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August 13, 2008 (Agenda)

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

Green Valley Recreation & Park District Sphere of Influence Update

Dear Commissioners:

SUMMARY

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), LAFCO must adopt a sphere of influence (SOI) for each city and special district. The SOI serves as the ultimate planning boundary for the local agency. Effective SOIs may discourage urban sprawl by preventing service duplications, overlapping service areas and premature conversion of agricultural land to urban uses.

Pursuant to State law, LAFCO must review and update SOIs at least every five years. In order to prepare and update the SOIs, LAFCO must conduct a municipal service review (MSR).

On July 9, 2008, the Commission held a workshop to review the Preliminary Draft MSR report and SOI Update for the Green Valley Recreation & Park District (GVRPD). The Commission provided input, accepted public comment and directed staff to release the Public Review Draft report. This report was made available for public review and comment for a minimum of 21 days. On August 13, the Final Draft GVRPD MSR report will be presented to the Commission (available on the LAFCO website at www.contracostalafco.org) for acceptance.

The MSR report presents recommended MSR determinations for the District as presented in a separate LAFCO agenda item. In addition, the report presents SOI options and a recommendation as discussed below.

DISCUSSION

Provisions for updating SOIs are contained in the CKH Act. In adopting or updating an SOI, the Commission must make determinations regarding the following:

- The present and planned land uses in the area, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
- When adopting, amending or updating an SOI for a district, LAFCO must establish the nature, location and extent of any functions or classes of service.

The Commission may approve changes of organization and reorganizations using SOIs as a basis. LAFCO also has adopted policies and procedures for SOI updates. Among the more important factors is the need to consider whether services need to be provided in the next 5-20 years, or whether there is any other compelling reason for including an area within an SOI; for example, to enable funding of open space maintenance or planning, or to provide a logical boundary. Also, LAFCO should consider whether territory included in the SOI of one agency is already included in, or should be included in, the SOI of another agency more capable of providing services. These factors and policies were considered in developing the SOI recommendation for GVRPD.

Based on the analysis contained in the MSR, options for GVRPD's SOI were evaluated. These include, but are not limited to, retaining the existing SOI, adopting a zero SOI if LAFCO believes the district should be dissolved, or reducing or expanding the SOI. The MSR report also identifies Government Structure Options, including potential consolidations, mergers and dissolutions, which would require additional study to determine specific costs and benefits and are discussed in a separate LAFCO agenda item.

A summary of the SOI options and recommendation for the GVRPD is presented below; details and analyses are presented in the MSR report.

GVRPD is an independent district formed in 1949. The District's service boundary encompasses 405 parcels covering approximately 162 acres locate in the Town of Danville.

GVRPD owns and operates a swimming pool for the Cameo Acres area, serving primarily surrounding neighborhoods in Danville and Alamo. The District offers a variety of aquatic related activities and social events, such as swim lessons, movie nights, etc. District services and programs are available to members and guests, and to residents and non-residents of the District. GVRPD currently has a membership of approximately 120 families.

As a result of a recent SOI amendment approved by LAFCO on July 9, 2008, the District's boundary and SOI are not coterminous. GVRPD recently submitted a corresponding application to annex the same territory that was recently added to the District's SOI. The District is actively planning to expand its tax and member base in order to help fund replacement of the GVRPD swimming pool.

The MSR identifies two SOI options for GVRPD:

- Retain the existing SOI – no change to current SOI
- Adopt a zero SOI – indicating that a potential dissolution may be appropriate

Recommendation: Based on the MSR report, it is recommended that the Commission retain the existing SOI.

OPTIONS AND RECOMMENDATION

Option I (based on the recommendation described above):

1. As Lead Agency, determine that the SOI update for GVRPD is exempt pursuant to §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, and
2. Adopt the attached resolution updating (affirming) the SOI for GVRPD as required by the CKH Act.

Option II

1. As Lead Agency, determine that the SOI update for GVRPD is exempt pursuant to §15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, and
2. Adopt other SOI update as desired.

Option III

If the Commission needs more information, it should CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

Approve Option 1.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Distribution

Attachments

1. Draft Resolution with SOI Update

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
APPROVING AN UPDATE TO THE SPHERE OF INFLUENCE FOR THE
GREEN VALLEY RECREATION & 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 the Green Valley Recreation & Park District services, and adopted written determinations as required by Government Code §56430 on August 13, 2008; and

WHEREAS, GVRPD owns and operates a swimming pool and provides related aquatic activities for the Cameo Acres neighborhoods and surrounding areas in Danville and Alamo; and

WHEREAS, the District boundaries encompass 162± acres with an estimated population of 1,126 residents; and

WHEREAS, the District boundaries are not coterminous with its SOI; 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 August 13, 2008; 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. Approve and affirm the existing SOI for the Green Valley Recreation & Park District as generally depicted on Exhibit A attached hereto.
2. Consider the criteria set forth in Government Code §56425(e) and determine as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands* – The District has no land use authority. County and city plans include land uses and population growth that create a demand for park & recreational services. County and city

policies support the provision of adequate park & recreational services for residents and visitors. Although there are some open space lands within the District's boundaries and SOI, park & recreational services do not by themselves induce growth on agricultural or open space lands. No Williamson Act contracts will be affected by this SOI action.

- b. *The present and probable need for public facilities and services in the area* – Population within the District is expected to increase by less than 1% annually. There will be a continued need for adequate park & recreational services. No changes in public facilities or services provided by the District will result from this SOI update.
- c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – GVRPD owns and operates a community swimming pool and coordinates related aquatic programs and activities. The pool facilities are over 50 years old and in need of replacement. The District has limited resources and is actively pursuing a boundary expansion to enhance its tax and member base. Adoption of the SOI as proposed will not affect the present capacity of public facilities and adequacy of services provided by GCRPD.
- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – GVRPD was formed in 1949. The District collects member and user fees and also receives a portion of the 1% property tax. GVRPD currently has no debt. However, the District proposes to finance the pool replacement with a loan. Property owners and member families have an economic interest in receiving District services. The SOI update will not affect the existence of any social or economic communities of interest in the area that are relevant to GVRPD.
- e. *Nature, location, extent, functions & classes of services to be provided* – GVRPD owns and operates a swimming pool and coordinates related aquatic services and programs. The District serves Cameo Acres and surrounding Danville and Alamo neighborhoods.

- 3. 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.
- 4. Direct staff to file a Notice of Exemption as lead agency pursuant to the CEQA Guidelines.

PASSED AND ADOPTED THIS 13TH day of August 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: August 13, 2008

Lou Ann Texeira, Executive Officer

Green Valley Recreation and Park District Boundary and Sphere of Influence

