

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2006-40**

**ADOPTING A 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(f) requires that LAFCo review and update the adopted SOI boundaries, as necessary, not less than once 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 municipal services review of the services provided by the City of Hayward and adopted written determinations as required by Government Code Section 56430 on May 11, 2006; and

WHEREAS, the City of Hayward provides police, fire, paramedic, retail water, wastewater, stormwater, library, street maintenance, and street sweeping services directly; and contracts with other providers for ambulance transport, street light maintenance, traffic signal maintenance, and solid waste collection services; 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

WHEREAS, Hayward's SOI was established smaller than its bounds, excluding the eastern arm of the City which includes a portion of the Pleasanton Ridge Regional Park; and

WHEREAS, there is a small overlapping SOI area that resulted from an SOI amendment approved for neighboring Union City without a reciprocal SOI action taken for Hayward; this area has not been removed from Hayward's SOI but has been annexed to Union City; and

WHEREAS, an amendment to Hayward's SOI, which was approved by LAFCo in May 2002 as part of the Castro Valley incorporation process, removed the Five Canyons development area north of the City from Hayward's SOI; and

WHEREAS, unincorporated islands lie within Hayward's SOI and Hayward is studying annexations in several areas: the Mt. Eden area (includes Saklan Road, Dunn Road and Depot Road) and other fringe areas along Foothill Boulevard and West A Street; and

WHEREAS, on November 12, 2004, the City filed an application to annex three of five islands in the Mt. Eden area—Saklan Road, Dunn Road and Depot Road—to provide city services and infrastructure improvements; and

WHEREAS, there have been 53 annexations into the City bounds since SOI adoption involving territory in the SOI; 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 regarding the location of this SOI map; and

WHEREAS, the SOI adoption was duly considered at a public hearing held on July 13, 2006; and

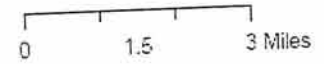
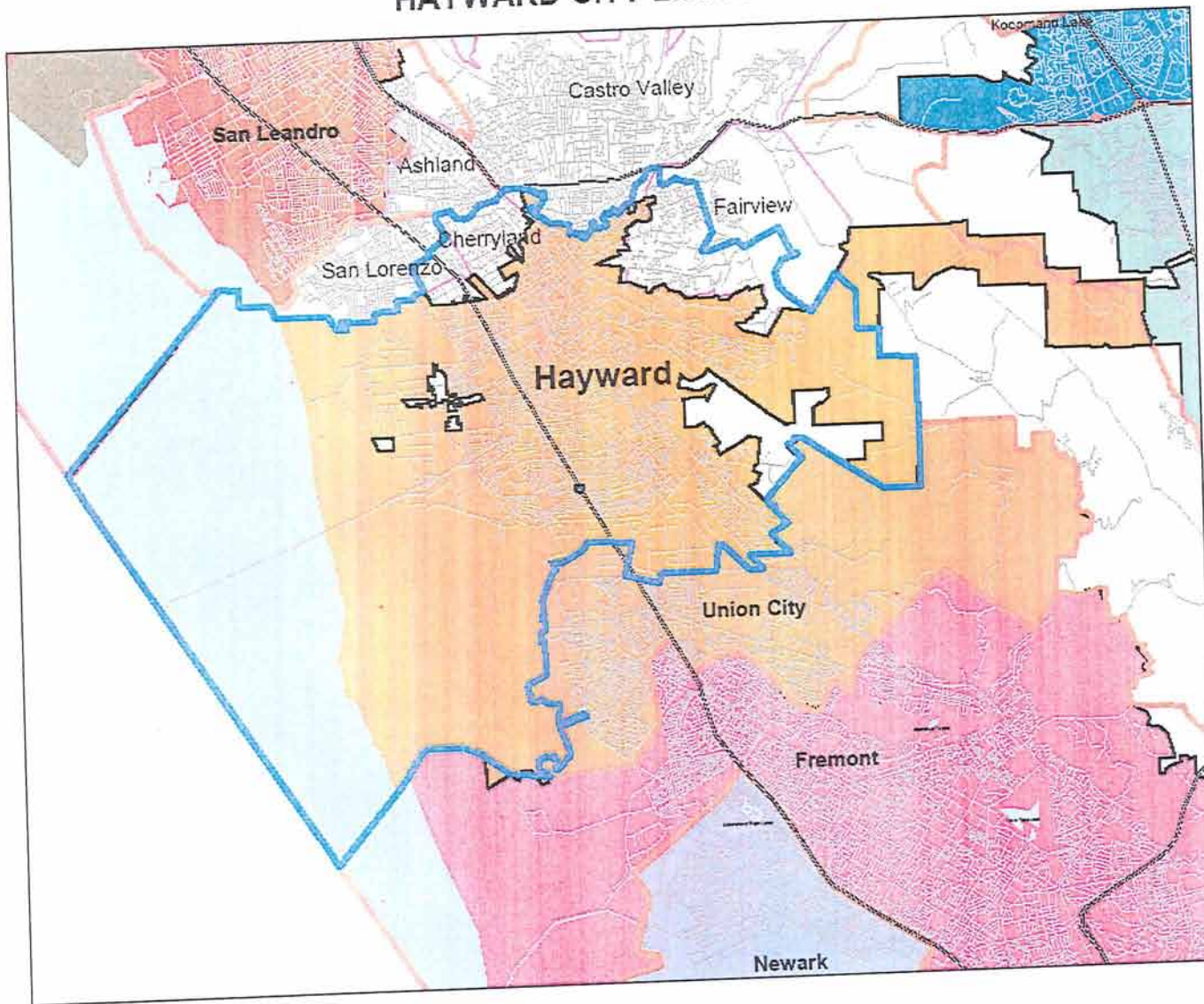
WHEREAS, the Alameda LAFCo heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said action.

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

1. Reduce the SOI for the City of Hayward to exclude the area which overlaps with Union City, and expand the SOI to include the Five Canyons area as generally depicted in Exhibit A attached hereto.
2. Adopt the following SOI Policy:
 - Policy Recommendation #1: LAFCo shall encourage the City of Hayward to annex, where appropriate, various islands and fringe areas including those currently receiving service
3. Consider the criteria set forth in Government Code Section 56425(e) and determine as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands* – Roughly one third of the boundary area consists of open space including baylands and rangelands; however, much of the rangelands lie outside the SOI. Within the developed urban portion of the City limits, the primary uses are institutional/public (31 percent of the area), residential (29 percent of the area), industrial (14 percent), and miscellaneous rights-of-way and channels (15 percent). There is modest commercial use (five percent of the urban area). There are substantial rangelands (5 square miles) and baylands (nine square miles) within the City's boundary area; however, much of the rangelands lie outside the City's SOI. Hayward voters approved a measure limiting density and development in eastern hillside areas and the baylands. The SOI is consistent with planned land uses.
 - b. *The present and probable need for public facilities and services in the area* – The population in the City is expected to continue to grow. In Hayward, potential residential growth areas include the Eden Shores area and redevelopment areas in the Downtown and Burbank vicinities and the Mission-Foothills and Mission-Garin areas along Mission Boulevard and near the South Hayward BART station. There are 419 vacant acres in southwest Hayward, a potential commercial and industrial growth area. The City expects growth in the unincorporated island areas once the City provides utility services: residential growth in the Mission-Garin, Mt. Eden and La Vista Quarry areas and nonresidential growth in the Depot and Dunn Roads areas.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – For the most part, municipal services provided in the City are adequate with the exception of water and street service. City water supplies may not be adequate to meet long-term customer demands during a drought. The City has issued resolutions encouraging SFPUC to diversify its water source to reduce the effects of a drought. Hayward water storage is for short-term emergencies only. The street pavement backlog per street mile in the City is relatively high compared with other jurisdictions. The City conducts productivity monitoring to improve service efficiency.
 - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* - Neighborhood planning areas include North Hayward,

Exhibit A

HAYWARD CITY LIMITS & SOI



Alameda County Reference Map

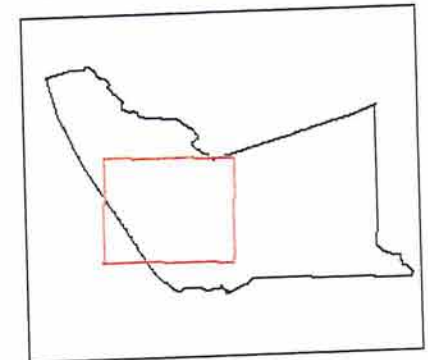
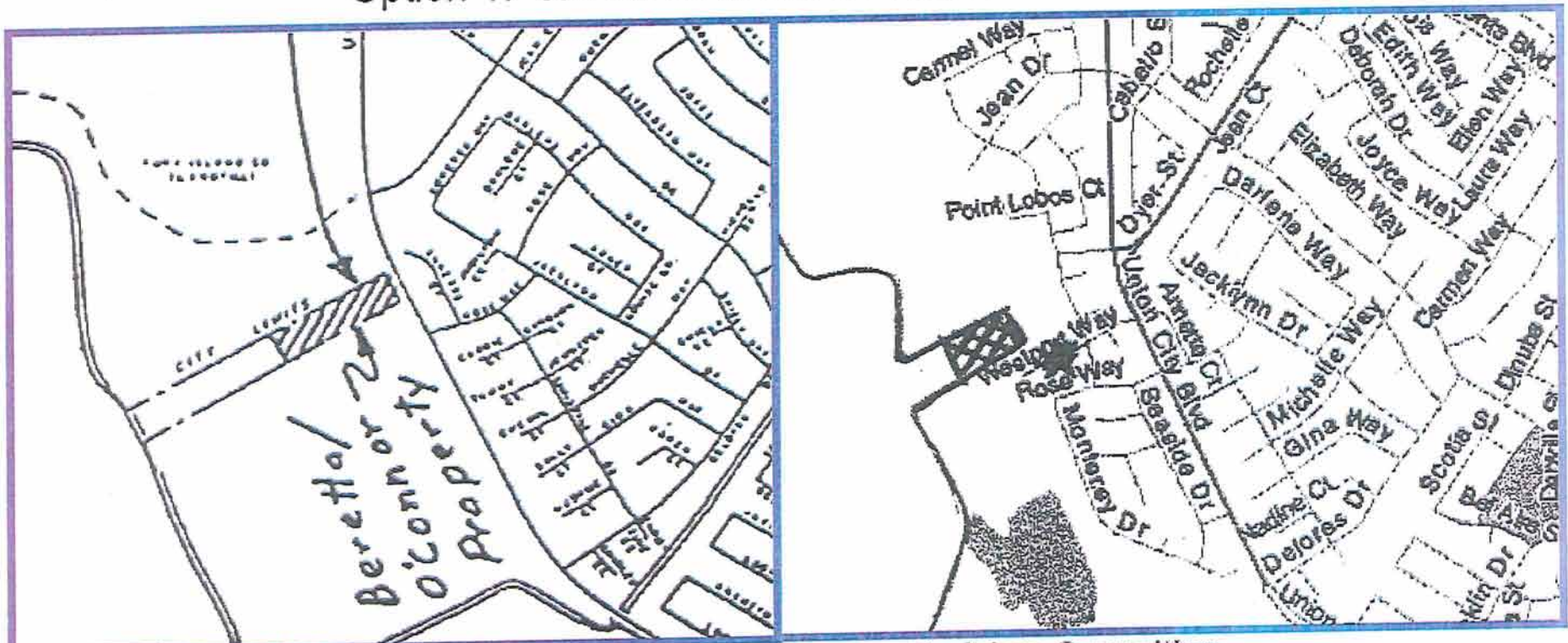


Exhibit A

Hayward-Union City SOI Overlap Detail

Option 1: 5.3 acres would be removed from SOI



Source: Alameda LAFCo Archive File

Source: Graichen Consulting

Exhibit A

