

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 2018-08**

**REAFFIRM THE EXISTING SPHERE OF INFLUENCE FOR THE CITY OF HAYWARD**

**WHEREAS**, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code Section 56425(g) requires that LAFCo review and update the adopted SOI boundaries, as necessary, every five years; and

**WHEREAS**, Government Code Section 56430 requires that a municipal services review be conducted prior to or in conjunction with a SOI update; and

**WHEREAS**, LAFCo conducted a Cities Municipal Services Review of the services provided by the 14 cities in Alameda County and adopted written determinations as required by Government Code Section 56430 on January 11, 2018; and

**WHEREAS**, the update of the City of Hayward's sphere of influence is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) which states that an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The sphere update is further exempt from CEQA pursuant to Section 15378(b)(5) which states that organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment are not considered projects under CEQA; and

**WHEREAS**, the City of Hayward provides animal control, fire and emergency response, law enforcement, library, lighting, parks and recreation, planning/building, and streets. Other services, such as solid waste, are provided under contract with other service providers; and

**WHEREAS**, the City of Hayward incorporated in 1876; and

**WHEREAS**, the City lies in the western portion of Alameda County, bordered by the cities of Union City and Fremont to the south, with unincorporated Alameda County surrounding the remainder of the City; and

**WHEREAS**, Hayward's SOI was established by LAFCo in 1978 and the SOI was amended in subsequent years; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the City's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission; and

**WHEREAS**, the SOI update was duly considered at a public hearing held on January 11, 2018; and

**WHEREAS**, at the public hearing all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Alameda LAFCo hereby:

1. Finds this SOI update is categorically exempt under Section 15061(b)(3) and Section 15378(b)(5) of the CEQA Guidelines.
2. Reaffirms the existing SOI for the City of Hayward, which is not coterminous with the jurisdictional boundary, as generally depicted in Exhibit A attached hereto.
3. Considered the criteria set forth in Government Code Section 56425(e) and determines as follows:

<b>Criteria</b>	<b>Determination</b>
<i>The present and planned land uses (including agricultural and open-space lands)</i>	The City of Hayward plans for a variety of urban uses within its boundary, representing a continuation of the current mix of uses, including residential, commercial, industrial, open space, and downtown/city center. Present and planned land uses are adequate for existing residents as well as future growth, as demonstrated in the General Plan (2014).
<i>The present and probable need for public facilities and services</i>	There are no anticipated changes in the type of public services and facilities required within the SOI for the City of Hayward. The level of demand for these services and facilities, however, will increase commensurate with anticipated population growth over the next five years.
<i>The present and probable future capacity of public facilities and services</i>	The present capacity of public facilities in the City of Hayward appears adequate. The City anticipates it will continue to have adequate capacity during the next five years.
<i>The existence of any social or economic communities of interest if the commission determines that they are relevant to the agency</i>	Not all communities of interest within the City’s municipal boundary are included within the SOI as the SOI is smaller than the municipal boundary. The unincorporated communities of Castle Homes and Fairview are considered communities of interest because they receive water, sewer, and fire protection services from the City of Hayward.
<i>For an update of an SOI of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence</i>	The City of Hayward provides structural fire protection, water, and sewer facilities and services within its SOI; water is also provided by East Bay Municipal Utility District. There are no DUCs within or contiguous to the SOI for the City of Hayward and therefore no present or probable need for these facilities and services for DUCs.

4. Direct staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

\* \* \* \* \*

This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at a regular meeting held on January 11, 2018 at the Dublin San Ramon Services District, 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Sblendorio, seconded by Commissioner Miley, and duly carried.

Ayes: 7 (Haggerty, Johnson, Marchand, Miley, Sblendorio, Thorne, Wieskamp)

Noes: 0

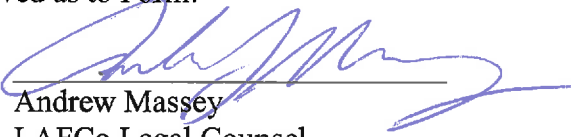
Abstain: 0

Absent: 0



Ayn Wieskamp, Chair  
Alameda Local Agency Formation Commission

Approved as to Form:

By:   
Andrew Massey  
LAFCo Legal Counsel

**CERTIFICATION:** I hereby certify that the foregoing is a correct copy of a resolution adopted by the Alameda Local Agency Formation Commission, Alameda County, Oakland, California.

Attest:   
Mona Palacios, LAFCo Executive Officer

Date: 1/12/2018

# City Limits and Sphere of Influence Boundaries for the City of Hayward

Exhibit A

