

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2006-41**

**APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE
CITY OF NEWARK**

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 Newark and adopted written determinations as required by Government Code Section 56430 on May 11, 2006; and

WHEREAS, the City of Newark provides police, fire, paramedic, stormwater, park, recreation, street maintenance, and street sweeping service directly; and contracts with private companies for ambulance transport, street light maintenance and solid waste collection; and

WHEREAS, the City of Newark incorporated in 1955; and

WHEREAS, the City lies in the southwestern portion of Alameda County, bordered entirely by the City of Fremont; and

WHEREAS, LAFCo established the City of Newark's SOI in 1979 coterminous with the City's bounds; and

WHEREAS, there have been no subsequent LAFCo actions affecting Newark's SOI or boundary; and

WHEREAS, no change in regulation, land use or development will occur as a result of reducing the District'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 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. Retain the existing coterminous SOI for the City of Newark as generally depicted in 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 – Existing land use is primarily residential, with higher density housing along Newark Blvd. and*

Thornton Ave. Key commercial areas are located at the southeastern corner and at the north end of the City. Industrial uses are along the western edge of the developed portion of the City. The extreme western side is dominated by salt processing facilities. Open space and undeveloped land is located along the west and northwest side. The SOI is consistent with planned land uses. Open spaces along the City's western edge include lands under control of the San Francisco Bay National Wildlife Refuge. Cargill Salt's crystallization ponds are classified as open space lands. Some vacant sites on the west and northwest sides of the City are on sites classified as potential wetlands.

- b. *The present and probable need for public facilities and services in the area* – The population in the CSA is expected to continue to grow. Growth opportunities include commercial development potential at six infill areas including the New Park Mall area and adjacent lands, mixed-use development at Cedar Boulevard and redevelopment in the Historic Newark area.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – Fire and paramedic, police, stormwater, street, park, and library services provided in the city are adequate. 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* – Communities of interest include commercial shopping areas in the New Park Mall area (southeast) and Four Corners Community Center (north end of City), and Cargill Salt Company which operates salt evaporation and processing facilities (western).
 - 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* – No agricultural, open space or Williamson Act lands will be affected by approval of the proposed SOI as there are no proposed changes in SOI or service areas.
3. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), this SOI 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 July 13, 2006, at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Foulkes, seconded by Commissioner Kamena, and duly carried.

Ayes: 7 (Commissioners Combs, Foulkes, Steele, Miley, Lockhart, Kamena, and Sblendorio)>
Noes: 0
Excused: 0

 /Janet Lockhart/

Janet Lockhart, Chair, Alameda LAFCo

Approved as to Form:

By:

Brian Washington

Brian Washington, 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:

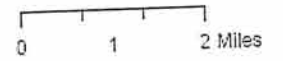
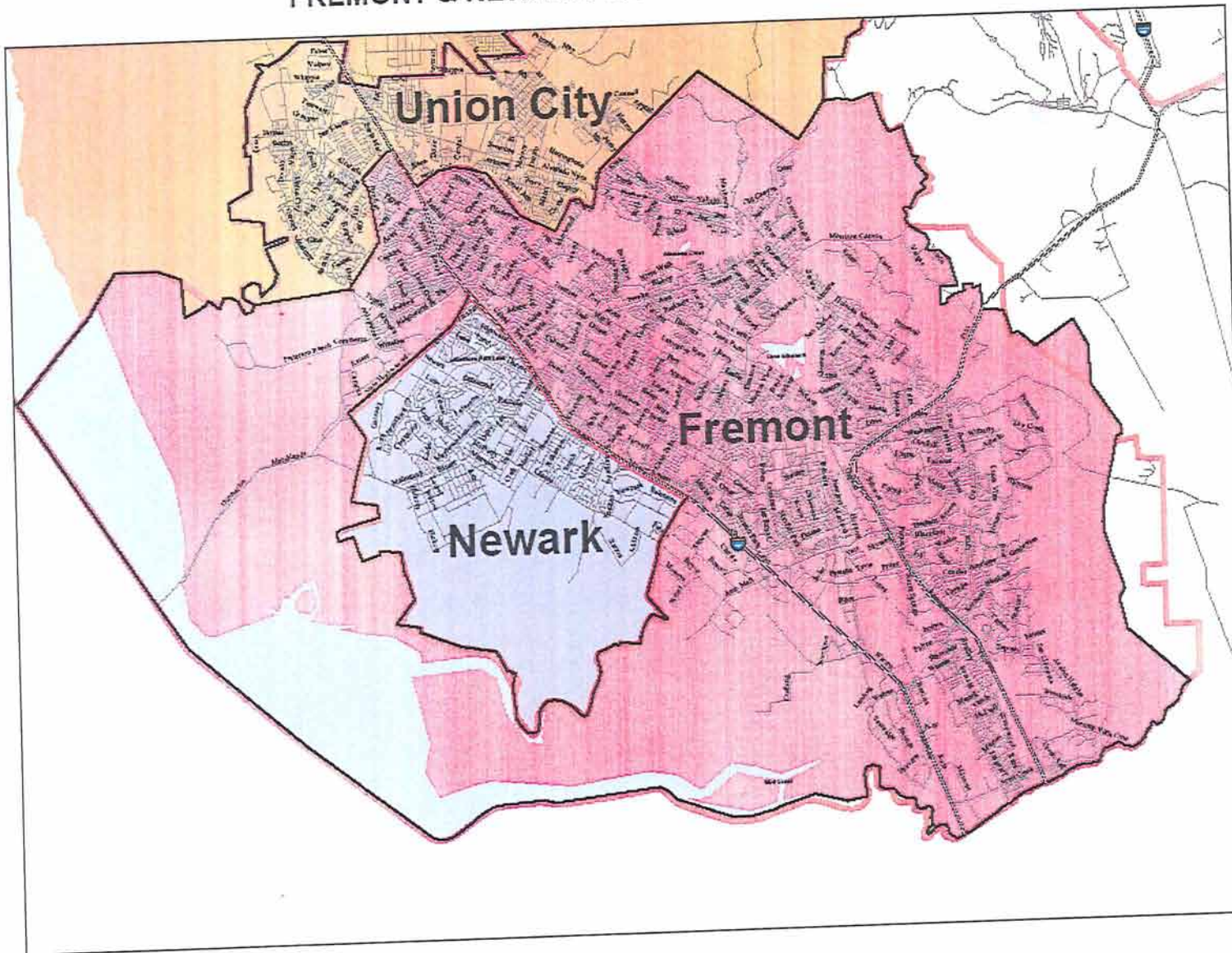
Crystal Hishida Graff
Crystal Hishida Graff, LAFCo Executive Officer

Date:

7/27/06

Exhibit A

FREMONT & NEWARK CITY LIMITS & SOI



Legend

- Interstates
- Streets
- City Limits
- SOI
- Hydrology
- Alameda Unincorporated

Alameda County Reference Map

