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May 12, 2010 (Agenda)

May 12, 2010
Agenda Item 11

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

Cemetery, Parks & Recreation Sphere of Influence Updates

Dear Members of the Commission:

BACKGROUND

On April 21, 2010, the Commission conducted a public hearing on the Cemetery, Parks & Recreation Municipal Service Review (MSR) and corresponding sphere of influence (SOI) updates. The MSR report addresses services provided by the 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.

Following the public hearing and deliberations, the Commission took the following actions:

- Accepted the MSR and directed the project team to prepare the Final MSR report,
- Adopted MSR determinations by resolution,
- Approved SOI updates for ALCD, BBKUCD, and CSAs M-16, M-17, M-29 and R-10 as recommended by LAFCO staff; directed staff to prepare the SOI resolutions for approval at the May 12 meeting (agenda Item #9),
- Deferred SOI updates per staff recommendations for RWPRPD and CSA R-4 to allow an additional 12 months for ongoing coordination with the affected agencies, and
- Continued SOI updates to May 12 for ARPD, PHRPD and CSAs M-30, R-7(Zone A) and R-9 pending further review and discussions with affected agencies.

Per the Commission's direction, the MSR project team has conducted additional research and further discussions as summarized below.

DISCUSSION

Ambrose Recreation & Park District (ARPD) – The MSR report includes four options for the ARPD as presented in the attached table. Most of the options are based on the unusual configuration of the District’s boundaries in relation to the City of Pittsburg. Both the MSR consultant and LAFCO staff previously recommended Option #2 which is to reduce the District’s SOI to coincide with the existing and future service areas noting that the service area for ARPD is concentrated north of SR 4; and that as areas south of SR 4 develop, they will likely be annexed to the City of Pittsburg and detached from ARPD, as has historically been the case.

Representatives of ARPD attended the April 21 LAFCO meeting. Tarry Smith, ARPD General Manager, urged LAFCO to retain the existing coterminous SOI. He acknowledged that a majority of ARPD facilities are located north of SR; however, that Ambrose Park, which is located south of SR 4, is where 90% of the District’s programs are held; and that the area south of SR 4 is where he anticipates future growth. Mr. Smith stated that the District has plans to pursue a joint use agreement with the City of Pittsburg to provide programs in city parks located west of Bailey Road once development resumes and park facilities are added in the future.

Mr. Smith also noted that while there are overlapping areas of the City of Pittsburg and ARPD, there have been no problems with service duplication or competition to provide services between the two agencies, which enjoy a cooperative relationship. Mr. Smith observed that the City and ARPD are moving in different directions, with ARPD adding programming staff and providing more services, and the City reducing staff and recreation services due to the current economic downturn.

Since the April 21 LAFCO meeting, Mr. Smith has communicated with City staff and indicates that they agree with his comments and observations; and again, he urges the Commission to retain the existing coterminous SOI.

Recommendation: Given the economic climate, it is unlikely that significant development will occur in the areas south of SR 4 within the next several years. Further, given that the District and City plan to pursue a joint use agreement for future facilities and services, LAFCO staff recommends retaining the existing SOI at this time and revisiting the matter during the next MSR cycle in 2015.

Pleasant Hill Recreation & Park District (PHRPD) - The MSR report includes three options for the PHRPD (see attached table). Both the MSR consultant and LAFCO staff previously recommended Option #1 to expand the District’s SOI to include all areas within the City of Pleasant Hill’s SOI; and Option #3 to reduce the District’s SOI to remove City of Walnut Creek and City of Lafayette areas, with the exception of the Lafayette area immediately adjacent to Brookwood Park, as these residents are served by PHRPD facilities.

Representatives of PHRPD attended the April 21 LAFCO meeting. Bob Berggren, PHRPD General Manager spoke in favor of Option #1 (SOI expansion), and expressed concern with Option #3 (SOI reduction) and the potential loss of revenues (i.e., property taxes, Measure E funds) supported by the Lafayette and Walnut Creek areas. In response, LAFCO staff explained that while removing these areas from the District's SOI would signal a future boundary change, it would not affect the District's current service boundary or funding. Further, that any future boundary change (e.g., annexation, detachment) would need to be initiated by a party other than LAFCO, such as the District or affected landowners/registered voters.

PHRPD staff has informed the LAFCO office that its Board is scheduled to discuss the SOI options at their Board meeting on May 6, and will provide LAFCO with an update following their meeting.

Recommendation: The MSR consultants and LAFCO staff recommend Options #1 and #3 signaling future boundary changes. PHRPD primarily provides recreation and park services to the City of Pleasant Hill; therefore, a more logical boundary for the District would be more closely aligned with the City of Pleasant Hill. This would involve expanding the District's SOI to include all areas within the City of Pleasant Hill's SOI, and reducing the SOI to exclude the Lafayette and Walnut Creek areas where there is duplication in service, with the exception of Lafayette immediately adjacent to Brookwood Park.

CSA M-30 – The MSR report presented two options: 1) retain the existing coterminous SOI, and 2) adopt a zero SOI indicating future dissolution of M-30 in anticipation of combining M-30 and R-7 and creating a separate zone for the former M-30.

On April 21, the Commission deferred action on the SOI update for M-30 and directed the project team to communicate further with the affected agencies. LAFCO has received input from various parties on the SOI options. On April 20, LAFCO received communication from County Supervisor Mary Nejedly Piepho, District III regarding the MSR report (previously provided with April 21 LAFCO agenda packet). The letter notes support for combining M-30 and R-7, dissolving M-30, and creating a separate zone for the former M-30.

On May 3, LAFCO received a letter from the Town of Danville regarding M-30 options (attached). The Town is opposed to dissolving M-30 and believes that combining M-30 and R-7 is not practical due to complexities associated with the M-30 service area, such as accessibility (the Alamo Springs subdivision, a portion of which is located in Danville and a portion in Alamo, is accessible only through Danville), benefit assessment structure, and variation in services provided by M-30 and R-7.

Recommendation: Given the complexities described above, and the intricacies of creating a zone and expanding R-7's powers to include additional services provided by M-30 and not currently provided by R-7 (i.e., law enforcement, street maintenance, street lighting), LAFCO staff and the MSR consultants recommend retaining the existing coterminous SOI for M-30.

CSA R-7 (Zone A) – The MSR report includes four options for CSA R-7 (see attached table). The MSR consultant recommends Option #2 (reduce the R-7 SOI to remove the CSA M-30 area), noting that R-7 encompasses the bounds of CSA M-30 with the exception of approximately seven acres adjacent to the Town of Danville. CSA M-30 residents are paying for park & recreation services to two CSAs and there are no park facilities within the CSA. The nearest park facility is Hap Magee Ranch Park, which lies partially within the Town and partially in the unincorporated area; and is jointly owned and maintained by the County (CSA R-7) and the Town (supplemented with M-30 funds). The nearest County-owned facility, solely financed by CSA R-7 funds, is Andrew H. Young Park, which is approximately one mile from the border of CSA M-30.

In his letter, the Danville Town Manager identified another option to address the overlap between CSAs M-30 and R-7, which is to amend M-30 to delete parks maintenance services, thus leaving CSA M-30 intact. According to the Danville staff, this would save the affected Alamo property owners about \$5,400 per year at full build out of the subdivision. However, it would also result in these residents no longer being eligible to reserve Danville facilities or register for Town classes at “resident” rates. It should be noted that R-7 also utilizes resident and non-resident fees. Residents of M-30 currently pay resident fees to use R-7 facilities/services given that M-30 is within the bounds of R-7. However, if M-30 is removed from R-7, the M-30 residents would no longer be eligible for R-7 resident rates. One of the unknown factors with regard to these options is “community of interest.” Do residents of Alamo Springs identify more with the Town of Danville being that various services, including road access, are provided by the Town? Or do these residents identify more with the community of Alamo, being that their physical location is in Alamo? Further, are M-30 residents more apt to use Town of Danville or R-7 facilities and services?

Recommendation: As indicated above, the MSR consultants recommend removing CSA M-30 from the CSA R-7 bounds. LAFCO staff recommends Option #4 (expand SOI to include Round Hill). As noted, Round Hill is surrounded by R-7, yet excluded from the CSA bounds. As reported, Round Hill residents utilize R-7 parks and programs. In addition, both the MSR consultants and LAFCO staff recommend that the County address the Zone B issue, as Zone B is inactive.

LAFCO staff solicited input from County staff on these issues, but as of this writing, received no response. Further, these issues are of interest to and may warrant additional input from the Alamo MAC. Given the complexities and unknown factors, it is recommended that the Commission defer the SOI update for CSA R-7 pending further discussions with the affected parties.

CSA R-9 – The MSR report presents two options: 1) retain the existing coterminous SOI, and 2) adopt a zero SOI indicating either future dissolution OR possibly combining R-9 with another district. The MSR report notes that R-9 has no regular source of financing, lacks public interest to fill advisory committee positions, and provides minimal services at a less than adequate level.

Since 1974, R-9 has failed to find additional fixed revenue other than developer fees to finance services. Further, there is an apparent lack of constituent interest in the CSA activities as the advisory committee presently has four vacant seats. The MSR report also recommends merging the R-9 advisory committee with the El Sobrante Municipal Advisory Council (MAC) to improve local accountability and operations.

LAFCO staff has communicated further with representatives of County Supervisor John Gioia, District I, and we understand that plans are underway to merge the R-9 advisory committee with the El Sobrante MAC.

Recommendation: Both the MSR consultants and LAFCO staff recommend retaining the existing coterminous SOI on a provisional basis, subject to review again during the next MSR cycle in 2015. LAFCO staff also recommends that the District provide LAFCO with a progress report within 12 months.

RECOMMENDATIONS

1. Approve resolutions updating SOIs per staff recommendations for the ARPD, PHRPD, and CSAs M-30 and R-9, and
2. Defer action on the SOI update for CSA R-7 pending further discussions with affected parties.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments:

1. Governance Structure and SOI Table
2. SOI Resolutions/Maps
 - a. ARPD
 - b. PHRPD
 - c. CSA M-30
 - d. CSA R-9
3. Letter Dated May 3, 2010 from the Town of Danville

CEMETERY, PARKS & RECREATION SERVICES SPHERE OF INFLUENCE (SOI) AND GOVERNANCE OPTIONS AND RECOMMENDATIONS

Agency	SOI Options	Governance Options	Consultant Recommendations	LAFCO Staff Recommendations
Ambrose Recreation & Park District (ARPD)	<ol style="list-style-type: none"> 1. Adopt a zero SOI 2. Reduce SOI to match existing and future service area 3. Reduce SOI to remove some of the overlap with the City of Pittsburg 4. Retain coterminous SOI 	<p>Governance alternatives for ARPD are based on the unusual configuration of the District's boundaries in relation to the City of Pittsburg. ARPD boundaries include the unincorporated community of Bay Point, plus portions of the City of Pittsburg. The City and ARPD boundaries overlap in three areas: 1) at the Willow Cove Elementary School site (north of Hanlon Way), 2) areas north and south of West Leland Road, south of SR 4, and 3) and west of Bailey Road, in the southernmost portion of west Pittsburg.</p> <p>There appears to be a duplication of services in the overlap areas, as both ARPD and the City provide park and recreation services. Other areas within Pittsburg's city limits were previously detached from ARPD upon annexation to the City, resulting in a hole within the ARPD boundary south of SR 4.</p> <p>The service area for ARPD is concentrated north of SR 4. All park facilities maintained by ARPD, with the exception of Ambrose Park, are located north of SR 4 (Ambrose Park is located just south of SR 4). In the long term, the existing ARPD boundary area could be served by the City of Pittsburg. The entire ARPD boundary is within the City's planning area and SOI; and there were previous discussions regarding the potential annexation of Bay Point to the City of Pittsburg. Should Bay Point ever annex to Pittsburg, LAFCO may wish to establish ARPD as a subsidiary district of the City.</p>	<ul style="list-style-type: none"> • Option #2 	<ul style="list-style-type: none"> • Option #4; SOI to be reviewed again in 2015
Pleasant Hill Recreation & Park District (PHRPD)	<ol style="list-style-type: none"> 1. Expand SOI to include all areas within the City of Pleasant Hill's SOI 2. Expand SOI to add areas within the City of Pleasant Hill corporate limits 3. Reduce SOI to exclude city of Lafayette and Walnut Creek areas 	<p>A more logical boundary for PHRPD would be to <i>expand</i> the District's SOI to include all areas within the City of Pleasant Hill's SOI, and <i>reduce</i> PHRPD's SOI to exclude the Lafayette and Walnut Creek areas where there is duplication in service, with the exception of Lafayette immediately adjacent to Brookwood Park. Given that Lafayette residents in this area are served by PHRPD facilities, this area should remain within the PHRPD SOI/boundary. Such an SOI amendment would allow PHRPD to conduct planning in conjunction with planned growth for the City of Pleasant Hill, and would signal that those portions of Lafayette and Walnut Creek that are not served by PHRPD parks should be detached from the District. Detaching these areas would result in a minimal loss of property tax revenue to PHRPD.</p>	<ul style="list-style-type: none"> • Options #1 and #3 	<ul style="list-style-type: none"> • Options #1 and #3 signaling future boundary changes to PHRPD.

Agency	SOI Options	Governance Options	Consultant Recommendations	LAFCO Staff Recommendations
CSA M-30	<ol style="list-style-type: none"> 1. Retain existing coterminous SOI 2. Adopt a zero SOI 	<p>M-30 is a city-administered CSA. CSA R-7 encompasses the bounds of CSA M-30 with the exception of approximately seven acres adjacent to the Town of Danville. Residents of M-30 pay a benefit assessment to the County, which is transferred to the Town for enhanced parks & recreation, law enforcement, street maintenance, landscaping, and street lighting services. Residents of M-30 also pay property taxes to CSA R-7 for park & recreation services. One governance option is to remove the M-30 territory from CSA R-7 to eliminate duplication of services. Another option is to consolidate the two CSAs into a single CSA, and create a zone for the area formerly within CSA M-30 to maintain the financing mechanism for enhanced services by the Town of Danville per the agreement between the Town and the County.</p>	<ul style="list-style-type: none"> • Option #1 	<ul style="list-style-type: none"> • Option #1
CSA R-7 (Zone A)	<ol style="list-style-type: none"> 1. Retain existing coterminous SOI 2. Reduce SOI to remove CSA M-30 area 3. Expand SOI to include the Green Valley Recreation & Park District (GVRPD) territory 4. Expand SOI to include the Round Hill area 	<p>The following options were identified: 1) remove CSA M-30 territory from the R-7 bounds, 2) combine R-7 and M-30 and create a separate zone to maintain M-30 funding, 3) expand R-7 SOI to include GVRPD to facilitate a future consolidation of the two districts, and 4) expand R-7 SOI to include Round Hill.</p> <p>CSA R-7 encompasses the bounds of CSA M-30 with the exception of approximately seven acres adjacent to the Town of Danville. As discussed above for CSA M-30, M-30 residents are paying for park & recreation services to two CSAs and there are no park facilities within the CSA. The nearest park facility is Hap Magee Ranch Park, which lies partially within the Town and partially in the unincorporated area; and is jointly owned and maintained by the County (CSA R-7) and the Town (supplemented with M-30 funds). The nearest County-owned facility, solely financed by CSA R-7 funds, is Andrew H. Young Park, which is approximately one mile from the border of CSA M-30. Two options are identified to address the duplication in service: remove the M-30 area from R-7, or create a zone within R-7 for M-30.</p> <p>LAFCO previously completed a MSR covering GVRPD which included an option to explore the consolidation of GVRPD and CSA R-7. GVRPD is an independent district located adjacent to R-7. Consolidation of these districts may enhance the operation and maintenance of the Green Valley pool; however, County Public Works is opposed to the option, noting that there are inadequate financial resources to cover costs for maintenance and capital improvements to the pool. Also, members of the Alamo community, the Alamo MAC and District III County Supervisor expressed opposition to such a consolidation.</p>	<ul style="list-style-type: none"> • Option #2 signaling future detachment of the M-30 area from R-7. • Recommend that the County and LAFCO take action to address the Zone B issue. 	<ul style="list-style-type: none"> • Defer SOI update • Direct LAFCO staff to work with affected parties on issues involving CSA M-30, Round Hill, and Zone B issues, and report back to the Commission as soon as possible.

		<p>Expanding the R-7 SOI to include the Round Hill area was identified as an option. Round Hill is surrounded by R-7, yet excluded from the CSA bounds. As reported, Round Hill residents utilize R-7 parks and programs.</p> <p>Further, the MSR report notes that CSA R-7 Zone B is inactive and should be considered for dissolution by the County Board of Supervisors and the area detached from the CSA through LAFCO.</p>		
CSA R-9	<ol style="list-style-type: none"> 1. Retain existing coterminous SOI 2. Adopt a zero SOI 	<p>CSA R-9 has no regular source of financing, lacks public interest to fill advisory committee positions, and provides minimal services at a less than adequate service level. Since 1974, R-9 has failed to find additional fixed revenue other than developer fees to finance services. Further, there is an apparent lack of constituent interest in the CSA activities as the advisory committee presently has four vacant seats.</p> <p>Two governance options were identified for R-9: dissolve R-9, or combine R-9 with RWPRPD. The MSR report also recommends merging the R-9 advisory committee with the El Sobrante MAC to improve local accountability and operations. As of March 2010, the County had already initiated discussions to combine the R-9 advisory committee with the MAC.</p>	<ul style="list-style-type: none"> • Retain existing coterminous SOI, on a provisional basis, until the next round of SOI updates in 2015. Consider a zero SOI and/or dissolution at that time if service levels have not been improved, or a permanent revenue source has not been established. 	<ul style="list-style-type: none"> • Retain existing coterminous SOI, subject to review again in 2015. Require the District to provide LAFCO with a progress report within 12 months.

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

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
AMBROSE RECREATION AND PARK 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 Ambrose Recreation and Park District (ARPD), and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified four SOI options for ARPD including adopting a zero SOI, reducing the SOI to match existing and future service areas, reducing the SOI to remove some of the overlap with the City of Pittsburg, and retaining the existing coterminous SOI. Most of the SOI options are based on the unusual configuration of the District's boundaries in relation to the City of Pittsburg; and

WHEREAS, ARPD's corporate boundary and SOI are coterminous and comprise 9.3± square miles; and

WHEREAS, it is hereby proposed that ARPD's SOI be retained as generally depicted on Exhibit A attached hereto and should be reviewed again in 2015; 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 hearings held on May 12 and 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 ARPD'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 single family and multiple family housing, limited commercial and

industrial areas, park and open space areas, and the Pittsburg/Bay Point BART Station. ARPD 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* – There is a present and probable future need for park and recreation services in the community of Bay Point and surrounding areas. Population within ARPD is expected to increase at a rate similar to the City of Pittsburg, at an annual rate of approximately 1.6 percent. No changes in public facilities or services provided by ARPD 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* – ARPD generally provides adequate park maintenance services; however, the District does not currently directly offer recreation programming. There are nearly 25 acres of neighborhood parkland owned and maintained by ARPD. This translates into 1.1 acres of neighborhood parkland per 1,000 district residents, short of the County's General Plan standard of 2.5 acres of neighborhood parkland per 1,000 residents. Including all neighborhood parkland in the vicinity of ARPD, an additional 10 acres of neighborhood parkland are needed to meet the County General Plan standard. The SOI update will not impact the present capacity of public facilities and adequacy of public services that ARPD 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* – ARPD was formed in 1946, and serves the unincorporated community of Bay Point and portions of the City of Pittsburg. ARPD relies primarily on grant revenues and taxes and assessments. The communities of interest are the unincorporated community of Bay Point and the portions of the City of Pittsburg. 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* – ARPD provides park maintenance (directly) and recreation programming (by contract). Park and recreation facilities maintained by ARPD are located in the unincorporated community of Bay Point. The District is bounded by the City of Concord to the south and west, the City of Pittsburg to the east, and the Contra Costa-Solano county line to the north.

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

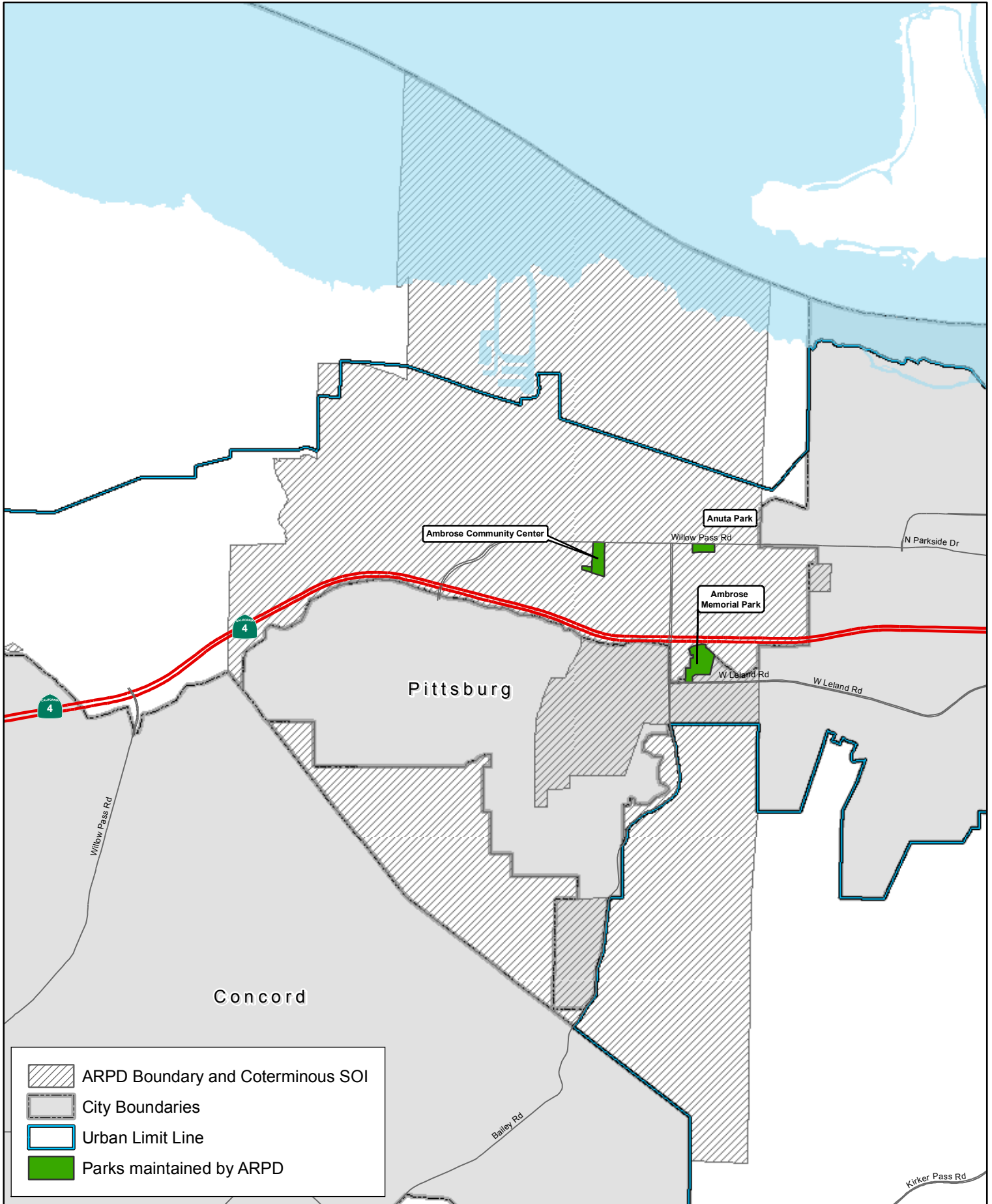
AYES:
NOES:
ABSTENTIONS:
ABSENT:





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

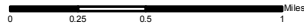
Lou Ann Teixeira, Executive Officer



	ARP Boundary and Coterminous SOI
	City Boundaries
	Urban Limit Line
	Parks maintained by ARP

Map created 01/02/2010
 by Contra Costa County Conservation and Development Department,
 Community Development Design/GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0066
 37.2344-42.291

This map or dataset was created by the Contra Costa County Conservation and 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 lot data maps. 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
PLEASANT HILL RECREATION AND PARK 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 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 Pleasant Hill Recreation and Park District (PHRPD), and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified three SOI options for PHRPD: expand the SOI to include all areas within the City of Pleasant Hill's SOI, expand the SOI to include all areas within the City of Pleasant Hill's corporate limits, and reduce the SOI to exclude city of Lafayette and Walnut Creek areas with the exception of Lafayette immediately adjacent to Brookwood Park; and

WHEREAS, PHRPD's corporate boundary and SOI are coterminous and comprise 8.8± square miles; and

WHEREAS, it is hereby proposed that PHRPD's SOI be expanded to include all areas within the City of Pleasant Hill's SOI, and reduced to remove cities of Lafayette and Walnut Creek areas with the exception of Lafayette immediately adjacent to Brookwood Park; 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 hearings held on May 12 and 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. Adjust PHRPD's SOI as described above and 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 the City of Pleasant Hill, a portion of the City of Lafayette (single family residential), small portions of the City of Walnut Creek (commercial), and the unincorporated community of Walden/Contra Costa Centre (commercial and multi-family residential). Land uses within the District are primarily residential, with some light industrial and commercial areas. Land uses in the City of Pleasant Hill SOI area to the north of the City (along Pacheco Boulevard) are residential and light industrial. PHRPD 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 –* There is a present and probable future need for park and recreation services within the District's boundaries. Projected growth is anticipated to be consistent with the City of Pleasant Hill, approximately 1.0 percent per year. No changes in public facilities or services provided by PHRPD 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 –* There are 270± acres of parks and open space within PHRPD, including approximately 120 acres of parks directly maintained by the District (63 acres of which are developed). Within PHRPD, there are 1.6± acres of developed parkland per 1,000 residents. A total of 120 developed acres, or 57 additional developed acres, would be needed to meet the City's General Plan standard of three developed park acres per 1,000 residents. There is a significant amount of recreational programming offered by PHRPD. The estimated attendance for recreation programs in FY 08-09 was approximately 1.4 million participant days, or roughly 35 participant days per resident. The SOI update will not impact the present capacity of public facilities and adequacy of public services that PHRPD 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 –* PHRPD was formed in 1951 and relies primarily on property taxes and assessments and service charges. The primary community of interest is the City of Pleasant Hill. Other communities of interest include the residents of portions of the cities of Lafayette and Walnut Creek, and the unincorporated community of Walden/Contra Costa Centre. 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 –* PHRPD directly provides park maintenance and recreation programming. District park and recreation facilities are located throughout the district boundaries. The District boundaries encompass the City of Pleasant Hill, portions of Lafayette and Walnut Creek, and unincorporated Walden/Contra Costa Centre area.

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

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

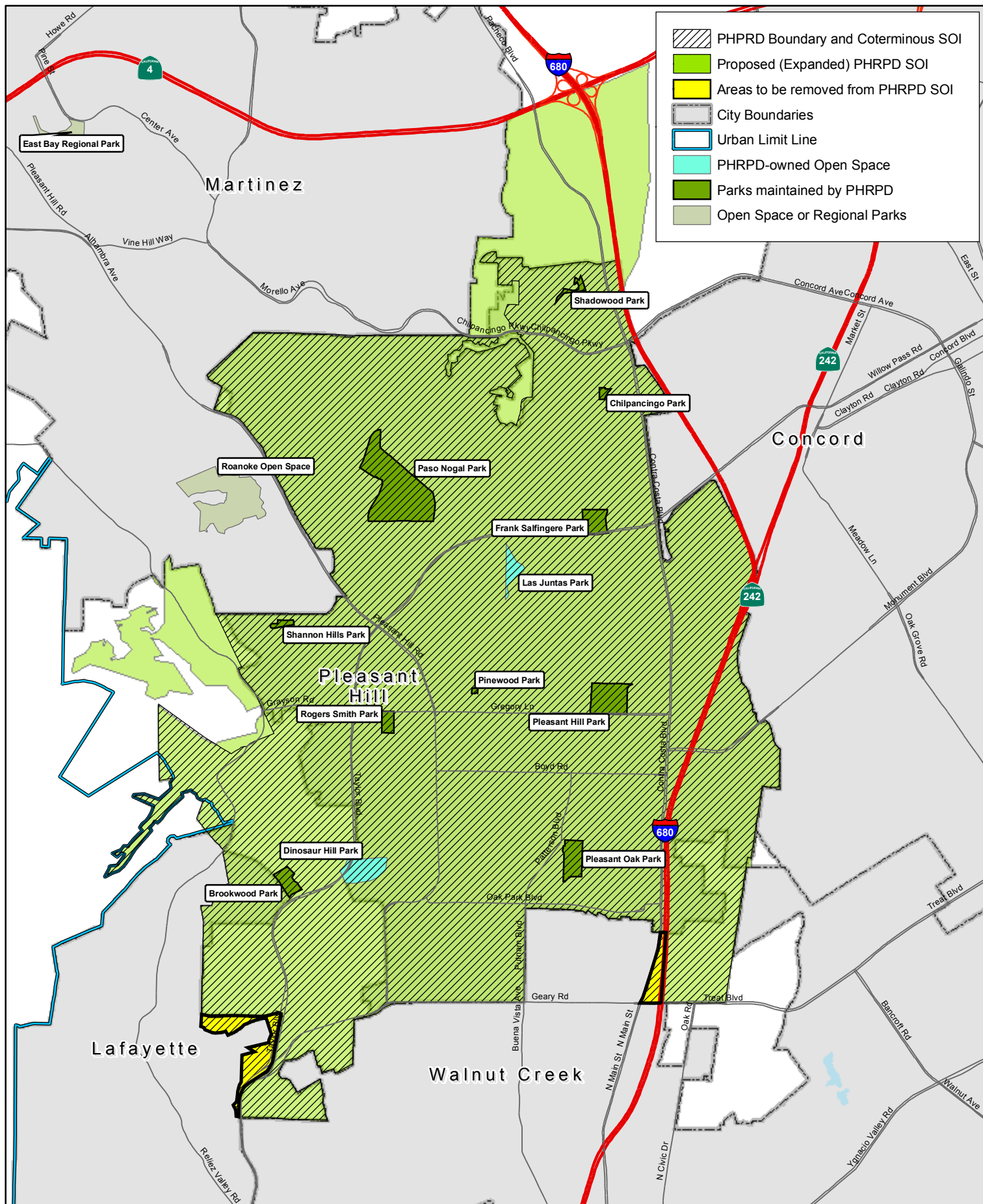
MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

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

PHRPD SOI Expansion and Reduction: Options One and Three



Map created 07/02/2010
 by Contra Costa County Conservation and Development Department,
 Community Development Design-CDD Group
 601 Pine Street, 4th Floor North Wing, San Bruno, CA 94063-0006
 37.2344-42.39 122.2344-42.39

This map or dataset was created by the Contra Costa County Conservation and 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 lot data series. 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 M-30**

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-30, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified two SOI options for CSA M-30 including retaining the existing coterminous SOI, and adopting a zero SOI; and

WHEREAS, CSA M-30's corporate boundary and SOI are coterminous and comprise 0.23± square miles (147 acres); and

WHEREAS, it is hereby proposed that CSA M-30'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 public hearings held on May 12 and 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-30'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 residential and open space areas. Single family residential dwelling units are located along Alamo Springs Drive, Corrie Place and Kimberly Place. Open space areas are

located primarily southwest of Alamo Springs Drive. There is no significant business activity within the CSA boundary area. 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 CSA M-30 services. Demand for services is expected to increase as the remaining 15 vacant parcels in the subdivision are developed. No changes in public facilities or services provided by CSA M-30 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* – With regard to service levels within CSA M-30, the only park facility within 0.5 miles of the CSA is Hap Magee Ranch Park. The park provides adequate parkland capacity for the CSA's 70 residents, according to Town of Danville parkland standards. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA M-30 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-30 was formed in 1997, per an agreement between the County and the Town of Danville pertaining to the Alamo Springs Subdivision 7452, which is partially within the Town limits and partially within the unincorporated community of Alamo. Communities of interest within the CSA include the newly constructed Subdivision 7452 in Alamo Springs 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* – In addition to law enforcement, road maintenance, landscaping and street lighting services, CSA M-30 funds are used to provide park maintenance through the Town of Danville's Lighting and Landscape Assessment District. All CSA financed facilities are located within the Town of Danville with the exception of Hap Magee Ranch Park which is partially within the Town and partially in the unincorporated portion of the County.

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

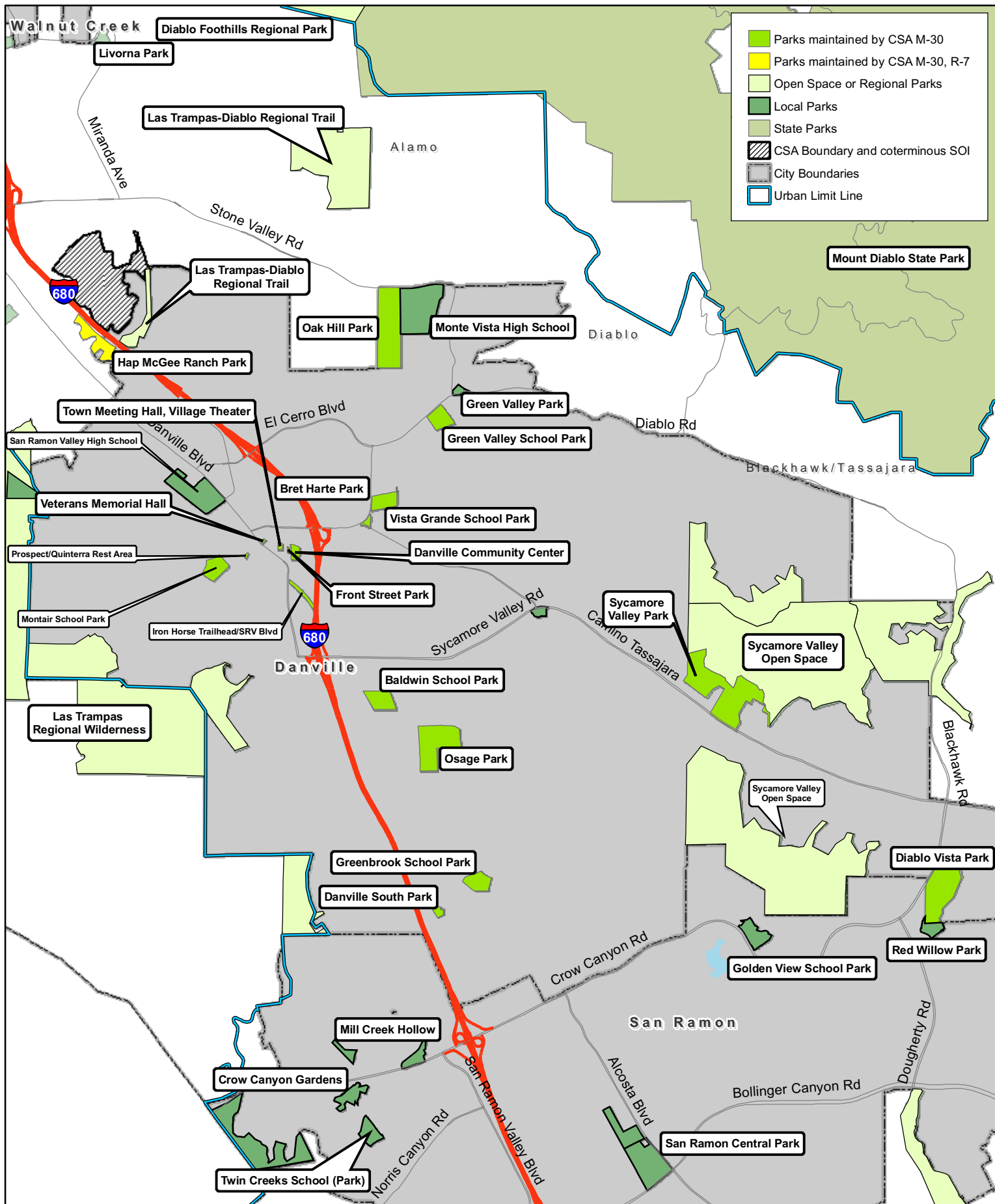
- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

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

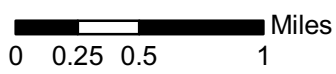


Legend

- Parks maintained by CSA M-30
- Parks maintained by CSA M-30, R-7
- Open Space or Regional Parks
- Local Parks
- State Parks
- CSA Boundary and coterminous SOI
- City Boundaries
- Urban Limit Line

Map created: 3/24/2010
 by Contra Costa County Development, GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
 37-59-48.459N 122-06-35.384W

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.



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

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR
COUNTY SERVICE AREA R-9**

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-9, and adopted written determinations as required by Government Code §56430 on April 21, 2010; and

WHEREAS, the MSR report identified two SOI options for CSA R-9 including retaining the existing coterminous SOI, and adopting a zero SOI; and

WHEREAS, CSA R-9's corporate boundary and SOI are coterminous and comprise 3.1± square miles; and

WHEREAS, it is hereby proposed that CSA R-9's SOI be retained as generally depicted on Exhibit A attached hereto and should be reviewed again in 2015; 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 public hearings held on May 12 and 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-9'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 El Sobrante. The CSA area is primarily high-density residential areas with single and multi-family residences; there is also retail

commercial along San Pablo Dam Road and Appian Way and minimal agricultural, neighborhood business, office space and large lot single family residential uses throughout the CSA bounds. 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 minor subdivision projects, and is not anticipated to impact service demand in the future. No changes in public facilities or services provided by CSA R-9 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-9 facilities do not have the capacity to serve the entire CSA. An additional 32 acres of neighborhood parkland is needed to provide adequate park capacity to the area. The SOI update will not impact the present capacity of public facilities and adequacy of public services that CSA R-9 provides or is authorized to provide. Policy Issue: The MSR report notes significant fiscal and governance issues. CSA R-9 should report back to LAFCO within 12 months regarding governance and other issues identified in the MSR report. The SOI should be reviewed again in 2015.

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-9 was formed in 1974, and serves the unincorporated community of El Sobrante, located immediately south of the City of Pinole, adjacent to the City of Richmond in the east, west and south, with the southwest corner of the CSA abutting the City of San Pablo. With the exception of park dedication fees from the developers, CSA R-9 has no other fixed revenue. The community of interest is the unincorporated community of El Sobrante. 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-9 provides park facility operation and maintenance. The CSA has primarily provided funding for the construction and operation of the Children's Reading Garden at the El Sobrante Library in cooperation with the County.

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

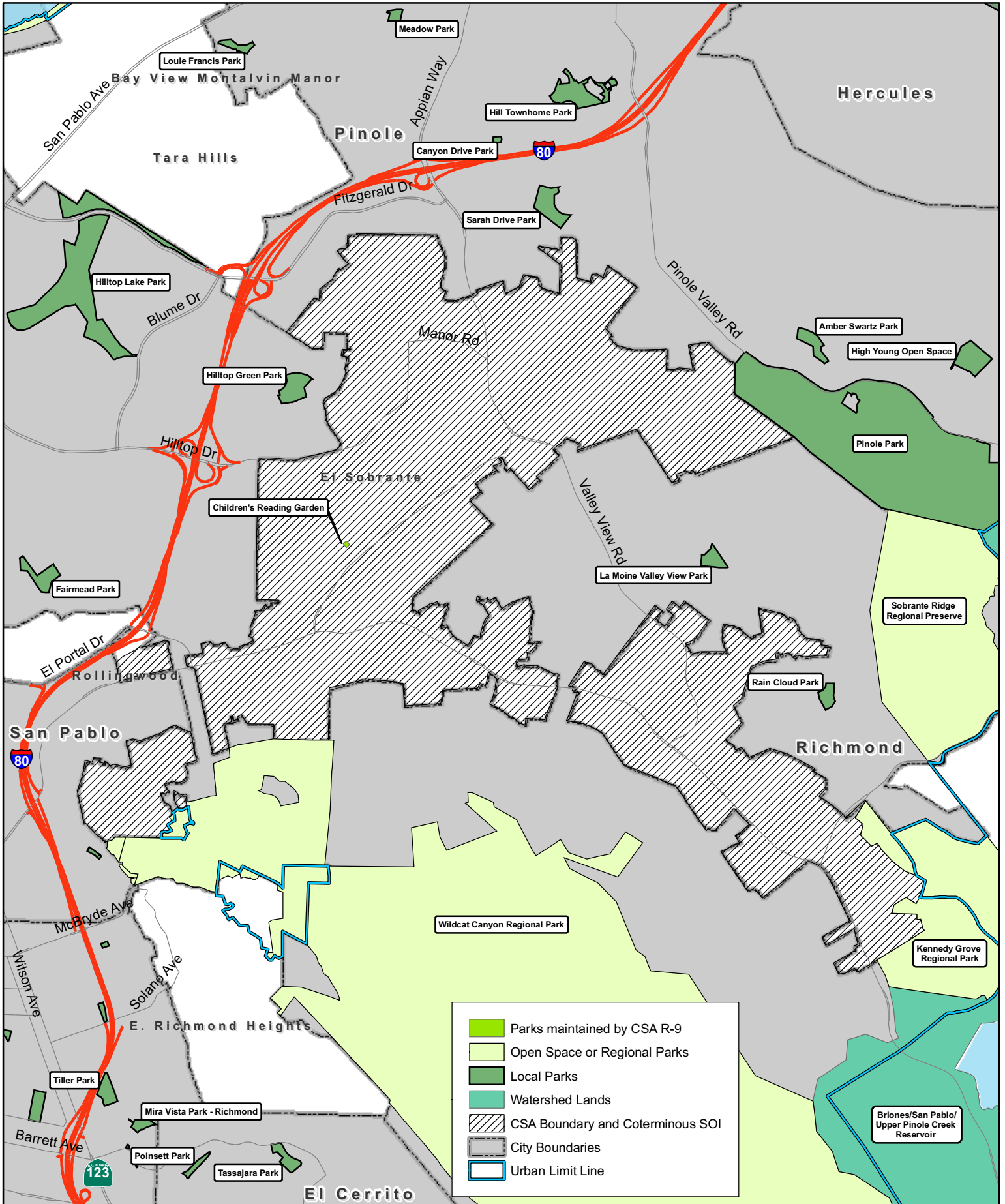
- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

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

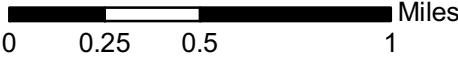
Lou Ann Texeira, Executive Officer



	Parks maintained by CSA R-9
	Open Space or Regional Parks
	Local Parks
	Watershed Lands
	CSA Boundary and Coterminous SOI
	City Boundaries
	Urban Limit Line

Map created: 3/24/2010
 by Contra Costa County Community Development, GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
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*"Small Town Atmosphere
Outstanding Quality of Life"*

May 3, 2010

Lou Ann Texeira, Executive Officer
Contra Costa Local Agency Formation Commission
651 Pine Street
Martinez, CA 94553

Subject: C.S.A. M-30; Danville/ Alamo, Ca.

Ms. Texeira:

Thank you for your email of April 27, 2010 regarding LAFCO's MSR review, specifically as it applies to CSA M-30. Your email indicates that one option being considered by LAFCO would involve the dissolution of CSA M-30. For the reasons summarized below, the Town of Danville would be opposed to this option.

While LAFCO has much of the history behind creation of CSA M-30 (see LAFCO staff report dated 11/19/97 in support of LAFCO Resolution No. 97-28, authorizing formation of the CSA), it is important to emphasize the policy reasons behind creation of the district.

CSA M-30 encompasses the Alamo Springs subdivision which is located on the Danville/ Alamo border. Once the County and the Town decided to jointly process and approve this subdivision, the question was how to provide municipal services to all of the new homes and how to do so in an equitable manner, given that some of the homes are within incorporated Danville and some in unincorporated Contra Costa County. With the exception of street lighting, the County, the Town and LAFCO all determined that the Town was the most appropriate provider of service to all of the new homes. This is memorialized in conditions of approval for the project and discussed in the EIR certified as part of the project. The fact that the entire subdivision can be accessed only through Danville was a major factor.

In establishing the amount of the assessment for CSA M-30, there was explicit acknowledgement that the homes within the unincorporated portion of the subdivision and those within the incorporated portion of the subdivision should receive the same level of services and that the assessment should recognize that. Using parks maintenance as an example, that function within the Town is funded 50% by property assessments paid to the Town Landscape and Lighting Assessment District and 50% by the Town General Fund.

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

Administration
(925) 314-3388

Building
(925) 314-3330

Engineering & Planning
(925) 314-3310

Transportation
(925) 314-3320

Maintenance
(925) 314-3450

Police
(925) 314-3700

Parks and Recreation
(925) 314-3400

May 3, 2010

Page 2

Thus, the portion of the M-30 assessment paying for parks maintenance is set at twice the Town's LLAD parks maintenance rate paid by the Alamo Springs homes in Danville.

Dissolution of CSA M-30 to have it subsumed into R-7A is not practical. First, as the MSR report points out, CSA M-30 funds more than just parks maintenance: police, streets and roadside landscaping provided by the Town are also paid for as well as county street lighting. Of the current annual CSA M-30 assessment revenues going to the Town, only 20% (\$135.60 of \$653.93) are for parks maintenance. So while LAFCO is looking at park and recreation districts, CSA M-30 is more than that and has budgeting implications well beyond those within the purview of CSA R-7A.

Second, there is only one instance where CSA's R-7A and M-30 actually overlap: Hap Magee Ranch Park. CSA M-30 provides for maintenance of Town parks and facilities, which CSA M-30 residents are able to use at Danville resident rates. CSA R-7A pays for parks and facilities outside of Danville. It is only at the jointly owned and operated Hap Magee Ranch Park that there could be deemed an overlap.

If the Commission is concerned about overlap between the two districts, another option might be to amend CSA M-30 to delete park maintenance. This option would save the property owners within unincorporated Alamo a grand total of approximately \$5,400 per year, at full build out of the subdivision. However if that portion of the assessment were dropped, these residents would no longer be eligible to reserve Town facilities or register for Town classes at resident rates.

In conclusion, the Town opposes any modification of CSA M-30, or combining CSA M-30 into CSA R-7A, which does not fund many of the services provided through M-30.

Sincerely,
Town of Danville



Joseph Calabrigo
Town Manager

cc Town Council
Parks and Leisure Services Commission