 (Haggerty, Johnson, Marchand, Miley, Sblendorio, Thorne, Wieskamp)
 NOES: 0
 ABSENT: 0
 ABSTAIN: 0

9. Report on Attendance at the 2019 CALAFCO Annual Conference (Regular)

Commissioners Sblendorio, Johnson and Vonheeder-Leopold attended the conference along with Executive Officer Jones. Ms. Jones provided a brief report on some highlights of the conference and also noted that Commissioner Sblendorio had done an excellent job as a panelist on a session entitled "How to Lead your LAFCO in the Next Decade." Commissioner Johnson offered remarks about the Mobile Workshop that included a visit to the Port of West Sacramento and hearing from the Mayor of West Sacramento about the unique relationship between the City and the Port.

10. Matters Initiated by Members of the Commission

There were none.

11. Informational Items Staff offered brief remarks on the following items.

- Current and Pending Proposals
- Progress Report on Work Plan
- Legislative Report
- CALAFCO Annual Report

12. Adjournment of Regular Meeting

Chair Haggerty adjourned the meeting at 3:10 p.m.

13. **Next Meetings of the Commission**

Policy & Budget Committee

Thursday, December 5, 2019 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin, CA
(subsequently canceled)

Regular Meeting

Thursday, January 16, 2020 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin, CA

Respectfully submitted,

Sandy Hou, Commission Clerk

DRAFT

SPECIAL MEETING – STRATEGIC PLANNING WORKSHOP

Martinelli Event Center, 3585 Greenville Rd., Livermore, CA
December 16, 2019

SUMMARY ACTION MINUTES

10:00 am - Call to Order - Chair

Chair Haggerty called the meeting to order at 10:00 a.m. The **Pledge of Allegiance** was recited.

Roll was called. A quorum was present of the following commissioners:

County Members: Scott Haggerty

City Members: John Marchand, Jerry Thorne and alternate David Haubert

Special District Members: Ayn Wieskamp, Ralph Johnson, and alternate Vonheeder-Leopold

Public Members: Sblend Sblendorio and alternate Tom Pico

Not Present: County Member Nate Miley and alternate County Member Richard Valle

Staff present: Rachel Jones, Executive Officer; Theresa Rude, Analyst; Andrew Massey, Legal Counsel; and Sandy Hou, Clerk

Public Comment – Chair Haggerty invited members in the audience to address the Commission on any matter not listed on the agenda and within the jurisdiction of the Commission. There were no comments.

10:05 am - Business Items – Executive Officer

- a. **Contract Extension with QK Associates** – Contract expired on November 30, 2019

Staff's recommendation to amend existing agreement to extend time of contract expiration to May 31, 2020, with no increase in amount of contract.

M/S by Commissioners Marchand and Thorne to approve the time extension. **Passed.**

Ayes: Commissioners Haggerty, Johnson, Sblendorio, Wieskamp

Noes: None **Absent:** Commissioner Miley **Abstain:** None

- b. **Memorandum of Understanding (MOU) with Alameda LAFCO and Community Development Agency (CDA)**

Staff provided summary of written report and responded to questions from Commissioners. She confirmed that the interim space identified for LAFCO use beginning January 1, 2020 by CDA at 224 West Winton Ave, Ste 110 is adequate for LAFCO's needs. She explained that LAFCO currently pays annually \$10,000 for its space in the County Administrator's Office and \$27,000 to the County's Information Technology Department (ITD). The cost of the new space will be \$32,000 and will include the space as well as ITD services, building security, printer & copier. Staff is working with ITD to identify its billing structure to LAFCO, with the intent of lowering the \$27,000 annual charge, since some of the charges will be included in the \$32,000 charge. Staff anticipates approximately a \$10,000 reduction in ITD charges.

M/S by Commissioners Wieskamp and Johnson to approve the MOU with the Community Development Agency for interim administrative office space until agreement for long-term space is executed. **Passed.**

Ayes: Commissioners Haggerty, Marchand, Sblendorio, Thorne

Noes: None **Absent:** Commissioner Miley **Abstain:** None

c. **Executive Officer Performance Review**

Staff's recommendation for a change in the Commission's bylaws to approve a proposed policy on performance reviews for the Executive Officer position. Staff provided a summary of the written report, emphasizing the purpose is to give the Commissioners a structured process for providing input on the performance review of the Commission's Executive Officer. Chair Haggerty expressed a wish that the language in the bylaws be changed to allow for the Chair to have assistance in the process.

Motion was made by Commissioner Marchand to approve the bylaw change, with the proposed wording edited to say "Chair and Chair's Designee" rather than just "Chair" (Item 6.2, 2.c of proposed bylaw change). Seconded by Commissioner Johnson. Motion passed.

Ayes: Commissioners Haggerty, Sblendorio, Thorne, Wieskamp

Noes: None **Absent:** Commissioner Miley **Abstain:** None

10:30 am – 2:20 pm STRATEGIC PLANNING WORKSHOP - Conducted by Bill Chiat
Following are summary notes from presentation/discussion.

10:30 am LAFCO 101 Presentation – Bill Chiat

A big-picture overview of LAFCO's existing, emerging duties and responsibilities, including a slide presentation.

11:15 am Discussion of Organizational Goals and Accomplishments – Participants

Comments made include the following:

Presentations from outside agencies have been helpful in increased understanding. Policy & Budget Committee looking at first report from consultants on the water study – which was just statistical – need more of an overview included. Lacking in responsibility as overall stewards – maybe need to provide more guidance (ex. Climate change). Toxics in water of major concern. Educating the public very important. Climate change going to be expensive long term. Should be looking at agriculture in the County – know how much losing and how to encourage sustainability. Have a regional discussion with San Joaquin and Contra Costa LAFCOs. Do more to promote island annexations, do more outreach. Important to use the reserves – should have a fund balance policy. JPAs – What authority does LAFCO have over them? At least, know what JPAs there are – should be looking at them while doing the municipal service reviews. Look at delivery of electricity. Relationship with wine growers in Tri-Valley, Tri-Valley Conservancy. What is LAFCO's role in addressing homelessness?

11:45 am How Does LAFCO Want to Be Known – Bill Chiat

Summary of comments by participants:

Sustain and continue the quality of life in Alameda County. Sustain agriculture and open space. Encourage efficient use of limited resources. LAFCO has leverage since it is independent, has authority to exist – is legislature's watchdog of local agencies. Should be known as a facilitator. What are key areas that LAFCO should educate community about? Only forum where all agencies can come together.

Note: Commissioner Haggerty departed the meeting at 11:50 am.

12:15 pm Lunch

12:45 pm Identify and Prioritize Key Objectives – Participants

What's happening in agriculture – what are the needs – what can LAFCO do? Need comprehensive study on climate change and how it will affect Alameda County municipal

services. Island annexations – have a plan over the next five years. Identify service “consolidation” opportunities. LAFCO’s role in housing. County unincorporated community. Water, wastewater, fire all tied to climate change.

1:00 pm Next Iteration of the Strategic Plan – Bill Chiat

Staff indicated she would summarize the day’s discussions and present a draft of the Strategic Plan for 2020-2022 at the Commission’s March meeting as part of the Work Plan & Proposed Budget.

2:00 pm Closing Comments and Reflections – Bill Chiat

Mr. Chiat expressed appreciation for everyone’s contribution.

2:20 pm Adjournment – Upon motion/second by Commissioners Marchand/Johnson and unanimous approval, Vice Chair Sblendorio adjourned the meeting.

Next Meetings of the Commission

Policy & Budget Committee

Thursday, December 5, 2019 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin, CA
(subsequently canceled)

Regular Meeting

Thursday, January 16, 2020 @ 2:00 p.m. at City of Dublin, 100 Civic Plaza, Dublin

Respectfully submitted,

Sandy Hou, Commission Clerk

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AGENDA REPORT

January 16, 2020

Item No. 7

TO: Alameda Commissioners**FROM:** Rachel Jones, Executive Officer**SUBJECT: Budget Update for Fiscal Year 2019-2020 and 2nd Quarter Report**

The Alameda Local Agency Formation Commission (LAFCO) will review a report comparing budgeted to actual transactions for fiscal year 2019-2020 through the second quarter. Alameda LAFCO is on pace to finish the fiscal year with a balanced budget. This includes a \$180,000 fund balance applied to offset agency apportionments. The report is being presented to the Commission to accept and file and to provide direction to staff as needed.

Information

Alameda LAFCO's ("Commission") adopted final budget for 2019-2020 totals \$793,880. This amount represents the total approved operating expenditures for the fiscal year divided between three active expense units: salaries and benefits; services and supplies; and internal services. A matching revenue total was also budgeted to provide a year-end balance of \$0 and with a purposeful aid of a planned \$180,000 transfer from reserves. Budgeted revenues are divided between three active units: intergovernmental contributions, application fees, and investments.

Discussion

This item is for the Commission to receive an update comparison of (a) budget to (b) actual expenses and revenues through the month of December. The report provides the Commission the opportunity to track expenditure trends accompanied by year-end operating balance projections from the Executive Officer. The report is being presented to the Commission to formally accept and file and provide related direction as needed.

Budgeted Expenses FY 19-20	Budgeted Revenues FY 19-20	Budgeted Year End Balance FY 19-20
\$793,880	\$793,880	\$0

Summary of Operating Expenses

The Commission’s budgeted operating expense total for 2019-2020 is \$793,880. Actual expenses processed through the first six months totaled \$174,917; an amount representing 22% of the budgeted total with 50% of the fiscal year complete.

Actuals through the first six months and related analysis suggest the Commission is on pace to finish the fiscal year with \$793,880 in total expenses and finish with an operating net of \$0. A discussion on budgeted and actual expenses through the first six months and related year-end projections follow.

Expense Units	Adopted	Actuals	Percent Expended	Remaining Balance
Salaries and Benefits	483,581	103,352	21%	380,230
Services and Supplies	200,876	58,384	29%	142,492
Internal Service Charges	59,423	13,182	22%	46,241
Contingencies	50,000	0	0%	50,000
	\$793,880	\$151,103	22%	\$618,963

Staffing Unit

The Commission budgeted \$483,581 in Staffing or Salaries and Benefits Unit for 2019-2020 with proceeds largely tied to changes in staffing levels from funding 2.15 fulltime equivalent employees to 2.0 fulltime equivalent employees as well as existing retiree obligations. Through the first six months the Commission’s estimated expenses within the affected accounts totaled \$103,352 or 21% of the budgeted amount. It is projected the Commission finish the fiscal year with an expenses total of \$483,581.

Services and Supplies Unit

The Commission budgeted \$200,876 in the Services and Supplies Unit for 2019-2020 to provide funding for *direct* support services necessary to operate Alameda LAFCO. Through the first six months the Commission’s actual expenses within the affected 14 accounts totaled \$58,384 or 29% of the budgeted amount. Three of the affected accounts – Training (Conferences and Workshops), Memberships, and Planning Services – finished with balances exceeding the proportional 50% threshold with explanations provided below. In the absence of subsequent amendments at this time, it is projected the Commission will finish the fiscal year with an expense total of \$200,876.

- Training (Conferences and Workshops)

This account covers the Commission’s training costs. The Commission budgeted \$13,000 in this account for 2019-2020 based on recent actual trends. Actual expenses through December totaled \$4,044 and can be attributed to registration costs for the 2019 CALAFCO Annual

Conference held in Sacramento for October. Staff projects additional costs attributed to CALAFCO's staff workshop to be held in 2020 and other CALAFCO University programs over the succeeding months.

▪ Memberships

This account covers the Commission's annual dues for ongoing memberships with several outside agencies and organizations as previously authorized by the members. This includes CALAFCO and the California Special Districts Association memberships. The Commission budgeted \$10,476 in this account for 2019-2020 based on recent actual trends. Actual expenses through December totaled \$10,376 or 99.0% of the budgeted amount and tied to providing full payment of all budgeted costs.

▪ Planning Services

This account covers the Commission's outside planning costs for applications, special projects and CEQA review. The Commission budgeted \$5,000 in this account for 2019-2020 based on recent actual trends. Actual expenses through December totaled \$3,854 or 77.1% of the budgeted amount. The costs are tied to the completion of recent projects from the planning firm Lamphier-Gregory.

Internal Services and Supplies

The Commission budgeted \$31,690 in the Internal Services and Supplies Unit for 2019-2020 to provide funding for *indirect* support services necessary to operate Alameda LAFCO. Through the first six months the Commission's actual expenses within the four affected accounts totaled \$13,182 or 22% of the budgeted amount. None of the affected accounts finished with balances exceeding the proportional 50% threshold.

Summary of Operating Revenues

The Commission budgeted operating revenue total for 2019-2020 at \$793,880. Actual revenues collected through the first six months totaled \$597,189. This amount represents 75.2% of the budgeted total with 50% of the fiscal year complete. A summary comparison of budgeted to actual operating revenue follows.

Actuals through the first six months and related analysis suggest the Commission's year-end revenue totals will tally at \$793,880 and result in a balanced budget. An expanded discussion on the budgeted and actual revenues through the first six months follows.

Revenue Units	Adopted	Actuals	Percent Expended	Remaining Balance
Agency Contributions	576,380	576,381	100%	0
Application Fees	30,000	16,006	53%	13,994
Interest	7,500	4,802	64%	2,698
Fund Balance Offset	180,000	0	0%	180,000
	\$793,880	\$597,189	75%	\$196,691

Agency Apportionments

The Commission budgeted \$576,380 in the Agency Apportionments Unit for 2019-2020. This total budgeted amount was to be divided in two three equal shares at \$192,127 and invoiced among the County of Alameda, 14 cities, and 15 independent special districts as provided under State statute. Alameda LAFCO has received all agency apportionments or 100% of the budgeted amount.

Application Fees Unit

The Commission budgeted \$30,000 in the Application Fees Unit for 2019-2020. Through the first six months \$16,006 have been collected in this unit. Staff anticipates – and at least for budgeting purposes – the account ultimately tallying at \$25,000 and result in a year-end shortfall of \$5,000.

Interest Unit

The Commission budgeted \$7,500 in the Interest Unit for 2019-2020. Through the first six months \$4,802 have been collected in this unit by the County Treasurer. Staff anticipates – and at least for budgeting purposes – the account accruing at the current rate and ultimately tallying at \$7,500.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Accept and file the report as presented and provide direction as needed to staff with respect to any related matters for future consideration.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction for more information as needed.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a stylized flourish at the end.

Rachel Jones
Executive Officer

Attachments:

1. 2019-2020 General Ledger through December 31, 2019

ALAMEDA LOCAL AGENCY FORMATION COMMISSION
Regional Service Planning | Subdivision of the State of California

Expense Ledger		FY2016-2017		FY2017-2018		FY2018-2019		FY2019-2020			
		Adopted	Actuals	Adopted	Actuals	Adopted	Actuals	Adopted	Actuals As of 12-31-19	Difference	Percent of Budget
Salary and Benefit Costs											
<u>Account</u>	<u>Description</u>										
60001	Staff Salaries	-	-	-	-	321,692	269,829	308,307	-	-	-
-	Employee Benefits and Retirement (ACERA)	-	-	-	-	149,961	139,003	175,275	-	-	-
		422,665	378,825	472,385	383,228	471,653	408,832	483,581	103,352	380,230	21.4%
Service and Supplies											
<u>Account</u>	<u>Description</u>										
-	Intern	1,600	-	1,600	-	1,600	-	1,600	0	1,600	0.0%
610077	Postage	1,000	2,000	1,000	1,000	1,000	707	1,000	57	943	5.7%
610141	Copier	1,800	4,000	2,000	2,503	3,000	859	3,000	143	2,857	4.8%
610191	Pier Diems	6,600	7,900	7,500	7,300	7,700	5,700	7,800	3,100	4,700	39.7%
610211	Mileage/Travel	-	-	-	89	200	1,308	1,300	426	874	32.8%
610461	Training (Conferences and Workshops)	18,500	12,000	20,000	17,171	20,000	11,153	13,000	4,044	8,956	31.1%
610241	Records Retention	1,000	1,100	1,000	1,000	1,000	300	1,000	195	805	19.5%
610261	Consultants	50,000	31,000	75,000	75,000	96,000	22,593	90,000	31,843	58,157	35.4%
610261	Mapping - County	5,000	6,000	5,000	5,000	5,000	595	5,000	0	5,000	0.0%
610261	Planning Services	60,000	75,000	25,000	10,000	25,000	4,121	5,000	3,854	1,146	77.1%
610261	Legal Services	30,000	50,000	40,000	35,000	40,000	26,210	30,000	0	30,000	0.0%
610311	CAO - County - Services	16,000	13,000	11,000	11,000	11,000	11,000	11,000	2,750	8,250	25.0%
610312	Audit Services	7,500	-	7,500	-	10,000	6,000	7,700	0	7,700	0.0%
610351	Memberships	8,157	8,157	8,675	8,774	9,000	9,026	10,476	10,376	100	99.0%
610421	Public Notices	5,000	2,000	5,000	2,000	5,000	2,363	5,000	1,349	3,651	27.0%
610441	Assessor - County - Services	-	-	5,000	-	2,500	-	2,500	0	2,500	0.0%
610461	Special Departmental	500	500	500	500	1,500	515	1,500	29	1,471	1.9%
620041	Office Supplies	3,000	1,500	3,000	500	4,000	592	4,000	217	3,783	5.4%
		215,657	213,257	218,775	176,837	243,500	103,042	200,876	58,384	142,492	29.1%
Internal Service Charges											
<u>Account</u>	<u>Description</u>										
630051	Office Lease/Rent	3,200	3,200	3,200	3,200	3,200	3,492	25,000	1,325	23,675	5.3%
630021	Communication Services	3,156	3,156	3,218	3,218	3,878	3,878	3,950	995	2,955	25.2%
630061	Information Technology	17,726	17,726	18,081	18,081	21,578	27,068	27,373	10,779	16,594	39.4%
630081	Risk Management	2,633	2,633	2,686	2,686	3,034	3,034	3,100	82	3,018	2.6%
		26,715	26,715	27,185	27,185	31,690	37,472	59,423	13,182	46,241	22.2%
Contingencies											
		50,000	-	50,000	-	50,000	-	50,000	0	-	0.0%
EXPENSE TOTALS		715,037	618,797	768,345	587,250	796,843	549,346	793,880	174,917	568,963	22.0%

Revenue Ledger		FY2016-2017		FY2017-2018		FY2018-2019		FY2019-2020			
		Adopted	Estimate	Adopted	Estimate	Adopted	Actuals	Adopted	Actuals As of 12-31-19	Difference	Percent of Budget
Intergovernmental											
<u>Account</u>	<u>Description</u>										
-	Agency Contributions										
	County of Alameda	196,115	196,114	196,115	196,114	196,948	196,948	192,127	192,127	-	100.0%
	Cities	196,115	196,114	196,115	196,114	196,948	196,948	192,127	192,127	-	100.0%
	Special Districts	196,115	196,114	196,115	196,114	196,948	196,948	192,127	192,127	-	100.0%
		540,037	588,344	588,345	588,344	590,844	590,844	576,380	576,381	(1)	100.0%
Service Charges											
-	Application Fees	25,000	50,000	30,000	16,000	30,000	16,456	30,000	16,006	13,994	53.4%
Investments											
-	Interest	-	2,000	-	4,000	-	12,314	7,500	4,802	7,500	64.0%
Fund Balance Offset											
		150,000	150,000	150,000	150,000	176,000	176,000	180,000	0	180,000	0.0%
REVENUE TOTALS		715,037	742,037	768,345	758,344	796,844	795,614	793,880	597,189	196,691	75.2%
OPERATING NET		-	123,240	-	171,094	-	246,268	-	422,273	-	-

UNRESTRICTED FUND BALANCE
As of June 30th

AGENDA REPORT

January 16, 2020

Item No. 8

TO: Alameda Commissioners**FROM:** Rachel Jones, Executive Officer**SUBJECT: City of Alameda Healthcare District | Report**

The Alameda Local Agency Formation Commission (LAFCO) will receive a status update and report from the City of Alameda Healthcare District as requested by the Commission at its May 9, 2019 meeting. The report is being presented for information only at this time with subsequent action, if needed, to be taken at a later date.

Information

This item is for Alameda LAFCO to receive and review a report from the City of Alameda Healthcare District (HCD) and assess its status in fulfilling its prescribed duties.

The City of Alameda HCD was formed July 1, 2002 after approval by two-thirds of voters and organized as an independent special district under the State's Local Health Care District Act. The District formed due to ongoing operating losses of Alameda Hospital. The City of Alameda HCD's jurisdictional boundary is coterminous with the City of Alameda's jurisdictional boundary and sphere of influence. As a condition of District formation, property owners in the City of Alameda pay approximately a \$300 parcel tax to repay the hospital's debt, defray the operating losses of the hospital and ensure the hospital remains open.

The District entered into a Joint Powers Authority (JPA) with the Alameda Health System (AHS) on November 26, 2013, which AHS assumed operational control under the JPA on May 1, 2014. The City of Alameda HCD supports the ongoing operation and capital needs of Alameda Hospital through the annual assessment and collection of its authorized parcel tax. The revenues received by the District are then paid to AHS for repayments of amounts outstanding under a line of credit agreement of \$1.5 million, and the operating capital support of Alameda Hospital. The District is permitted to withhold and retain from its parcel tax revenue any out-of-pocket costs and expenses incurred by the District for its statutorily required operations (i.e., elections, meetings, legal, insurance, administrative expenses).

A copy of City of Alameda HCD's status update can be found in Attachment 1 of the staff report.

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Jerry Thorne, Regular
City of Pleasanton

David Haubert, Alternate
City of Dublin

Ralph Johnson, Regular
Castro Valley Sanitary District

Ayn Wieskamp, Regular
East Bay Regional Park District

Geogean Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Tom Pico, Alternate
Public Member

Commission Review

At its March 14, 2019 meeting, the Commission approved a five-year study schedule that includes a Healthcare Services Study to be completed in 2024. The study will examine the provision of health-related services in the County. The report will review the supply, demand, and capacity as well as relationships among the affected agencies that provide such services. The City of Alameda HCD will be one of the agencies included in the study and a much more thorough analysis of the District's activities and service provisions will be provided.

This item has been placed on the agenda as information only. The Commission is invited to discuss the item and provide direction to staff on any related matter as needed.

Attachments:

1. Report from City of Alameda Healthcare District



888 Willow Street
Alameda, California 94501
(510) 473-0755

January 16, 2020

**Memorandum to: Alameda Commissioners
Alameda Local Agency Formation Commission**

**From: Deborah E. Stebbins
Executive Director
City of Alameda Health Care District**

RE: Update on City of Alameda Health Care District

Background:

The City of Alameda Health Care District was formed in 2002 and is the steward of the properties on which Alameda Hospital as well as associated facilities such as South Shore Rehabilitation, Park Ridge Rehabilitation and the Kate Creedon Wound Center are operated. The District has the responsibility of overseeing collection of the District parcel tax and for ensuring that it is used for the purpose for which it was established, namely, ensuring the provision of acute care services and an emergency department serving the island of Alameda.

This report includes information about the history of Alameda Hospital before and after its 2014 affiliation with Alameda Health System, the sources and uses of parcel tax resources over the last several years, as well as the services provided at Alameda Hospital and its utilization as a part of Alameda Health System. The report also describes some of the priority issues facing the District as it relates to compliance with 2020 and 2030 State seismic regulations and planning for the future configuration of health care services on the island.

History of Alameda Hospital:

Through the efforts of a registered nurse, Kate Creedon, and two local physicians, the idea of converting a small house on the island of Alameda into a rudimentary hospital, with facilities to care for a few patients and to provide an urgently needed operating rooms, was conceived in 1893. Alameda's first hospital opened its doors to patients on

San Jose Avenue in 1894, a six-bed facility originally known as the Alameda Sanitorium. The hospital was an immediate success with the community and there was a growing demand for services by Alameda residents. By 1900 the hospital relocated to another building on Clinton Avenue, first as a 20-bed facility and later expanding to 40 beds.

By 1913 additional property was purchased on Clinton Avenue for future development as demand for services increased. In 1924, state regulations necessitated the construction of a modern fireproof building. This endeavor exceeded the financial resources of the hospital's founders. A decision was made to finance construction by selling shares of ownership to interested individuals. By October, 1925, the City of Alameda celebrated its 110-bed modern hospital at 2070 Clinton Avenue, a building which today houses physician offices and administrative functions.

By the late 1920's, Alameda Hospital, like many hospitals in the country, faced the financial pressures of the Depression. Many people were hesitant to pursue regular medical care; hospitalization occurred only in extreme cases. Despite several reorganizations and numerous attempts to turn the hospital's financial status around, steps to institute foreclosure and sell the hospital properties began in 1939. Fortunately, a group of prospective buyers comprised of businessmen and physicians successfully bid on the facilities and the hospital doors stayed open. Later, the hospital became a 501(c)3 corporation.

Throughout the next several years, Alameda Hospital flourished financially and embarked on an exciting era of many more expansion and changes. By the early 1950's the hospital realized that its facilities would soon be inadequate to care for the growing population of Alameda. By 1954, hospital occupancy was at 92% and a new building, The Stephens Wing, was added bringing the hospital capacity to 150 beds. In 1966, a new wing, later known as the West Wing, was added to accommodate surgery suites, an intensive care unit and central plant functions.

The most significant expansion of hospital facilities occurred in 1983 with the dedication of the 62,000 square foot South Wing, allowing expansion of almost all hospital functions. A nine bed short stay surgery unit was developed and a new emergency department was dedicated in 1987. In 1989 a 23-bed skilled nursing facility was constructed on the campus across from the South Wing. Today this facility is known as South Shore Rehabilitation facility.

Formation of the City of Alameda Health Care District

By 2000, like many California hospitals, Alameda Hospital faced new financial challenges. The closure of the Alameda Naval Air Station in the mid 1990's had an affect on demand for services just as it impacted every aspect of life on the island. For most of its existence, Alameda Hospital had operated as a not-for-profit hospital. However, in 2002, the Board of Directors proposed a ballot measure (Resolution 2002-02) in Alameda that would cause the formation of a Health Care District which, in addition to continuing to operate the Hospital, would levy a \$298 per parcel on the property owners of Alameda to defray operating costs and capital needs of the hospital. The formation of the Hospital District and establishment of the sphere of influence of the District was authorized through LAFCO Resolution 01-15. The parcel tax was intended to ensure local access to emergency care, acute care and health care services for residents and visitors in the City of Alameda.

District boundaries are coterminous with the boundaries of the City of Alameda. The parcel tax, which now totals approximately \$6 million per year, continues in perpetuity.

The citizens of Alameda approved formation of the District and the parcel tax through the required 2/3 vote, thereby allowing the hospital and emergency department to remain open. As of January 1, 2003, all real property and equipment associated with the hospital was transferred from the non-profit corporation to the District. The Board of Directors is now comprised of 5 elected officials. District Board meetings are governed by the provisions of the Brown Act.

Search for Affiliation Partners:

By 2010, the District Board of Directors initiated a new strategic planning process for the Hospital. While the parcel tax had stabilized the hospital financially, it was clear that there was a need for expansion of revenue sources through new programs and services. It was also clear that in the current health care environment, it would not be feasible for a relatively small, stand-alone hospital to survive.

Several new programs were initiated under District Board leadership. In 2012, Alameda Hospital acquired operation of a 120-bed skilled nursing facility near the Park Street Bridge and opened the Kate Creedon Wound Care Center, a program serving patients

from throughout the East Bay with chronic, non-healing wounds. The hospital's subacute unit, caring for chronically neurologically impaired patients as a result of injury or illness (one of the only such units in the Bay Area) was expanded.

Most importantly the Board also embarked on an 18-month effort to evaluate and confer with potential partner health care organizations with which Alameda Hospital might affiliate. In late 2012, the Hospital began negotiations with Alameda County Medical Center, later known as Alameda Health System (AHS). As a result, an affiliation agreement was finalized in the form of a Joint Powers Agreement (JPA). By the joint exercise of the common statutory powers of these two public organizations to operate health care facilities, the JPA facilitated the preservation of Alameda Hospital as a health care resource for Alameda County. The JPA was approved by both the District and AHS Boards in 2013 and the affiliation was implemented in 2014.

Current Relationship between City of Alameda Health Care District and Alameda Health System:

Under the JPA, Alameda Health System oversees and manages the operation of Alameda Hospital and its affiliated programs, including licensure, certifications, financial management and maintenance facilities. Alameda Hospital continues to operate under its own State license. There are requirements for AHS to report regularly on such operations and improvements to the District Board of Directors. The District maintains responsibility for collection of the parcel tax revenue and for ensuring that it is used only to support hospital and health care services and facilities in the City of Alameda.

Exhibit A shows the history of annual transfers from the District to Alameda Health Services (AHS) between FY 2016-2019. Transfers are calculated on the annual revenue (parcel tax revenue plus interest income) less the cash expenses associated with District operations each year. Note that in FY 2019 there was an increase in District expenses due to several factors: the addition of a half-time Executive Director to provide management and strategic planning oversight for the District, engagement of strategic planning and architectural consultants to begin the process of planning for health care facilities in 2030, and 2018 election-related fees to the County. District staff now include a half-time Executive Director and part-time Executive Assistant.

Additional funds are provided annually to Alameda Health System from income and balance sheet assets derived from two rental properties (known as the Jaber properties) that were donated to Alameda Hospital prior to the affiliation with AHS. These

properties remained assets of the District after the affiliation. In accordance with the terms of the original bequest of the properties, no more than 20% of income and assets of the properties can be used to support equipment and/or capital assets for the Hospital each year. The amount of this annual grant to AHS has averaged \$70,000 - \$80,000 each year in addition to the transfers shown in Exhibit A.

Exhibit B is the most recent audited financial statements (FY 2019) for the City of Alameda Health Care District.

Patient Services at Alameda Hospital as part of the Alameda Health System:

Since the affiliation, Alameda Hospital continues to operate services vital to both the Alameda and surrounding communities. Notably the hospital serves over 16,000 patients in the Emergency Department each year. Over 1000 ambulance runs to Alameda Hospital are made by the Alameda Fire Department each year, representing about one-half of AFD ambulance volume. This ensures timely access to care for all Alameda residents and supports cost efficiencies by the Fire Department by concentrating ambulance runs on the island. Given increasingly congested traffic conditions, the existence of an ED on the island undoubtedly provides more expedient access to care than an alternative where all patients needed to go off island.

Prior to the affiliation with AHS, Alameda Hospital developed a primary stroke center, one of only five centers in Alameda County and the only one in the AHS system. Staffed by a Board certified Neurologist and a Nurse Practitioner, the program enables comprehensive diagnosis of patients suffering strokes and, when appropriate, administration of time critical TPA. The Center is certified by The Joint Commission and maintains a referral relationship with Eden Hospital in Castro Valley, where more complex surgical treatment of stroke patients can be provided when necessary.

Beginning in 2012, Alameda Hospital expanded its presence in skilled nursing care, adding first a 24 bed facility, South Shore Convalescent Hospital, in 2012 and in 2014, the 120 bed Waters Edge facility. These programs were added to the existing 32-bed subacute program for chronically neurologically impaired patients which was expanded in 2013. With pressures to reduce acute length of stay, the need for long term care is increasing and there is generally a shortage of skilled nursing beds with the capacity to provide superior rehabilitation services in Alameda County. With an average census of the 174 (virtually 100% occupancy with a waiting list) Alameda Hospital's long term care operates as "distinct part" skilled nursing beds. The majority of the long- term care beds

at AHS were added as the result of the affiliation with Alameda Hospital. The skilled nursing facility programs at Alameda Hospital enjoy 5 star ratings from the State of California and were recently recognized as the second best skilled nursing service in California by *Newsweek* magazine.

The Kate Creedon Wound Care Center was opened on the island prior to the affiliation and continues to serve patients with chronic, non-healing wounds. Patient volume at the Center, the only wound care program between San Francisco and Walnut Creek, has exceeded all pro forma projections since its opening. The majority of the patients originate from outside of Alameda. It is staffed by a group of multi-disciplinary physicians and surgeons; hyperbaric chambers are available to serve patients needing advanced wound care therapy.

Patient Referrals from Highland Hospital: Since the affiliation, Alameda Hospital has regularly received referrals of less acute, mostly medical patients, from Highland Hospital. On average, 5-6 patients are transferred from Highland's emergency department and inpatient units daily, accounting for about a third of Alameda Hospital's average daily census of over 38. Patient transfers are facilitated by close communication between the medical staff at the two hospitals as well as the installation of a common electronic health record, EPIC, in 2019. The existence of additional acute beds at Alameda Hospital results in reduced waiting times in the Emergency Department and improved critical care bed availability at Highland Hospital.

Compliance with SB 2190 seismic requirements.

Under the Joint Powers Agreement, Alameda Health System is obligated to maintain at least 50 acute care beds and an emergency department in Alameda. AHS must also ensure completion of the State seismic standards for hospitals under SB 90 and SB 2190. In fact the commitment by AHS to achieve seismic compliance under these statutes was a driving factor behind the District's decision to affiliate with AHS.

SB 2190 is the State statute which requires completion of seismic retrofits by 2021 (known as "2020 seismic requirements"); it is an extension of an original statute, SB 90, a bill that requires hospitals to retrofit, replace, or remove acute care services for buildings posing the greatest risk to patients and the public. Under the provisions of the Joint Powers Agreement between the District and Alameda Health System, investment of the capital improvements necessary to achieve compliance with these standards is the responsibility of AHS. Submission of a formal plan and evidence of a contractual

arrangement to complete the seismic retrofit was required by 2019. Construction is required to commence by January, 2020 with completion by 2021.

In 2019, the state of the AHS operating and capital budget for FY 2020 became an issue of significant concern largely due to projected declines in supplemental funding as well as retroactive revenue adjustments from the government for reimbursement in prior years. The AHS is subject to approval by the County Board of Supervisors. The relationship between the County and AHS calls the County extending a maximum line of credit to AHS which is the sole source of working capital and capital investments for AHS. The driving challenges facing the current financial performance and FY 2020 budget for AHS is the projection that the System will be at the maximum allowable line of credit with the County.

In 2018 and 2019, the District Board of Directors developed concerns about AHS' commitment and ability to fund the 2020 seismic requirements. The AHS Board of Trustees instructed management to review all capital investments and evaluate potentially discretionary operating programs in an attempt to bring about a balanced FY 2020 budget. As a result of this potential threat to the Alameda Hospital seismic project, the District engaged in extensive dialogue not only with AHS management and Board members but also with elected officials at the City and State level.

Fortunately, there has been an interim resolution of the immediate threats to the AHS budget as a result of rejections of revenue sources and some renegotiated rates with the County for services provided to County beneficiaries. The AHS Board of Trustees made a formal recommitment to the Alameda Hospital seismic retrofit project in September, 2019 and entered into a contract with Layton Construction for the \$25 million project. The construction will involve relocation of several departments including the kitchen and cafeteria to buildings which are or can be made seismically compliant as well as the infusion of materials under two of the older buildings on campus to reduce the risk of liquefaction in the event of an earthquake. This construction effort began in October 2019 and regular reports to OSHPD on the status of the project are being submitted by AHS.

Planning for 2030 Seismic Compliance:

Now that implementation of the seismic requirements for 2020 is underway, the District, in collaboration with AHS, is undertaking planning for meeting for stringent seismic standards required by 2030. Under the Joint Powers Agreement, the District Board of

Directors are responsible for planning for the future of Alameda Hospital, including a plan for meeting the 2030 standards.

Toward this end, in 2019 the District began the research necessary for 2030 strategic and facility planning through engaging two consulting studies:

Kaufman Hall Study: Conducted by the national healthcare consulting firm of Kaufman Hall, the consultants who had assisted with the design of the original affiliation in 2013, projections were made for volume at Alameda Hospital in 2029 based on: (1) the current utilization at Alameda Hospital in its current status configuration as a part of AHS system and (2) as standalone facility unaffiliated with a system. The analysis shows that under the first scenario, Alameda Hospital provides vital services to the patients of Alameda Health System, especially overflow patients referred from the Emergency Department and acute care at Highland Hospital. The second scenario shows continued need in 2029 for at least 25 acute care beds even as a standalone hospital, no longer affiliated with AHS. However, the analysis also shows that Alameda Hospital will not be financially viable unless it continues to be a part of a larger health care system. This finding demonstrates the importance for the District to continue discussions with AHS about the future of health care available to residents of the District.

Master Facility Planning by Ratcliff Architects:

The District also engaged Ratcliff Architects (Emeryville, CA), a firm with many years of experience in analysis of facilities at Alameda, including the design of the 2020 seismic retrofit solution. Ratcliff developed one scenario for facility planning in which all vital services could be relocated into the largest building on the Alameda Hospital campus (known as the South Wing, built in 1983). This plan could enable continued operation of acute care services after 2030 in a building which currently meets most of the 2030 seismic requirements and retrofit of the smaller West Wing building (built in the 1960's) to house the central plant functions. While this scenario might enable continuation of acute care services and an emergency department in an efficient building, it is estimated to cost in excess of \$120 Million for construction alone. The magnitude of the investment suggests capitalization would be required from a variety of sources and continued association of Alameda Hospital with a larger healthcare system.

Both the City of Alameda Health Care District and Alameda Health System recognize the need to collaborate on the alternatives for compliance with the 2030 seismic

standards to meet the needs of both the residents of Alameda and the surrounding communities in Alameda County. The needs for such long term planning are magnified by changing conditions in the health care marketplace including the tentative decision by Sutter Health to not bring its Berkeley Alta Bates campus into compliance with 2030 standards, thereby closing acute and emergency services in Berkeley and the previous closure of Doctors Hospital in San Pablo. Such developments significantly change the landscape of health care in the northern parts of Alameda County.

The District and AHS formed a joint ad hoc committee in late 2019 to begin the important work on collaborating on options for the long-term configuration of Alameda Hospital and the optimal ways to meet the needs of the residents of the City of Alameda and its surrounding area. The Ad Hoc Committee will build upon the work completed by Kaufman Hall and Ratcliff as well as internal need projections completed by AHS staff.

In summary, in addition to monitoring completion of the 2020 seismic retrofit at Alameda Hospital, the District Board has placed the highest priority on strategic planning with Alameda Health System and representatives of the community for the future of hospital services on the island by 2029.

Exhibit A

History of Parcel Tax Income and Transfers

**CITY OF ALAMEDA HEALTH CARE DISTRICT
HISTORY OF ASSET TRANSFER TO AHS
FY 2016-2019**

for year ending	6/30/2016	6/30/2017	6/30/2018	6/30/2019
Actual Property Tax Received for 7/1-6/30	\$5,778,442	\$5,844,087	\$5,920,695	\$5,902,624
Interest Income Earned	\$3	\$14	\$6	
Adjusted District Revenue	\$5,778,445	\$5,844,101	\$5,920,701	\$5,902,624
District Total Expenses	\$599,575	\$458,565	\$430,971	\$999,058
less: depreciation and amortization	\$369,265	\$222,869	\$212,418	\$212,418
Adjusted Cash Expenses	\$230,310	\$235,696	\$218,553	\$786,640
less: principal payment on mortgage	\$26,940	\$28,405	\$32,449	\$29,041
Adjusted District Outlays	\$257,250	\$264,101	\$251,002	\$815,681
Funds Transferred to AHS for operations of Alameda Hospital	\$5,521,195	\$5,580,000	\$5,669,699	\$5,086,943

Exhibit B

City of Alameda Health Care District
Annual Audit
Fiscal Year ending June 30, 2019

Audited Financial Statements
CITY OF ALAMEDA
HEALTH CARE DISTRICT
June 30, 2019

Audited Financial Statements

CITY OF ALAMEDA HEALTH CARE DISTRICT

June 30, 2019

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Management's Discussion and Analysis

CITY OF ALAMEDA HEALTH CARE DISTRICT

June 30, 2019

The District Clerk and Treasurer of the City of Alameda Health Care District (the District) has prepared this annual discussion and analysis in order to provide an overview of the District's performance for the fiscal year ended June 30, 2019 in accordance with the Governmental Accounting Standards Board Statement No. 34, *Basic Financials Statements; Management's Discussion and Analysis for State and Local Governments*. The intent of this document is to provide additional information on the District's historical financial performance as a whole in addition to providing a prospective look at revenue growth, operating expenses, and capital development plans. This discussion should be reviewed in conjunction with the audited financial statements for the fiscal year ended June 30, 2019 and accompanying notes to the financial statements to enhance one's understanding of the District's financial performance.

Financial Highlights

For the year of operations ending June 30, 2019, the District received \$5,902,625 million in parcel taxes from the County of Alameda and \$199,820 in rental income. The prior year taxes were \$5,920,695 and rental income was \$204,791.

Total District expenses for 2019 were \$1,077,444: (\$220,565 in depreciation and amortization, \$53,178 in interest expense, \$480,378 in professional fees, \$54,593 in insurance and \$268,730 in various other types of expenses. Transfers to the Alameda Health System were \$3.2 million, leaving the District with an increase in net position for the year of \$1,827,721.

Total District expenses for 2018 were \$517,167: (\$249,818 in depreciation and amortization, \$47,945 in interest expense, \$96,006 in professional fees, \$47,368 in insurance and \$76,030 in various other types of expenses. Transfers to the Alameda Health System were \$5.5 million, leaving the District with an increase in net position for the year of \$100,249.

The District continues to operate as a health care district which allows for the continued collection of parcel taxes and certain rental income from which the District will pay operating expenses. Excess earnings are remitted to Alameda Health System (AHS) in order to support the operations of the Alameda Hospital by AHS.

Statements of Net Position

As of June 30, 2019, the District's current assets are comprised of \$2,900,713 in operating cash, \$298,641 in parcel taxes receivable and \$15,276 in prepaid assets. Other assets include cash and cash equivalents of \$725,309 which are restricted for specific purposes, \$2,811,794 of capital assets, net of accumulated depreciation and \$7,470 in debt issue costs. Current liabilities of the District include \$32,688 of current maturities of debt borrowings and \$38,039 of various accounts payable due to certain vendors. Long-term debt borrowings amounted to \$909,558.

Management's Discussion and Analysis

CITY OF ALAMEDA HEALTH CARE DISTRICT

As of June 30, 2018, the District's current assets are comprised of \$1,008,245 in operating cash, \$298,045 in parcel taxes receivable and \$34,364 in prepaid expenses. Other assets include cash and cash equivalents of \$557,671 which are restricted for specific purposes, \$3,030,118 of capital assets, net of accumulated depreciation and \$9,711 in capitalized debt issue costs. Current liabilities of the District include \$31,271 of current maturities of debt borrowings and \$16,000 of various accounts payable due to certain vendors. Long-term debt borrowings amounted to \$939,726.

Statements of Revenues, Expenses and Changes in Net Position

For the year ended June 30, 2019 and 2018, the District realized an increase in net position of \$1,827,721 and \$100,249, respectively. The 2019 year approximated budget and expectations.

Next Year's Budget

The District annual budget for 2020 has been set at approximately \$6.0 million in revenue sources. Operating expenses for 2020 are expected to be approximately \$1.4 million which includes depreciation and amortization of \$367,000. Excess earnings will continue to be remitted to AHS to help support the operations of the Alameda Hospital, formerly operated by the District.

JWT & Associates, LLP

A Certified Public Accountancy Limited Liability Partnership

1111 East Herndon Avenue, Suite 211, Fresno, California 93720

Voice: (559) 431-7708 Fax: (559) 431-7685 Email: rjctcpa@aol.com

Report of Independent Auditors

The Board of Directors
City of Alameda Health Care District
Alameda, California

We have audited the accompanying financial statements of the City of Alameda Health Care District, (the District) which comprise the statements of net position as of June 30, 2019 and 2018, and the related statements of revenues, expenses and changes in net position, and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the District's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion the financial statements referred to above present fairly, in all material respects, the financial position of the District at June 30, 2019 and 2018, and the results of its operations and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

Supplementary Information

Management's discussion and analysis is not a required part of the financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit the information and express no opinion on it.

JW7 & Associates, LLP

Fresno, California
October 3, 2019

Statements of Net Position

CITY OF ALAMEDA HEALTH CARE DISTRICT

	June 30	
	<u>2019</u>	<u>2018</u>
Assets		
Current assets:		
Cash and cash equivalents	\$ 2,900,713	\$ 1,008,285
Other receivables	298,641	298,045
Prepaid expenses and deposits	<u>15,276</u>	<u>34,364</u>
Total current assets	3,214,630	1,340,694
Assets limited as to use	725,309	557,671
Capital assets, net of accumulated depreciation	<u>2,811,794</u>	<u>3,030,118</u>
	6,751,733	4,928,483
Deferred outflows of resources	<u>7,470</u>	<u>9,711</u>
	<u>\$ 6,759,203</u>	<u>\$ 4,938,194</u>
Liabilities		
Current liabilities:		
Current maturities of debt borrowings	\$ 32,688	\$ 31,271
Accounts payable and accrued expenses	<u>38,039</u>	<u>16,000</u>
Total current liabilities	70,727	47,271
Debt borrowings, net of current maturities	<u>909,558</u>	<u>939,726</u>
	980,285	986,997
Net position		
Invested in capital assets, net of related debt	2,811,794	3,030,118
Restricted, by contributors	725,309	557,671
Unrestricted (deficit)	<u>2,241,815</u>	<u>363,408</u>
Total net position	<u>5,778,918</u>	<u>3,951,197</u>
	<u>\$ 6,759,203</u>	<u>\$ 4,938,194</u>

See accompanying notes and auditor's report

Statements of Revenues, Expenses and Changes in Net Position

CITY OF ALAMEDA HEALTH CARE DISTRICT

	Year Ended June 30	
	<u>2019</u>	<u>2018</u>
Operating revenues		
Net patient service revenue		
Other operating revenue	\$ 199,820	\$ 204,791
Total operating revenues	199,820	204,791
Operating expenses		
Professional fees	480,378	96,006
Supplies	26,289	2,646
Purchased services	14,676	25,547
Building and equipment rent	28,187	26,478
Utilities and phone	11,129	10,459
Insurance	54,593	47,368
Depreciation and amortization	220,565	249,818
Other operating expenses	<u>188,449</u>	<u>10,900</u>
Total operating expenses	<u>1,024,266</u>	<u>469,222</u>
Operating loss	(824,446)	(264,431)
Nonoperating revenues (expenses)		
District tax revenues	5,902,625	5,920,695
Investment income		6
Interest expense	(53,178)	(47,945)
Transfers to AHS	<u>(3,197,280)</u>	<u>(5,508,076)</u>
Total nonoperating revenues (expenses)	<u>2,652,167</u>	<u>364,680</u>
Increase in net position	1,827,721	100,249
Net position at beginning of the year	<u>3,951,197</u>	<u>3,850,948</u>
Net position at end of the year	<u>\$ 5,778,918</u>	<u>\$ 3,951,197</u>

See accompanying notes and auditor's report

Statements of Cash Flows

CITY OF ALAMEDA HEALTH CARE DISTRICT

	Year Ended June 30	
	<u>2019</u>	<u>2018</u>
Cash flows from operating activities:		
Cash received from operations, other than patient services	\$ 199,224	\$ 202,526
Cash payments to suppliers and contractors	<u>(762,574)</u>	<u>(205,035)</u>
Net cash (used in) operating activities	(563,350)	(2,509)
Cash flows from noncapital financing activities:		
District tax revenues	5,902,625	5,920,695
Transfers to AHS	<u>(3,197,280)</u>	<u>(5,508,076)</u>
Net cash provided by noncapital financing activities	2,705,345	412,619
Cash flows from capital financing activities:		
Principal payments on debt borrowings	(28,751)	(32,332)
Interest payments on debt borrowings	<u>(53,178)</u>	<u>(47,945)</u>
Net cash (used in) capital financing activities	(81,929)	(80,277)
Cash flows from investing activities:		
Net change in assets limited as to use	(167,638)	196,742
Investment income	<u> </u>	<u> 6</u>
Net cash provided by (used in) investing activities	<u>(167,638)</u>	<u>196,748</u>
Net increase in cash and cash equivalents	1,892,428	526,581
Cash and cash equivalents at beginning of year	<u>1,008,285</u>	<u>481,704</u>
Cash and cash equivalents at end of year	<u>\$ 2,900,713</u>	<u>\$ 1,008,285</u>

See accompanying notes and auditor's report

Statements of Cash Flows (continued)

CITY OF ALAMEDA HEALTH CARE DISTRICT

	Year Ended June 30	
	<u>2019</u>	<u>2018</u>
Reconciliation of operating income to net cash provided by operating activities:		
Operating (loss)	\$ (824,446)	\$ (264,431)
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation and amortization	220,565	249,818
Changes in operating assets and liabilities:		
Other receivables	(596)	(2,265)
Prepaid expenses and deposits	19,088	333
Accounts payable and accrued expenses	<u>22,039</u>	<u>14,036</u>
Net cash provided by operating activities	<u>\$ (563,350)</u>	<u>\$ (2,509)</u>

See accompanying notes and auditor's report

CITY OF ALAMEDA HEALTH CARE DISTRICT

June 30, 2019

NOTE A - ORGANIZATION AND ACCOUNTING POLICIES

Reporting Entity: The City of Alameda Health Care District, (d.b.a. Alameda District), heretofore referred to as (the District) is a public entity organized under Local District Law as set forth in the Health and Safety Code of the State of California. The District is a political subdivision of the State of California and is generally not subject to federal or state income taxes. The District is governed by a five-member Board of Directors, elected from within the boundaries of the health care district to specified terms of office. The District is located in Alameda, California.

Through April 30, 2014, the District operated Alameda Hospital (the Hospital), which comprised a 100-bed acute care facility, a 35-bed sub acute unit within the Hospital, a 26-bed skilled nursing facility adjacent to the Hospital campus and another 120-bed skilled nursing facility near the Hospital campus which the District took over operations of in August, 2012. Effective May 1, 2014, operations of the Hospital were turned over to the Alameda Health System (AHS), a public hospital authority created by the Alameda County Board of Supervisors, through a joint powers agreement (the affiliation agreement). Through this affiliation with AHS, the District continues to provide health care services primarily to individuals who reside in the local geographic area.

Basis of Preparation: The accounting policies and financial statements of the District generally conform with the recommendations of the audit and accounting guide, *Health Care Organizations*, published by the American Institute of Certified Public Accountants. The financial statements are presented in accordance with the pronouncements of the Governmental Accounting Standards Board (GASB). For purposes of presentation, transactions deemed by management to be ongoing, major or central to the provision of health care services are reported as operational revenues and expenses.

The District uses enterprise fund accounting. Revenues and expenses are recognized on the accrual basis using the economic resources measurement focus. Based on GASB Statement Number 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, as amended, the District has elected to apply the provisions of all relevant pronouncements of the Financial Accounting Standards Board (FASB) that do not conflict with or contradict GASB pronouncements.

Management's Discussion and Analysis: The management's discussion and analysis is a narrative introduction and analytical overview of the District's financial activities for the year being presented. This analysis is similar to the analysis provided in the annual reports of organizations in the private sector. As stated in the opinion letter, the management's discussion and analysis is not a required part of the financial statements but is supplementary information and therefore not subject to audit procedures or the expression of an opinion on it by auditors.

CITY OF ALAMEDA HEALTH CARE DISTRICT

NOTE A - ORGANIZATION AND ACCOUNTING POLICIES (continued)

Use of Estimates: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amount of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash and Cash Equivalents: The District considers cash and cash equivalents to include certain investments in highly liquid debt instruments, when present, with an original maturity of a short-term nature or subject to withdrawal upon request. Exceptions are for those investments which are intended to be continuously invested. Investments in debt securities are reported at market value. Interest, dividends and both unrealized and realized gains and losses on investments are included as investment income in nonoperating revenues when earned.

Assets Limited as to Use: Assets limited as to use include contributor restricted funds, amounts designated by the Board of Directors for replacement or purchases of capital assets, and other specific purposes, and amounts held by trustees under specified agreements. Assets limited as to use consist primarily of deposits on hand with local banking and investment institutions, and bond trustees.

Risk Management: The District is exposed to various risks of loss from torts; theft of, damage to, and destruction of assets; business interruption; errors and omissions; employee injuries and illnesses; natural disasters; and medical malpractice. Commercial insurance coverage is purchased for claims arising from such matters.

Capital Assets: Capital assets consist of property and equipment and are reported on the basis of cost, or in the case of donated items, on the basis of fair market value at the date of donation. Routine maintenance and repairs are charged to expense as incurred. Expenditures which increase values, change capacities, or extend useful lives are capitalized. Depreciation of property and equipment and amortization of property under capital leases are computed by the straight-line method for both financial reporting and cost reimbursement purposes over the estimated useful lives of the assets, which range from 10 to 40 years for buildings and improvements, and 3 to 10 years for major moveable equipment. The District periodically reviews its capital assets for value impairment. As of June 30, 2019 and 2018, the District has determined that no capital assets are impaired.

Net Position: Net position is presented in three categories. The first category is net position “invested in capital assets, net of related debt”. This category of net position consists of capital assets (both restricted and unrestricted), net of accumulated depreciation and reduced by the outstanding principal balances of any debt borrowings that were attributable to the acquisition, construction, or improvement of those capital assets.

The second category is “restricted” net position. This category consists of externally designated constraints placed on those net position by creditors (such as through debt covenants), grantors, contributors, law or regulations of other governments or government agencies, or law or constitutional provisions or enabling legislation.

CITY OF ALAMEDA HEALTH CARE DISTRICT

NOTE A - ORGANIZATION AND ACCOUNTING POLICIES (continued)

The third category is “unrestricted” net position. This category consists of net position that does not meet the definition or criteria of the previous two categories.

District Tax Revenues: The District receives most of its financial support from parcel taxes. These funds are used to support operations and meet required debt service agreements. They are classified as non-operating revenue as the revenue is not directly linked to patient care. Parcel taxes are levied by the County on the District’s behalf during the year, and are intended to help finance the District’s activities during the same year. The County has established certain dates to levy, lien, mail bills, and receive payments from property owners during the year. Parcel taxes are considered delinquent on the day following each payment due date.

Operating Revenues and Expenses: The District’s statement of revenues, expenses and changes in net position distinguishes between operating and nonoperating revenues and expenses. Operating revenues result from exchange transactions associated with providing health care services, which is the District’s principal activity. Operating expenses are all expenses incurred to provide health care services, other than financing costs. Nonoperating revenues and expenses are those transactions not considered directly linked to providing health care services.

NOTE B - CASH AND CASH EQUIVALENTS

As of June 30, 2019 and 2018, the District had deposits invested in various financial institutions in the form of cash and cash equivalents in the amounts of \$3,626,022 and \$1,565,956 respectively. All of these funds were held in deposits, which are collateralized in accordance with the California Government Code (CGC), except for \$250,000 per account that is federally insured.

The CGC and the District’s investment policy do not contain legal or policy requirements that would limit the exposure to custodial risk for deposits. Custodial risk for deposits is the risk that, in the event of the failure of a depository financial institution, the District would not be able to recover its deposits or will not be able to recover collateral securities that are in possession of an outside party.

Under the provisions of the CGC, California banks and savings and loan associations are required to secure the District’s deposits by pledging government securities as collateral. The market value of pledged securities must equal at least 110% of the District’s deposits. California law also allows financial institutions to secure District deposits by pledging first trust deed mortgage notes having a value of 150% of the District’s total deposits. The pledged securities are held by the pledging financial institution’s trust department in the name of the District.

CITY OF ALAMEDA HEALTH CARE DISTRICT

NOTE C - CONCENTRATION OF CREDIT RISK

District Tax Revenues : The District receives approximately 97% of their revenues from the County of Alameda under the parcel taxing program. These funds are used to support operations and meet required debt service agreements. Parcel taxes are levied by the County on the District's behalf during the year. Parcel taxes are secured by properties within the District, management believes that there is no credit risk associated with these parcel taxes.

Financial Instruments: Financial instruments, potentially subjecting the District to concentrations of credit risk, consist primarily of bank deposits in excess of the Federal Deposit Insurance Corporation (FDIC) limits of \$250,000. Although deposits exceed the limit in certain bank accounts, management believes that the risk of loss is minimal due to the high financial quality of the bank with which the District does business. Management further believes that there is no risk of material loss due to concentration of credit risk with regards to investments as the District has no investments in equity funds, closed-end funds, exchange-traded products, or other perceived "at risk" alternatives as of June 30, 2019 and 2018.

NOTE D - OTHER RECEIVABLES

Other receivables as were comprised of the following Alameda County parcel taxes in the amounts of \$298,641 and \$298,045 as of June 30, 2019 and 2018, respectively.

NOTE E - ASSETS LIMITED AS TO USE

Assets limited as to use are related to the Jaber agreement as described in Note F and were comprised of cash and cash equivalents in the amounts of \$725,309 and \$557,671 as of June 30, 2019 and 2018, respectively.

NOTE F - RELATED PARTY TRANSACTIONS

The Alameda Hospital Foundation (the Foundation), has been established as a nonprofit public benefit corporation under the Internal Revenue Code Section 501 c (3) to solicit contributions on behalf of the District. Substantially all funds raised except for funds required for operation of the Foundation, are distributed to the District or held for the benefit of the District. The Foundation's funds, which represent the Foundation's unrestricted resources, are distributed to the District in amounts and in period determined by the Foundation's Board of Trustees, who may also restrict the use of funds for District property and equipment replacement or expansion, reimbursement of expenses, or other specific purposes. Effective May 1, 2014, any further donations by the Foundation will be made directly to AHS according to the affiliation agreement. The Foundation is not considered a component unit of the District as the Foundation, in the absence of donor restrictions, has complete and discretionary control over the amounts, the timing, and the use of its donations to the District and management does not consider the assets material.

Notes to Financial Statements (continued)

CITY OF ALAMEDA HEALTH CARE DISTRICT

NOTE G - CAPITAL ASSETS

The District received two parcels of improved rental-real estate by court order dated December 3, 2003, pursuant to the terms of the Alice M. Jaber 1992 Trust. As successor to the former non-profit Alameda Hospital, the District has agreed to abide by the terms of the Trust Agreement. The Trust Agreement and the will of Alice M. Jaber require the District to account for the property as part of the Abraham Jaber and Mary A. Jaber Memorial Fund. Among other things, the District is prohibited from selling all or any portion of the parcels received until after the death of certain named family members and, if the property is sold, it may not be sold to any descendant, spouse or relative to the third degree of any such descendant of a named family member. The net carrying value of this property is \$965,300 and \$1,002,700 at June 30, 2019 and 2018, respectively. Capital assets as of June 30, 2019 and 2018 were comprised of the following:

	<u>Balance at June 30, 2018</u>	<u>Adjustments & Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2019</u>
Land and land improvements	\$ 1,376,954			\$ 1,376,954
Buildings and improvements	25,519,556			25,519,556
Equipment	3,739,728			3,739,728
Construction-in-progress	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals at historical cost	30,636,238			30,636,238
Less accumulated depreciation	<u>(27,606,120)</u>	<u>(218,324)</u>	<u> </u>	<u>(27,824,444)</u>
Capital assets, net	<u>\$ 3,030,118</u>	<u>\$ (218,324)</u>	<u>\$ </u>	<u>\$ 2,811,794</u>

	<u>Balance at June 30, 2017</u>	<u>Adjustments & Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2018</u>
Land and land improvements	\$ 1,376,954			\$ 1,376,954
Buildings and improvements	25,519,556			25,519,556
Equipment	3,739,728			3,739,728
Construction-in-progress	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals at historical cost	30,636,238			30,636,238
Less accumulated depreciation	<u>(27,358,543)</u>	<u>(247,577)</u>	<u> </u>	<u>(27,606,120)</u>
Capital assets, net	<u>\$ 3,277,695</u>	<u>\$ (247,577)</u>	<u>\$ </u>	<u>\$ 3,030,118</u>

CITY OF ALAMEDA HEALTH CARE DISTRICT

NOTE H - DEBT BORROWINGS

As of June 30, 2019 and 2018 debt borrowings were as follows:

	<u>2019</u>	<u>2018</u>
Note payable to a bank; principal and interest at 4.75% due in monthly installments of \$6,457 through October 15, 2022; collateralized by District property:	\$ 942,246	\$ 970,998
Other debt borrowings	<u>942,246</u>	<u>970,998</u>
Less current maturities of debt borrowings	<u>(32,688)</u>	<u>(31,271)</u>
	<u>\$ 909,558</u>	<u>\$ 939,727</u>

Future principal maturities for debt borrowings for the next succeeding years are: \$32,688 in 2020; \$34,421 in 2021; \$36,115 in 2022; and \$839,022 in 2023.

NOTE I - COMMITMENTS AND CONTINGENCIES

Construction-in-Progress: As of June 30, 2019 and 2018, the District has no commitments under any construction-in-progress projects for various remodeling, major repair, certain expansion projects on the District's premises.

Operating Leases: The District leases various equipment and facilities under operating leases expiring at various dates. Total building and equipment rent expense for the years ended June 30, 2019 and 2018, were \$28,187 and \$26,478, respectively. Future minimum lease payments for the succeeding years under operating leases as of June 30, 2019 and 2018 are not considered material as AHS has assumed responsibility for the significant leases associated with patient care effective May 1, 2014 according to the affiliation agreement. Other District lease or rent agreements that have initial or remaining lease terms in excess of one year are not considered material.

Litigation: The District may from time-to-time be involved in litigation and regulatory investigations which arise in the normal course of doing business. After consultation with legal counsel, management estimates that matters existing as of June 30, 2019 will be resolved without material adverse effect on the District's future financial position, results from operations or cash flows.

Risk Management Insurance Programs: AHS has assumed responsibility for all employee-related insurance programs effective May 1, 2014. The District has purchased tail coverage on other specific types of insurance where appropriate in conjunction with the affiliation agreement in order to prevent any lapse in coverage.

CITY OF ALAMEDA HEALTH CARE DISTRICT

NOTE J - AFFILIATION AGREEMENT

District management had ongoing financial challenges operating a small general acute care District with 24-hour emergency services in this very competitive health care environment. The current and future changes brought about by healthcare reform at both the State and Federal levels, as well as other regulatory requirements and reimbursement reductions greatly compounded the challenges facing the District. Furthermore, the District was in need of capital resources to assist with required seismic retrofits, electronic health record implementation and other deferred facility and equipment replacements. Due to this situation, the District Board of Directors executed an affiliation agreement with a local health care system during the year ended June 30, 2014.

Effective May 1, 2014, operations of the Hospital were turned over to the Alameda Health System (AHS), a public hospital authority created by the Alameda County Board of Supervisors through a joint powers agreement. The agreement called for the transfer of specific assets and liabilities of the District to AHS which were related to the operations of the Alameda Hospital. The District maintained ownership of the Alameda Hospital land and real property (buildings and fixed equipment). The transfer included, without limitation, all cash and other deposits, accounts receivable, personal property (including all supplies, equipment and other fixed assets), intangible property, contractual rights, licenses, intellectual property and claims and causes of action, together with all the rights and privileges in any way belonging thereto, free and clear of all encumbrances. Through this affiliation, the District will continue to support the providing of health care services to those individuals, primarily, who reside in the local geographic area.

Transfers made to AHS related to this affiliation agreement for the year ended June 30, 2019 and 2018 amounted to \$3,197,280 and \$5,508,076, respectively.

NOTE K - SUBSEQUENT EVENTS

Management evaluated the effect of subsequent events on the financial statements through October 3, 2019, the date the financial statements are issued, and determined that there are no material subsequent events that have not been disclosed.

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TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Protest Hearing Results | Annexation of the City of Albany to the Alameda County Mosquito Abatement District

The Alameda Local Agency Formation Commission (LAFCO) will receive the results of the protest hearing conducted for the annexation of the City of Albany to the Alameda County Mosquito Abatement District (ACMAD). The noticed hearing was held by the Executive Officer on Wednesday, January 8, 2020. The number of protests received did not reach the threshold to either terminate the annexation proposal or subject the proposal to an election. The Commission’s approval to transfer mosquito control services and responsibilities to the affected territory will be ordered once all terms are satisfied. Staff recommends the Commission adopt a draft resolution ordering the annexation without an election.

Background

At a noticed public hearing on November 14, 2019, the Commission approved the annexation of the City of Albany to the Alameda County Mosquito Abatement District (ACMAD). The annexation proposal was submitted by ACMAD. The stated purpose of the proposal was to create a countywide mosquito abatement district covering all cities within the County of Alameda to streamline essential public health services. The affected territory lies entirely within ACMAD’s sphere of influence and consists of 394.4 acres and 5,741 parcels. The Commission proceeded to approve the annexation without modifications and standard terms.

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), the proposal is subject to protest proceedings given that the area is inhabited with twelve or more registered voters, and it had not received written consent from all landowners within the affected territory – City of Albany.

In terms with the procedures of a protest proceeding, LAFCO is the agency that conducts the hearing with the purpose of which is to receive written protests from affected landowners and or registered voters regarding the proposal and to determine whether a majority protest exists. The City of Albany has a total of 11,535 registered voters and approximately 15,000 landowners. With regard to this annexation, which is inhabited, the Commission shall take one of the following actions:

- **Order the annexation** if written protests have been filed by less than 25% of registered voters or landowners owning less than 25% of the assessed value within the subject area; or
- **Order the annexation subject to an election** if at least 25% but less than 50% of voters, or at least 25% of landowners owning 25% or more of the assessed value of land protest; or
- **Terminate the annexation** if written protests have been filed by a majority of voters in the subject area.

Discussion

The protest hearing was noticed to all registered voters and landowners within the affected territory and held on Wednesday, January 8, 2020 from 6:00 p.m. to 8:00 p.m. at the County Administration Building located at 1221 Oak Street, Board of Supervisors Chambers in Oakland, California. Written protests could either be mailed or dropped off at the Alameda LAFCO administrative office. The hearing was conducted by the LAFCO Executive Officer, who was delegated authority to conduct the protest hearing on behalf of the Commission pursuant to Government Code (G.C.) Section 57000(c) in CKH.

Approximately 7 people were in attendance at the hearing and a total of 93 written protests were received – 8 from registered voters and 85 from landowners. The number of written protests received did not reach the threshold to either terminate the annexation proposal or subject the proposal to an election. Therefore, pursuant to G.C. Section 57075(3), the Commission must take the following action and order the change of organization.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Adopt the draft resolution as identified as Attachment 1 ordering the annexation without an election.

Alternative Two:

Continue consideration of the report to a future meeting within the next 22 days.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Procedures for Consideration

This item has been placed on the agenda for action as part of a noticed public hearing. The following procedures are recommended for consideration.

- 1) Receive a verbal report from staff;
- 2) Invite questions from the Commission;
- 3) Open the public hearing and invite comments from audience (mandatory); and
- 4) Close the public hearing, discuss item, and consider recommendation

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

Rachel Jones
Executive Officer

Attachments:

1. Draft Resolution
2. Protest Hearing Notice
3. Protest Hearing Agenda

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 2020-XX

ORDERING THE ANNEXATION OF THE CITY OF ALBANY TO THE ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT WITHOUT AN ELECTION

WHEREAS, this action is taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) and policies of the Alameda Local Agency Formation Commission (LAFCO).

WHEREAS, a resolution application dated July 10, 2019 from the Alameda County Mosquito Abatement District was filed with the Executive Officer of the Alameda Local Agency Commission, pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code;

WHEREAS, on November 14, 2019, the Commission adopted the Resolution 2019-11, making determinations and approving the annexation subject to terms and conditions; and

WHEREAS, the value of written protests filed and not withdrawn was determined in compliance with Government Code Section 57052.

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

1. Upon conclusion of the protest hearing fewer than 25 percent of the registered voters and fewer than 25 percent of landowners owning less than 25 percent of the assessed value of land within the annexation area filed valid written protests against the annexation.
2. The annexation is ordered without an election.

PASSED AND ADOPTED by the Alameda Local Agency Formation Commission on January 16, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Scott Haggerty
Chair

ATTEST:

Rachel Jones
Executive Officer

NOTICE OF PUBLIC HEARING

THE ALAMEDA LOCAL AGENCY FORMATION COMMISSION (LAFCO)
is holding a public hearing to receive protests filed against the following proposal:

Annexation of the City of Albany to the Alameda County Mosquito Abatement District

**Wednesday, January 8, 2020 from 6:00 p.m. to 8:00 p.m. at the Alameda County Administration Building
Board of Supervisors Chambers, 5th Floor
1221 Oak Street, Oakland, California**

The Alameda County Mosquito Abatement District filed the annexation proposal via resolution of application for the purpose of creating a countywide mosquito abatement district covering all the cities within the County of Alameda and to improve the efficiency and effectiveness of mosquito control services. The subject annexation includes the entire City of Albany. The annexed territory will be subject to an annual special tax and benefit assessment of \$1.74 and \$2.50 per single family residence or equivalent property respectively, in the same manner as applied to the District generally. For a full and complete description of the change of organization and all applicable terms and conditions, please refer to Alameda LAFCO Resolution No. 2019-11 which is available upon request through the LAFCO office.

How to File a Protest: The hearing on January 8, 2020 will be open to the public. To be considered valid, a protest must be written and filed by either a *landowner* or a *registered voter*, within the area included within the reorganization. Protests may either be mailed to the Alameda LAFCO at 1221 Oak Street, Room 555, Oakland, CA 94612 or delivered to the LAFCO Executive Officer at the protest hearing. Each protest must be signed and dated, must state whether it is made by a landowner or a registered voter, and must include the name and address of the protestor and a street or parcel number identifying the location of the land. A registered voter's protest must show the name and address appearing on the affidavit of registration. Disclosures related to expenditures made for political purposes related to the subject change of organization must comply with the Political Reform Act (California Government Code Section 81000 et. seq.). Only written protests that are received prior to the end of the hearing on January 8, 2020 will be accepted as timely.

For additional information, please contact
Alameda LAFCO Executive Officer Rachel Jones at (510) 271-5142 or rachel.jones@acgov.org.

Alameda

LAFCO

1221 Oak Street, Room 555

Oakland, CA 94612

**ANNEXATION PROTEST
HEARING**

PUBLIC NOTICE

Alameda Local Agency Formation Commission

PROTEST HEARING

AGENDA

Annexation of the City of Albany to the Alameda County Mosquito Abatement District

Wednesday, January 8, 2020, from 6:00 P.M. to 8:00 P.M.

County Administration Building, Board of Supervisors Chamber
1221 Oak Street, 5th Floor, Oakland, California

On behalf of the Chair, the Commission welcomes you to its meetings and your interest is appreciated. **If you wish to speak to a matter on the agenda, please complete a Speakers Card and submit it to staff.** When your name is announced, please come forward and give your name and address, and state your comments or questions. If you wish to speak on a matter not on the agenda, please wait until the Chair calls for Public Comment. Speakers may have a time limitation imposed at the discretion of the Chair. Alameda LAFCO meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required.

Only those issues which are brought up at the public hearing described in this notice, or in written correspondence delivered to the LAFCO Commissioners at or prior to the hearing, may be raised in any legal challenge to the actions taken by the Commission.

1. **6:00 P.M. – Call to Order**
2. **Protest Hearing – Annexation of the City of Albany to the Alameda County Mosquito Abatement District.** Annexation of the entire City of Albany of approximately 394.4 acres into the Alameda County Mosquito Abatement District (ACMAD) was approved by the Alameda Local Agency Formation Commission (LAFCO) on November 14, 2019 for the purpose of creating a countywide mosquito abatement district covering all cities within the County of Alameda and to streamline essential public health services. The affected territory lies on the San Francisco Bay and is bordered by the City of Berkeley on the south and east, and the City of El Cerrito in Contra Costa County on the north.
 - A. Describe the proposal and purpose of the hearing – Rachel Jones, Hearing Officer
 - B. Open the hearing
 - C. Receive written protests and public comment
 - D. Close the hearing
 - E. Tabulate and announce the preliminary results of the protests
3. **Adjourn the meeting**

DISCLOSURE OF BUSINESS OR CAMPAIGN CONTRIBUTIONS TO COMMISSIONERS

Government Code Section 84308 requires that a Commissioner (regular or alternate) disqualify herself or himself and not participate in a proceeding involving an "entitlement for use" application if, within the last twelve months, the Commissioner has received **\$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter.** A LAFCo decision approving a proposal (e.g., for an annexation) will often be an "entitlement for use" within the meaning of Section 84308. Sphere of Influence determinations are exempt under Government Code Section 84308.

If you are an applicant or an agent of an applicant on such a matter to be heard by the Commission and if you have made business or campaign contributions totaling \$250 or more to any Commissioner in the past twelve months, Section 84308(d) requires that you disclose that fact for the official record of the proceeding. The disclosure of any such contribution (including the amount of the contribution and the name of the recipient Commissioner) must be made either: 1) In writing and delivered to the Secretary of the Commission prior to the hearing on the matter, or 2) By oral declaration made at the time the hearing on the matter is opened. Contribution disclosure forms are available at the meeting for anyone who prefers to disclose contributions in writing.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 3 months after a final decision is rendered by LAFCO. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) working days prior to the meeting for any requested arrangements or accommodations.

Alameda LAFCO
Administrative Office
1221 Oak Street,
Suite 555 Oakland,
California 94612
T: 510.272.3784
W: acgov.org/lafco

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AGENDA REPORT

January 16, 2020

Item No. 10

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Proposed Out of Area Service Agreement | 27398 Fairview Avenue to the City of Hayward

The Alameda Local Agency Formation Commission (LAFCO) will consider an out of area service agreement filed by the City of Hayward requesting approval to extend public wastewater services outside of its jurisdictional boundary to one affected lot located at 27398 Fairview Avenue in the unincorporated community of Fairview. The affected territory as submitted is developed with a single-family residence on one legal lot. The purpose of the proposal is a response to a failing septic system and potential health and safety hazard by extending public wastewater services to the affected territory. Staff recommends approval of the proposal with standard terms.

Background

Alameda LAFCO has received a proposal through a resolution of application from the City of Hayward on behalf of landowners (Joseph and Margaret Revonlinsky) requesting an out of area service agreement (OASA) approval involving one legal lot totaling 2.1 acres within the City's sphere of influence. The affected territory has a situs address of 27398 Fairview Avenue and is located within the unincorporated community of Fairview. The parcel is developed with a single-family residence built in 1957 and totals 1,817 square feet in size with three bedrooms. The County of Alameda Assessor's Office identifies the subject parcel as 085A-6200-010-00.

Other Affected Agencies

The affected territory lies within the unincorporated area of Alameda County. It also lies within the boundaries of the following special districts subject to Commission oversight:

- Castle Homes County Service Area (CSA)
- Fairview Fire Protection District
- Hayward Area Recreation and Park District
- Alameda County Fire Department
- Alameda County Flood Control and Water Conservation District
- East Bay Regional Parks District
- Alameda County Mosquito Abatement District

- * The affected territory also lies within the Hayward Unified School District and lies within County Supervisorial District No. 4 (Nate Miley).

Discussion

This item is for the Commission to consider approving – with or without modifications – the City’s proposal for an OASA with the affected territory. The Commission may also consider applying conditions to an approval so long as it does not directly regulate land use, property development, or subdivision requirements.

Purpose of the Proposal

The primary purpose of the proposal is to facilitate the extension of public wastewater service in step with removing a failed septic system with the potential of creating a public health and safety hazard. The OASA connection to the wastewater system would serve as an alternative to repairing or replacing the system. A sewer main extension of approximately 350 feet is required and will be paid for by the landowners of the affected territories.

Development Potential

The affected territory as proposed is planned for single-family residential with limited agriculture use by the County of Alameda. The zoning designation is under the County of Alameda’s classification as R-1-L-BE with a 5-acre minimum building site area. In order to provide for maximum site and design review, secondary units may be developed only through rezoning to a Planned Development (PD) District.

Analysis

Government Code (G.C.) Section 56133 requires that a city or special district obtain written LAFCO approval prior to extending services by contract or agreement outside of the agency’s jurisdictional boundary. This authority supports LAFCO’s legislated role to promote orderly growth and development within the region. LAFCO may authorize out of area service agreements only if the proposal is to extend services to the affected territory either:

1. Outside the jurisdictional boundary but within the sphere of influence in anticipation of a later change of organization; or
2. Outside the jurisdictional boundary and outside the SOI in response to an existing or impending documented threat to public health or safety of the affected residents.

The City of Hayward has requested approval of the OASA on the premise of addressing a public health and safety threat tied to the failed septic system, even though the subject territory is located within the City of Hayward's sphere of influence. The County of Alameda's Department of Environmental Health has also provided LAFCO with a letter noticing the potential threat (Attachment 3).

Annexations are the preferred method under LAFCO law to use boundary changes to ensure the relationship between land and service providers, unless local conditions suggest otherwise.

The City of Hayward indicates in its application that the annexation of the parcel is not feasible at this time due to lack of resident interest. The city prefers to annex the entire territory than on an individual basis and given that the affected territory is not exactly contiguous to the city's jurisdictional boundary, other surrounding territories would also have to be annexed at the same time.

Staff finds that the local conditions sufficiently justify an OASA as the most responsive means to provide wastewater services to the affected territory. The wastewater services proposed by the city will not facilitate a change of land use nor will they promote or induce growth on the property or surrounding properties. The proposed service agreement is consistent with LAFCO law and the policies of this Commission in that the subject properties are within the City of Hayward's sphere of influence and the landowners have consented to annexation upon request by the city.

Other Mandated Considerations

Environmental Review

The Commission serves as lead agency under the California Environmental Quality Act (CEQA) for the proposed OASA. Staff has determined the proposal is a project under CEQA, but exempt from further review under Public Resources Code Section 15303(d). This exemption contemplates the construction of new utility systems and the proposed wastewater services would support one single-family residence for each subject territory which is the maximum allowed on the parcel.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Adopt the draft resolution (Attachment 4) approving the out of area service agreement of 27398 Fairview Avenue with the City of Hayward.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction for more information as needed.

Alternative Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved by the Commission within 30 days.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Respectfully,

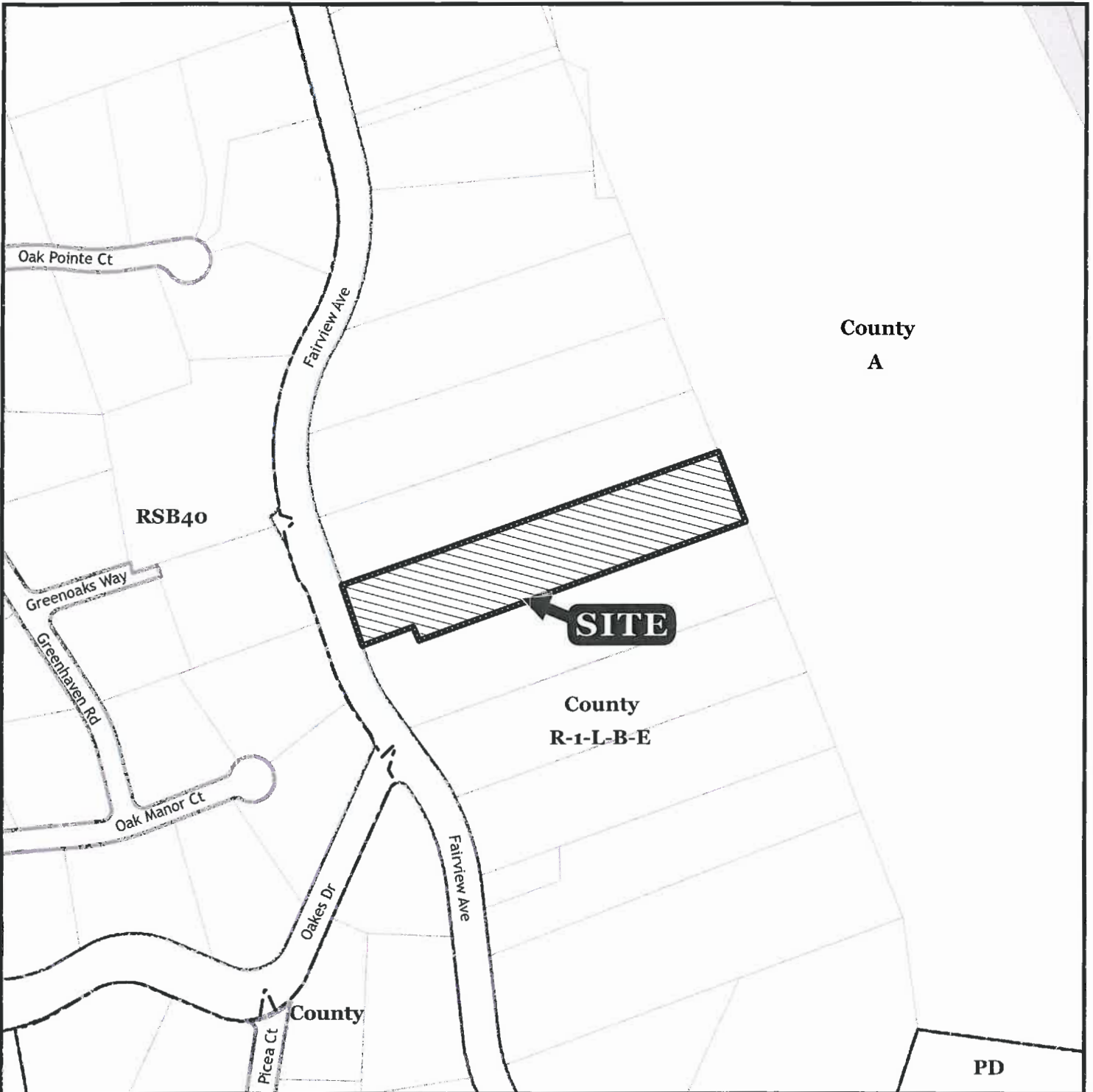
A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

Rachel Jones
Executive Officer

Attachments:

1. Vicinity Maps
2. Application Materials
3. Letter from County of Alameda Department of Environmental Health
4. Draft Resolution

HAYWARD Area & Zoning Map



USA 19-01

Address:
27398 Fairview Ave

Applicant:
Meghan Revolinsky Hussey

Owner:
Margaret & Joseph Revolinsky

Zoning Classifications

- A Agriculture
- RSB10 Single Family Residential, min lot size 10000 sqft
- RSB40 Single Family Residential, min lot size 40000 sqft
- R-1-L-B-E Single Family Residential, Limited Agriculture
- PD Planned Development



Appendix B3. Out of Area Service Agreement Application (updated 1/2008)
Alameda Local Agency Formation Commission

1. Name and Address of Applicant (must be public agency):

City of Hayward

777 B Street

Hayward, CA 94541

2. Contact Name and Title: Allen Baquilar, Senior Civil Engineer

Telephone: 510-583-4111 FAX: 510-583-3649

E-mail Address: allen.baquilar@hayward-ca.gov

3. Application Initiated By:

Agency Name: City of Hayward

Resolution No.: RES 19-199 Date Adopted: October 29, 2019

Submit 1 copy of Resolution of Application and 2 copies of proposed out of area service agreement with application.

4. Property Owner and Location of Property to Be Served (List additional owners/properties on separate sheet if necessary)

Name of Property Owner/s: Joseph & Margaret Revolinsky

Address: 27398 Fairview Avenue

City: Hayward State: CA Zip Code: 94542

Assessor Parcel Number/s: 085A-6200-010-00

Name of Property Owner/s: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Assessor Parcel Number/s: _____

5. Type of Service to Be Provided

Check one or more: Water Sewer Police Fire Garbage

Other/s: _____

6. Description of Property to Be Served

6a. Is parcel to be served WITHIN your current Sphere of Influence (SOI)? Yes No

6b. If Yes, provide (a) general description of property location in relationship to current city/district boundary line and (b) attach a project area map showing parcel/s, district and SOI boundaries.

Description: The property is 27398 Fairview Ave. (APN: 085A-6200-010) located approximately 200 feet north of the intersection of Fairview Avenue and Oakes Drive. It is located just outside of the City Boundary and within the City SOI.

6c. If No, provide (a) description of property location in relationship to the SOI boundary, (b) identify other agencies with jurisdiction over area in which property is located, and (c) attach a project area map showing parcel/s, SOI boundary of agency requesting service, and SOI boundary/ies of other agency's that may provide service.

Description: _____

Other Agencies that could provide service: _____

6d. How is the property currently used?

Residential Commercial Agriculture Vacant/Undeveloped
 Church, school, other public use Industrial Habitat, Recreation

6e. What is current zoning designation? REDR: Rural Estate Density Residential
General Plan designation? REDR: Rural Estate Density Residential

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.

6f. Are there any development or building applications on file that would authorize a different or higher density on the subject property/ies or adjacent property/ies? **No**

If Yes, explain and attach a list of projects and application processing numbers.

6g. Is property inhabited? Yes No If Yes, how many residents? 4 adults 2 children

6h. Provide the number of existing dwelling units/buildings on the property.

Single family: 1 Multi-Family: _____ Commercial/Industrial: _____

Square footage for commercial industrial _____

6i. Are there other service contracts/agreements currently in effect to serve this parcel or adjoining parcels? Yes No

If Yes, (a) explain and (b) attach 2 copies of other agreements or contracts.

Water Service from the City of Hayward.

6j. Adjacent Land Uses.

	Existing Land Uses	General Plan Designation	Zoning Designation
North	Residential	Rural Estate Density Residential	County: Alameda County
South	Residential	Rural Estate Density Residential	County: Alameda County
East	Residential	Rural Estate Density Residential	County: Alameda County
West	Residential	Rural Estate Density Residential	RSB40: SFR 40,000 sq ft

7. Environmental Review

This application is subject to the requirements of the California Environmental Quality Act (CEQA). If CEQA review has already been undertaken by another agency, please provide two copies of the environmental documentation including the Notice of Exemption or Notice of Determination and proof of payment of applicable State Fish and Game Department Fees.

7a. Lead Agency. N/A

7b. Responsible Agency/ies. _____

7c. Type of action taken:

Exemption Negative Declaration Environmental Impact Report

7d. Date of Certification/Adoption: _____

8. Contract Service Issues

8a. Explain how services are to be extended, what the costs of extension will be and how the costs will be financed?

A sewer main extension of approximately 350' is required and will be paid for by the property owner. Construction Drawings will be submitted to and appropriate permits applied for with the City and County for review and approval prior to construction.

8b. Will the provision of services be growth inducing? Explain.

No, the property owners desire to only connect their property to the City's sewer system and later remove the existing septic tank.

8c. Does the proposed service provider have existing capacity to serve the project site?

Yes, there is capacity to serve the project site.

8d. Will existing customers continue to receive the same or higher level of service if this project is approved? Will the same level of service be provided to the project site as other customers receive?

If approved, the property owner will be able to receive sewer service from Hayward.

9. Justification for Out of Area Service Agreement (must check one box below)

Pursuant to Government Code Section 56133, this application is submitted (*you must check one*)

To address a threat to public health or safety (answer question 9a); or

In anticipation of a future annexation (answer question 9b)

*Unless there is a threat to public health or safety, the jurisdiction must **justify** why a service agreement is being considered instead of an application for annexation.*

9a. Public Health or Safety Condition

i. Please summarize the nature, extent and duration of the public health or safety emergency (attach additional page(s) if needed) and attach a copy of certification from appropriate Public Health Officials and any additional information verifying existence of emergency situation.

Status of existing onsite waste treatment system is unknown. It has failed in the past and has a potential of causing a public health and safety hazard. Letter from Alameda County Health Care Services is attached.

ii. What alternatives have been explored to mitigate emergency situation in lieu of executing out of agency service agreement?

There are no alternatives to address the hazard.

ii. Is Interim Emergency Approval (expedited review) requested? ___ Yes No

9b. Other Special Circumstances

What are other special conditions or unique circumstances that justify use of an out of area service agreement in lieu of filing for annexation? Respond to following (use extra sheet of paper if necessary):

Has annexation been considered? ___ Yes ___ No

Why was it found infeasible?

What barriers need to be overcome before filing an annexation application?

How long would the annexation be anticipated to take? _____

Is there a contractual obligation? _____

Explanation: _____

10. Public Notice, Disclosure, and Other Requirements

10a. Provide an 8 1/2" 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)

10b. 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.

10c. Provide signed financial disclosure statement/s (See Appendix E, Exhibit C) pursuant to Government Code Section 56700.1.

10d. Provide one copy of an indemnification agreement (See Appendix E, Exhibit I).

10e. Provide two sets of original mailing labels that separately identify applicants, affected agencies, school districts, registered voters and landowners on project site, property owners 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.

11. Final Comments


- 11a. List any conditions LAFCo should include in its resolution for approval.
- 11b. Provide any other comments or justifications regarding the proposal from any affected local agency, landowner or resident.
- 11c. 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.

12. Certification

I hereby certify that the above information and accompanying documents are true and correct to the best of my knowledge. I hereby agree to pay all required filing and processing fees as may be needed to complete this application. Further, I understand that LAFCo will not be process an incomplete application and that LAFCo's adopted Procedures require that specific documentation be submitted as part of this application.

Allen Baquilar, PE

Name of Applicant's Authorized Representative



Signature of Applicant's Authorized Representative

12/9/19

Date

HAYWARD CITY COUNCIL

RESOLUTION NO. 19-199

Introduced by Council Member Márquez

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE ALAMEDA COUNTY LOCAL AGENCY FORMATION COMMISSION FOR APPROVAL OF AN OUT-OF-SERVICE AREA AGREEMENT TO ALLOW THE CITY TO PROVIDE SEWER SERVICE TO 27398 FAIRVIEW AVENUE IN UNINCORPORATED ALAMEDA COUNTY, BEARING ASSESSOR'S PARCEL NUMBER 085A-6200-010-00, AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE UTILITY SERVICE (USA 19-01) AND PUBLIC STREET IMPROVEMENT AGREEMENTS

WHEREAS, Water service from the City of Hayward (City) has been requested by the owner of the property fronting Fairview Avenue, bearing Assessor's Parcel No. 085A-6200-010-00 (the Property); and

WHEREAS, The Property is located within the City of Hayward's Sphere of Influence; and

WHEREAS, Pursuant to City policy, the Property Owners have signed Public Street Improvement and Utility Service Agreements to install street improvements across the Property frontage at a future date and to agree to annexation of the Property into Hayward when requested by City; and

WHEREAS, The City is required to apply to the Alameda County Local Agency Formation Commission (LAFCO) for approval of out-of-service area agreements to allow the City of Hayward to provide water service to properties located outside the City limits; and

WHEREAS, The Property owner has agreed to pay the LAFCO application processing costs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to direct staff to file an application with the Alameda County Local Agency Formation Commission requesting that the City of Hayward be allowed to provide sewer service for the Property.

BE IT FURTHER RESOLVED that, provided LAFCO approves an out-of-area service agreement pursuant to Government Code §56133, the City Manager is also authorized to execute a Utility Service Agreement (USA 19-01) and a Public Street Improvement Agreement in the form of the agreements on file in the Office of the City Clerk, to which reference may be made for further particulars.

IN COUNCIL, HAYWARD, CALIFORNIA October 29, 2019

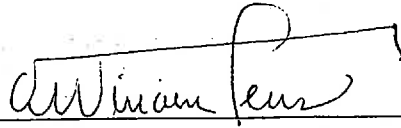
ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: Zermeño, Márquez, Mendall, Lamnin, Wahab, Salinas
MAYOR: Halliday

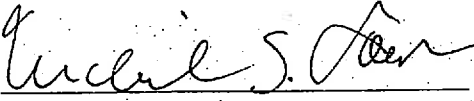
NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ATTEST: 
City Clerk of the City of Hayward

APPROVED AS TO FORM:



City Attorney of the City of Hayward



I hereby certify that this is a correct copy of a document on file in this office

MIRIAM LENS

City Clerk, City of Hayward, California

By: 
City Clerk

Date: December 10, 2019

RECORDING REQUESTED BY

CITY OF HAYWARD

AND WHEN RECORDED MAIL TO:

City Clerk
City of Hayward
777 B Street, Fourth Floor
Hayward, CA 94541-5007

SPACE ABOVE THIS LINE FOR RECORDERS USE

The undersigned grantor hereby declares: This instrument is exempt from Recording Fees (Govt. Code §27383) and from Documentary Transfer Tax (Rev. and Taxation Code §11922).

UTILITY SERVICE AGREEMENT 19-01

Assessor's Parcel Number: 085A-6200-010-00

At 27398 Fairview Avenue, Hayward, CA, Unincorporated area of Alameda County

THIS AGREEMENT, made and entered into this 13TH day of SEPTEMBER, 2019
by and between JOSEPH REVOLINSKY AND MARGARET REVOLINSKY, property owners, the nature of interest in fee, hereinafter designated "Applicant" and the CITY OF HAYWARD, a municipal corporation, located in the County of Alameda, State of California, hereinafter designated "City";

A G R E E M E N T

WHEREAS, Applicant is the owner of a certain real property in the Unincorporated area of County of Alameda, State of California, commonly designated as 27398 Fairview Avenue, Hayward, CA, as Assessor's Parcel Number 085A-6200-010-00, located outside of the City of Hayward's jurisdictional boundaries but within the City's Ultimate Municipal Sewer Service Area, in the County of Alameda, and more particularly described on Exhibit "A," attached hereto and made a part hereof:

WHEREAS, Applicant, by Planning Application USA 19-01, has requested to be allowed to extend and connect to the City of Hayward operated and maintained 8-inch in diameter sewer main along Oakes Drive and Fairview Avenue.

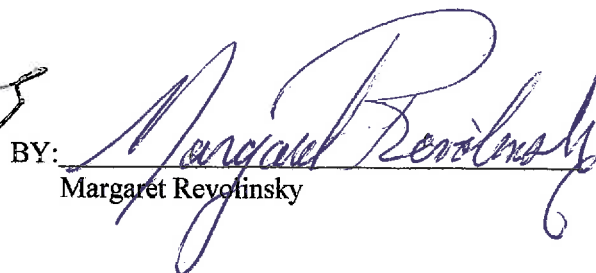
NOW THEREFORE, in consideration of the premises, terms, and conditions of this Agreement, the parties hereto do mutually agree as follows:

- 1) City agrees to authorize the construction of a sewer connection to the City of Hayward Sewer System, upon formal approval by the Alameda County Local Agency Formation Commission.
- 2) Connection to the sewer system is subject to the provisions of applicable ordinances of the City of Hayward, and the fee schedules in effect at the time sewer service permits are issued.
- 3) Applicant is hereby consent to the property being annexed to the City of Hayward when annexation is requested by the City.
- 4) If applicant withdraws or attempts to withdraw consent to annex the property, City may, at its option, terminate this agreement and all privileges granted hereunder, whereupon this agreement shall be null and void.
- 5) Prior to a connection to the City of Hayward sewer system being commenced, Applicant agrees to enter into an "Agreement for Completion of Public Street Improvement Work" for the improvements of Oakes Drive and Fairview Avenue across the full frontage of subject parcel.
- 6) All covenants herein contained shall pertain to and run with the land hereinabove described, and this Agreement shall apply to, bind, and inure to the Applicant's successors in interest of the party hereto.
- 7) This Agreement shall be null and void after 365 days from, and after the date of recordation of this agreement by the CITY, if the construction work for the sewer connection has not been commenced. The City may, at its option, consider an extension of time requested by Applicant, and grant additional 365 days to complete the construction work.

IN WITNESS WHEREOF, Applicant, duly authorized to act, has caused these presents to be executed and the City of Hayward by and through its City Manager, duly authorized to so act by virtue of Resolution No. 19-199, has caused these presents to be executed the day and year first above written.

APPLICANTS

BY: 
Joseph Revolinsky

BY: 
Margaret Revolinsky

APPROVED:


BY: 
Alex Ameri, Director of Public Works

CITY OF HAYWARD,
a municipal corporation

BY: 
Kelly McAdoo, City Manager

DATE: November 21, 2019

APPROVED AS TO FORM:


Michael Lawson, City Attorney

ATTEST:

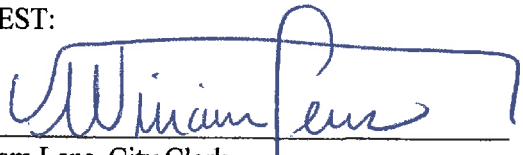

Miriam Lens, City Clerk

Exhibit A

Legal Description

The land referred to is situated in the unincorporated area of the County of Alameda, State of California, and is described as follows:

Portion of the tract of land shown on the "Record of Survey Portion of Castle Homes Inc. Property, Alameda County, California", filed May 21, 1948, in Book 2 of Licensed Surveys, Pages 47 and 48, Alameda County Records, described as follows:

Beginning at a point on the center line of Fairview Avenue or County Road No. 7791, distant thereon South 20° 13' 15" East 135 feet from the Northern end of the course designated as "North 20° 13' 15" West 248.03 feet", as shown on said "Record of Survey"; and running thence along said center line of Fairview Avenue as follows: South 20° 13' 15" East, 113.03 feet, tangent with the last named course Southeasterly on a curve to the left with a radius of 400 feet, a distance of 24.93 feet to a line drawn parallel with the Southeastern line of the 4.40 acre parcel of land described in the Deed from Castle Homes, Inc., to Frederick H. Leadley and wife, Recorded April 26, 1950, in Book 6090 of Official Records of Alameda County, Page 399, Recorder's Series No. AE/36424, and distance 135 feet Northwesterly therefrom measured along the Northeastern line of said parcel; thence along the line so drawn North 69° 15' 05" East 714.45 feet to the Northeastern line of the land shown on said "Record of Survey"; thence along the last mentioned line North 23° 01' 09" West 135 feet to a line drawn North 69° 29' 55" East from the point of beginning; thence South 69° 29' 55" West 708.61 feet to the point of beginning.

EXCEPTING THEREFROM that portion of land conveyed to Russell J. Gustafson and Audrey M. Gustafson by Theodore E. Grubbe and Marie E. Grubbe, in that Deed dated August 9, 1962, Recorded August 13, 1962, Reel 652, Image 958, Alameda County Records.

APN: 085A-6200-010

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Alameda
On 9/13/19 before me, Melissa Bencomo Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Joseph Albert Revolsinsky and
Name(s) of Signer(s)
Margaret Ann Revolsinsky

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

[Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Utility Service Agreement
Document Date: 9/13/19 Number of Pages: 4
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
 Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____
 Partner – Limited General Partner – Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian of Conservator Trustee Guardian of Conservator
 Other: _____ Other: _____
Signer is Representing: _____ Signer is Representing: _____

Exhibit C - Financial Disclosure Statement

Local Agency Formation Commission of Alameda County
FINANCIAL DISCLOSURE STATEMENT

Consistent with the requirements of the State of California Fair Political Practices Commission, each applicant or their agent must complete and submit this Statement of Disclosure form with any application that requires discretionary action by Alameda LAFCo (Government Code Section 84308 of the Political Reform Act).

Person is defined as: "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

1. List the names of all persons having any ownership interest in the property involved or any financial interest in the application.

Margaret & Joseph Revolinsky

2. If any person identified pursuant to #1 is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

Not Applicable

3. If any person identified pursuant to #1 is a non-profit organization or a trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

Not Applicable

4. Has any person identified pursuant to #1 had \$250 or more worth of business transacted with any Commissioner or Alternate or Commission staff person within the past 12 months? Yes / No NO

If "Yes", please indicate person's name/s: Not Applicable

5. Has any person identified pursuant to #1, or his or her agent, contributed \$250 or more to any Commissioner or Alternate within the past 12 months?

Yes No

If Yes, please indicate person(s) or agent(s) making contribution:

Not Applicable

and name/s of Commissioner(s)/Alternate(s) receiving contribution:

Not Applicable

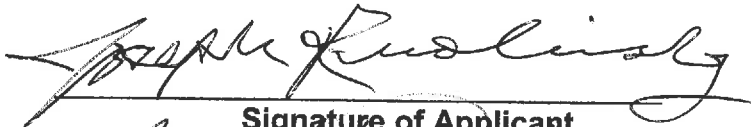
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Out of Area Service Agreement for 27398 Fairview Ave., Hayward, CA

Name/Title and Number of Application (Please print or type)

Joseph and Margaret Revolinsky

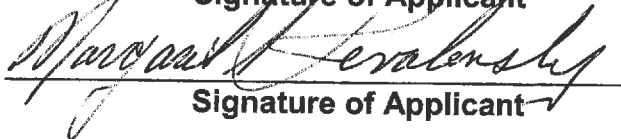
Name of Applicant (Please print or type)



Signature of Applicant

11/07/2019

Date



Signature of Applicant

11/07/2019

Date

Signature of Applicant

Date

Signature of Applicant

Date

Exhibit H - Sample Indemnification Agreement

Indemnification Agreement

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Alameda Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the Alameda Local Agency Formation Commission, its agents, officers, attorneys, and employees.

Executed at Hayward, California on the 9th day of December, 2019.

Applicant

By: Allen Baquilar

Title: Allen Baquilar (City of Hayward)

Mailing Address: 777 B Street
Hayward, CA 94541

REAL PARTY IN INTEREST
(If Different From Applicant)

By: Joseph and Margaret Revolinsky

Title: Joseph and Margaret Revolinsky (Property Owners)

Mailing Address: 837 Arbor Court
Livermore, CA 94550

ALAMEDA COUNTY
HEALTH CARE SERVICES AGENCY

Colleen Chawla, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
OWTS Program
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

November 6, 2019

Ms. Rachel Jones, Executive Officer
Alameda Local Agency Formation Commission
(Sent via E-mail to: Rachel.Jones@acgov.org)

Subject: Letter of Support for a municipal sewer connection associated with an Existing Onsite Wastewater Treatment System (OWTS)
27398 Fairview Avenue, Hayward
Assessor Parcel Number: 85A-6200-10

Dear Ms. Jones:

Alameda County Department of Environmental Health (ACDEH) OWTS Program has received a request to support a municipal sewer connection for the subject property from the owners. Based on the review of the documents in the property file, an OWTS was approved and installed in 1957 which failed in 1975. It appears that a replacement OWTS was installed in 1975, however approved plans are not available.

Due to the absence of documents, the age of the existing OWTS and its unknown existing condition, continued use of the OWTS has a potential of creating a **public health and safety hazard**. Therefore, ACDEH is in support of the subject property to connect to a municipal sewer system.

Should you have any questions or concerns regarding this correspondence, please call me at (510) 639-1287 or send me an electronic mail message at muhammed.khan@acgov.org.

Sincerely,

Digitally signed by Muhammed Khan
DN: cn=Muhammed Khan, o=Alameda County
Department of Environmental Health, ou=
email=muhammed.khan@acgov.org, c=US
Date: 2019.11.06 15:50:20 -0800

Muhammed Khan, Senior REHS
OWTS Technical Compliance Coordinator, OWTS Program

cc: Natali Colom Cruz, ACDEH, OWTS Program (Sent via E-mail to Natali.Colom@acgov.org)

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 2020-XX

APPROVAL OF OUT OF AREA SERVICE AGREEMENT BETWEEN THE CITY OF HAYWARD AND 27398 FAIRVIEW AVENUE FOR THE PROVISION OF WASTEWATER SERVICES

WHEREAS, the Alameda Local Agency Formation Commission, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, a Resolution of Application (Resolution No. 19-199 dated December 10, 2019) was filed with the Executive Officer of the Alameda Local Agency Commission by the City Council of Hayward, pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code;

WHEREAS, said resolution is for the purpose of requesting approval of an out of area service agreement (OASA) to extend wastewater services outside the City of Hayward’s jurisdictional boundary to the property located at 27398 Fairview Avenue (0854-6200-010-00).

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission considered all factors required by law under Government Code Section 56133 and adopted local policies and procedures;

WHEREAS, a public meeting was held on January 16, 2020, Alameda LAFCO heard and received all oral and written protests, objections, and evidence which 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 application.

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented on January 16, 2020.
2. The Commission serves as the lead agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposal. That, the Commission independently finds the action is a project under CEQA, but exempt from further CEQA review under the California Public Resources Code Section 15303(d).

3. The agreement will permit the provision of wastewater services to the property located at 27398 Avenue in the unincorporated community of Fairview of Alameda County.
4. The service agreement will not facilitate a change of land use, promote or induce growth on the property or surrounding properties, or facilitate the delivery of other types of services or functions; and
5. That the request of the City of Hayward for an out of area service agreement between the City of Hayward and the subject property owners for the provision of wastewater service to the property located at 27398 Fairview Avenue (0854-6200-010-00) in the unincorporated community of Fairview is hereby approved and authorized subject to any and all terms and conditions as set forth in the service agreement between the City of Hayward and the subject property owners.
6. As part of conditional approval of the OASA, the property owners located at 27398 Fairview must sign a pre-annexation agreement with the City of Hayward.
7. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

PASSED AND ADOPTED by the Alameda Local Agency Formation Commission on January 16, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Scott Haggerty
Chair

Rachel Jones
Executive Officer

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Proposed Out of Area Service Agreement | 354 Virginia Way to the City of Pleasanton

The Alameda Local Agency Formation Commission (LAFCO) will consider an out of area service agreement filed by the City of Pleasanton requesting approval to extend public wastewater services outside of its jurisdictional boundary to one affected lot located at 354 Virginia Way in the unincorporated community of Remen Tract. The affected territory as submitted is developed with a single-family residence on one legal lot. The purpose of the proposal is a response to a failing septic system and potential health and safety hazard by extending public wastewater services to the affected territory. Staff recommends approval of the proposal with standard terms.

Background

Alameda LAFCO has received a proposal through a resolution of application from the City of Pleasanton on behalf of landowners (Gary and Janice Habluetzel) requesting an out of area service agreement (OASA) approval involving one legal lot totaling 0.26 acres within the City's sphere of influence. The affected territory has a situs address of 354 Virginia Way and is located within the unincorporated community of Remen Tract. The parcel is developed with a single-family residence built in 1951 and totals 1,423 square feet in size with three bedrooms. The County of Alameda Assessor's Office identifies the subject parcel as 946-1710-008-00.

Other Affected Agencies

The affected territory lies within the unincorporated area of Alameda County. It also lies within the boundaries of the following special districts subject to Commission oversight:

- Alameda County Fire Department
 - Alameda County Sherriff Department
 - East Bay Regional Parks District
 - Alameda County Mosquito Abatement District
 - Alameda County Vector Control Services District
- * The affected territory also lies within the Pleasanton Unified School District and lies within County Supervisorial District No. 4 (Nate Miley).

Discussion

This item is for the Commission to consider approving – with or without modifications – the City’s proposal for an OASA with the affected territory. The Commission may also consider applying conditions to an approval so long as it does not directly regulate land use, property development, or subdivision requirements.

Purpose of the Proposal

The primary purpose of the proposal is to facilitate the extension of public wastewater service in step with removing a failed septic system with the potential of creating a public health and safety hazard. The OASA connection to the wastewater system would serve as an alternative to repairing or replacing the system. A sewer main is located in front of the subject property, and the property owners will be responsible for all associated costs to connect to the wastewater system.

Development Potential

The affected territory as proposed is planned for medium residential density within the East County Area General Plan of the County of Alameda. The zoning designation is under the County of Alameda’s classification as R-1-B10 with a minimum lot size of 10,000 square feet and as a result the affected territory cannot be further subdivided.

Analysis

Government Code (G.C.) Section 56133 requires that a city or special district obtain written LAFCO approval prior to extending services by contract or agreement outside of the agency’s jurisdictional boundary. This authority supports LAFCO’s legislated role to promote orderly growth and development within the region. LAFCO may authorize out of area service agreements only if the proposal is to extend services to the affected territory either:

1. Outside the jurisdictional boundary but within the sphere of influence in anticipation of a later change of organization; or
2. Outside the jurisdictional boundary and outside the SOI in response to an existing or impending documented threat to public health or safety of the affected residents.

The City of Pleasanton has requested approval of the OASA on the premise of addressing a public health and safety threat tied to the failed septic systems, even though the subject territories are located within the City of Pleasanton’s sphere of influence. The County of Alameda’s Department of Environmental Health has also provided LAFCO with a letter noticing the potential threat (Attachment 3).

Annexations are the preferred method under LAFCO law to use boundary changes to ensure the relationship between land and service providers, unless local conditions suggest otherwise.

The City of Pleasanton indicates in its application that the annexation of the parcel is not feasible at this time due to lack of resident interest. The City prefers to annex the entire territory than on an individual basis and given that the affected territory is not exactly contiguous to the City's jurisdictional boundary, other surrounding territories would also have to be annexed at the same time.

Staff finds that the local conditions sufficiently justify an OASA as the most responsive means to provide wastewater services to the affected territory. The wastewater services proposed by the City will not facilitate a change of land use nor will they promote or induce growth on the property or surrounding properties. The proposed service agreement is consistent with LAFCO law and the policies of this Commission in that the subject property is within the City of Pleasanton's sphere of influence and the landowners have consented to annexation upon request by the city.

Other Mandated Considerations

Environmental Review

The Commission serves as the responsible agency under the California Environmental Quality Act (CEQA) for the proposed OASA. The City has determined the proposal is a project under CEQA, but exempt from further review under Public Resources Code Section 15061(b)(3). This exemption applies to an activity when there is no possibility that the activity in question may have a significant effect on the environment. Staff independently concurs the City has made appropriate determinations.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Adopt the draft resolution (Attachment 4) approving the out of area service agreement of 354 Virginia Way with the City of Pleasanton.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction for more information as needed.

Alternative Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved by the Commission within 30 days.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Respectfully,

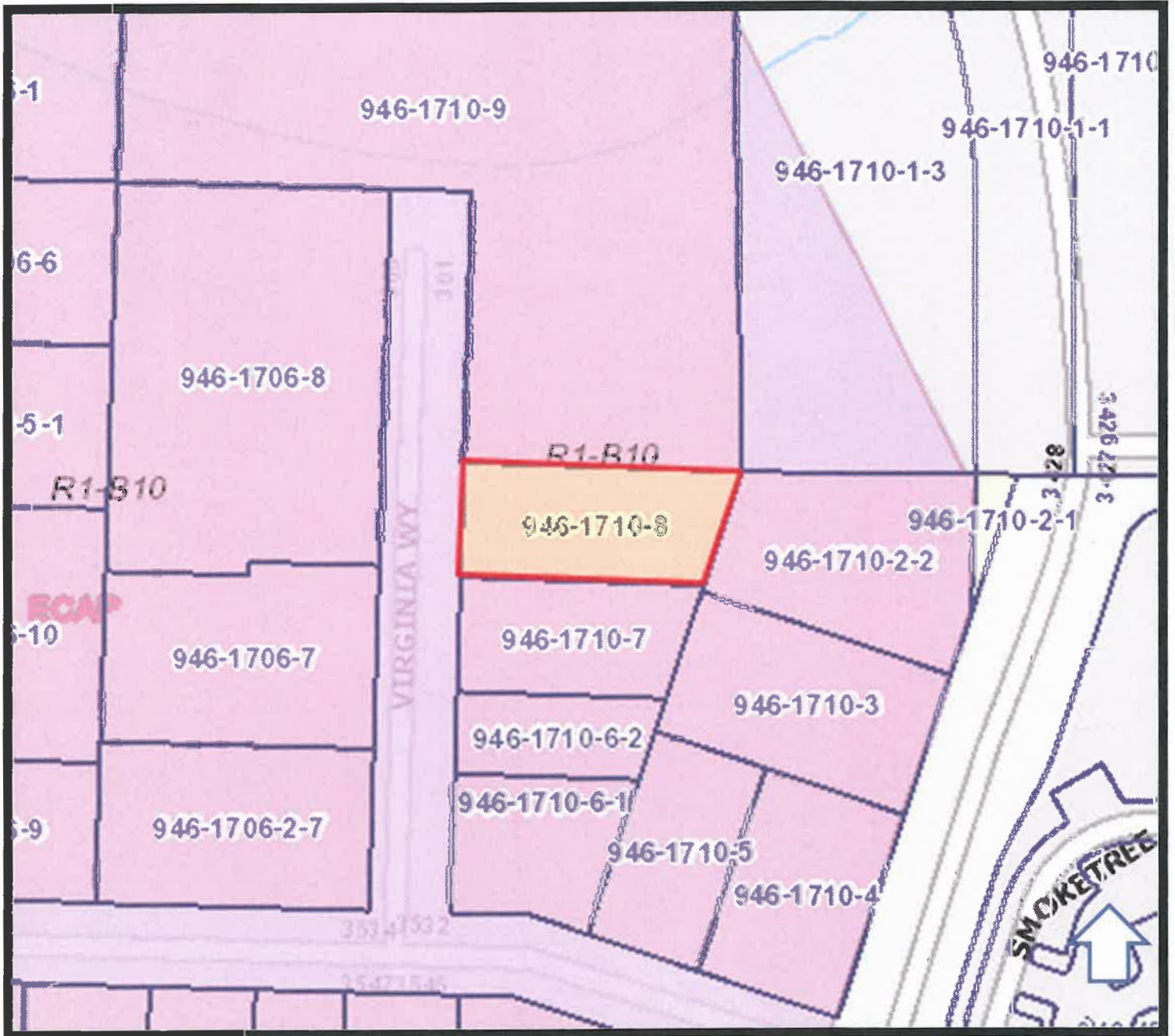
A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

Rachel Jones
Executive Officer

Attachments:

1. Vicinity Map
2. Application Materials
3. Letter from County of Alameda Department of Environmental Health
4. Draft Resolution

Alameda County Zoning Designation of the Project Site 354 Virginia Way





December 13, 2019

Rachel Jones
 Executive Officer
 Alameda LAFCo
 Alameda County Administrator's Office
 1221 Oak Street, Suite 555
 Oakland, CA 94612

**Subject: 354 Virginia Way
 APN 946-1710-008-00**

Dear Ms. Jones,

Please find the enclosed an application for Out-of-Area Service request for sanitary sewer service for the property located at 354 Virginia Way (APN 946-1710-008-00) in unincorporated Alameda County. Included as part of the application submittal are: 1) supporting documents per LAFCo's application submittal checklist, 2) two checks for the required application fees, and 3) digital files of the application package (PDF files in a flash drive).

If you have any questions regarding the submitted information, please call me at (925) 931-5615, or via email at jsoo@cityofpleasantonca.gov. Thank you in advance for reviewing the application. We'll see you at the LAFCo meeting on January 16, 2020.

Sincerely,

Jenny Soo
 Associate Planner

COMMUNITY DEVELOPMENT
www.cityofpleasantonca.gov

P. O. BOX 520 · 200 Old Bernal Avenue
 Pleasanton, CA 94566-0802

Planning (925) 931-5600 Fax: 931-5483	Building & Safety (925) 931-5300 Fax: 931-5478	Code Enforcement (925) 931-5620 Fax: 931-5478	Permit Center (925) 931-5630 Fax: 931-5478	Traffic Engineering (925) 931-5677 90 Fax: 931-5487
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**Appendix B3. Out of Area Service Agreement Application (updated 1/2008)
Alameda Local Agency Formation Commission**

1. Name and Address of Applicant (must be public agency):

City of Pleasanton

2. Contact Name and Title:

- Nelson Fialho, City Manager
Phone: (925) 931-5015
E-Mail: nfialho@cityofpleasantonca.gov

- Ellen Clark, Director of Community Development
Phone: (925) 931-5616
E-Mail: eclark@cityofpleasantonca.gov

- Jenny Soo, Associate Planner
Phone: (925) 931-5615
E-Mail: jsoo@cityofpleasantonca.gov

3. Application Initiated By:

Agency Name: City of Pleasanton
Resolution No.: 19-1118
Date Adopted: November 5, 2019

Submit 1 copy of Resolution of Application (Attachment 1) and 2 copies of proposed out of area service agreement with application (Attachment 2). The PreAnnexation agreement will be signed and recorded after LAFCo's approval.

4. Property Owner and Location of Property to Be Served (List additional owners/properties on separate sheet if necessary)

Name of Property Owners: Gary and Janice Habluetzel
Address: 354 Virginia Way
City: Pleasanton
State: California 94566

5. Type of Service to Be Provided

Check one or more: Water Sewer Police Fire Garbage

6. Description of Property to Be Served

- 6a. Is parcel to be served WITHIN your current Sphere of Influence (SOI)?
 Yes No

- 6b. If Yes, provide (a) general description of property location in relationship to current city/district boundary line and (b) attach a project area map showing parcel/s, district and SOI boundaries.

The subject property is located at 354 Virginia Street, in the unincorporated Remen Tract. Remen Tract is referred to as an unincorporated island and is located in the southeast quadrant of the City of Pleasanton.

Please refer to Attachment 3 for a map of the subject site relative to City boundaries and Sphere of Inference (SOI).

- 6c. If No, provide (a) description of property location in relationship to the SOI boundary, (b) identify other agencies with jurisdiction over area in which property is located, and (c) attach a project area map showing parcel/s, SOI boundary of agency requesting service, and SOI boundary/ies of other agency's that may provide service.

Description: N/A

Other Agencies that could provide service: N/A

- 6d. How is the property currently used?

Residential Commercial Agriculture Vacant/Undeveloped
 Church, school, other public use Industrial Habitat, Recreation

- 6e. What is current zoning designation?

Alameda County

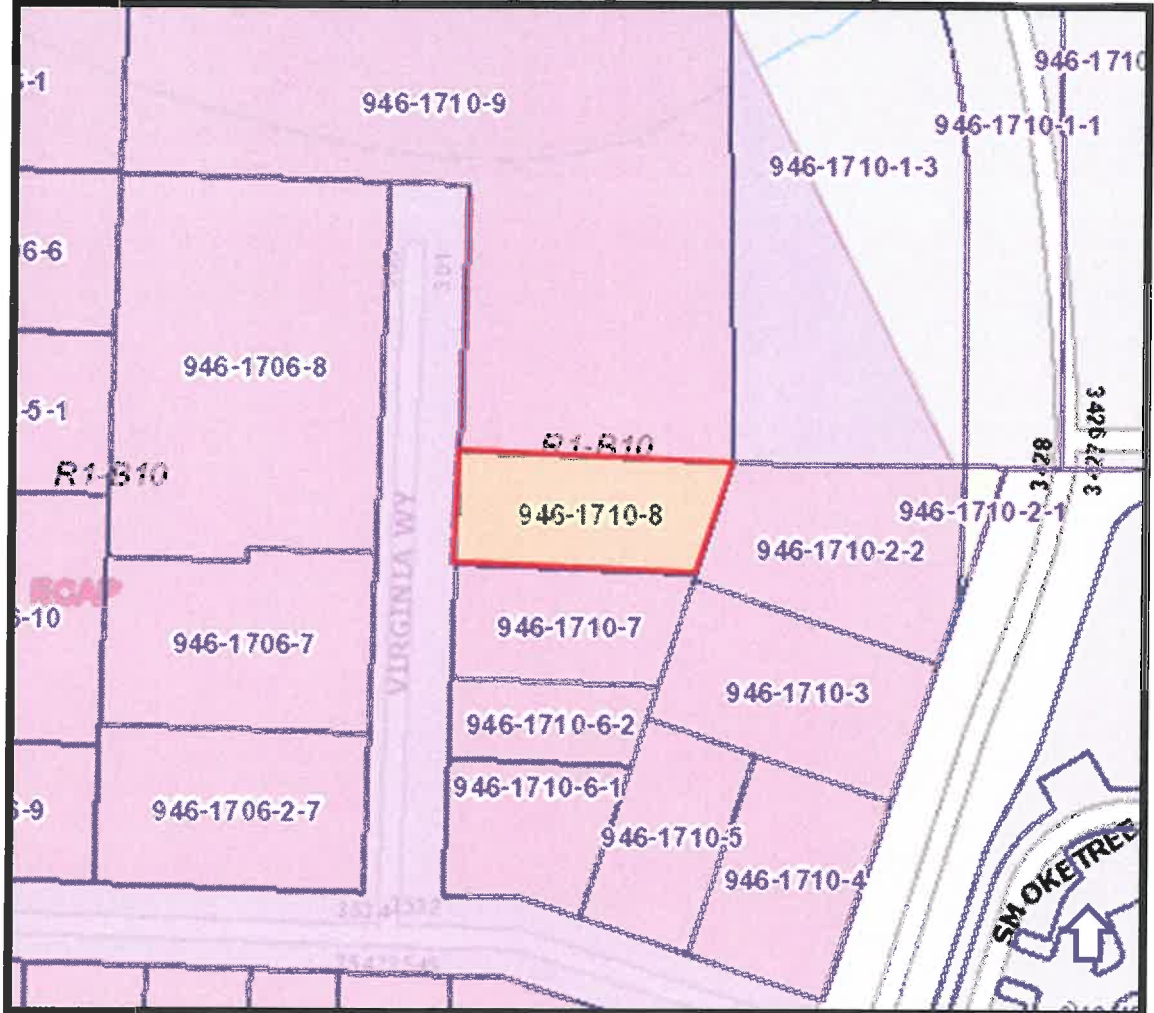
The Alameda County General Plan designates the site as Medium Density Residential within the East County Area Plan and as R-1-B10 Zoning District (Single-Family Zoning District, Minimum Lot Size 10,000 square feet).

Please see Figure 1 for County Zoning. Please also refer to Attachment 4.

City of Pleasanton

The subject site is also located in Remen Tract. There is no Pleasanton zoning designation for properties in the Remen Tract, including the project site.

Figure 1: Alameda County Zoning Designation of the Project Site



What is current General Plan?

Alameda County

The Alameda County East County Area Plan designates the site as Medium Density Residential within the East County Area Plan. Please see Figure 2. Please also refer to Attachment 5.

City of Pleasanton

The City of Pleasanton 2005-2025 General Plan Land Use Element designates the project site as Medium Density Residential, 2-8 dwelling unit per gross acre. Please see Figure 3. Please also refer to Attachment 6.

Figure 2: Alameda County East County Area Plan Land Use Designation

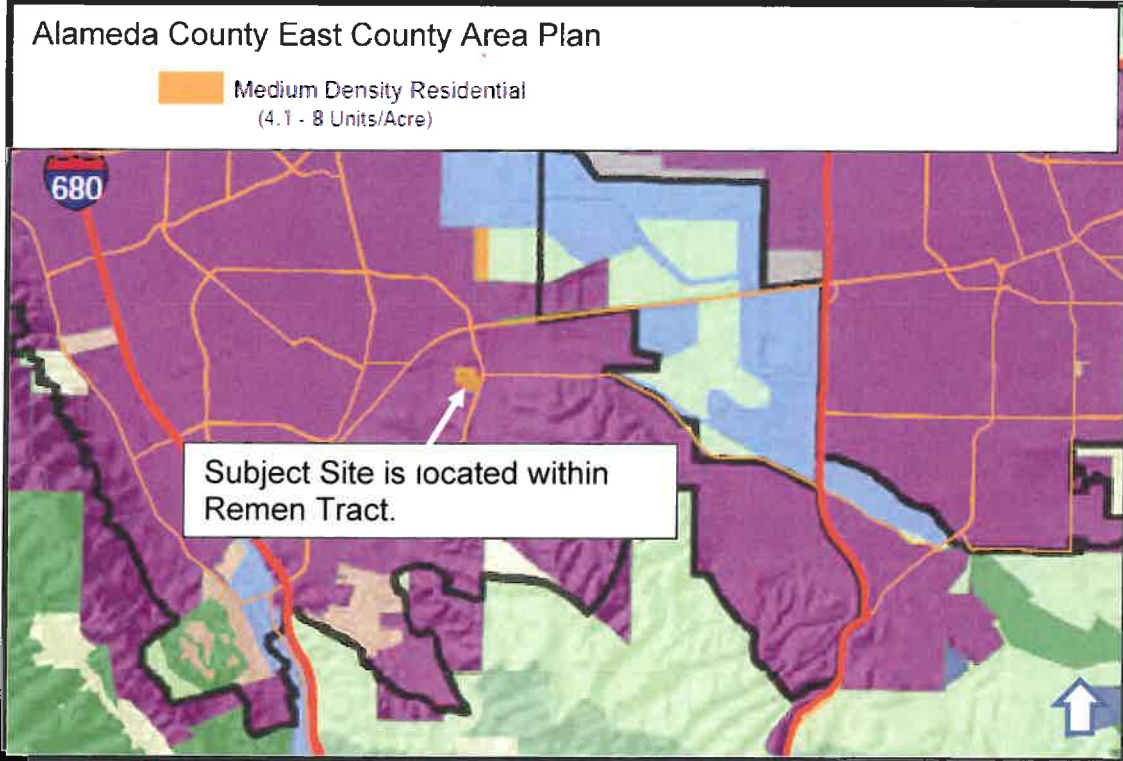


Figure 3: City of Pleasanton 2005-2025 General Plan Land Use Designation



6f. Are there any development or building applications on file that would authorize a different or higher density on the subject property/ies or adjacent property/ies?

No.

If Yes, explain and attach a list of projects and application processing numbers.
N/A

6g. Is property inhabited? Yes No If Yes, how many residents?

The subject site is currently occupied by one single-family residence.

6h. Provide the number of existing dwelling units/buildings on the property.

One dwelling/two accessory structures.

Single family: Multi-Family: n/a Commercial/Industrial: n/a
Square footage for commercial industrial: n/a

6i. Are there other service contracts/agreements currently in effect to serve this parcel or adjoining parcels? Yes No

If Yes, (a) explain and (b) attach 2 copies of other agreements or contracts.

The existing residence has been connected to the City water system since September 1983. The Pleasanton City Council, at its meeting of November 5, 2019, approved a Pre-Annexation Agreement allowing the subject site to be connected to the City's sanitary sewer services if the request for out-of-area service is approved by LAFCo. The Resolution approving the Pre-Annexation agreement is included as Attachment 1.

6j. Adjacent Land Use

	Existing Land Uses	Alameda County		City of Pleasanton	
		General Plan Designation	Zoning Designation	General Plan Designation	Zoning Designation
North	Residential (County)	Medium Density Residential	R-1-B-10 Single Family Residential	Medium Density Residential	None
South	Residential (County)				
East	Residential (County)				
West	Residential (County)				

7. Environmental Review

This application is subject to the requirements of the California Environmental Quality Act (CEQA). If CEQA review has already been undertaken by another agency, please provide two copies of the environmental documentation including the Notice of Exemption or Notice of Determination and proof of payment of applicable State Fish and Game Department Fees.

7a. Lead Agency. City of Pleasanton

7b. Responsible Agency/ies. City of Pleasanton

7c. Type of action taken:

X_ Exemption ___ Negative Declaration Environmental Impact Report

After LAFCo's approval, the City will file a Notice of Exemption under Section 15061(b)(3). A copy of the draft NOE is attached as reference(Attachment 7).

7d. Date of Certification/Adoption: Please refer to 7c.

8. Contract Service Issues

8a. Explain how services are to be extended, what the costs of extension will be and how the costs will be financed?

Sanitary sewer line is available in front of the property on Virginia Way. Per the agreement with the City, the property owners will be responsible for all costs to connect to the city sanitary sewer system.

8b. Will the provision of services be growth inducing? Explain.

The provision of extended sewer infrastructure to an existing single-family residence would not be growth inducing and the system improvements would be sized to serve only one single-family residence.

8c. Does the proposed service provider have existing capacity to serve the project site?

Yes. Based on an evaluation by the City of Pleasanton's Engineering and Operation Services Departments, the existing City systems have the capacity to serve the project site.

8d. Will existing customers continue to receive the same or higher level of service if this project is approved? Will the same level of service be provided to the project site as other customers receive?

Yes, because the project would not compromise or place substantial new demand on the capacity of the local waste water conveyance. As such, existing customers will continue to receive the same level of service if this project is approved, and the same level of service will be provided to the subject site as is received by other customers.

9. Justification for Out of Area Service Agreement (must check one box below)

Pursuant to Government Code Section 56133, this application is submitted (*you must check one*)

- To address a threat to public health or safety (answer question 9a); or
- In anticipation of a future annexation (answer question 9b)

*Unless there is a threat to public health or safety, the jurisdiction must **justify** why a service agreement is being considered instead of an application for annexation.*

9a. Public Health or Safety Condition

- i. Please summarize the nature, extent and duration of the public health or safety emergency (attach additional page(s) if needed) and attach a copy of certification from appropriate Public Health Officials and any additional information verifying existence of emergency situation.

The existing single-family residence was built in the early 1950s. The existing residence has been connected to the City water system since September 1983, but not to the City sanitary sewer system. The property's on-site septic system is failing. The Alameda County Department of Environmental Health has reviewed the request and recommended that the property be connected to a municipal sewer system.

- ii. What alternatives have been explored to mitigate emergency situation in lieu of executing out of agency service agreement?

The Alameda County Department of Environmental Health has reviewed the request. It recommended connection to a municipal sewer system instead of repairing and continuing to use the on-site septic system.

- ii. Is Interim Emergency Approval (expedited review) requested?
 Yes No

9b. Other Special Circumstances

What are other special conditions or unique circumstances that justify use of an out of area service agreement in lieu of filing for annexation? Respond to following (use extra sheet of paper if necessary):

Has annexation been considered? Yes No

Why was it found infeasible?

The location of the subject site is not contiguous to the City boundaries; thus, the subject site cannot be annexed to the City.

What barriers need to be overcome before filing an annexation application?

Properties that are located between the City boundary and the subject site need to be annexed either prior to, or at the same time, that the subject site is annexed. The property owner has been required to sign a pre-annexation agreement, indicating their willingness for the property be annexed to the City of Pleasanton at such a time as that becomes viable.

How long would the annexation be anticipated to take?

The amount of time is undetermined as other properties would be involved, and the associated property owners would need to request annexation.

Is there a contractual obligation?

The subject site is not located in the Pleasanton Water Township; thus, there is no contractual obligation for the City to provide services.

10. Public Notice, Disclosure, and Other Requirements

10a. 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)

Please see Attachment 8.

10b. 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.

Please see Attachment 9.

10c. Provide signed financial disclosure statement/s (See Appendix E, Exhibit C) pursuant to Government Code Section 56700.1.

Please see Attachment 10.

10d. Provide one copy of an indemnification agreement (See Appendix E, Exhibit H).

Please see Attachment 11.

10e. Provide two sets of original mailing labels that separately identify applicants, affected agencies, school districts, registered voters and landowners on project site, property owners 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.

Two sets of mailing labels are enclosed.

11. Final Comments

11a. List any conditions LAFCo should include in its resolution for approval.

The City would request that all conditions of approval set forth in Council No. 19-1118 be included. Please refer to Attachment 1.

11b. Provide any other comments or justifications regarding the proposal from any affected local agency, landowner or resident.

None.

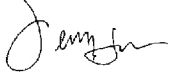
11c. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

Attachment 12 includes the Pleasanton City Council Agenda Report dated November 5, 2019 for consideration of the preannexation agreement for the subject property. Attachment 13 is the Landowner Consent to Annexation form.

12. Certification

I hereby certify that the above information and accompanying documents are true and correct to the best of my knowledge. I hereby agree to pay all required filing and processing fees as may be needed to complete this application. Further, I understand that LAFCo will not be process an incomplete application and that LAFCo's adopted Procedures require that specific documentation be submitted as part of this application.

Jenny Soo, Associate Planner, City of Pleasanton
Name of Applicant's Authorized Representative



Signature of Applicant's Authorized Representative

December 13, 2019
Date

RESOLUTION NO. 19-1118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING A PREANNEXATION AGREEMENT TO PROVIDE A SANITARY SEWER CONNECTION FOR 354 VIRGINIA WAY (GARY AND JANICE HABLUTZEL) AND AUTHORIZING AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR AN OUT-OF-AREA SERVICE AGREEMENT

WHEREAS, at the meeting of November 5, 2019, the City Council received a report from the Director of Community Development regarding the request from Gary and Janice Habluetzel for a sanitary sewer connection to an existing residence located at 354 Virginia Way in the unincorporated portion of Alameda County known as the Remen Tract; and

WHEREAS, Government Code §56133 requires that a city make an application to the Local Agency Formation Commission (LAFCo) for an Out-of-Area Service Agreement before connecting any property outside the city limits to city water and/or sanitary sewer utilities; and

WHEREAS, the request meets the criteria for out-of-area service prior to annexation due to: the failure of the on-site septic system; the property being located within the City's sphere of influence; and the owners' consent to enter into an agreement which meet the City's interests; and

WHEREAS, the request additionally meets the criteria for the provision of out-of-area sanitary sewer service prior to annexation as the property owners agree to: a) pay sanitary sewer connection fees; b) pay all costs associated with making physical connections to City sanitary sewer system in a manner consistent with City standards in the determination of the City Engineer or designee; c) abandon the existing septic system on their property; d) pay pro-rata share of future frontage improvements along the property if the County or City in the future undertake public street frontage improvements, including, but not limited to, curb, gutter/stormdrain system, sidewalk, street lights, etc.; e) pay all City and County processing fees for LAFCo; f) obtain City design review approval for any future addition or alteration to the property requiring a building permit from the County; and g) agree to not subdivide the property; h) agree to (or vote in favor if) any future proposed annexation of the property to the City.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:

SECTION 1. That this request is categorically exempt from review under the California Environmental Quality Act pursuant to Title 14 California Code of Regulations §15303(d) for new sewage extension.

SECTION 2. Approves the request for sanitary sewer connection to the property at 354 Virginia Way, which connection is conditioned on LAFCo approval, and authorizes the City Manager to execute a Preannexation Agreement with Gary and Janice Habluetzel in generally the form shown in the attached Exhibit A, subject to minor modifications approved by the City Manager and City Attorney.

SECTION 3. Authorizes staff to coordinate with the property owners and Alameda County to file an application with LAFCo for its consideration of an Out-of-Area Service Agreement

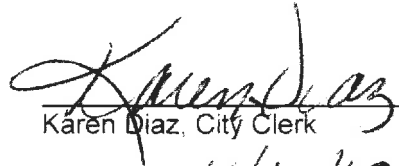
for the City to provide sanitary sewer service to the existing residence located at 354 Virginia Way after receipt of the requisite filing fees.

SECTION 4. This resolution shall become effective immediately upon its passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Pleasanton at a regular meeting held on November 5, 2019.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 5th day of November, 2019, by the following vote:

Ayes:	Councilmembers Brown, Narum, Pentin, Testa, Mayor Thorne
Noes:	None
Absent:	None
Recused:	None



Karen Diaz, City Clerk
Dated: 11/12/19

APPROVED AS TO FORM:



Daniel G. Sodergren, City Attorney

RECORDING REQUESTED BY and
When Recorded, Return to:

EXHIBIT A

Office of the City Clerk
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Recording requested Pursuant to
Government Code Sections
27383 & 6103

PREANNEXATION AND PROVISION OF WATER AND SEWERAGE FACILITIES AND SERVICE AGREEMENT

This Preannexation and Provision of Water and Sewerage Facilities and Service Agreement (the "Agreement") is made _____, 2019 between the City of Pleasanton, a municipal corporation (the "City") and Gary and Janice Habluetzel (the "Owners").

RECITALS

A. Owners are the owners of certain real property commonly known as 354 Virginia Way (APN 946 1710-008-00), Pleasanton, CA, and more particularly described in Exhibit A (the "Property") and incorporated by this reference.

B. The Property has been connected to the City's water system since approximately 1983, prior to the Owners' acquiring the Property.

C. Owners wish to remove the existing septic system on the Property and instead connect the existing home on the Property to the City's sanitary sewer system, even though the Property is located in the unincorporated area of Alameda County and not within the corporate limits of the City of Pleasanton.

D. Generally, City policy requires property to be annexed prior to extending City utility services.

E. Owners are willing to annex the Property either as part of a larger annexation or as part of a smaller annexation involving other property contiguous to the City.

F. City is willing to extend its sanitary sewer service, as well as continue to provide water service, to the Property only if there are assurances that the Property will not be further subdivided without City approval, any new residence and any future additions to structures on the Property are subject to City review and approval of the design, Owners will construct frontage improvements when the City or Alameda County proceed with such work, Owners pay all required fees, and approvals from other agencies are received.

NOW, THEREFORE, in consideration of the mutual covenants and conditions in this Agreement, City and Owners agree as follows:

1. Sanitary Sewer Service. Owners may connect the existing residence on the Property to the City's sanitary sewer system prior to the City's annexation of the Property upon the satisfaction of all of the following conditions in this Section 1 and in this Agreement:

(a) Owners shall pay applicable Dublin San Ramon Services District (DSRSD) and City sanitary sewer connection fees.

(b) Owners shall connect to City sanitary sewer service in a manner consistent with City standards in the determination of the City Engineer or designer.

(c) Owners shall abandon the septic system on the Property in accordance with the requirements of the Alameda County Department of Environmental Health, and any other regulatory agencies, and shall provide the City a copy of such County and/or other regulatory agency approval upon City request.

(d) Owners shall pay a pro-rata share of future frontage improvements along the Property if the County of Alameda or City in the future undertake public street frontage improvements (including, but not limited to, curb, gutter/storm drain system, sidewalk, street lights, fire hydrants, etc.).

(e) Owners acknowledge that Owners, via City as applicant, must receive approval from the Alameda County Local Agency Formation Commission (LAFCo), as well as pay all fees related to LAFCo for an application for the extension of sanitary sewer service to the Property.

2. Existing Water Service. The parties acknowledge that the Property has been connected to the City's water system since approximately 1983.

3. Agreement to Annex. Owners shall consent to annexation of the Property to the City of Pleasanton at such time as the City may require. This Agreement, State and County laws, and City ordinances and resolutions shall control the responsibilities of both parties at the time of annexation. Owners shall cooperate with City in the annexation of the Property, whether as part of a larger area or as part of a smaller area; Owners expressly waive the right to protest said annexation and shall agree to do no act calculated or tending to prevent, impede, or defeat the successful annexation of the Property. More specifically, by signing this Agreement, Owners acknowledge and agree that if: (a) any annexation is subject to an election, the Owners deem Owners' votes are counted as a vote in favor of annexation; or (b) Owners shall sign as consenting to any annexation application if annexation is for a smaller area.

4. No Further Subdivision. Owners shall not subdivide the Property without the prior approval of the City.

5. Design Review Approval. Owners shall submit any future plans for the development of the Property to the City for the City's review and approval. Assuming the Property is still in the unincorporated area of Alameda County at the time the Owners intend to apply for a building permit for the Property, Owners shall neither apply for nor obtain a building permit from the County of Alameda unless and until City has approved the design of the plans for any proposed redevelopment, additions, and new construction on the Property.

6. Bonded Debt. Owners' consent that, upon annexation of the Property to the City, said Property shall be taxed to pay their share of existing bonded indebtedness of City. This Agreement shall serve as such consent, and a copy shall be filed with Treasurer-Tax Collector of Alameda County, if evidence of such consent is required.

7. Benefit or Assessment Districts. Owners shall cooperate with City in the formation of any mutual benefit districts or assessment districts which City deems necessary for the installation of public improvements serving, in whole or in part, the Property, whether such districts are formed at the time of annexation or some time in the future. In this regard, Owners waive its right to protest the formation of any of said districts and shall do no act calculated or tending to prevent, impede, or defeat the successful formation thereof; provided, however, that this waiver is not intended, nor shall it be construed, to affect or limit the rights of the Owners to participate in the hearings and/or other aspects of the district formation proceedings to the extent necessary and appropriate to protect and further the Owners' interest or the public interests so long as said action does not tend to prevent or defeat the formation of the districts.

8. Covenants Running with the Land. All of the provisions contained in this Agreement shall be binding upon the Owners and Owners' respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of the Property, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code §1468.

9. Recording. The execution of this Agreement shall be acknowledged before a Notary Public, and the Agreement shall be recorded with the Recorder of Alameda County.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day set forth above.

CITY OF PLEASANTON

OWNER

Nelson Fialho, City Manager

Gary Habluetzel

ATTEST:

OWNER

Karen Diaz, City Clerk

Janice Habluetzel

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney

ASSESSOR'S MAP 946

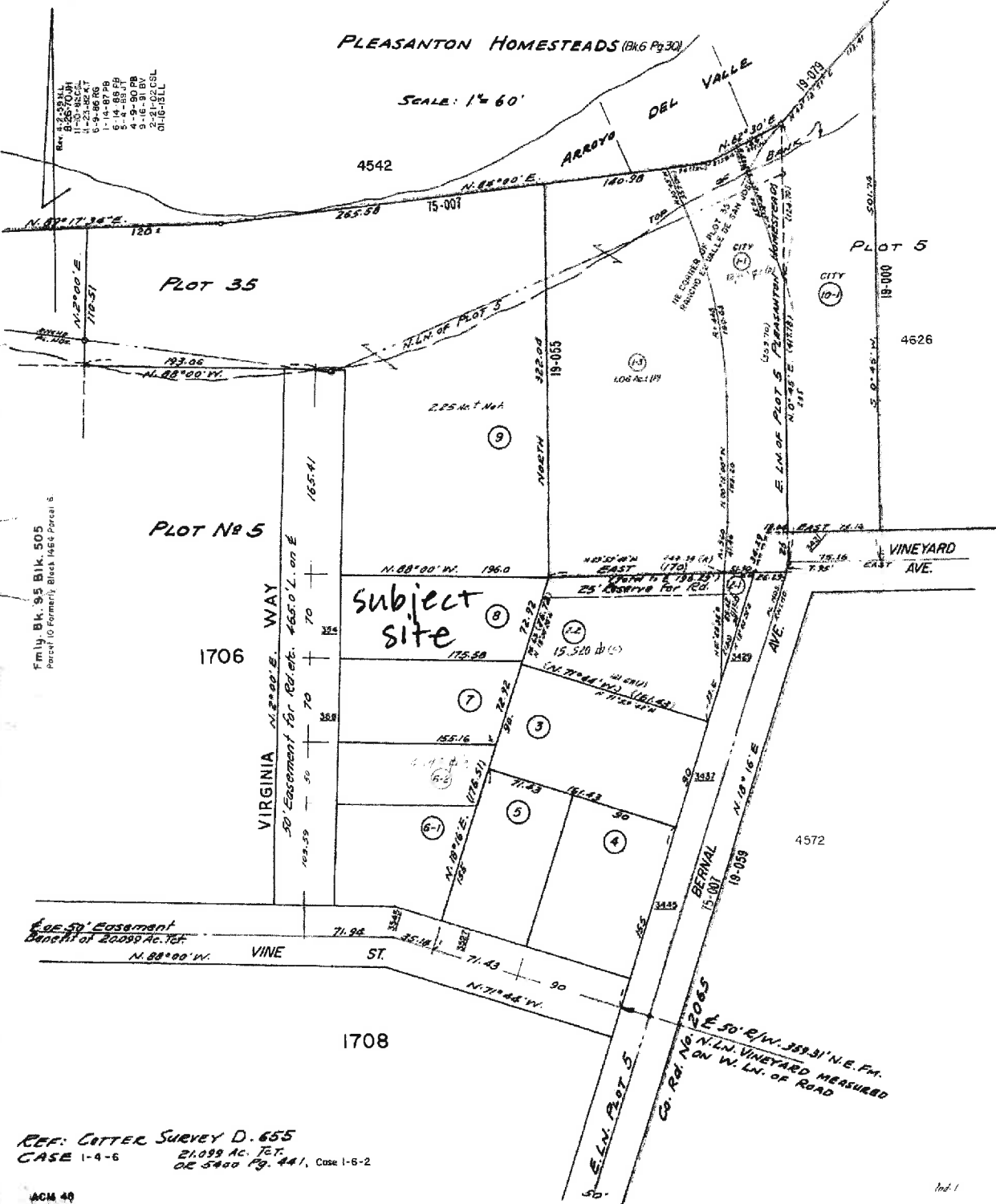
Code Area Nos. 19-055 75-007

1710

RANCHO EL VALLE DE SAN JOSE - BERNAL PARTITION
(PTN. OF PLOTS 5 & 35) (Bk 40 D. Pg. 315)

PLEASANTON HOMESTEADS (Bk 6 Pg. 30)

SCALE: 1" = 60'



- 8-2-58 AL
- 8-26-70 JH
- 11-21-82 ST
- 5-9-86 RS
- 1-14-87 PS
- 5-14-88 TP
- 4-9-90 PB
- 9-16-91 BV
- 01-16-93 LL

Fm. Bk. 95 Bk. 505
Parcel to Formerly Black West Parcel 6

REF: COTTER SURVEY D. 655
CASE 1-4-6 21,099 AC. TET.
OE 5800 Pg. 441, Case 1-6-2

ACM 40

Ind. 1

RECORDING REQUESTED BY and
When Recorded, Return to:

EXHIBIT A

Office of the City Clerk
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Recording requested Pursuant to
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RECITALS

A. Owners are the owners of certain real property commonly known as 354 Virginia Way (APN 946 1710-008-00), Pleasanton, CA, and more particularly described in Exhibit A (the "Property") and incorporated by this reference.

B. The Property has been connected to the City's water system since approximately 1983, prior to the Owners' acquiring the Property.

C. Owners wish to remove the existing septic system on the Property and instead connect the existing home on the Property to the City's sanitary sewer system, even though the Property is located in the unincorporated area of Alameda County and not within the corporate limits of the City of Pleasanton.

D. Generally, City policy requires property to be annexed prior to extending City utility services.

E. Owners are willing to annex the Property either as part of a larger annexation or as part of a smaller annexation involving other property contiguous to the City.

F. City is willing to extend its sanitary sewer service, as well as continue to provide water service, to the Property only if there are assurances that the Property will not be further subdivided without City approval, any new residence and any future additions to structures on the Property are subject to City review and approval of the design, Owners will construct frontage improvements when the City or Alameda County proceed with such work, Owners pay all required fees, and approvals from other agencies are received.

NOW, THEREFORE, in consideration of the mutual covenants and conditions in this Agreement, City and Owners agree as follows:

1. Sanitary Sewer Service. Owners may connect the existing residence on the Property to the City's sanitary sewer system prior to the City's annexation of the Property upon the satisfaction of all of the following conditions in this Section 1 and in this Agreement:

(a) Owners shall pay applicable Dublin San Ramon Services District (DSRSD) and City sanitary sewer connection fees.

(b) Owners shall connect to City sanitary sewer service in a manner consistent with City standards in the determination of the City Engineer or designee.

(c) Owners shall abandon the septic system on the Property in accordance with the requirements of the Alameda County Department of Environmental Health, and any other regulatory agencies, and shall provide the City a copy of such County and/or other regulatory agency approval upon City request.

(d) Owners shall pay a pro-rata share of future frontage improvements along the Property if the County of Alameda or City in the future undertake public street frontage improvements (including, but not limited to, curb, gutter/storm drain system, sidewalk, street lights, fire hydrants, etc.).

(e) Owners acknowledge that Owners, via City as applicant, must receive approval from the Alameda County Local Agency Formation Commission (LAFCo), as well as pay all fees related to LAFCo for an application for the extension of sanitary sewer service to the Property.

2. Existing Water Service. The parties acknowledge that the Property has been connected to the City's water system since approximately 1983.

3. Agreement to Annex. Owners shall consent to annexation of the Property to the City of Pleasanton at such time as the City may require. This Agreement, State and County laws, and City ordinances and resolutions shall control the responsibilities of both parties at the time of annexation. Owners shall cooperate with City in the annexation of the Property, whether as part of a larger area or as part of a smaller area; Owners expressly waive the right to protest said annexation and shall agree to do no act calculated or tending to prevent, impede, or defeat the successful annexation of the Property. More specifically, by signing this Agreement, Owners acknowledge and agree that if: (a) any annexation is subject to an election, the Owners deem Owners' votes are counted as a vote in favor of annexation; or (b) Owners shall sign as consenting to any annexation application if annexation is for a smaller area.

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6. Bonded Debt. Owners' consent that, upon annexation of the Property to the City, said Property shall be taxed to pay their share of existing bonded indebtedness of City. This Agreement shall serve as such consent, and a copy shall be filed with Treasurer-Tax Collector of Alameda County, if evidence of such consent is required.

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8. Covenants Running with the Land. All of the provisions contained in this Agreement shall be binding upon the Owners and Owners' respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of the Property, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code §1468.

9. Recording. The execution of this Agreement shall be acknowledged before a Notary Public, and the Agreement shall be recorded with the Recorder of Alameda County.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day set forth above.

CITY OF PLEASANTON

OWNER

Nelson Fialho, City Manager

Gary Habluetzel

ATTEST:

OWNER

Karen Diaz, City Clerk

Janice Habluetzel

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney

Exhibit C - Financial Disclosure Statement

Local Agency Formation Commission of Alameda County
FINANCIAL DISCLOSURE STATEMENT

Consistent with the requirements of the State of California Fair Political Practices Commission, each applicant or their agent must complete and submit this Statement of Disclosure form with any application that requires discretionary action by Alameda LAFCo (Government Code Section 84308 of the Political Reform Act).

Person is defined as: "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

1. List the names of all persons having any ownership interest in the property involved or any financial interest in the application.

Gary P. Hablitzel
Janice P. Hablitzel
Christopher P. Hablitzel

2. If any person identified pursuant to #1 is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

NO

3. If any person identified pursuant to #1 is a non-profit organization or a trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

Gary and Janice Hablitzel TT
Hablitzel 200 Living Trust

4. Has any person identified pursuant to #1 had \$250 or more worth of business transacted with any Commissioner or Alternate or Commission staff person within the past 12 months? Yes (No) _____

If "Yes", please indicate person's name/s: N/A

5. Has any person identified pursuant to #1, or his or her agent, contributed \$250 or more to any Commissioner or Alternate within the past 12 months?

Yes No

If Yes, please indicate person(s) or agent(s) making contribution:

N/A

and name/s of Commissioner(s)/Alternate(s) receiving contribution:

N/A

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Gary, Janice, Christopher Hablutzel, Owners

Name/Title and Number of Application (Please print or type)

Gary, Janice, Christopher Hablutzel

Name of Applicant (Please print or type)

<i>Gary R. Hablutzel</i>	<i>12/04/19</i>
<i>GARY</i> Signature of Applicant <i>HABLUZEL</i>	Date
<i>Janice P. Hablutzel</i>	<i>12/04/19</i>
<i>JANICE</i> Signature of Applicant <i>HABLUZEL</i>	Date
<i>CHRISTOPHER HABLUZEL</i>	<i>12/11/19</i>
Signature of Applicant	Date

Exhibit F - Landowner Consent to Annexation Form
Local Agency Formation Commission of Alameda County

LANDOWNER CONSENT TO ANNEXATION

Name/Title of Proposal: _____
Hablutzel - 357 Virginia Way, Pleasanton, CA 94566

Project Number: _____ *Out of area service - connect to City Sanitary sewer system*

Name of Applicant: *Gay Tancie, Christopher Hablutzel*

I/We, the undersigned, constitute all the owners of the following parcel(s) of land:

Assessor's Parcel No. 946-1710-8 No. of Acres .26000
 Assessor's Parcel No. _____ No. of Acres _____
 Assessor's Parcel No. _____ No. of Acres _____
 Assessor's Parcel No. _____ No. of Acres _____
 Assessor's Parcel No. _____ No. of Acres _____

I/We, the undersigned, hereby make Application for Annexation of the above referenced parcels into:

 Name of Annexing Local Agency

and, furthermore, hereby agree not to protest this annexation.

Name of Property Owner (Please print or type)	Signature of Property Owner	Date Signed	Parcel No.
<i>Gay Hablutzel</i>	<i>[Signature]</i>	<i>12/09/19</i>	<i>946-1710-8</i>
<i>Tancie Hablutzel</i>	<i>[Signature]</i>	↓	✓
<i>Christopher Hablutzel</i>	<i>[Signature]</i>	↓	✓

Exhibit H - Sample Indemnification Agreement

Indemnification Agreement

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Alameda Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the Alameda Local Agency Formation Commission, its agents, officers, attorneys, and employees.

Executed at Pleasanton, California on the 9th day of 12, 2019

Applicant

By: Samuel P. Haddwitz

Title: owner

Mailing Address: 1066 Nelson Ct. Pleasanton, CA

REAL PARTY IN INTEREST
(If Different From Applicant)

By: _____

Title: _____

Mailing Address: _____

NOTICE OF PUBLIC HEARING
ALAMEDA LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the Alameda Local Agency Formation Commission will hold a public hearing at its regular meeting on **Thursday, January 16, 2020 at 2:00 p.m.**, at the City of Dublin Council Chambers located at 100 Civic Plaza, Dublin, California.

At the hearing, the Commission will discuss the following items:

- **City of Pleasanton Out of Area Service Agreement with 354 Virginia Way** - The City of Pleasanton proposes to provide waste-water services to a property located within the unincorporated community known as "Remedy Tract" in response to a failing septic system. The affected territory consists of one parcel and is located within the City of Pleasanton's sphere of influence at 354 Virginia Way (APN 946-1710-008-00).
- **City of Pleasanton Out of Area Service Agreement with 280 Oak Lane** - The City of Pleasanton proposes to provide water services to a property located at 280 Oak Lane within an unincorporated area of Alameda County to establish an independent water connection (APN 946-4436-018-00).
- **City of Hayward Out of Area Service Agreement with 27398 Fairview Avenue** - The City of Hayward proposes to provide waste-water services to one parcel located at 27398 Fairview Avenue due to a failing septic system. The property is located within the unincorporated area of Alameda County (APN 0854-6200-010-00).

At the meeting, the Commission will consider all oral and written testimony of any interested persons or affected agencies. Only those issues which are brought up at the public hearing described in this notice or in written correspondence delivered to LAFCO at or prior to the hearing may be raised in any legal challenge to the actions taken by the Commission with respect to the above listed item.

Copies of the Commission agenda, staff reports and supporting information will be available and may be examined at the LAFCO office, located in the Alameda County Administration Building, 1221 Oak Street, Suite 555, Oakland, CA, or on the Alameda LAFCO website at www.acgov.org/lafco at least five days prior to the meeting date. For additional information concerning the agenda or copies of staff reports, please call (510) 271-5142.

RACHEL JONES
EXECUTIVE OFFICER
ALAMEDA LAFCO
PT/VT #6441311; December 26, 2019

2000613

ALAMEDA, COUNTY OF
LAFCO/SANDY HOU
1221 OAK STREET #555
OAKLAND, CA 94612-4224

AFFIDAVIT OF PUBLICATION
FILE NO. 1/16/2020 Hearing

In the matter of

The Valley Times

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Legal Advertising Coordinator of the printer and publisher of The Times incorporating The Pleasanton Times/The Valley Times, a newspaper published in the English language in the City of Pleasanton, County of Alameda, State of California.

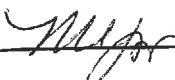
I declare that The Times incorporating The Pleasanton Times/The Valley Times is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated July 18, 1961, in the action ascertaining and establishing the standing of The Times incorporating The Pleasanton Times (The Valley Times) as a Newspaper of General Circulation in the City of Pleasanton, County of Alameda, State of California, Case Number 240955 within the meaning and intent of the Government Code of the State of California. Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published at each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

12/26/2019

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 2nd day of January, 2020.

Signature 



DEPARTMENT OF ENVIRONMENTAL HEALTH
Land Use Program
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

June 20, 2019

Ms. Rachel Jones, Executive Officer
Alameda Local Agency Formation Commission
(Sent via E-mail to: Rachel.Jones@acgov.org)

Subject: Letter of Support for a municipal sewer connection associated with an Existing Onsite Wastewater Treatment System (OWTS)
354 Virginia Way, Pleasanton
Assessor Parcel Number: 946-1710-8

Dear Ms. Jones:

Alameda County Department of Environmental Health (ACDEH) OWTS Program has received a request to support a municipal sewer system connection for the subject property from the owners. Based on the review of the documents in the property file, there are no approved plans for the existing OWTS at the subject property. In addition, letters were issued in 1993 (attached) and 2003 (attached) by ACDEH to the property owner indicating the failure of the existing OWTS and recommending connection to a municipal sewer line.

Due to the absence of approved plans, the age of the existing OWTS, its unknown existing condition, and its past record of failure, continued use of the OWTS has a potential of creating a **public health and safety hazard**. Therefore, ACDEH is in support of a municipal sewer system connection to the subject property.

Should you have any questions or concerns regarding this correspondence, please call me at (510) 639-1287 or send me an electronic mail message at muhammed.khan@acgov.org.

Sincerely,

Muhammed Khan, Senior REHS
OWTS Technical Compliance Coordinator, Land Use Program

cc: Natali Colom Cruz, ACDEH, OWTS Program (Sent via E-mail to Natali.Colom@acgov.org)

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 2020-XX

APPROVAL OF OUT OF AREA SERVICE AGREEMENT BETWEEN THE CITY OF PLEASANTON AND 354 VIRGINIA WAY FOR THE PROVISION OF WASTEWATER SERVICES

WHEREAS, the Alameda Local Agency Formation Commission, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, a Resolution of Application (Resolution No. 19-1118 dated November 5, 2019) was filed with the Executive Officer of the Alameda Local Agency Commission by the City Council of Pleasanton, pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code;

WHEREAS, said resolution is for the purpose of requesting approval of an out of area service agreement (OASA) to extend wastewater services outside the City of Pleasanton’s jurisdictional boundary to the property located at 354 Virginia Way (946-1710-008-00).

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission considered all factors required by law under Government Code Section 56133 and adopted local policies and procedures;

WHEREAS, a public meeting was held on January 16, 2020, Alameda LAFCO heard and received all oral and written protests, objections, and evidence which 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 application.

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented on January 16, 2020.
2. The Commission serves as the responsible agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposal. That, the Commission independently concurs with the City of Pleasanton’s findings that the action is a project under CEQA, but exempt from further CEQA review under the California Public Resources Code Section 15061(b)(3).

3. The agreement will permit the provision of wastewater services to the property located at 354 Virginia Way in the unincorporated community of Remen Tract of Alameda County.
4. The service agreement will not facilitate a change of land use, promote or induce growth on the property or surrounding properties, or facilitate the delivery of other types of services or functions; and
5. That the request of the City of Pleasanton for an out of area service agreement between the City of Pleasanton and the subject property owners for the provision of wastewater service to the property located at 354 Virginia Way (946-1710-008-00) in the unincorporated community of Remen Tract is hereby approved and authorized subject to any and all terms and conditions as set forth in the service agreement between the City of Pleasanton and the subject property owners.
6. As part of conditional approval of the OASA, the property owners located at 354 Virginia Way must sign a pre-annexation agreement with the City of Pleasanton.
7. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

PASSED AND ADOPTED by the Alameda Local Agency Formation Commission on January 16, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Scott Haggerty
Chair

Rachel Jones
Executive Officer

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AGENDA REPORT

January 16, 2020

Item No. 12

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Proposed Out of Area Service Agreement | 280 Oak Lane

The Alameda Local Agency Formation Commission (LAFCO) will consider an out of area service agreement filed by the City of Pleasanton requesting approval to extend public water services outside of its jurisdictional boundary to one affected lot located at 280 Oak Lane in the unincorporated area of Alameda County. The affected territory as submitted is developed with a single-family residence on one legal lot. The purpose of the proposal is to establish a public water connection to the affected territory. Staff recommends approval of the proposal with standard terms.

Background

Alameda LAFCO has received a proposal through a resolution of application from the City of Pleasanton on behalf of landowners (Robert and Kelli Himsl) requesting an out of area service agreement (OASA) approval involving one legal lot totaling 1.3 acres within the City's sphere of influence. The affected territory has a situs address of 280 Oak Lane and is located within the unincorporated area of Alameda County near the City of Pleasanton, west of Foothill Road and south of Castlewood Country Club. The parcel is developed with a single-family residence built in 2006 and totals 4,263 square feet in size with four bedrooms. The County of Alameda Assessor's Office identifies the subject parcel as 946-4436-018-00.

Other Affected Agencies

The affected territory lies within the unincorporated area of Alameda County. It also lies within the boundaries of the following special districts subject to Commission oversight:

- Alameda County Fire Department
- Alameda County Sherriff Department
- East Bay Regional Parks District
- Alameda County Mosquito Abatement District
- Alameda County Vector Control Services District

* The affected territory also lies within the Pleasanton Unified School District and lies within County Supervisorial District No. 4 (Nate Miley).

Administrative Office

Rachel Jones, Executive Officer
1221 Oak Street, Suite 555
Oakland, California 94612
T: 510.272.3894
www.acgov.org/lafco

Scott Haggerty, Regular
County of Alameda

Nate Miley, Regular
County of Alameda

Richard Valle, Alternate
County of Alameda

John Marchand, Regular
City of Livermore

Jerry Thorne, Regular
City of Pleasanton

David Haubert, Alternate
City of Dublin

Ralph Johnson, Regular
Castro Valley Sanitary District

Ayn Wieskamp, Chair
East Bay Regional Park Dsitrict

Geogean Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Tom Pico, Alternate
Public Member

Discussion

This item is for the Commission to consider approving – with or without modifications – the City’s proposal for an OASA with the affected territory. The Commission may also consider applying conditions to an approval so long as it does not directly regulate land use, property development, or subdivision requirements.

Purpose of the Proposal

The primary purpose of the proposal is to establish the extension of public water service as the subject residence has been sharing a water meter located at 7661 Foothill Road for the last twelve years. The water main is located in front of the subject property, and the property owners will be responsible for all associated costs to connect to the water system.

Development Potential

The affected territory as proposed is designated as low density residential within the East County Area General Plan for the County of Alameda. The zoning designation is under the County of Alameda’s classification as R-1-B40 with a minimum lot size of 40,000 square feet and as a result the affected territory cannot be further subdivided.

Analysis

Government Code (G.C.) Section 56133 requires that a city or special district obtain written LAFCO approval prior to extending services by contract or agreement outside of the agency’s jurisdictional boundary. This authority supports LAFCO’s legislated role to promote orderly growth and development within the region. LAFCO may authorize out of area service agreements only if the proposal is to extend services to the affected territory either:

1. Outside the jurisdictional boundary but within the sphere of influence in anticipation of a later change of organization; or
2. Outside the jurisdictional boundary and outside the SOI in response to an existing or impending documented threat to public health or safety of the affected residents.

The City of Pleasanton has requested approval of the OASA on the premise of reconciling and formalizing a public water connection. Annexations are the preferred method under LAFCO law to use boundary changes to ensure the relationship between land and service providers, unless local conditions suggest otherwise.

The City of Pleasanton indicates in its application that the annexation of the parcel is not feasible at this time due to lack of resident interest. The City prefers to annex the entire territory than on an individual

basis and given that the affected territory is not exactly contiguous to the City's jurisdictional boundary, other surrounding territories would also have to be annexed at the same time.

Staff finds that the local conditions sufficiently justify an OASA as the most responsive means to provide public water services to the affected territory. The water service proposed by the City will not facilitate a change of land use nor will they promote or induce growth on the property or surrounding properties. The proposed service agreement is consistent with LAFCO law and the policies of this Commission in that the subject property is within the City of Pleasanton's sphere of influence and the landowners have consented to annexation upon request by the city.

Other Mandated Considerations

Environmental Review

The Commission serves as the responsible agency under the California Environmental Quality Act (CEQA) for the proposed OASA. The City has determined the proposal is a project under CEQA, but exempt from further review under Public Resources Code Section 15061(b)(3). This exemption applies to an activity when there is no possibility that the activity in question may have a significant effect on the environment. Staff independently concurs the City has made appropriate determinations.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Adopt the draft resolution (Attachment 3) approving the out of area service agreement of 280 Oak Lane with the City of Pleasanton.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff for more information as needed.

Alternative Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved by the Commission within 30 days.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rachel Jones", with a long horizontal flourish extending to the right.

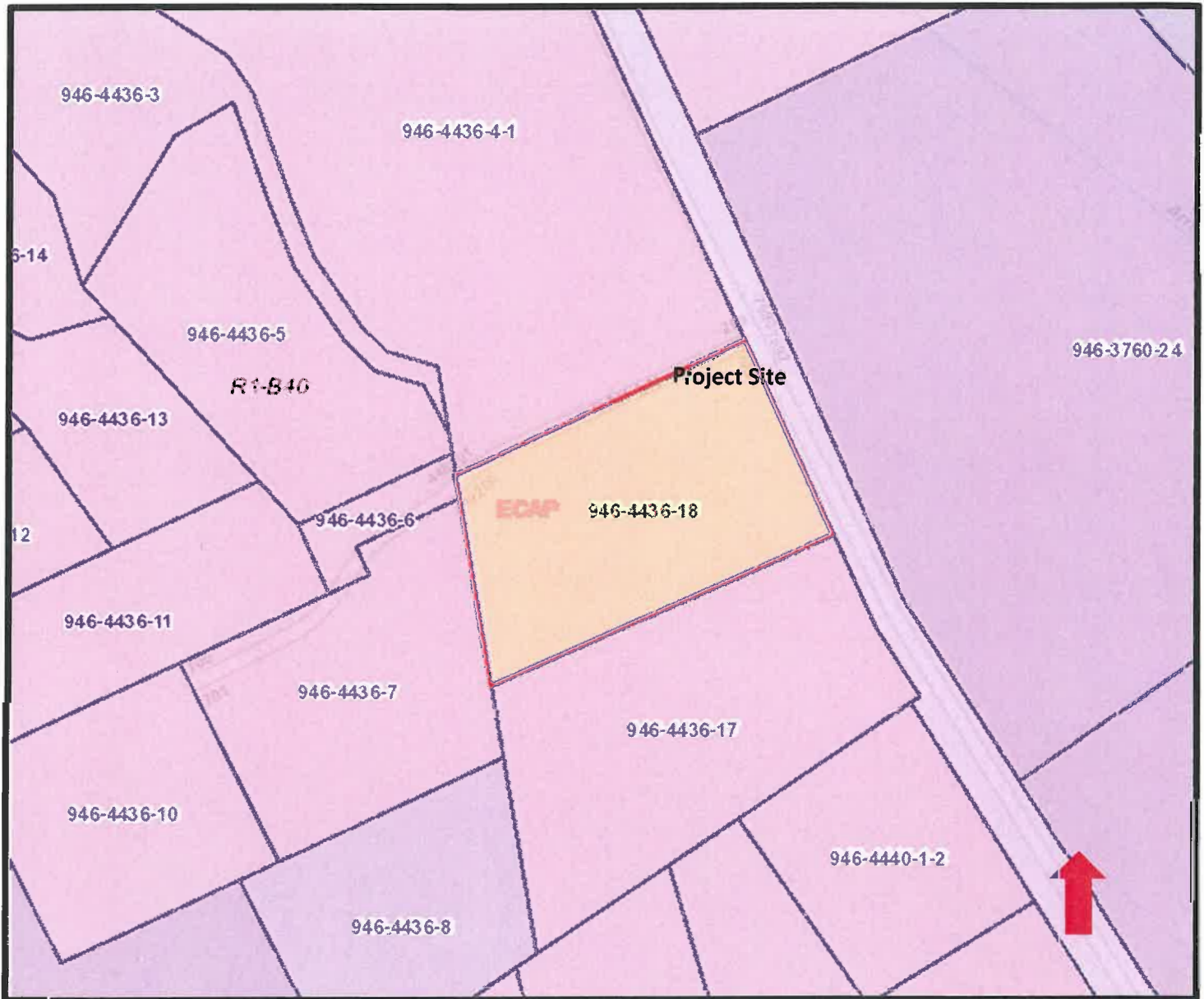
Rachel Jones
Executive Officer

Attachments:

1. Vicinity Map
2. Application Materials
3. Draft Resolution

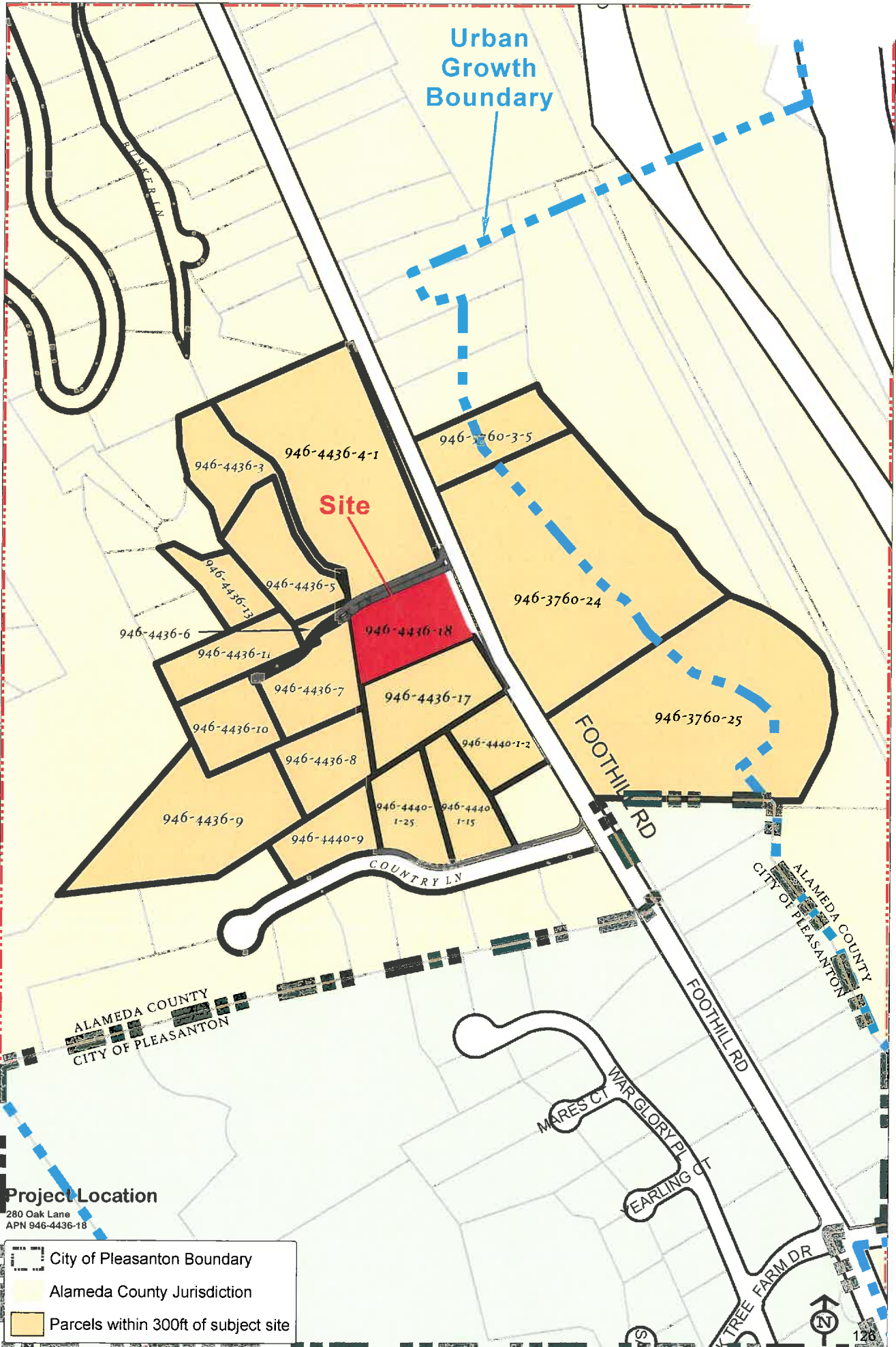
Alameda County Zoning Designation of the Project Site

280 Oak Lane






Urban Growth Boundary

Site



Project Location

280 Oak Lane
APN 946-4436-18

-  City of Pleasanton Boundary
-  Alameda County Jurisdiction
-  Parcels within 300ft of subject site



December 13, 2019

Rachel Jones
 Executive Officer
 Alameda LAFCo
 Alameda County Administrator's Office
 1221 Oak Street, Suite 555
 Oakland, CA 94612

**Subject: 280 Oak Lane
 APN 946-4436-018-00**

Dear Ms. Jones,

Please find the enclosed an application for Out-of-Area Service request for sanitary sewer service for the property located at 280 Oak Lane (APN 946-4436-018-00) in unincorporated Alameda County. Included as part of the application submittal are: 1) supporting documents per LAFCo's application submittal checklist, 2) two checks for the required application fees, and 3) digital files of the application package (PDF files in a flash drive).

If you have any questions regarding the submitted information, please call me at (925) 931-5615, or via email at js00@cityofpleasantonca.gov. Thank you in advance for reviewing the application. We'll see you at the LAFCo meeting on January 16, 2020.

Sincerely,

Jenny Soo
 Associate Planner

COMMUNITY DEVELOPMENT
www.cityofpleasantonca.gov

P. O. BOX 520 · 200 Old Bernal Avenue
 Pleasanton, CA 94566-0802

Planning (925) 931-5600 Fax: 931-5483	Building & Safety (925) 931-5300 Fax: 931-5478	Code Enforcement (925) 931-5620 Fax: 931-5478	Permit Center (925) 931-5630 Fax: 931-5478	Traffic Engineering (925) 931-5677 Fax: 931-5487 ¹²⁷
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**Appendix B3. Out of Area Service Agreement Application (updated 1/2008)
Alameda Local Agency Formation Commission**

1. Name and Address of Applicant (must be public agency):

City of Pleasanton

2. Contact Name and Title:

- Nelson Fialho, City Manager
Phone: (925) 931-5015
E-Mail: nfialho@cityofpleasantonca.gov

- Ellen Clark, Director of Community Development
Phone: (925) 931-5616
E-Mail: eclark@cityofpleasantonca.gov

- Jenny Soo, Associate Planner
Phone: (925) 931-5615
E-Mail: jsoo@cityofpleasantonca.gov

3. Application Initiated By:

Agency Name: City of Pleasanton
Resolution No.: 19-1125
Date Adopted: December 3, 2019

Submit 1 copy of Resolution of Application (Attachment 1) and 2 copies of proposed out of area service agreement with application (Attachment 2). The PreAnnexation Agreement will be signed and recorded after LAFCo's approval.

4. Property Owner and Location of Property to Be Served (List additional owners/properties on separate sheet if necessary)

Name of Property Owners: Robert and Kelli Himsl
Address: 280 Oak Lane
City: Pleasanton
State: California 94566

5. Type of Service to Be Provided

Check one or more: Water Sewer Police Fire Garbage

6. Description of Property to Be Served

6a. Is parcel to be served WITHIN your current Sphere of Influence (SOI)?
 Yes No

- 6b. If Yes, provide (a) general description of property location in relationship to current city/district boundary line and (b) attach a project area map showing parcel/s, district and SOI boundaries.

The subject property is located at 280 Oak Lane, west of Foothill Road, south of Castlewood County Club, in the unincorporated.

Please refer to Attachment 3 for a map of the subject site relative to City boundaries and Sphere of Inference (SOI).

- 6c. If No, provide (a) description of property location in relationship to the SOI boundary, (b) identify other agencies with jurisdiction over area in which property is located, and (c) attach a project area map showing parcel/s, SOI boundary of agency requesting service, and SOI boundary/ies of other agency's that may provide service.

Description: N/A

Other Agencies that could provide service: N/A

- 6d. How is the property currently used?

Residential Commercial Agriculture Vacant/Undeveloped
 Church, school, other public use Industrial Habitat, Recreation

- 6e. What is current zoning designation?

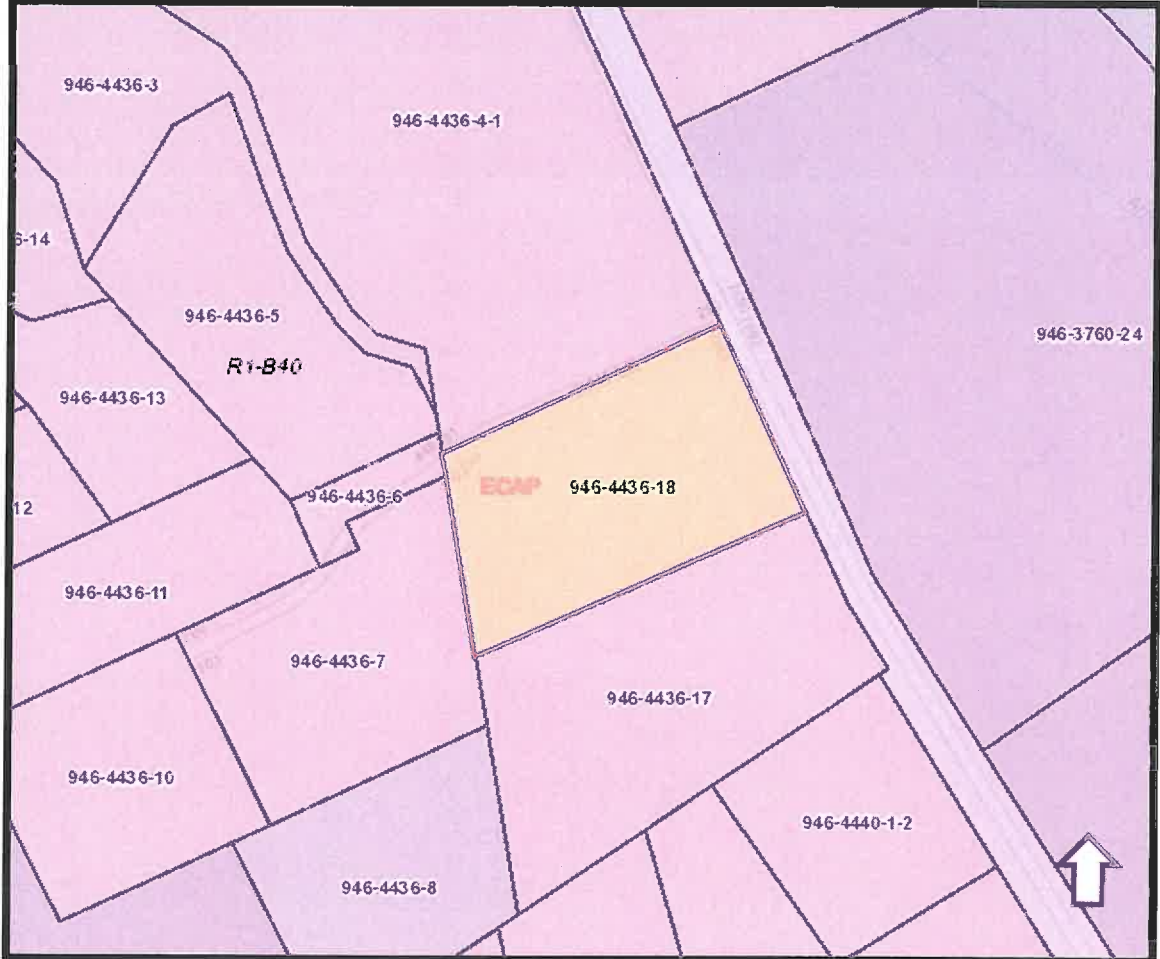
Alameda County

The Alameda County General Plan designates the site as Low Density Residential within the East County Area Plan and as R-1-B40 Zoning District (Single-Family Zoning District, Minimum Lot Size 40,000 square feet). Please see Figure 1 for County Zoning. Please also refer to Attachment 4.

City of Pleasanton

There is no Pleasanton zoning designation for the project site.

Figure 1: Alameda County Zoning Designation of the Project Site



What is current General Plan?

Alameda County

The Alameda County East County Area Plan designates the site as Medium Density Residential within the East County Area Plan. Please see Figure 2. Pleasanton also refer to Attachment 5.

City of Pleasanton

The City of Pleasanton 2005-2025 General Plan Land Use Element designates the project site as Medium Density Residential, 2-8 dwelling unit per gross acre. Please see Figure 3. Please also refer to Attachment 6.

Figure 2: Alameda County East County Area Plan Land Use Designation

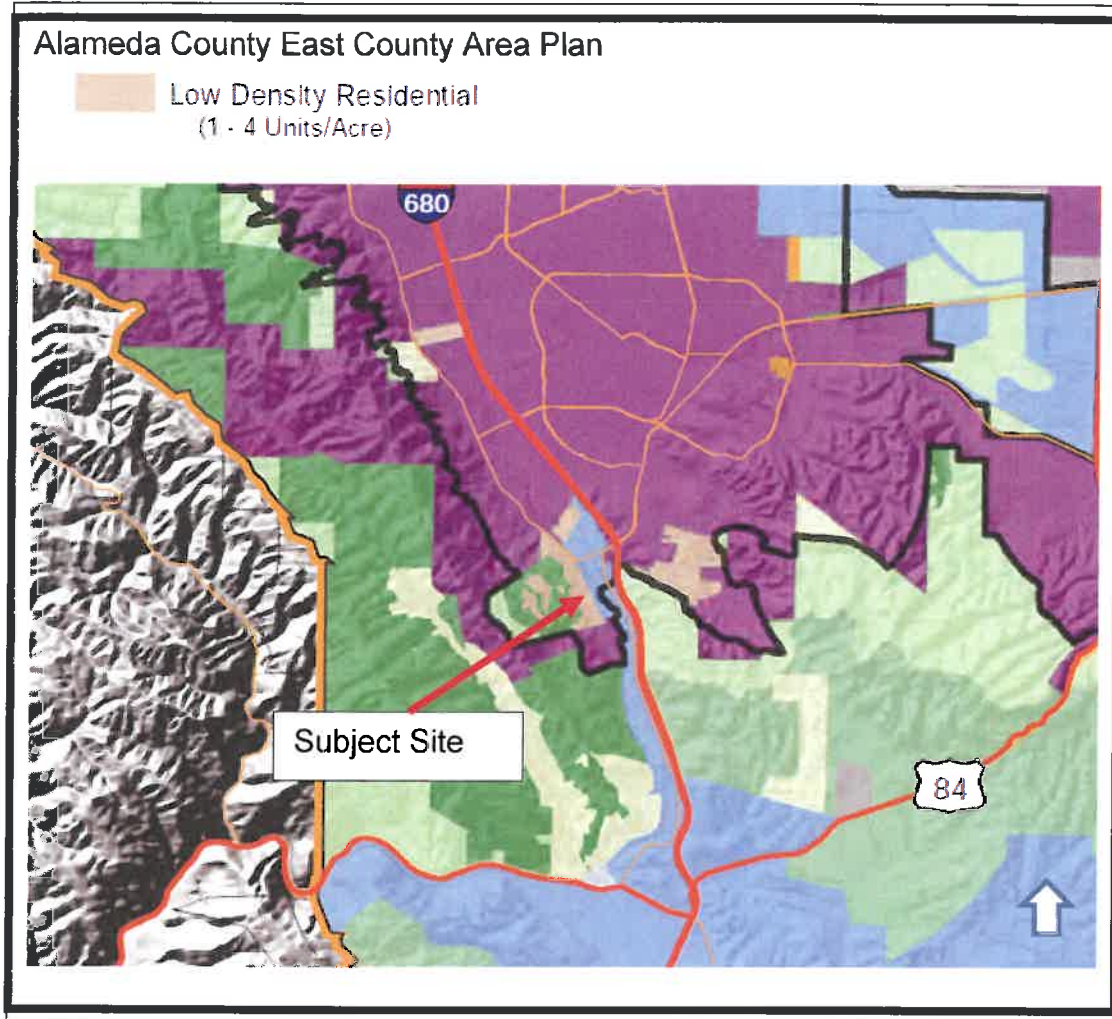


Figure 3: City of Pleasanton 2005-2025 General Plan Land Use Designation



6f. Are there any development or building applications on file that would authorize a different or higher density on the subject property/ies or adjacent property/ies?

No.

If Yes, explain and attach a list of projects and application processing numbers.
N/A

6g. Is property inhabited? Yes No If Yes, how many residents?

The subject site is currently occupied by one single-family residence.

6h. Provide the number of existing dwelling units/buildings on the property.

One dwelling/two accessory structures.

Single family: Multi-Family: n/a Commercial/Industrial: n/a
Square footage for commercial industrial: n/a

6i. Are there other service contracts/agreements currently in effect to serve this parcel or adjoining parcels? Yes No

If Yes, (a) explain and (b) attach 2 copies of other agreements or contracts.

The residence at 280 Oak Lane has been sharing the water meter at 7661 Foothill Road for the last 12 years. The Pleasanton City Council, at its meeting of December 3, 2019, approved a Pre-Annexation Agreement allowing the subject site to establish an independent City water connection if the request for out-of-area service is approved by LAFCo. The Resolution approving the Pre-Annexation agreement is included as Attachment 1.

6j. Adjacent Land Use

	Existing Land Uses	Alameda County		City of Pleasanton	
		General Plan Designation	Zoning Designation	General Plan Designation	Zoning Designation
North	Residential (County)	Low Density Residential	R-1-B-40 Single Family Residential	Low Density Residential	None
South	Residential (County)				
East	Residential (County)				
West	Residential (County)				

7. Environmental Review

This application is subject to the requirements of the California Environmental Quality Act (CEQA). If CEQA review has already been undertaken by another agency, please provide two copies of the environmental documentation including the Notice of Exemption or Notice of Determination and proof of payment of applicable State Fish and Game Department Fees.

7a. Lead Agency. City of Pleasanton

7b. Responsible Agency/ies. City of Pleasanton

7c. Type of action taken:

Exemption Negative Declaration Environmental Impact Report

After LAFCo's approval, the City will file a Notice of Exemption under Section 15061(b)(3). A copy of the draft NOE is attached as reference (Attachment 7).

7d. Date of Certification/Adoption: Please refer to 7c.

8. Contract Service Issues

8a. Explain how services are to be extended, what the costs of extension will be and how the costs will be financed?

Water line is available in front of the property on Oak Lane. Per the agreement with the City, the property owners will be financial responsible to connect to the city water system and all associate costs.

8b. Will the provision of services be growth inducing? Explain.

The provision of extended sewer infrastructure to an existing single-family residence would not be growth inducing and the system improvements would be sized to serve only one single-family residence.

8c. Does the proposed service provider have existing capacity to serve the project site?

Yes. Based on an evaluation by the City of Pleasanton's Engineering and Operation Services Departments, the existing City systems have the capacity to serve the project site.

8d. Will existing customers continue to receive the same or higher level of service if this project is approved? Will the same level of service be provided to the project site as other customers receive?

Yes, because the project would not compromise or place substantial new demand on the capacity of the local water conveyance. As such, existing customers will continue to receive the same level of service if this project is approved, and the same level of service will be provided to the subject site as is received by other customers.

9. Justification for Out of Area Service Agreement (must check one box below)

Pursuant to Government Code Section 56133, this application is submitted (*you must check one*)

- To address a threat to public health or safety (answer question 9a); or
- In anticipation of a future annexation (answer question 9b)

*Unless there is a threat to public health or safety, the jurisdiction must **justify** why a service agreement is being considered instead of an application for annexation.*

9a. Public Health or Safety Condition

- i. Please summarize the nature, extent and duration of the public health or safety emergency (attach additional page(s) if needed) and attach a copy of certification from appropriate Public Health Officials and any additional information verifying existence of emergency situation.

n/a

- ii. What alternatives have been explored to mitigate emergency situation in lieu of executing out of agency service agreement?

n/a

- ii. Is Interim Emergency Approval (expedited review) requested?
__ Yes _ No

9b. Other Special Circumstances

What are other special conditions or unique circumstances that justify use of an out of area service agreement in lieu of filing for annexation? Respond to following (use extra sheet of paper if necessary):

Has annexation been considered? Yes ___ No

Why was it found infeasible?

The location of the subject site is not contiguous to the City boundaries; thus, the subject site cannot be annexed to the City.

What barriers need to be overcome before filing an annexation application?

Properties that are located between the City boundary and the subject site need to be annexed either prior to, or at the same time, that the subject site is annexed. The property owner has been required to sign a pre-annexation agreement, indicating their willingness for the property be annexed to the City of Pleasanton at such a time as that becomes viable.

How long would the annexation be anticipated to take?

The amount of time is undetermined as other properties would be involved, and the associated property owners would need to request annexation.

Is there a contractual obligation?

The subject site is located in the Pleasanton Water Township. A City of Pleasanton General Plan policy supports extension of water service to property in the former Pleasanton Township County Water District.

10. Public Notice, Disclosure, and Other Requirements

10a. 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)

Please see Attachment 8.

10b. 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.

Please see Attachment 9.

10c. Provide signed financial disclosure statement/s (See Appendix E, Exhibit C) pursuant to Government Code Section 56700.1.

Please see Attachment 10.

10d. Provide one copy of an indemnification agreement (See Appendix E, Exhibit H).

Please see Attachment 11.

10e. Provide two sets of original mailing labels that separately identify applicants, affected agencies, school districts, registered voters and landowners on project site, property owners 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.

Two sets of mailing labels are enclosed.

11. Final Comments

11a. List any conditions LAFCo should include in its resolution for approval.

The City would request that all conditions of approval set forth in Council No. 19-1125 be included. Please review to Attachment 1.

11b. Provide any other comments or justifications regarding the proposal from any affected local agency, landowner or resident.

None.

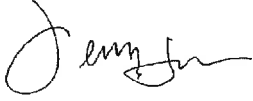
11c. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

Attachment 12 includes the Pleasanton City Council Agenda Report dated December 3, 2019 for consideration of the preannexation agreement for the subject property. Attachment 13 is the Landowner Consent to Annexation form.

12. Certification

I hereby certify that the above information and accompanying documents are true and correct to the best of my knowledge. I hereby agree to pay all required filing and processing fees as may be needed to complete this application. Further, I understand that LAFCo will not be process an incomplete application and that LAFCo's adopted Procedures require that specific documentation be submitted as part of this application.

Jenny Soo, Associate Planner, City of Pleasanton
Name of Applicant's Authorized Representative

A handwritten signature in black ink, appearing to read "Jenny Soo". The signature is written in a cursive style with a large initial "J".

Signature of Applicant's Authorized Representative

December 13, 2019
Date

RESOLUTION NO. 19-1125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING A PREANNEXATION AGREEMENT TO PROVIDE A WATER CONNECTION FOR 280 OAK LANE (ROBERT AND KELLI HIMSL) AND AUTHORIZING AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR AN OUT-OF-AREA SERVICE AGREEMENT

WHEREAS, at the meeting of December 3, 2019, the City Council received a report from the Director of Community Development regarding the request from Robert and Kelli Himsl for a water connection to an existing residence located at 280 Oak Lane in the unincorporated Castlewood portion of Alameda County; and

WHEREAS, Government Code §56133 requires that a city make an application to the Local Agency Formation Commission (LAFCo) for an Out-of-Area Service Agreement before connecting any property outside the city limits to city water service; and

WHEREAS, the request meets the criteria for out-of-area service prior to annexation due to the property being located within the City's sphere of influence, the owners' consent to enter into an agreement which meet the City's interests, and the property already getting City water service through an unpermitted shared water meter; and

WHEREAS, the request additionally meets the criteria for the provision of out-of-area water service prior to annexation as the property owners agree to: a) pay water connection fees; b) pay all costs associated with making physical connections to City water system in a manner consistent with City standards in the determination of the City Engineer or designee; c) pay all City and County processing fees for LAFCo; d) obtain City design review approval for any future addition or alteration to the property requiring a building permit from the County; and e) agree to not subdivide the property; and f) agree to (or vote in favor if) any future proposed annexation of the property to the City.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:

SECTION 1. That this request is categorically exempt from review under the California Environmental Quality Act pursuant to Title 14 California Code of Regulations §15303(d) for new sewage extension.

SECTION 2. Approves the request for water service connection to the property at 280 Oak Lane, which connection is conditioned on LAFCo approval, and authorizes the City Manager to execute a Preannexation Agreement with Robert and Kelli Himsl in generally the form shown in the attached Exhibit A, subject to minor modifications approved by the City Manager and City Attorney.

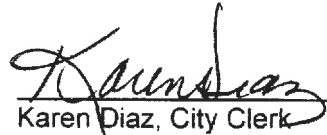
SECTION 3. Authorizes staff to coordinate with the property owners and Alameda County to file an application with LAFCo for its consideration of an Out-of-Area Service Agreement for the City to provide water service to the existing residence located at 280 Oak Lane after receipt of the requisite filing fees.

SECTION 4. This resolution shall become effective immediately upon its passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Pleasanton at a regular meeting held on December 3, 2019.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the 3rd day of December 2019, by the following vote:

Ayes: Councilmembers Brown, Pentin, Testa, Mayor Thorne
Noes: None
Absent: Councilmember Narum
Abstain: None



Karen Diaz, City Clerk
Dated: 12/10/19

APPROVED AS TO FORM:



Daniel G. Sodergren, City Attorney

RECORDING REQUESTED BY and
When Recorded, Return to:

EXHIBIT A

Office of the City Clerk
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Recording requested Pursuant to
Government Code Sections
27383 & 6103

PREANNEXATION AND PROVISION OF WATER FACILITIES AND SERVICE AGREEMENT

This Preannexation and Provision of Water Facilities and Service Agreement (the "Agreement") is made _____, 2019 between the City of Pleasanton, a municipal corporation (the "City") and Robert and Kelli Himsl (the "Owners").

RECITALS

A. Owners are the owners of certain real property commonly known as 280 Oak Lane (APN 946-4436-018-00), Pleasanton, CA, and more particularly described in Exhibit A (the "Property") and incorporated by this reference.

B. The Property has been sharing the City water meter located at the adjoining property since 2007 without City approval.

C. Owners wish to independently connect the existing home on the Property to the City's water system, even though the Property is located in the unincorporated area of Alameda County and not within the corporate limits of the City of Pleasanton.

D. Generally, City policy requires property to be annexed prior to extending City utility services.

E. Owners are willing to annex the Property either as part of a larger annexation or as part of a smaller annexation involving other property contiguous to the City.

F. City is willing to extend its water service to the Property only if there are assurances that the Property will not be further subdivided without City approval, any new residence and any future additions to structures on the Property are subject to City review and approval of the design, Owners will construct frontage improvements when the City or Alameda County proceed with such work, Owners pay all required fees, and approvals from other agencies are received.

NOW, THEREFORE, in consideration of the mutual covenants and conditions in this Agreement, City and Owners agree as follows:

1. Water Service. Owners may connect the existing residence on the Property to the City's water system prior to the City's annexation of the Property upon the satisfaction of all of the following conditions in this Section 1 and in this Agreement:

(a) Owners shall pay applicable Zone 7 Water Agency and City water connection and meter fees.

(b) Owners shall connect to City water service in a manner consistent with City standards in the determination of the City Engineer or designee.

(c) Owners acknowledge that Owners, via City as applicant, must receive approval from the Alameda County Local Agency Formation Commission (LAFCo), as well as pay all fees related to LAFCo for an application for the extension of water service to the Property.

2. Agreement to Annex. Owners shall consent to annexation of the Property to the City of Pleasanton at such time as the City may require. This Agreement, State and County laws, and City ordinances and resolutions shall control the responsibilities of both parties at the time of annexation. Owners shall cooperate with City in the annexation of the Property, whether as part of a larger area or as part of a smaller area; Owners expressly waive the right to protest said annexation and shall agree to do no act calculated or tending to prevent, impede, or defeat the successful annexation of the Property. More specifically, by signing this Agreement, Owners acknowledge and agree that if: (a) any annexation is subject to an election, the Owners deem Owners' votes are counted as a vote in favor of annexation; or (b) Owners shall sign as consenting to any annexation application if annexation is for a smaller area.

3. No Further Subdivision. Owners shall not subdivide the Property without the prior approval of the City.

4. Design Review Approval. Owners shall submit any future plans for the development of the Property to the City for the City's review and approval. Assuming the Property is still in the unincorporated area of Alameda County at the time the Owners intend to apply for a building permit for the Property, Owners shall neither apply for nor obtain a building permit from the County of Alameda unless and until City has approved the design of the plans for any proposed redevelopment, additions, and new construction on the Property.

5. Bonded Debt. Owners' consent that, upon annexation of the Property to the City, said Property shall be taxed to pay their share of existing bonded indebtedness of City. This Agreement shall serve as such consent, and a copy shall be filed with Treasurer-Tax Collector of Alameda County, if evidence of such consent is required.

6. Benefit or Assessment Districts. Owners shall cooperate with City in the formation of any mutual benefit districts or assessment districts which City deems necessary for the installation of public improvements serving, in whole or in part, the Property, whether such districts are formed at the time of annexation or some time in the future. In this

regard, Owners waive its right to protest the formation of any of said districts and shall do no act calculated or tending to prevent, impede, or defeat the successful formation thereof; provided, however, that this waiver is not intended, nor shall it be construed, to affect or limit the rights of the Owners to participate in the hearings and/or other aspects of the district formation proceedings to the extent necessary and appropriate to protect and further the Owners' interest or the public interests so long as said action does not tend to prevent or defeat the formation of the districts.

7. Covenants Running with the Land. All of the provisions contained in this Agreement shall be binding upon the Owners and Owners' respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of the Property, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code §1468.

8. Recording. The execution of this Agreement shall be acknowledged before a Notary Public, and the Agreement shall be recorded with the Recorder of Alameda County.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day set forth above.

CITY OF PLEASANTON

OWNER

Nelson Fialho, City Manager

Robert Himsl

ATTEST:

OWNER

Karen Diaz, City Clerk

Kelli Himsl

APPROVED AS TO FORM:

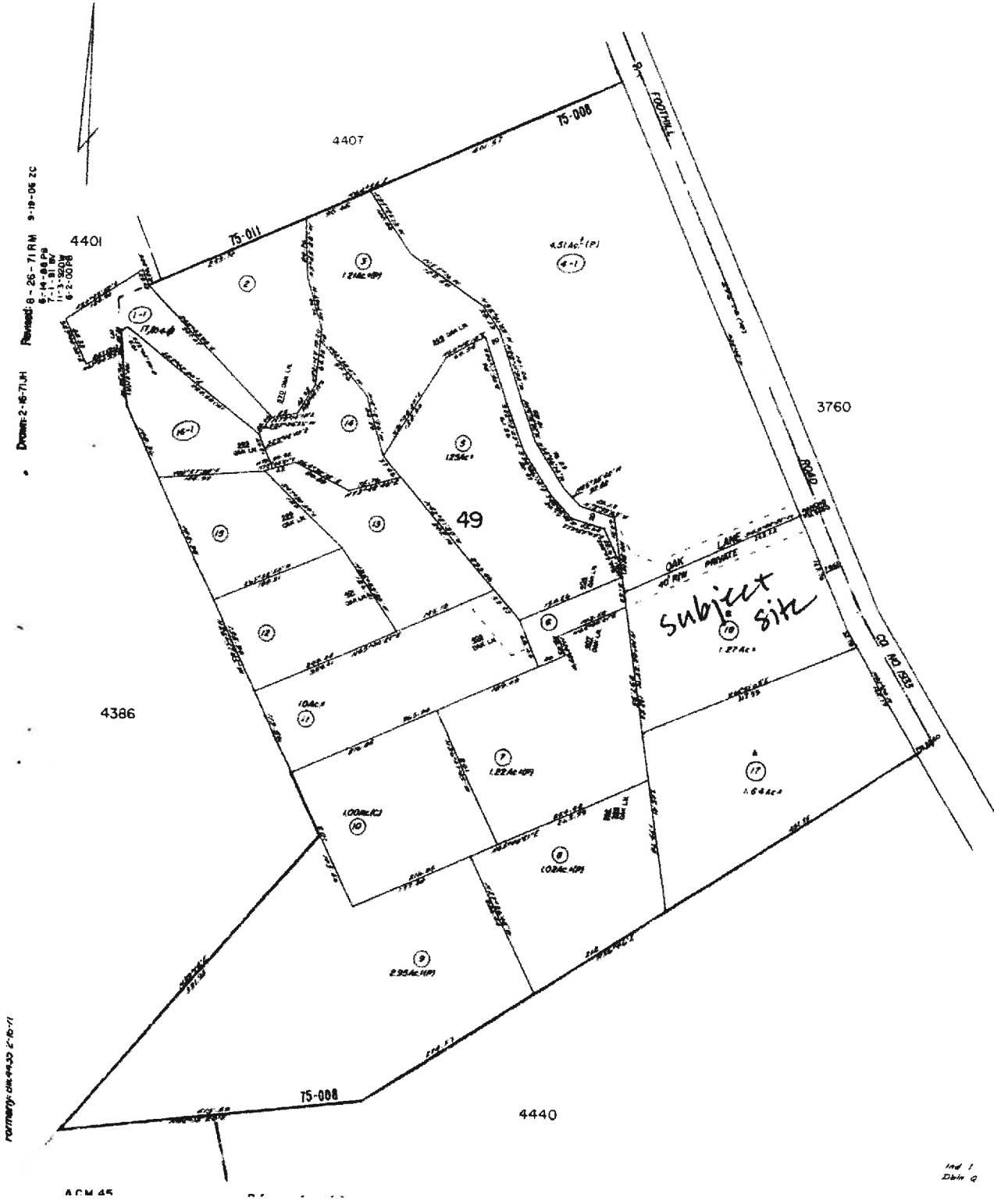
Daniel G. Sodergren, City Attorney

ASSESSOR'S MAP 946

Code Area Nos. 75-008 75-011

4436 Scale: 1" = 100'

RANCHO EL VALLE DE SAN JOSE - BERNAL PARTITION (Por. Plot 49) (Bk. 40 D Pg. 315)
P.M. 8660 280/85-86



RECORDING REQUESTED BY and
When Recorded, Return to:

EXHIBIT A

Office of the City Clerk
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Recording requested Pursuant to
Government Code Sections
27383 & 6103

PREANNEXATION AND PROVISION OF WATER FACILITIES AND SERVICE AGREEMENT

This Preannexation and Provision of Water Facilities and Service Agreement (the "Agreement") is made _____, 2019 between the City of Pleasanton, a municipal corporation (the "City") and Robert and Kelli Himsl (the "Owners").

RECITALS

A. Owners are the owners of certain real property commonly known as 280 Oak Lane (APN 946-4436-018-00), Pleasanton, CA, and more particularly described in Exhibit A (the "Property") and incorporated by this reference.

B. The Property has been sharing the City water meter located at the adjoining property since 2007 without City approval.

C. Owners wish to independently connect the existing home on the Property to the City's water system, even though the Property is located in the unincorporated area of Alameda County and not within the corporate limits of the City of Pleasanton.

D. Generally, City policy requires property to be annexed prior to extending City utility services.

E. Owners are willing to annex the Property either as part of a larger annexation or as part of a smaller annexation involving other property contiguous to the City.

F. City is willing to extend its water service to the Property only if there are assurances that the Property will not be further subdivided without City approval, any new residence and any future additions to structures on the Property are subject to City review and approval of the design, Owners will construct frontage improvements when the City or Alameda County proceed with such work, Owners pay all required fees, and approvals from other agencies are received.

NOW, THEREFORE, in consideration of the mutual covenants and conditions in this Agreement, City and Owners agree as follows:

1. Water Service. Owners may connect the existing residence on the Property to the City's water system prior to the City's annexation of the Property upon the satisfaction of all of the following conditions in this Section 1 and in this Agreement:

(a) Owners shall pay applicable Zone 7 Water Agency and City water connection and meter fees.

(b) Owners shall connect to City water service in a manner consistent with City standards in the determination of the City Engineer or designee.

(c) Owners acknowledge that Owners, via City as applicant, must receive approval from the Alameda County Local Agency Formation Commission (LAFCo), as well as pay all fees related to LAFCo for an application for the extension of water service to the Property.

2. Agreement to Annex. Owners shall consent to annexation of the Property to the City of Pleasanton at such time as the City may require. This Agreement, State and County laws, and City ordinances and resolutions shall control the responsibilities of both parties at the time of annexation. Owners shall cooperate with City in the annexation of the Property, whether as part of a larger area or as part of a smaller area; Owners expressly waive the right to protest said annexation and shall agree to do no act calculated or tending to prevent, impede, or defeat the successful annexation of the Property. More specifically, by signing this Agreement, Owners acknowledge and agree that if: (a) any annexation is subject to an election, the Owners deem Owners' votes are counted as a vote in favor of annexation; or (b) Owners shall sign as consenting to any annexation application if annexation is for a smaller area.

3. No Further Subdivision. Owners shall not subdivide the Property without the prior approval of the City.

4. Design Review Approval. Owners shall submit any future plans for the development of the Property to the City for the City's review and approval. Assuming the Property is still in the unincorporated area of Alameda County at the time the Owners intend to apply for a building permit for the Property, Owners shall neither apply for nor obtain a building permit from the County of Alameda unless and until City has approved the design of the plans for any proposed redevelopment, additions, and new construction on the Property.

5. Bonded Debt. Owners' consent that, upon annexation of the Property to the City, said Property shall be taxed to pay their share of existing bonded indebtedness of City. This Agreement shall serve as such consent, and a copy shall be filed with Treasurer-Tax Collector of Alameda County, if evidence of such consent is required.

6. Benefit or Assessment Districts. Owners shall cooperate with City in the formation of any mutual benefit districts or assessment districts which City deems necessary for the installation of public improvements serving, in whole or in part, the Property, whether such districts are formed at the time of annexation or some time in the future. In this

regard, Owners waive its right to protest the formation of any of said districts and shall do no act calculated or tending to prevent, impede, or defeat the successful formation thereof; provided, however, that this waiver is not intended, nor shall it be construed, to affect or limit the rights of the Owners to participate in the hearings and/or other aspects of the district formation proceedings to the extent necessary and appropriate to protect and further the Owners' interest or the public interests so long as said action does not tend to prevent or defeat the formation of the districts.

7. Covenants Running with the Land. All of the provisions contained in this Agreement shall be binding upon the Owners and Owners' respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of the Property, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code §1468.

8. Recording. The execution of this Agreement shall be acknowledged before a Notary Public, and the Agreement shall be recorded with the Recorder of Alameda County.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day set forth above.

CITY OF PLEASANTON

OWNER

Nelson Fialho, City Manager

Robert Himsl

ATTEST:

OWNER

Karen Diaz, City Clerk

Kelli Himsl

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney

Exhibit C - Financial Disclosure Statement

Local Agency Formation Commission of Alameda County
FINANCIAL DISCLOSURE STATEMENT

Consistent with the requirements of the State of California Fair Political Practices Commission, each applicant or their agent must complete and submit this Statement of Disclosure form with any application that requires discretionary action by Alameda LAFCo (Government Code Section 84308 of the Political Reform Act).

Person is defined as: "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

1. List the names of all persons having any ownership interest in the property involved or any financial interest in the application.

ROBERT P. HIMSL, TRUSTEE
KELLI J. HIMSL, TRUSTEE
ROBERT P. + KELLI J. LIVING TRUST, DATED 12-4-01

2. If any person identified pursuant to #1 is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

N/A

3. If any person identified pursuant to #1 is a non-profit organization or a trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

ROBERT P. HIMSL, TRUSTEE
KELLI J. HIMSL, TRUSTEE

4. Has any person identified pursuant to #1 had \$250 or more worth of business transacted with any Commissioner or Alternate or Commission staff person within the past 12 months? Yes No

If "Yes", please indicate person's name/s: _____

5. Has any person identified pursuant to #1, or his or her agent, contributed \$250 or more to any Commissioner or Alternate within the past 12 months?

Yes No

If Yes, please indicate person(s) or agent(s) making contribution:

and name/s of Commissioner(s)/Alternate(s) receiving contribution:

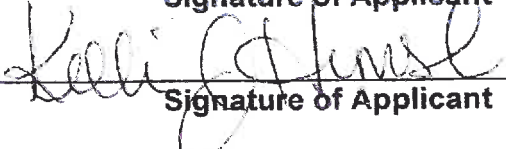
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Name/Title and Number of Application (Please print or type)

ROBERT D. HENSEL KELLI J. HENSEL
Name of Applicant (Please print or type)


Signature of Applicant

11-26-19
Date


Signature of Applicant

11-26-19
Date

Signature of Applicant

Date

Signature of Applicant

Date

Exhibit H - Sample Indemnification Agreement

Indemnification Agreement

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Alameda Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the Alameda Local Agency Formation Commission, its agents, officers, attorneys, and employees.

Executed at Pleasanton, California on the 26 day of November, 2019.

Applicant

By: ROBERT HANSEN

Title: OWNER

Mailing Address: 280 OAK LANE
PLEASANTON, CA 94566

REAL PARTY IN INTEREST
(If Different From Applicant)

By: _____

Title: _____

Mailing Address:

Exhibit F - Landowner Consent to Annexation Form
Local Agency Formation Commission of Alameda County

LANDOWNER CONSENT TO ANNEXATION

Name/Title of Proposal: _____

Project Number: _____

Name of Applicant: ROBERT P. + KELLI J. HIMSL

I/We, the undersigned, constitute all the owners of the following parcel(s) of land:

Assessor's Parcel No. 946-4436-018 No. of Acres 1.27

Assessor's Parcel No. _____ No. of Acres _____

Assessor's Parcel No. _____ No. of Acres _____

Assessor's Parcel No. _____ No. of Acres _____

Assessor's Parcel No. _____ No. of Acres _____

I/We, the undersigned, hereby make Application for Annexation of the above referenced parcels into:

PLEASANTON, CA
 Name of Annexing Local Agency

and, furthermore, hereby agree not to protest this annexation.

Name of Property Owner (Please print or type)	Signature of Property Owner	Date Signed	Parcel No.
ROBERT P. HIMSL		11-26-19	946-4436-018
KELLI J. HIMSL		11-26-19	946-4436-018

2000613

ALAMEDA, COUNTY OF
LAFCO/SANDY HOU
1221 OAK STREET #555
OAKLAND, CA 94612-4224

AFFIDAVIT OF PUBLICATION
FILE NO. 1/16/2020 Hearing

In the matter of

The Valley Times

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Legal Advertising Coordinator of the printer and publisher of The Times incorporating The Pleasanton Times/The Valley Times, a newspaper published in the English language in the City of Pleasanton, County of Alameda, State of California.

I declare that The Times incorporating The Pleasanton Times/The Valley Times is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated July 18, 1961, in the action ascertaining and establishing the standing of The Times incorporating The Pleasanton Times (The Valley Times) as a Newspaper of General Circulation in the City of Pleasanton, County of Alameda, State of California, Case Number 240955 within the meaning and intent of the Government Code of the State of California. Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published at each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

12/26/2019

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 2nd day of January, 2020.

Signature



Legal No.

0006441311

NOTICE OF PUBLIC HEARING
ALAMEDA LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the Alameda Local Agency Formation Commission will hold a public hearing at its regular meeting on **Thursday, January 16, 2020 at 2:00 p.m.** at the City of Dublin Council Chambers located at 100 Civic Plaza, Dublin, California.

At the hearing, the Commission will discuss the following items:

- **City of Pleasanton Out of Area Service Agreement with 354 Virginia Way** - The City of Pleasanton proposes to provide waste-water services to a property located within the unincorporated community known as "Remen Tract" in response to a failing septic system. The affected territory consists of one parcel and is located within the City of Pleasanton's sphere of influence at 354 Virginia Way (APN 946-1710-008-00).
- **City of Pleasanton Out of Area Service Agreement with 280 Oak Lane** - The City of Pleasanton proposes to provide water services to a property located at 280 Oak Lane within an unincorporated area of Alameda County to establish an independent water connection (APN 946-4436-018-00).
- **City of Hayward Out of Area Service Agreement with 27398 Fairview Avenue** - The City of Hayward proposes to provide waste-water services to one parcel located at 27398 Fairview Avenue due to a failing septic system. The property is located within the unincorporated area of Alameda County (APN 0854-6200-010-00).

At the meeting, the Commission will consider all oral and written testimony of any interested persons or affected agencies. Only those issues which are brought up at the public hearing described in this notice or in written correspondence delivered to LAFCO at or prior to the hearing may be raised in any legal challenge to the actions taken by the Commission with respect to the above listed item.

Copies of the Commission agenda, staff reports and supporting information will be available and may be examined at the LAFCO office, located in the Alameda County Administration Building, 1221 Oak Street, Suite 555, Oakland, CA, or on the Alameda LAFCO website at www.acgov.org/lafco at least five days prior to the meeting date. For additional information concerning the agenda or copies of staff reports, please call (510) 271-5142.

RACHEL JONES
EXECUTIVE OFFICER
ALAMEDA LAFCO
PT/VT #6441311; December 26, 2019

ALAMEDA LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 2020-XX

APPROVAL OF OUT OF AREA SERVICE AGREEMENT BETWEEN THE CITY OF PLEASANTON AND 280 OAK LANE FOR THE PROVISION OF WATER SERVICES

WHEREAS, the Alameda Local Agency Formation Commission, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, a Resolution of Application (Resolution No. 19-1125 dated December 3, 2019) was filed with the Executive Officer of the Alameda Local Agency Commission by the City Council of Pleasanton, pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code;

WHEREAS, said resolution is for the purpose of requesting approval of an out of area service agreement (OASA) to extend water services outside the City of Pleasanton’s jurisdictional boundary to the property located at 280 Oak Lane (946-4436-018-00).

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission considered all factors required by law under Government Code Section 56133 and adopted local policies and procedures;

WHEREAS, a public meeting was held on January 16, 2020, Alameda LAFCO heard and received all oral and written protests, objections, and evidence which 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 application.

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented on January 16, 2020.
2. The Commission serves as the responsible agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposal. That, the Commission independently concurs with the City of Pleasanton’s findings that the action is a project under CEQA, but exempt from further CEQA review under the California Public Resources Code Section 15061(b)(3).

3. The agreement will permit the provision of water services to the property located at 280 Oak Lane in the unincorporated area of Alameda County.
4. The service agreement will not facilitate a change of land use, promote or induce growth on the property or surrounding properties, or facilitate the delivery of other types of services or functions; and
5. That the request of the City of Pleasanton for an out of area service agreement between the City of Pleasanton and the subject property owners for the provision of water service to the property located at 280 Oak Lane (946-4436-018-00) in the unincorporated area of Alameda County is hereby approved and authorized subject to any and all terms and conditions as set forth in the service agreement between the City of Pleasanton and the subject property owners.
6. As part of conditional approval of the OASA, the property owners located at 280 Oak Lane Way must sign a pre-annexation agreement with the City of Pleasanton.
7. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

PASSED AND ADOPTED by the Alameda Local Agency Formation Commission on January 16, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTEST:

Scott Haggerty
Chair

Rachel Jones
Executive Officer

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AGENDA REPORT

January 16, 2020

Item No. 13

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: **Progress Report | Municipal Service Review on Water, Wastewater, Flood Control and Stormwater Services**

The Alameda Local Agency Formation Commission (LAFCO) will receive a progress report from QK Associates on its countywide municipal service review for water, wastewater, flood control and stormwater services. The presentation will provide an update on work to date and outline on a completion deadline. The report is being presented for Commission discussion and feedback. A PowerPoint presentation will be provided at the time of the regular meeting.

Information

At the Commission's May 7, 2018 regular meeting, QK Associates, Inc. was awarded a service contract to perform work associated with Alameda LAFCO's second cycle of the State-mandated sphere of influence updates and related municipal service reviews. This item provides notice of work to date by the firm in preparing the calendared study.

Commission Review

The item is being presented for information. QK Associates will provide a verbal report and PowerPoint presentation summarizing the work to date and as well as highlighting some of the anticipated policy issues underlining the study. Commission feedback is welcomed and will be utilized by staff and QK Associates in returning at a future meeting a draft municipal service review for approval.

Attachments: none

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TO: Alameda Commissioners
FROM: Rachel Jones, Executive Officer
SUBJECT: **Current and Pending Proposals**

The Commission will receive a report identifying active proposals on file with the Alameda Local Agency Formation Commission (LAFCO) as required under statute. The report also identifies pending local agency proposals to help telegraph future workload. The report is being presented to the Commission for information only.

Information / Discussion

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates LAFCOs with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving or disapproving boundary changes involving the formation, expansion, merger, and dissolution of cities, towns and special districts as well as sphere of influence amendments. It also includes overseeing outside service extensions. Proposals involving jurisdictional changes filed by landowners or registered voters must be put on the agenda as information items before any action may be considered by LAFCO at a subsequent meeting.

Current Proposals | Approved and Awaiting Term Completions

The following proposals were previously approved by Alameda LAFCO, but remain active given that not all approval terms established by the membership have been met. CKH provides applicants one calendar year to complete approval terms or receive extension approvals before the proposals are automatically terminated.

- **Reorganization of East Bay Municipal Utility District and City of Hayward**

The Commission has approved a proposal filed by the East Bay Municipal Utility District (EBMUD) involving 273 parcels within the City of Hayward and the unincorporated communities of San Lorenzo and Fairview totaling 269.8 acres. The purpose of the proposal is to align EBMUD’s existing service area with its jurisdictional boundary and formalize public water services provided within the affected territory to the correct service provider. The Commission approved the proposal without amendments on November 11, 2018 and subsequently granted a one-year time extension at its September 12, 2019 meeting. Terms

remain outstanding as to date and therefore remains active.

▪ **Annexation of 4592 Tesla Road et al to the City of Livermore**

The Commission has approved a proposal filed by the City of Livermore involving three unincorporated parcels totaling 79.4 acres. The purpose of the proposal is to stop the discharge of industrial and domestic waste due to a failing septic system and to alleviate budding environmental health concerns. The Commission approved the proposal with amendments on September 20, 2018 and subsequently granted a one-year time extension at its September 12, 2019 meeting. Terms remain outstanding as to date and therefore remains active.

▪ **Annexation of Bayside Newark | Union Sanitary District**

The Commission has received a proposal by developer (Lennar Homes) on behalf of the affected landowners requesting annexation approval of 297 parcels located within the city of Newark to the Union Sanitary District. The affected territory is approximately 57.5 acres in size and is currently in the development of 2,500 mixed-use housing units. The purpose of the annexation is to provide wastewater services to a planned residential area. The Commission approved the proposal without amendments on May 9, 2019. Terms remain outstanding as to date and therefore remains active.

Current Proposals | Under Review and Awaiting Hearing

There are currently no active proposals on file with the Commission that remains under administrative review and awaits a hearing as to date of this report.

Pending Proposals

There are no potential new proposals at the moment that staff believes may be submitted to the Commission from local agencies based on ongoing discussions with proponents within the last two years.

The Commission is invited to discuss the item and provide direction to staff on any related matter as needed for future discussion and or action.

Attachments: none

AGENDA REPORT

January 16, 2020

Item No. 15b

TO: Alameda Commissioners

FROM: Rachel Jones, Executive Officer

SUBJECT: Progress Report on 2019-2020 Work Plan

The Alameda Local Agency Formation Commission (LAFCO) will receive a progress report on accomplishing specific projects as part of its adopted work plan for 2019-2020. The report is being presented to the Commission to formally receive and file as well as provide direction to staff as needed.

Background

Alameda LAFCO's current strategic plan was adopted following a planning session on September 22, 2017. The strategic plan is anchored by seven key priorities that collectively orient the Commission to proactively fulfill its duties and responsibilities under the Cortese-Knox-Hertzberg Act of 2000 in a manner responsive to local conditions and needs. These goals and their attendant objectives, which premise individual implementation strategies, are summarized below.

1. Island Annexations
2. Water Supply, Availability and Alternative Options
3. Accommodate Population Growth while Maintaining Quality of Life
4. Agriculture and Open Space Preservation and Urban Growth Boundaries
5. Climate Change Adaptation
6. LAFCO Independence and Other Operational Improvements
7. Comprehensive Study of Unincorporated Areas Focusing on Disadvantaged Unincorporated Communities (DUCs)

On May 9, 2019, Alameda LAFCO adopted the current fiscal year work plan at a noticed public hearing. The work plan is divided into two distinct categories – statutory and administrative – with one of three priority rankings: high; moderate; or low. The underlying intent of the work plan is to serve as a management tool to allocate Commission resources in an accountable and transparent manner over the corresponding 12-month period that pulls from the seven key priorities in the Commission's 2018-2020 Strategic Plan. Further, while it is a standalone document, the work plan should be reviewed in relationship to the adopted operating budget given the planned goals and activities are facilitated and or limited accordingly.

The item provides the Commission with a status update on two-dozen plus targeted projects established for the fiscal year with a specific emphasis on the “top ten” projects that represent the highest priority to complete during the fiscal year as determined by the membership. This includes identifying the projects already completed, underway, or pending in the accompanying attachment. The report and referenced attachment are being presented for the Commission to formally receive and file while also providing additional direction to staff as appropriate.

Discussion

The Commission has initiated work on thirteen of the two-dozen plus projects and has completed five projects included in the adopted work plan. This includes the completion of high priority projects and highlighted by conducting the 2017-2018 audit, the dissolution of inactive special districts, and adopting a study schedule. Other notable items underway include the general municipal service review on water, wastewater, and stormwater services, GIS mapping project, and an informational report on disadvantaged unincorporated communities to be presented at the Commission’s March regular meeting.

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Accept and file the report as presented.

Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff for more information as needed.

Recommendation

It is recommended the Commission proceed with Alternative Action One.

Respectfully,



Rachel Jones
Executive Officer

Attachments:

1. 2019-2020 Work Plan

Priority	Urgency	Type	Status	Project	Key Issues	Status
1	High	Administrative	Rollover	MOU Update with County of Alameda	Update existing MOU with the County of Alameda to reflect current agency relationships/needs	C
2	High	Statutory	Rollover	General MSR on Water, Wastewater, and Stormwater Services	First Service Specific MSR since 2006 Address Infrastructure Needs and Efficiencies and Sustainability	U
3	High	Administrative	New	Staff Recruitment, Placement and Training	Recruitment and Training of LAFCO Commission Clerk and Analyst	P
4	Moderate	Administrative	New	2017-2018 Audit	Verify Fund Balance; First Audit in Ten Years	C
5	Moderate	Statutory	New	Dissolutions of Inactive Special Districts	Implement Regulatory Functions; SB 448	C
6	Moderate	Statutory	New	Special District Member Elections	Conduct Special District Member Elections to Ensure LAFCO Representation	C
7	Moderate	Statutory	New	Study Schedule Update	Improve Efficiency and Effectiveness of Commission Operations and Transparency	C
8	Moderate	Statutory	New	General MSR on Fire Protection and Emergency Services	Second MSR on Fire and Emergency Services since 2006 Address Shared Opportunities	U
9	Moderate	Statutory	Rollover	Sphere Update for City of Pleasanton	Implement Planning Functions; Update SOIs of Local Government Agencies; Cities MSR	P
10	Moderate	Statutory	Rollover	Informational Report on Disadvantaged Unincorporated Communities	Develop and Implement Special Study of Unincorporated Areas focusing on DUCs; Consider Policies	U
11	Moderate	Administrative	New	Prepare Informational Report on JPAs	Post Enactment of SB 1266; Enhance Repository on Local Government Services	P
12	Moderate	Administrative	New	LAFCO Presentations	Introductory Overview of LAFCO's Duties and Responsibilities to Boards, Councils, Community Groups	U
13	Moderate	Administrative	New	Update Application Packet	Current Application Dated; Make User Friendly	P
14	Moderate	Administrative	Rollover	Prepare Informational Report on Unincorporated Islands	Map all Unincorporated Islands and Examine Island Annexation Implementation Issues in Alameda County	P
15	Moderate	Statutory	New	Alameda County Resource Conservation MSR	Last MSR conducted in 2013; Open space land preservation	P
16	Moderate	Administrative	Rollover	Informational Report on Fairview Fire Protection District	Status Report on District Activities	U
17	Low	Administrative	New	Policy Review on Agricultural Protection and Out of Area Service Agreements	Periodical review of existing policies relative to practices and trends, and determine whether changes are appropriate to better reflect current preferences	P
18	Low	Statutory	New	Master Property Tax Exchange Agreement	Improve Efficiency and Effectiveness of Application Process	P
19	Low	Administrative	Rollover	Informational Report on Remen Tract	Special Report on Service Delivery Feasibility	P
20	Low	Administrative	Rollover	Digital Archiving	Continue Project to Digitize LAFCO Records	U
21	Low	Administrative	Rollover	CALAFCO Legislative Committee	Enhance and Clarify LAFCO Authority and Powers to Perform its State-Mandated Responsibilities	U
22	Low	Administrative	New	Host Alameda County Special District Association Meeting	Communicate LAFCO's Mission and Goals to the Community	P
23	Low	Administrative	New	LAFCO Annual Report on Status of County	Evaluate LAFCO's Mission and Goals Relative to Local Conditions; Identify Strategies to Achieve Shared Objectives	P
24	Low	Administrative	New	GIS Mapping Project	CDA to Create a LAFCO GIS Layer for All Local Agencies under LAFCO Purview	U
25	Low	Administrative	New	LAFCO Agency Logo	Establish New Agency Logo for Branding (Website, Publications, etc.)	P
26	Low	Administrative	New	Local Agency Directory	User Friendly Publication Identifying and Summarizing Local Government Agencies and Services in Alameda County	P

Status Notations: C: Completed U: Underway P: Pending

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December 2, 2019

Alameda LAFCo
1221 Oak St., Suite 555
Oakland, CA 94612

Dear Chair and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and/or staff the opportunity to attend the CALAFCO 2019 Annual Conference in Sacramento.

We understand that prioritizing expenditures can be challenging. Ensuring you and your staff have access to ongoing professional development and specialized educational opportunities, allows all of you the opportunity to better serve your commission and fulfill the mission of LAFCo. The sharing of information and resources among the LAFCo commissioners and staff statewide serves to strengthen the LAFCo network and creates opportunities for rich and value-added learning that is applied within each LAFCo.

Thank you again for your participation in the CALAFCO 2019 Annual Conference, I hope you found it a valuable experience. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,



Pamela Miller
Executive Director