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 Executive Officer

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May 12, 2010 (Agenda)

May 12, 2010
 Agenda Item 9

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Cemetery, Parks & Recreation Services Sphere of Influence Updates

Dear Commissioners:

On April 21, the Commission accepted the Cemetery, Parks & Recreation Services Municipal Service Review (MSR) report and made the required determinations. The MSR report addresses services provided by the following local agencies: Alamo Lafayette Cemetery District (ALCD), Byron Brentwood Knightsen Union Cemetery District (BBKUCD), Ambrose Recreation & Park District (ARPD), Pleasant Hill RPD (PHRPD), Rollingwood Wilart Park RPD (RWPRPD), and County Service Areas (CSAs) M-16, M-17, M-29, M-30, R-4, R-7, R-9, and R-10. The Final MSR report is available on the LAFCO website at www.contracostalafco.org.

In conjunction with the MSR report, the Commission also approved SOI updates for ALCD, BBKUCD, and CSAs M-16, M-17, M-29 and R-10 as recommended by LAFCO staff; and directed staff to prepare the SOI resolutions for approval at the May 12 LAFCO meeting. The remaining SOI updates are pending further action by the Commission and/or the affected local agencies.

The SOI options and recommendations were presented and discussed in the MSR and LAFCO staff reports; the recommendations, as approved by the Commission on April 21 are summarized below:

Agency	SOI Update
ALCD	Adopt a provisional coterminous SOI pending further study by ALCD, and require ALCD to report back to LAFCO within 12 months regarding boundary and other issues identified in the MSR report.
BBKUCD	Adopt a provisional coterminous SOI pending further study by BBKUCD, and require BBKUCD to report back to LAFCO within 12 months regarding boundary and other issues identified in the MSR report.
CSA M-16	Retain existing coterminous SOI
CSA M-17	Retain existing coterminous SOI
CSA M-29	Retain existing coterminous SOI
CSA R-10	Retain existing coterminous SOI

RECOMMENDATION:

1. Adopt the attached resolutions approving SOI updates for ALCD, BBKUCD, and CSAs M-16, M-17, M-29 and R-10, and
2. As Lead Agency, determine that the SOI updates, as recommended by LAFCO staff, are exempt pursuant to §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments:

1. ALCD SOI Resolution/Map
2. BBKUCD Resolution/SOI Map
3. CSA M-16 Resolution/SOI Map
4. CSA M-17 Resolution/SOI Map
5. CSA M-29 Resolution/SOI Map
6. CSA R-10 Resolution/SOI Map

**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
ALAMO LAFAYETTE CEMETERY DISTRICT**

WHEREAS, Government Code §56425 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 §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

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

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by the Alamo Lafayette Cemetery District (ALCD), and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified three SOI options for the ALCD including retaining the existing coterminous SOI, expanding the SOI to include entire city and community bounds, and reducing the SOI to remove 21± acres (25 parcels) located within the City of Orinda; and

WHEREAS, ALCD's corporate boundary and SOI are coterminous and comprise 84± square miles; and

WHEREAS, it is hereby proposed that ALCD's SOI be retained as generally depicted on Exhibit A attached hereto; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating 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 SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on April 21, 2010; and

WHEREAS, the Contra Costa 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 Contra Costa LAFCO does hereby:

1. Retain ALCD's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:

- a. *Present and planned land uses in the area, including agricultural and open-space lands* - The District boundaries encompass a variety of land uses and business activities, as it includes a majority of the City of Lafayette and the Town of Danville, portions of the cities of Walnut Creek and

San Ramon, in addition to the unincorporated communities of Alamo, Blackhawk and Diablo, and a portion of the unincorporated community of Walden. The District has no land use authority. County and city plans include land uses and population growth that may impact the District's services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – Projected growth within the ALCD is expected to be low, less than one percent annually, over the next 10 years. This is consistent with other areas of central Contra Costa County. Build-out of the Dougherty Valley Specific Plan area in San Ramon will ultimately yield over 28,600 residents; approximately 70% of the residential units in this area have been permitted at this time. There is a present and probable need for ALCD services. No changes in public facilities or services provided by the District will result from this SOI update. Policy Issue: The District should report back to LAFCO within 12 months regarding boundary and other issues identified in the MSR report.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – No short-term needs were identified for the District. Assuming that planned additions of niches are completed in 2009-10, ALCD has 15-20 years of existing capacity based on recent burial/interment activity. The Alamo cemetery has reached capacity for in-ground burials; however, the District plans to add 370 niches in 2009-10. The Lafayette Cemetery has approximately 500 full-body plots remaining, and the District plans to add 160 niches in 2009-10. The SOI update will not impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – ALCD was formed in 1937, and serves the cities of Lafayette, Danville, portions of Walnut Creek and San Ramon; and the unincorporated communities of Alamo, Blackhawk and Diablo, and a portion of Walden. ALCD relies primarily on property taxes and service fees. The social and economic community of interest is those cities and communities served by ALCD. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – ALCD provides interment, grave maintenance and record upkeep services to the Alamo and Lafayette cemeteries. The Alamo cemetery is located in the Town of Danville and the Lafayette Cemetery in Lafayette.

PASSED AND ADOPTED THIS 12th day of May 2010, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

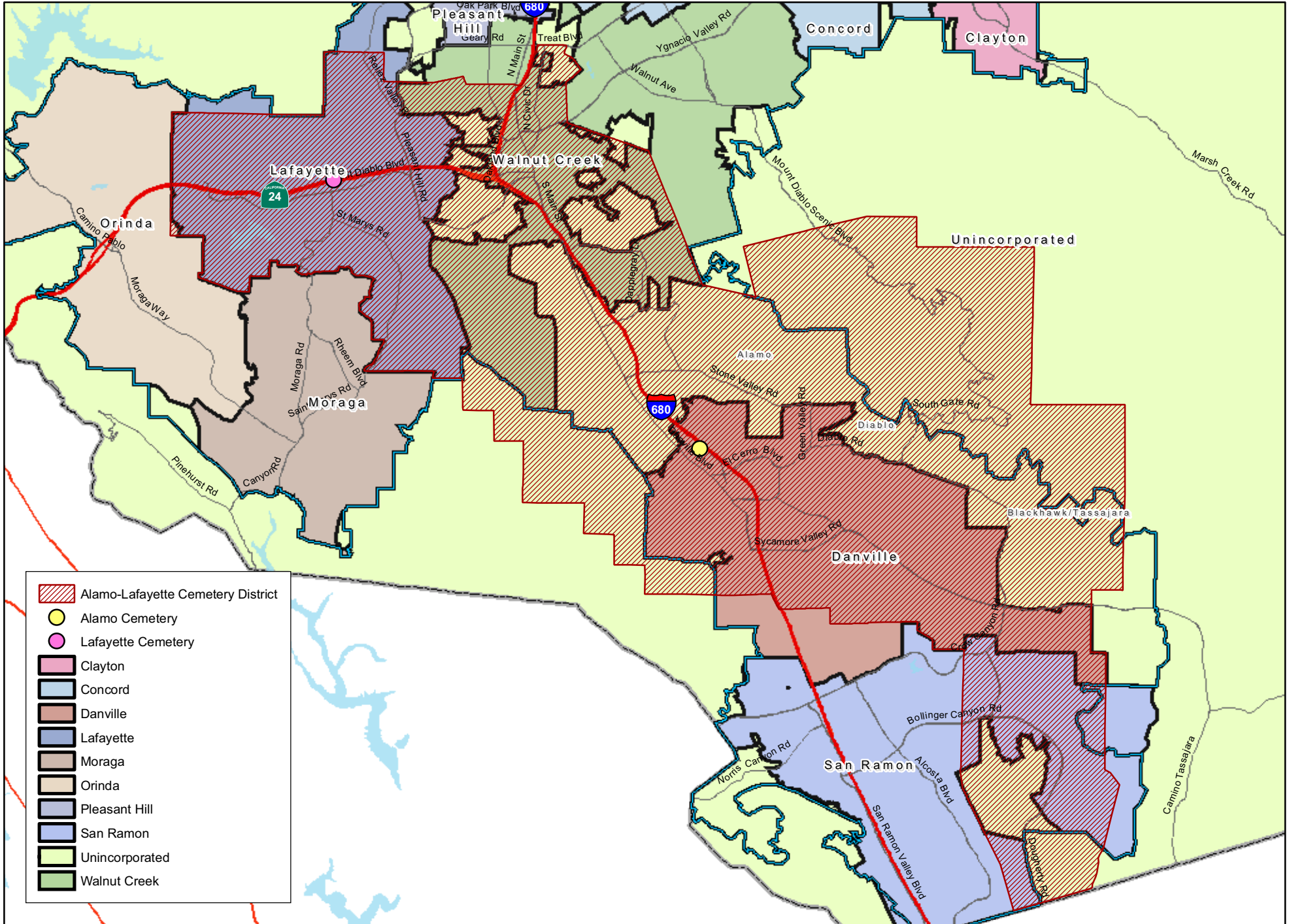
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.














Dated: May 12, 2010

Lou Ann Texeira, Executive Officer

Map 11-1

Alamo-Lafayette Cemetery District and Coterminous SOI



-  Alamo-Lafayette Cemetery District
-  Alamo Cemetery
-  Lafayette Cemetery
-  Clayton
-  Concord
-  Danville
-  Lafayette
-  Moraga
-  Orinda
-  Pleasant Hill
-  San Ramon
-  Unincorporated
-  Walnut Creek

Map created 1/22/2010
 by Contra Costa County Conservation and Development Department,
 Community Development Division-GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
 37.55:48.45N 122.36:35.38W

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**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
BYRON BRENTWOOD KNIGHTSEN UNION CEMETERY DISTRICT**

WHEREAS, Government Code §56425 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 §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

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

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by the Byron Brentwood Knightsen Union Cemetery District (BBKUCD), and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified four SOI options for BBKUCD including retaining the existing coterminous SOI, expanding the SOI to include the entire City of Oakley, reducing the SOI to exclude the Oakley area, and reducing the SOI to exclude the Antioch portion; and

WHEREAS, BBKUCD's corporate boundary and SOI are coterminous and comprise 203± square miles; and

WHEREAS, it is hereby proposed that BBKUCD's SOI be retained as generally depicted on Exhibit A attached hereto; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating 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 SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on April 21, 2010; and

WHEREAS, the Contra Costa 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 Contra Costa LAFCO does hereby:

1. Retain BBKUCD's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* - The District boundaries encompass a variety of land uses and business activities, as it includes the City of Brentwood and unincorporated community of Discovery Bay. Land uses in these areas consist primarily of low density residential and commercial. Other significant land uses within the District

include agricultural and open space. BBKUCD has no land use authority; County and city plans include land uses and population growth that may impact the District's services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – Build-out of planned developments in the City of Oakley's East Cypress Corridor Specific Plan area (5,219 units), Cecchini Ranch property (6,000 units), and the Delta Coves project (495 units) could add up to 34,321 new residents to the District. The portion of Oakley west of Sellers Avenue (in the SOI expansion area) has a population of about 32,700, and a projected annual growth rate of 1.4%. There is a present and probable need for BBKUCD services. There is a present and probable need for maintenance of the Union Cemetery in the foreseeable future. No changes in public facilities or services provided by BBKUCD will result from this SOI update. Policy Issue: BBKUCD should report back to LAFCO within 12 months regarding boundary and other issues identified in the MSR report.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – No capacity or adequacy needs were identified for the District. The Union Cemetery had approximately 1,000 regular plots and 325 niches available for purchase as of November 2009, and plans to add 400-500 niches on existing cemetery land within the next few years as needed. The District also has capacity for an additional 1,000 plots in the undeveloped portion of the cemetery. The SOI update will not impact the present capacity of public facilities and adequacy of public services that BBKUCD provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – BBKUCD was formed in 1928, and serves the unincorporated communities of Byron, Knightsen, Discovery Bay, Bethel Island, the eastern portion of Morgan Territory, the Delta islands of Jersey, Bradford, Webb, Quimby, Holland, Palm, Orwood, and Coney; and the City of Brentwood, the eastern portion of the City of Oakley, and a small portion of the City of Antioch. BBKUCD relies primarily on property taxes and service fees. The social and economic community of interest is those cities and communities served by BBKUCD. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – BBKUCD provides interment, grave maintenance and record upkeep services to the Union Cemetery, which is located half way between the City of Brentwood and the unincorporated community of Byron.

PASSED AND ADOPTED THIS 12th day of May 2010, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

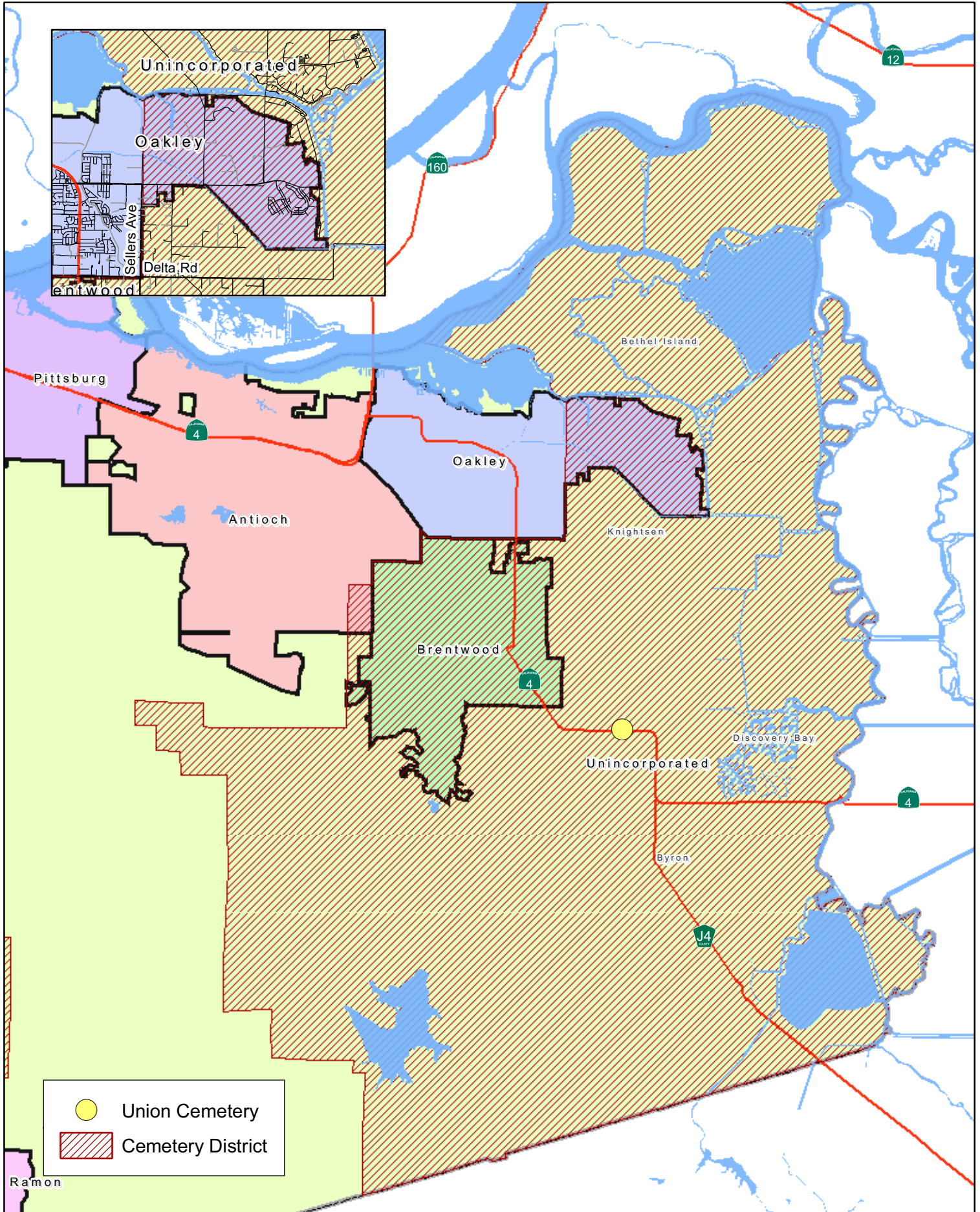
MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 12, 2010

Lou Ann Texeira, Executive Officer

Map 12-1 Byron Brentwood Knightsen Union Cemetery District and Coterminous SOI



Union Cemetery
 Cemetery District

Map created 12/2010
 by Contra Costa County Conservation and Development Department
 Community Development Division-GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
 37.59.48.4594 122.06.35.3849

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**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA M-16**

WHEREAS, Government Code §56425 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 §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

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

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by County Service Area (CSA) M-16, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified one SOI option for CSA M-16 which is to retain the existing coterminous SOI; and

WHEREAS, CSA M-16's corporate boundary and SOI are coterminous and comprise 0.14± square miles (90 acres); and

WHEREAS, it is hereby proposed that CSA M-16's SOI be retained as generally depicted on Exhibit A attached hereto; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating 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 SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on April 21, 2010; and

WHEREAS, the Contra Costa 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 Contra Costa LAFCO does hereby:

1. Retain CSA M-16's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* - The District boundary is primarily residential; however, there is light industrial activity located on six parcels in the southwestern portion of the CSA, south of Medburn Street. County plans include land uses and population growth that may impact the District's services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – There is a present and probable need for park services. As the area is a built-out community consisting primarily of residences, the demand for park services is anticipated to remain constant in the future. Future growth within the District will be limited to in-fill. No changes in public facilities or services provided by CSA M-16 will result from this SOI update.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CSA M-16 appears to have sufficient park capacity to serve the residents within its boundaries presently and in the future, as the community is entirely built-out. As of 2009, there are approximately three acres of parkland per 1,000 residents provided by the CSA, which meets the recommended California benchmark standard and the County’s General Plan parkland goal for neighborhood parks. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-16 provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CSA M-16 was formed in 1964, and serves the unincorporated community of Clyde, located north of Concord and west of Bay Point. CSA M-16 is funded through Proposition 12 grant funds, park dedication funds, property taxes and restricted donations. Communities of interest within the CSA include the residents of the unincorporated community of Clyde and the landowners that pay a portion of their property tax to the District. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – CSA M-16 provides parks maintenance services through the County General Services Department. All four of the District’s parks are located within the CSA M-16 boundaries — with parks in the northwest, southeast and southwest corners of the District, and a park in the center of the District.

PASSED AND ADOPTED THIS 12th day of May 2010, by the following vote:

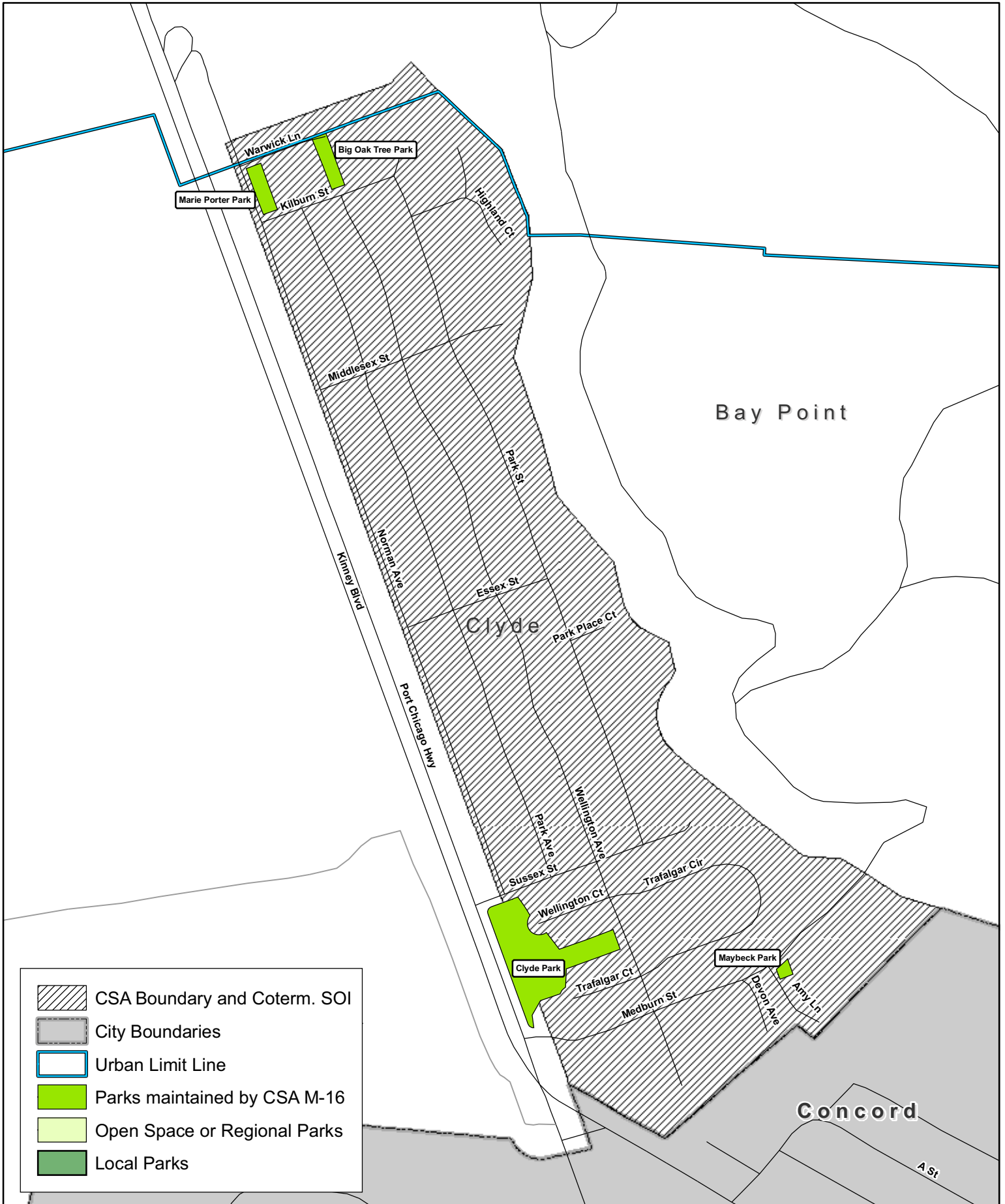
AYES:
NOES:
ABSTENTIONS:
ABSENT:







MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

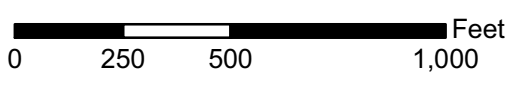
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 12, 2010

Lou Ann Texeira, Executive Officer



-  CSA Boundary and Coterm. SOI
-  City Boundaries
-  Urban Limit Line
-  Parks maintained by CSA M-16
-  Open Space or Regional Parks
-  Local Parks



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA M-17**

WHEREAS, Government Code §56425 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 §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

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

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by County Service Area (CSA) M-17, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified one SOI option for CSA M-17 which is to retain the existing coterminous SOI; and

WHEREAS, CSA M-17's corporate boundary and SOI are coterminous and comprise 1.3± square miles (832 acres); and

WHEREAS, it is hereby proposed that CSA M-17's SOI be retained as generally depicted on Exhibit A attached hereto; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating 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 SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on April 21, 2010; and

WHEREAS, the Contra Costa 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 Contra Costa LAFCO does hereby:

1. Retain CSA M-17's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* - The District bounds encompass the unincorporated communities of Montalvin Manor and Tara Hills. The CSA area is primarily residential with two schools, and limited commercial properties along San Pablo Avenue, and the Richmond Parkway Transit Center next to Interstate 80. County plans include

land uses and population growth that may impact the District's services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – There is a present and probable need for park services. As the area is a built-out community consisting primarily of residences, the demand for park services is anticipated to remain constant in the future. Future growth within the District will be limited to in-fill. No changes in public facilities or services provided by CSA M-17 will result from this SOI update.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CSA M-17 facilities do not have sufficient capacity to meet existing and future demand, according to California and County adopted park-acreage standards and goals. As of 2009, there are 1.5± acres of parkland per 1,000 residents provided by the CSA, which fails to meet the California benchmark standard and the County General Plan parkland goal. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-17 provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CSA M-17 was formed in 1965, and serves the unincorporated communities of Tara Hills and Montalvin Manor located northeast of the City of Richmond and southwest of the City of Pinole. CSA M-17 is funded primarily through property taxes and redevelopment funds. Social communities of interest include the unincorporated communities of Montalvin Manor and Tara Hills. Economic communities of interest within the CSA include the businesses located along San Pablo Avenue and the landowners within the CSA that pay a portion of their property tax to the District. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – CSA M-17 provides park and recreation facility maintenance and recreation programming. All services are provided by private contractors. Both of the CSA's facilities are located in the northwest corner of the District.

PASSED AND ADOPTED THIS 12th day of May 2010, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

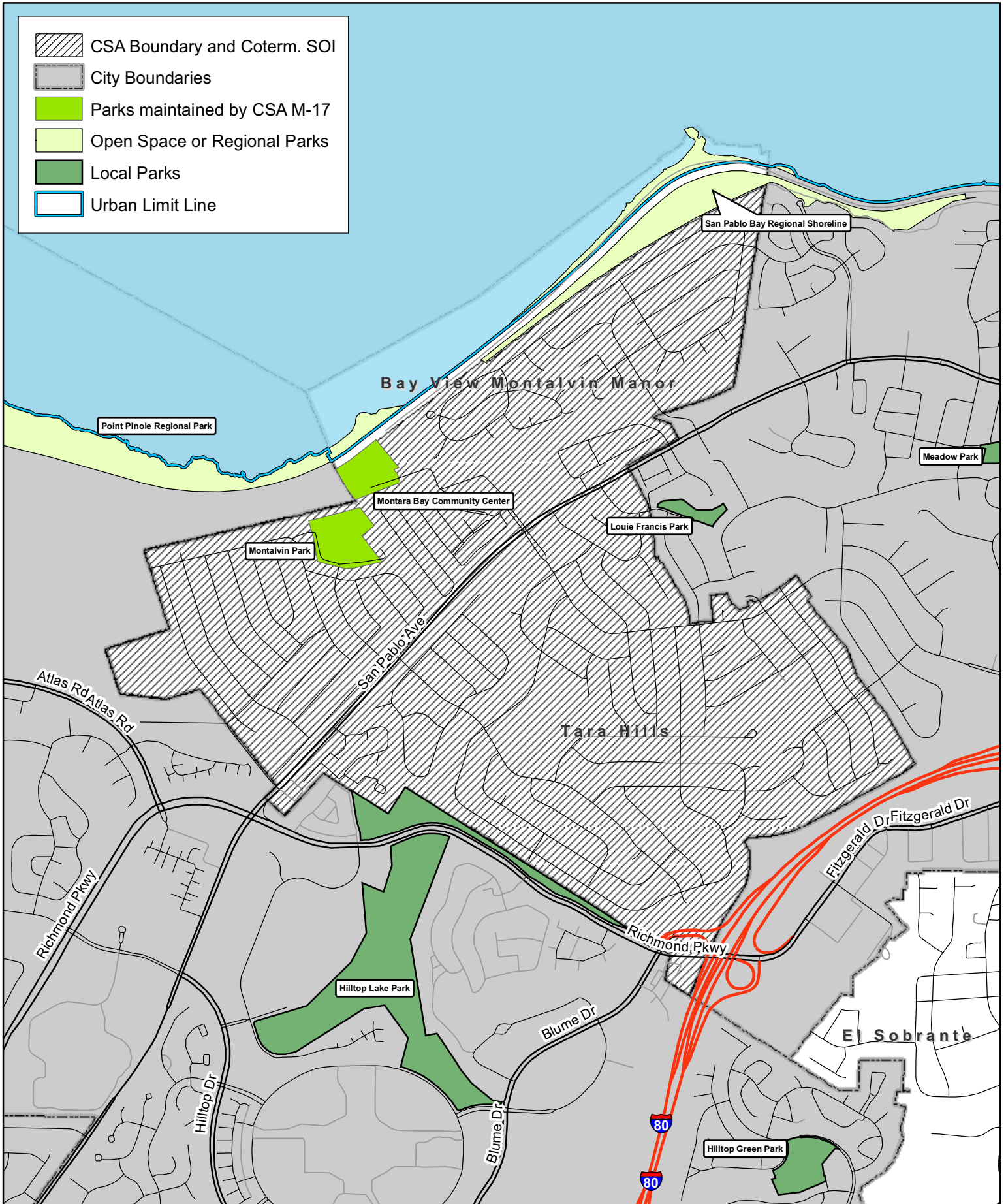
I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 12, 2010

Lou Ann Texeira, Executive Officer

Map 10-5

CSA M-17 and Coterminous Sphere of Influence



Map created: 3/24/2010
 by Contra Costa County Community Development, GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
 37.59.48.459N 122.08.35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

0 250 500 1,000 Feet



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA M-29**

WHEREAS, Government Code §56425 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 §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

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

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by County Service Area (CSA) M-29, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified one SOI option for CSA M-29 which is to retain the existing coterminous SOI; and

WHEREAS, CSA M-29's corporate boundary and SOI are coterminous and comprise 9.34± square miles; and

WHEREAS, it is hereby proposed that CSA M-29's SOI be retained as generally depicted on Exhibit A attached hereto; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating 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 SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on April 21, 2010; and

WHEREAS, the Contra Costa 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 Contra Costa LAFCO does hereby:

1. Retain CSA M-29's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:
 - a. *Present and planned land uses in the area, including agricultural and open-space lands* -The CSA's boundaries are coterminous with the Dougherty Valley Specific Plan (DVSP) area. When complete, the master planned community will be predominately residential and include up to 4,982 single family medium- and high-density homes, 6,018 multi-family low- and high-density units, 330,000 square feet of commercial property, and various amenities including a golf course, library, community center, senior center, fire station, police substation, city public services center, seven schools, childcare facility, community college, performing arts facility, 175 acres of developed park space, and 2,093 acres of

unimproved open space. County and city plans include land uses and population growth that may impact the District's services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – There is a present and probable need for park services. The area has experienced significant recent growth; it is anticipated that the area will continue to experience a strong rate of growth until the DVSP area is built-out. As the area continues to grow, the demand for park services is anticipated to increase in the future. No changes in public facilities or services provided by CSA M-29 will result from this SOI update.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – While the total acreage of existing park facilities and community parks exceed City parkland standards, the CSA lacks sufficient neighborhood parkland to meet the City standard of 4.5 neighborhood park acres per 1,000 residents. At build-out, the DVSP outlines plans for at least 6.4 acres and up to 9.8 acres of parkland (including school facilities) per 1,000 residents. M-29 is a city-administered CSA. Assessments/taxes are levied by the County and transferred to the City to fund specific services. The City reports that the current financing level is generally not adequate to provide services within the CSA, as the number of units sold and paying assessments to the CSA have not kept up with the costs of providing services. The City uses general fund revenue to offset the funding shortfall and maintain adequate service levels. Adding to the City's fiscal challenge is that the County is slow to reimburse the City for funds that are advanced by the City. Policy Issue: The City and County should collaborate to address these funding issues. A future governance option may be to establish a subsidiary assessment district within the City. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-29 provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CSA M-29 was formed in 1996 pursuant to an agreement between the City and County. The CSA serves the DVSP area which includes both incorporated and unincorporated areas. CSA M-29 is funded primarily through benefit assessments, fees and property taxes. Social communities of interest within the CSA include several residential subdivisions in the newly developed area. Economic communities of interest include the two developers of the Dougherty Valley, Shapell and Windemere and the landowners within the CSA that pay benefit assessments to the District. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – CSA M-29 provides financing for park and recreation facility maintenance. Maintenance of city-owned facilities is provided by the City; maintenance of park and active field areas at joint-use school facilities is provided by the City using CSA funds. Facilities serving the CSA are located within the incorporated areas of the District.

PASSED AND ADOPTED THIS 12th day of May 2010, by the following vote:

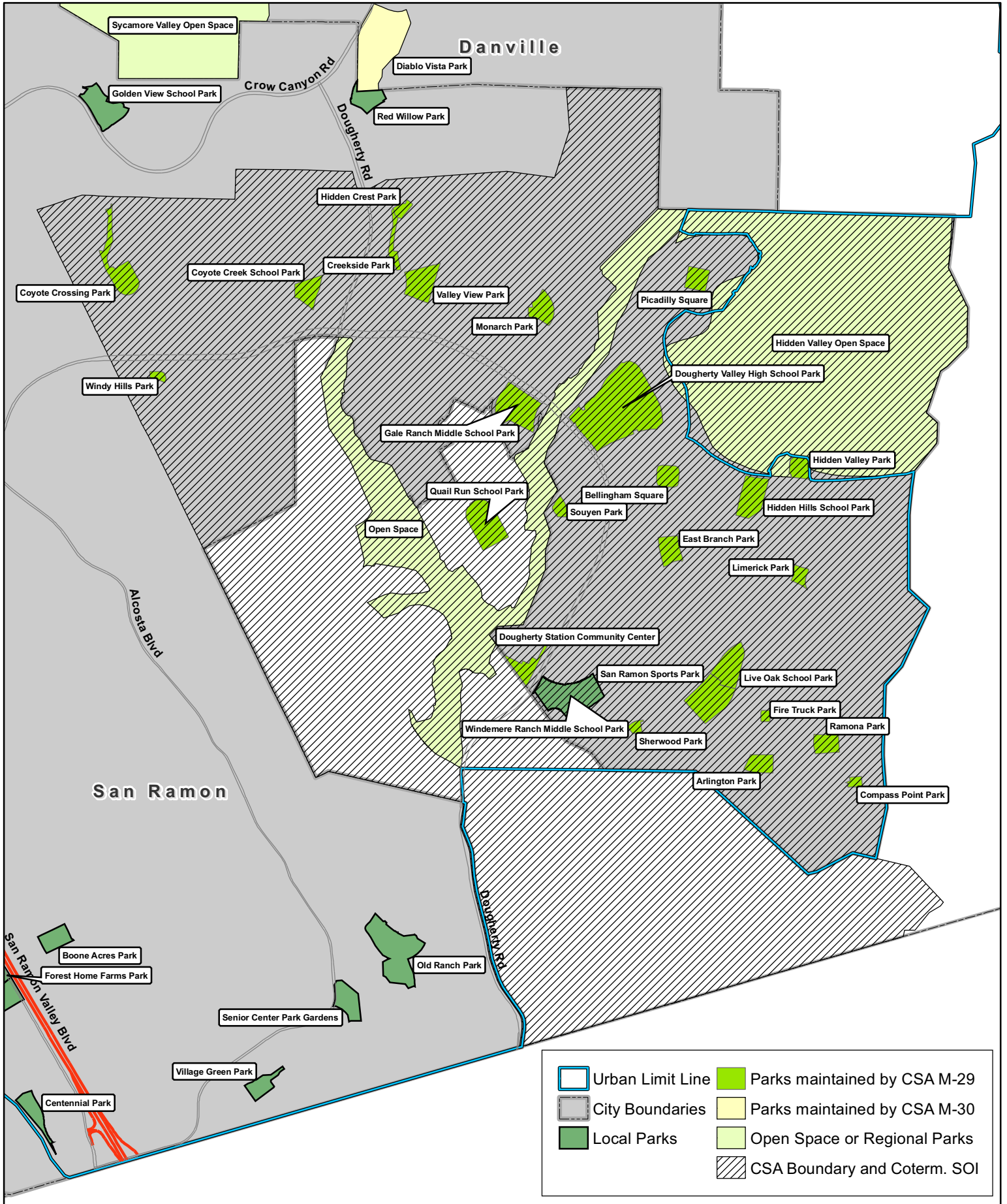
- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 12, 2010

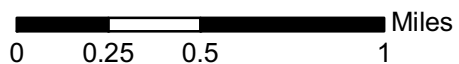
Lou Ann Texeira, Executive Officer



Urban Limit Line	Parks maintained by CSA M-29
City Boundaries	Parks maintained by CSA M-30
Local Parks	Open Space or Regional Parks
CSA Boundary and Coterm. SOI	

Map created: 3/24/2010
 by Contra Costa County Community Development, GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
 37.59.48.435N 122.08.35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use the data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.



**RESOLUTION OF THE CONTRA COSTA
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA R-10**

WHEREAS, Government Code §56425 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 §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

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

WHEREAS, LAFCO conducted a review of cemetery, parks & recreation services, including those provided by County Service Area (CSA) R-10, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified three SOI options for CSA R-10 including retaining the existing coterminous SOI, reducing the SOI to match the Rodeo redevelopment area, and adopting a zero SOI; and

WHEREAS, CSA R-10's corporate boundary and SOI are coterminous and comprise 7.37± square miles; and

WHEREAS, it is hereby proposed that CSA R-10's SOI be retained as generally depicted on Exhibit A attached hereto; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating 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 SOI action; and

WHEREAS, the SOI update was duly considered at a public hearing held on April 21, 2010; and

WHEREAS, the Contra Costa 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 Contra Costa LAFCO does hereby:

1. Retain CSA R-10's coterminous SOI as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.
3. Determine that the Commission has considered the criteria set forth in Government Code §56425 as follows:

a. *Present and planned land uses in the area, including agricultural and open-space lands* - The District bounds encompass the unincorporated community of Rodeo. The CSA area is primarily residential with some commercial activity in the northwest corner of the District along Parker Avenue.

Business activities within the CSA's bounds include several restaurants, grocery store, and a few insurance and law offices. County plans include land uses and population growth that may impact the District's services. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – There is a present and probable need for park services. As the area is a built-out community consisting primarily of residences, the demand for park services is anticipated to remain constant in the future. Growth in the future is anticipated to be minimal with some in-fill and small subdivision projects, and is not anticipated to impact service demand in the future. No changes in public facilities or services provided by CSA R-10 will result from this SOI update.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – CSA R-10 facilities do not have sufficient capacity to meet existing and future demand, according to California and County adopted park-acreage standards and goals. An additional 3.7 acres of neighborhood parkland are needed to meet the County neighborhood parkland standard of 2.5 acres per 1,000 residents. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA R-10 provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – CSA R-10 was formed in 1988, and serves the unincorporated community of Rodeo, located adjacent to the northeastern boundary of the City of Hercules. CSA R-10 is funded primarily through facility rental and recreation fees. A community of interest within the District is the unincorporated community of Rodeo. The SOI update will not affect the existence of any social or economic communities of interest.

e. *Nature, location, extent, functions & classes of services to be provided* – CSA R-10 provides operation and maintenance of park and recreation facilities and recreation programming in the unincorporated community of Rodeo. All services provided by the CSA are supplied by contract providers, including community center coordination, recreation programming and facility maintenance. The District's two park facilities are located within the CSAs boundaries. The community center and baseball fields are located on Parker Avenue toward the western boundary of the District. The trail runs along Rodeo Creek from Mariners Point to Investment Avenue.

PASSED AND ADOPTED THIS 12th day of May 2010, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 12, 2010

Lou Ann Teixeira, Executive Officer

