

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2004-36**

**APPROVING THE UPDATE OF THE SPHERE OF INFLUENCE FOR THE
FAIRVIEW FIRE PROTECTION DISTRICT**

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

WHEREAS, Government Code Section 56425(f) requires that LAFCo review and update the adopted sphere of influence 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 sphere of influence update; and

WHEREAS, LAFCo conducted a municipal services review of the services provided by the Fairview Fire Protection District and adopted written determinations as required by Government Code Section 56430 on September 16, 2004; and

WHEREAS, the Fairview Fire Protection District's sphere of influence is currently coterminous with its service boundaries; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the District's sphere of influence; 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 sphere of influence map;

WHEREAS, the sphere of influence update was duly considered at a public hearing held on November 4, 2004; 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 verification action.

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

1. Approve and affirm the existing the sphere of influence for the Fairview Fire Protection District as generally depicted on Exhibit A attached hereto.
2. 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* – The area includes a range of land uses including open space land. The SOI is consistent with land uses approved by the County, which has land use authority within District boundaries. The District has no authority over land use. The District also lies within the planning area for the City of Hayward SOI. City and County policies support the provision of adequate fire and paramedic services. The areas included with this sphere of influence update do not affect agricultural lands. No change to the present or planned uses will result from this sphere of influence update.

- b. *The present and probable need for public facilities and services in the area* – Services are currently being provided and need to be continued. No changes in public facilities or services provided by the District will result from this sphere of influence update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The average response time for the District is approximately five minutes, which is comparable to the Alameda County median response time. Fire services are provided by the City of Hayward. The City has an Insurance Service Organization (ISO) rating of 3. The cost of service in the District is less than the countywide median. The condition of the District’s facilities is adequate. The sphere of influence update will not affect the present capacity of public facilities and adequacy of public services or the services provided by the District.
- 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* - The District offers local governance in this unincorporated area, allowing the area to receive fire and EMS service from its selected provider. Commuters and Hayward residents are also service users. The sphere of influence update will not affect the existence of any social or economic communities of interest in the area that are relevant to the District.
- e. *The existence of agricultural preserves or other important agricultural or open space land in the area which could be considered within an agency's SOI, and the effect on maintaining the physical and economic integrity of such resources in the event that such resources are within a SOI of a local governmental agency* – Fire and paramedic services are needed in all areas, are already being provided, and do not, by themselves, induce or encourage growth on agricultural or open space lands. The SOI will not adversely affect agricultural or open space land or be growth inducing. No Williamson Act contracts will be affected.
- f. *Nature, location, extent, functions & classes of services to be provided* - The District provides fire suppression and prevention, paramedic, rescue services, fire inspections, fire hydrant installations, public education and community relations, and weed abatement pursuant to a contract with City of Hayward. It also participates in mutual or automatic aid agreements with other agencies.

3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the sphere of influence update is categorically exempt under Section 15061(b)(3) of the CEQA Guidelines.

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 November 4, 2004, at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Foulkes, seconded by Commissioner Combs, and duly carried.

Ayes: 6 (Commissioners Butler, Combs, Foulkes, Miley, Pico, and Steele)
 Noes: 0
 Excused: 1

/Robert Butler/
 Robert Butler, Chair
 Alameda Local Agency Formation Commission

Approved as to Form:

By: 

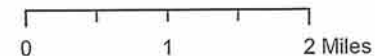
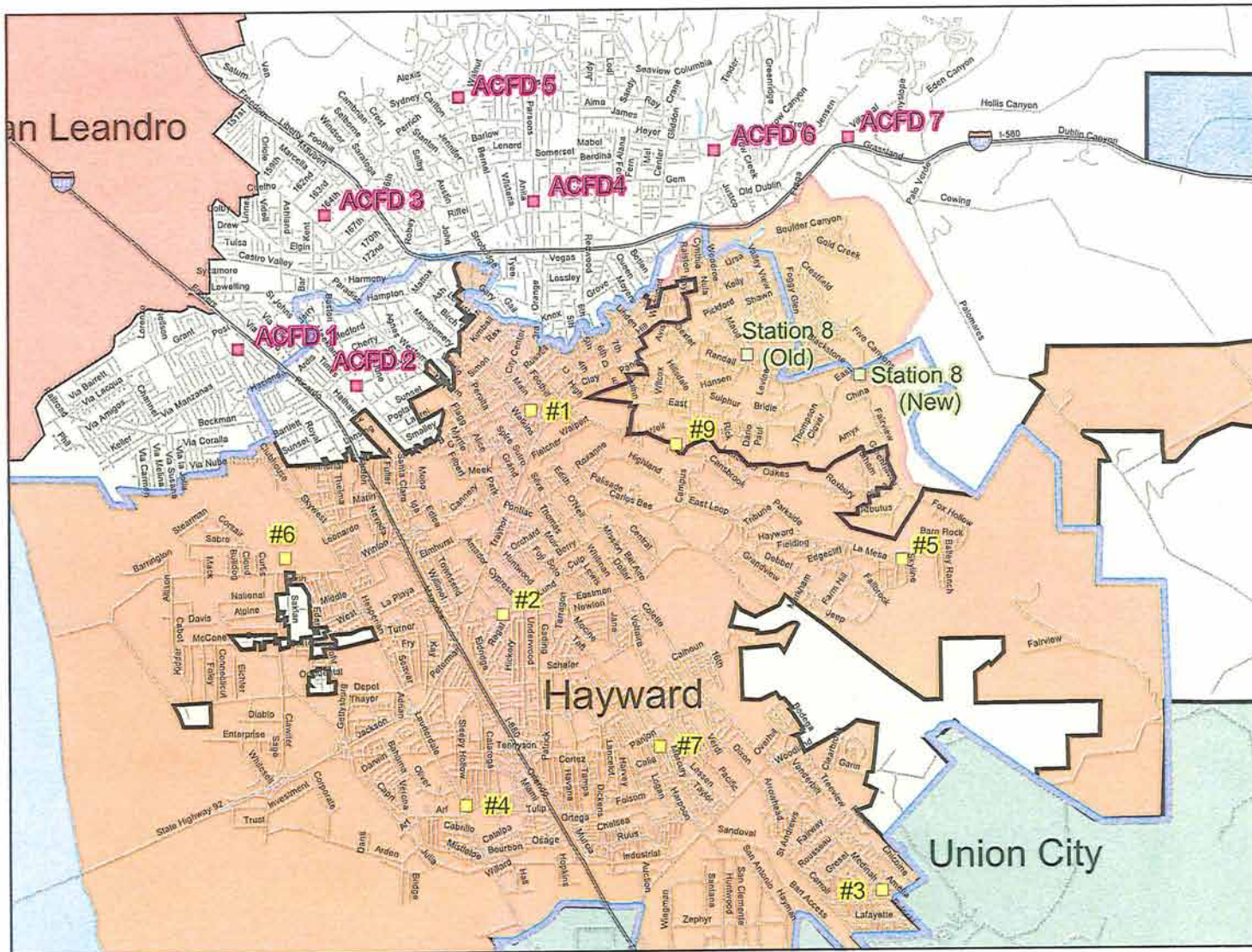
Lorenzo E. Chambliss
LAFCo Legal Counsel

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

Attest: 
Lou Ann Teixeira, Executive Officer

Date: 12/7/04

FAIRVIEW FIRE DISTRICT



Legend

- County Fire
- Hayward Fire
- Fairview Fire
- Interstates
- Streets
- Fairview Fire District
- City Limits
- Hayward SOI
- Hydrology
- Alameda Unincorporated

Alameda County Reference Map

