

CONNECTING TO CITY OF PLEASANTON WATER / SEWER SERVICES (Out of area service Agreement / Pre-annexation Agreement)

Owners of certain properties located in unincorporated Alameda County may request to connect to the City of Pleasanton's water and/or sewer services to serve their existing residences.

The City of Pleasanton is not obligated to provide water and sewer services to residences in unincorporated Alameda County. However, water and sewer connections can be made when certain local and state requirements are met.¹ In those circumstances, applicants must comply with all the terms and conditions set forth in the out of area service agreement (OASA). As one of the criteria is the eventual annexation of the property to the City of Pleasanton, this is alternately referred to as a Pre-Annexation Agreement.

Applications for connection to City of Pleasanton water and sewer service are reviewed on a case-by-case basis. Prior to proceeding with such application, you must discuss your request with the City of Pleasanton Planning Division and Engineering Department staff to determine if water and sewer lines and capacity are available, and if your property meets local and statutory requirements.

STATUTORY REQUIREMENTS

California law requires Local Agency Formation Commission (LAFCo) approval prior to the City of Pleasanton entering into an out of area service agreement with property owners to provide water and sewer services outside of the City's boundaries. The City of Pleasanton is located in Alameda County, therefore Alameda County LAFCo oversees the OASA applications. LAFCo is authorized to approve, with or without amendments, out of area service agreements.

What / Who is LAFCo?

The Local Agency Formation Commission (LAFCo) is an agency created by state law that exists within each county. LAFCo's mission is to encourage orderly growth and development. The Alameda County LAFCo Commission consists of seven commissioners: two members of the Alameda County Board of Supervisors, two City Council members or Mayors, two presiding officers or board members of special districts, and one public member. For more information on Alameda LAFCo go to: <https://lafco.acgov.org>.

OTHER LOCAL REQUIREMENTS

In addition to LAFCo's approval, requests to connect to the City of Pleasanton's sewer system requires the approval from Livermore-Amador Valley Water Management Agency (LAVWMA). LAVWMA is a joint powers agency created in 1974 by the cities of Livermore and Pleasanton and the Dublin San Ramon Services District (DSRSD) for the purpose of discharging their treated wastewater to San Francisco Bay.

¹ One of the requirements of state law is that the property within unincorporated Alameda County seeking connection to City of Pleasanton water and/or sewer service must be within the City of Pleasanton's Sphere of Influence. This sphere is territorial area that the City of Pleasanton is anticipated to serve. Contact the City of Pleasanton Planning Division to determine if your property is within the City of Pleasanton's Sphere of Influence.

PROCESS

Property with an existing residence requesting water and/or sewer service from the City of Pleasanton must be an existing property of record. The City's local policies will not consider requests to provide water and/or sewer service to vacant lots created as a result of subdivision, nor to new development.

Criteria Use in Evaluating Requests

The City's evaluation of requests for water and/or sewer service include the following factors:

- Has the applicant shown definitively that there is no alternative to serve the site (i.e. why can't existing residence be served by on-site well and septic);
- Whether the request is related to public safety and health concerns;
- If existing on-site septic system failed, cannot be repaired or replaced, and must connect to a municipal sanitary sewer system, a written verification letter from the Alameda County Department of Environmental Health must be obtained and submitted as part of the application;
- Whether the extension of municipal utility services will be growth inducing; and
- Whether the lot, if vacant, is developable, and what will be the standards.

Application and Pre-Annexation Agreement

A property owner requesting water and/or sewer service from the City is required to enter into a Pre-Annexation Agreement. Applicants must pay the required application fee, and provide the following as part of the application:

- A cover letter stating reasons for the connection(s);
- If it is related to a failed septic system, a letter from Alameda County Department of Environmental Health verifying that the septic system cannot be repaired or replaced, and that the residence must be connected to a municipal sewer system;
- A financial statement stating responsibility for all associated costs;

Once an application is deemed complete, City of Pleasanton staff will prepare an analysis of the request and schedule a public hearing before the City Council. The required Pre-Annexation Agreement will also be presented to the City Council as part of the request.

The Pre-Annexation Agreement for water and/or sewer connection(s) typically includes the following financial responsibilities:

- pay utility connection fees;
- pay all costs associated with making physical connections to City utility services in a manner consistent with City standards in the determination of the City Engineer or designee;
- pay a 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.);
- *for property in unincorporated Happy Valley*, pay pro-rata share of water and sewer infrastructure previously installed;
- pay all City and County processing fees for LAFCo and LAVWMA.

Additionally, a Pre-Annexation Agreement will require the following from the applicants:

- agree to (or vote in favor if) any future proposed annexation of the property to the City;
- obtain City design review approval for any future addition or alteration to the property requiring a building permit from the County; and
- agree to not subdivide the property.

If the City Council denies the application, there is no further appeal possible. If the City Council approves the application, the applicant will need to proceed to preparation of applications to LAFCo and LAVWMA.

LAFCo Application

LAFCo is a separate agency from the City, and has the authority to reject, approve, or condition applications which the City has approved. The applicant is responsible for all LAFCo application fees and submittal requirements. Once LAFCO determines the application is complete, a public hearing will be scheduled and LAFCo Board will act on the matter. The applicant is required to attend the relevant LAFCo hearing. Please refer to LAFCO website at: <https://lafco.acgov.org/application.page> for application submittal and fee requirements. Following LAFCo approval, the Pre-Annexation Agreement will be recorded with Alameda County Recorder's Office.

LAVWMA Approval

No specific application is required by LAVWMA. City staff will reach out to LAVWMA for the requested connection. Applicant is required to attend relevant LAVWMA meeting.

Connection Fees and Other Costs

For information about connection fees, application fees and other costs, please review the [Fee Schedule](#).