

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

July 9, 2008 (Agenda)

LAFCO 08-20 **Green Valley Recreation and Park District Request for Sphere of Influence Amendment**

PROPONENT Green Valley Recreation and Park District

ACREAGE & LOCATION Approximately 147 acres (303 parcels) located near and around the intersection of Diablo Road and Green Valley Road in the Town of Danville.

PURPOSE: To enable future annexation of the property to more accurately reflect the neighborhood users, to better serve the social/economic communities, and to expand the revenue stream for the purpose of replacing the existing 50 year old pool facility.

SYNOPSIS

The Green Valley Recreation and Park District (GVRPD) is a small Independent Special District located in Danville. The GVRPD operates a community swimming pool and coordinates a wide variety of activities commonly provided at community pools including swimming lessons, a non-competitive swim team, lifeguard training, community social events, summer movies, and birthday parties. GVRPD's current sphere of influence (SOI) and service boundary are coterminous.

GVRPD filed an application with LAFCO on June 2, 2008 to expand its SOI boundary to include 147± acres generally located near and around the intersection of Diablo Road and Green Valley Road in the Town of Danville. The District submitted this application because it seeks to better reflect the community it serves, and expand its revenue base for the purpose of replacing its existing 50 year old swimming pool facility. The area proposed for inclusion in GVRPD's SOI is contiguous to the District's existing SOI and service boundary. If the SOI amendment is approved, the GVRPD plans to submit a subsequent annexation proposal.

BACKGROUND

The Cortese-Knox-Hertzberg Act (CKH Act) empowers LAFCO with the responsibility for developing and determining the SOI of each local agency within the county, and for enacting policies designed to promote the logical and orderly development of areas within the spheres. A Sphere of Influence is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO.

The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future (e.g., 10-20 year horizon). Accordingly, territory included in an agency's sphere is an indication that the probable need for service has been established, and that the subject agency has been determined by LAFCO to be the most logical service provider for the area.

The CKH Act requires that LAFCO decisions regarding boundary changes be consistent with SOIs of local agencies. LAFCO is prohibited from approving annexations that are not within the annexing agency's SOI. Once a sphere is established, annexations must still be individually weighed and evaluated on their own merits.

State law also requires LAFCO to review and update, as necessary, the adopted SOI of each local agency not less than every five years. In conjunction with the SOI update, LAFCO must prepare a Municipal Services Review (MSR). The draft MSR report and SOI update for GVRPD is being presented concurrently with this SOI amendment at the July 9, 2008 Commission meeting.

DISCUSSION

In determining a sphere, LAFCO is required to consider and prepare a written statement of determinations with respect to certain factors prior to making a decision [Government Code §56425(e)(i)]. These factors are discussed below.

SOI Determinations

1. The present and planned uses in the area, including agricultural and open space lands.

Land use in the area proposed for inclusion in the District's SOI is primarily single family residential. There are two County General Plan designations in the area: SL – Single Family Residential Low and SM – Single Family Residential Medium. Zoning designations within the Town of Danville include Single Family Residential with various minimum lot sizes (R-10, R-12, R-15, and R-20) and Planned Unit Development. The territory within the current SOI, as well as the proposed expansion area, is almost completely built out and no changes to current land uses are proposed. There are no agricultural lands and no Williamson Act Land Conservation Agreements in the proposed SOI expansion area.

2. The present and probable need for public facilities and services in the area.

The proposal before the Commission is to expand the District's SOI to allow for the future annexation of these parcels to GVRPD. The level and range of services will be similar to those provided by GVRPD to properties currently within its boundaries. The GVRPD states that the District's current boundaries were based on serving the Cameo Acres area of Danville. Over the years, as the community has grown, residents of other neighborhoods in Danville make use of the facility. The areas proposed for inclusion in the SOI are the Belgian/Clydesdale Drive area, the Green Valley Road eastside and westside areas, and the El Cajon Drive area.

While there are other public agencies providing park and recreation services in the area, in its application, the District states that its swimming pool facility is the only community facility of its kind in the neighborhood, and it serves as a valuable gathering place and focal point for social events, as well as emergency and disaster situations.

3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

The GVRPD currently operates a swimming pool facility. However, the applicant states that the facility is approximately 50 years old, and in need of replacement. As a result of the current condition of the pool, the applicant indicates that membership has declined by about 30 percent over the past few years. The District is seeking to expand its service boundaries in order to increase tax revenues which will be used to upgrade the swimming pool. By upgrading the pool, the District expects to attract additional members which will, in turn, generate revenue increases from user fees. The District plans to increase the size of the pool from 50' by 22' to 75' by 42' in order to accommodate additional members.

In addition to property taxes, the District receives revenue from annual membership fees and other service fees. The District annually adjusts its service fees, but has not increased its annual membership fees for approximately 10 years. Upon completion of pool replacement project, the District anticipates increasing its annual membership fees to more closely match fees charged by other community and public pool facilities. The District states in its application that without replacing the pool and receiving the expected associated increase in revenue, they will not be able to cover on-going expenses.

4. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.*

The primary social or economic communities of interest that is relevant to the SOI amendment are the Cameo Acres and surrounding areas of Danville and Alamo, as well as other users of the service. The GVRPD collects an assessment on all properties within the District boundaries to support the swimming pool facility, and related programs and services. In addition, there are annual member fees and other service fees. Both property owners within the District and members have an economic interest in realizing the benefit of their assessment and annual membership fees.

In addition to the above determinations, the Commission, when adopting, amending, or updating an SOI for a special district, shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.

GVRPD is currently authorized by LAFCO to provide recreation services. The current membership base is approximately 120 families who reside primarily within the District boundaries.

Environmental Impact of the Proposal

The GVRPD, as Lead Agency, prepared a Notice of Exemption for this project stating that the project is categorically exempt because it involves the conversion of small structures (Section 15303(e)) and annexation of existing facilities and lots (Section 15319(a)).

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following actions:

- Option 1** Approve the sphere expansion to include 147± acres (303 parcels) located near and around the intersection of Diablo Road and Green Valley Road in the Town of Danville.
- A. Determine that the Green Valley Recreation and Park District as lead agency has prepared and certified Notice of Exemption for the project.
 - B. Certify that the Commission has reviewed and considered the Notice of Exemption prepared by the Green Valley Recreation and Park District and finds the proposal to categorically exempt from CEQA under Sections 15303(e) and 15319(a).
 - C. Adopt this report and amend the Sphere of Influence of the Green Valley Recreation and Park District to include the proposed 147± acres (303 parcels) as described herein.
- Option 2** Adopt this report and DENY the proposal.
- Option 3** If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

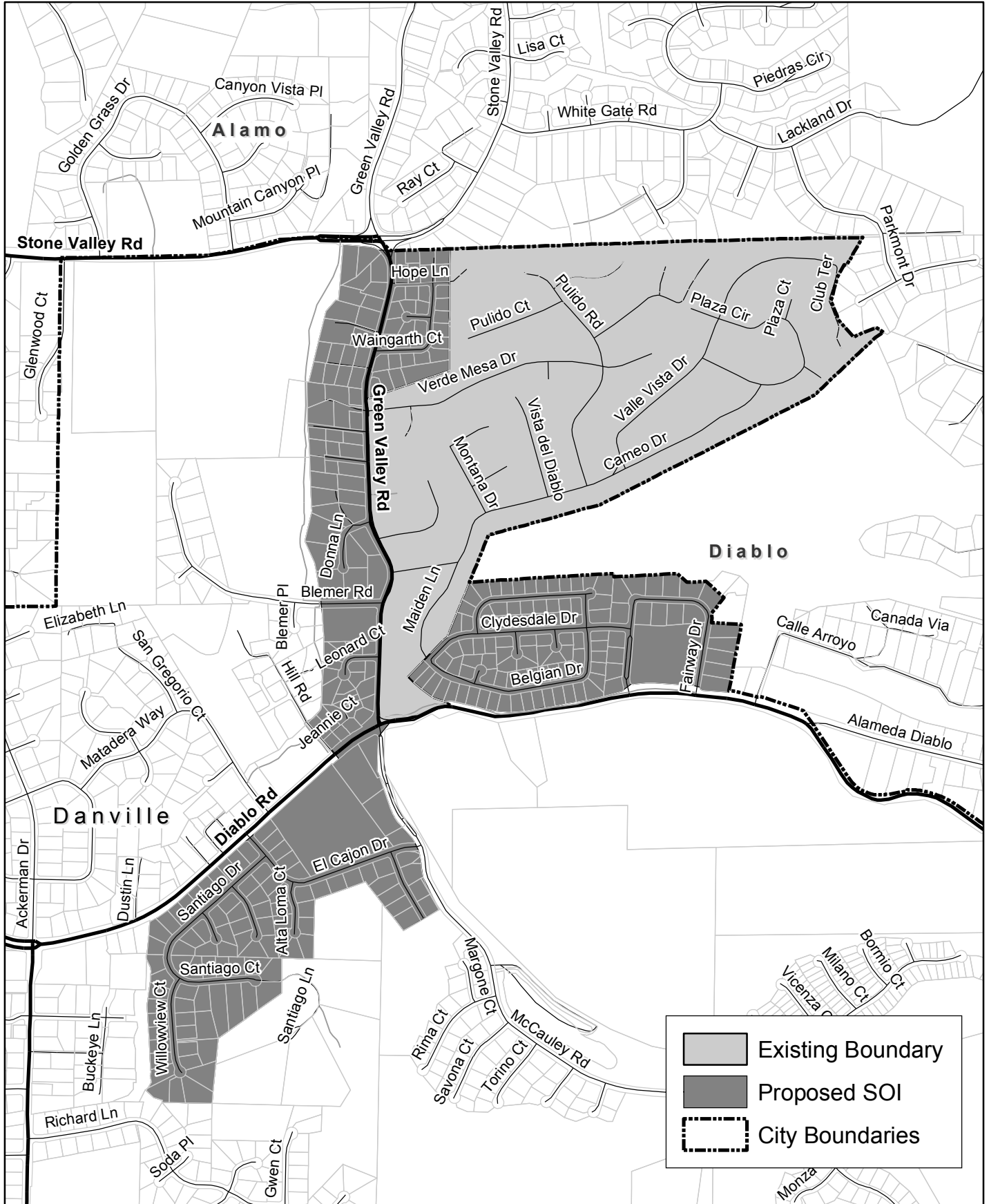
Approve Option 1.


MONA PALACIOS
ALTERNATE EXECUTIVE OFFICER
LOCAL AGENCY FORMATION COMMISSION

Attachments

1. SOI Map
2. Draft LAFCO Resolution

LACFO No. 08-20: Green Valley Recreation and Park District Sphere of Influence Amendment



SPHERE OF INFLUENCE RESOLUTION NO. 08-20

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND MODIFYING THE SPHERE OF INFLUENCE
OF GREEN VALLEY RECREATION AND PARK DISTRICT

WHEREAS, a proposal to modify the sphere of influence (SOI) of the Green Valley Recreation and Park District (District) was filed with the Contra Costa Local Agency Formation Commission (LAFCO) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56425); and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Alternate Executive Officer's report and recommendation, the environmental document or determination, SOIs and applicable General and Specific Plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference;

NOW, THEREFORE, the Contra Costa LAFCO DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The matter before the Commission is the proposed expansion of the SOI of the Green Valley Recreation and Park District.
2. Find the proposal to be categorically exempt from CEQA pursuant to Sections 15303(e) and 15319(a).
3. The Green Valley Recreation and Park District SOI is hereby expanded to include the area shown on the attached map labeled "Exhibit A."
4. The Commission has considered the criteria set forth in Government Code §56425 and determines as follows:

The present and planned uses in the area, including agricultural and open space lands.

The area consists of approximately 147 acres generally located near and around the intersection of Diablo Road and Green Valley Road in the Town of Danville (303 parcels). No changes to current land uses are proposed. There are no agricultural lands and no Williamson Act Land Conservation Agreements in the proposed SOI expansion area.

The present and probable need for public facilities and services in the area.

The Green Valley Recreation and Park District was created to provide recreation services in the Cameo Acres area of Danville. Over the years, as the community has grown, residents of other neighborhoods in Danville and Alamo, as well as other areas make use of the facility. The level and range of services will be similar to those provided by the District to properties currently within its boundaries. The existing swimming pool facility is only community facility of its kind in the neighborhood, and it serves as a valuable gathering place and focal point for social events, as well as emergency and disaster situations.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Green Valley Recreation and Park District currently operates a swimming pool facility which is approximately 50 years old and in need of replacement. Due to the condition of the pool, membership has declined by about 30 percent over the past few years. The District seeks to expand its service boundaries in order to increase tax revenues which will be used to upgrade the swimming pool. By upgrading the pool, the District expects to attract additional members which

will, in turn, generate revenue increases from user fees. The revenue increases will also be used for operations and maintenance. The District states in its application that without replacing the pool and receiving the expected associated increase in revenue, they will not be able to cover on-going expenses.

The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

The Green Valley Recreation and Park District collects an assessment on all properties within the District boundaries to support the swimming pool facility, and related programs and services. In addition, there are annual member fees. Both property owners within the District and members have an economic interest in realizing the benefit of their assessment and annual membership fees.

The nature, location, and extent of any functions or classes of services provided by the existing district.

GVRPD is currently authorized by LAFCO to provide recreation services. The current membership base is 120 families. All district services are provided within its boundaries.

PASSED AND ADOPTED THIS 9TH day of July 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, 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: July 9, 2008

Mona Palacios, Alternate Executive Officer