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March 13, 2024  
Agenda Item 5

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

March 13, 2024 (Agenda)

***Dissolution of County Service Area R-9***

**SUMMARY:**

In June 2021, Contra Costa LAFCO completed its 2<sup>nd</sup> round *Parks & Recreation Services Municipal Services Review* (MSR) and Sphere of Influence (SOI) updates. The MSR covered all 19 cities, three parks & recreation districts, one regional park district, four community services districts, and eight County Service Areas (CSAs) including CSA R-9 (El Sobrante). Consistent with the recommendations in the MSR, the Commission adopted a zero SOI for CSA R-9 in June 2021 signalling future dissolution of CSA R-9.

In November 2021, the Commission considered initiating dissolution of CSA R-9, but deferred action for 6-9 months at the request of County Supervisor John Gioia and pending an update on the status of CSA R-9. In August 2022, the Commission adopted a resolution initiating proceedings for dissolution of CSA R-9 and requested an update from the County. Supervisor Gioia reported to the Commission that a working group is exploring a parcel tax for parks in El Sobrante. Supervisor Gioia requested an additional six months to continue these discussions which the Commission granted. In March 2023, Supervisor Gioia provided an update noting there was community interest and an active working group exploring improvements and a potential assessment measure. Supervisor Gioia requested a one-year extension to March 2024 to pursue these efforts which the Commission granted.

In February 2024, Supervisor Gioia and Contra Costa County Public Works provided an update and additional information to LAFO staff regarding the status of CSA R-9. Supervisor Gioia and Public Works noted that in December 2023, the County Board of Supervisors allocated \$1 million annually from Measure X to fund County parks and recreation projects (capital and maintenance) in unincorporated areas. While the Board of Supervisors has not yet allocated the funding to specific areas, it is anticipated that El Sobrante will receive an allocation, Consequently, CSA R-9 will be used to hold the funds.

County Public Works staff notes that funding for maintenance and capital needs for parks and recreation is not adequate, which limits facilities and services. Measure X funds could be used to augment existing revenue with a focus on equity to impacted communities. The approved allocation could provide consistent funding for capital improvements, deferred maintenance, planning and development of new park and recreation facilities, and increase ability to leverage grants.

As the park funding program develops, it is likely there will be coordination with each Supervisorial District to determine their specific goals as it relates to parks and recreation. It is anticipated that each County Supervisor will prioritize funding based on their District's unique community needs and desires. The County recognizes that CSA R-9 and the El Sobrante community currently lack consistent park and recreation opportunities, and that Measure X funding is a potential source of revenue to expand and improve services.

Supervisor Gioia requests that R-9 not be dissolved at this time since there is the likely potential to obtain funding for parks in unincorporated El Sobrante. There is also the potential to place a funding measure on the ballot.

DISCUSSION:

**Background:** CSA R-9 was formed in 1974 to provide park and recreation services to the unincorporated El Sobrante community (see Exhibit A). Since formation, there were five detachments from and three annexations to CSA R-9. The CSA R-9 service area is approximately 3.1± square miles with an estimated population of 15,639 (2020). CSA R-9 is almost entirely within the City of Richmond's SOI with a small portion in the north that lies within the City of Pinole's SOI, and an island to the southwest which lies within the City of San Pablo's SOI. There are no disadvantaged communities within CSA R-9.

Within CSA R-9 is the Children's Reading Garden located at the El Sobrante library. The Reading Garden was built with one-time park dedication fees, is designed to have minimal maintenance, and is maintained by volunteers and the library. Other than possible Measure X funding, CSA R-9 has no money and no funding source to fund maintenance of the Children's Reading Garden. Park improvements in El Sobrante were previously funded with one time park dedication funds collected on new development and with East Bay Regional Parks Measure WW funds. Also, the County notes that reliance on volunteer community members to maintain the Reading Garden is not sustainable due to liability and accountability issues. Further, the Reading Garden is 0.1± acres and does not provide sufficient capacity to meet current or future demands. There are limited opportunities for shared facilities given R-9's lack of resources.

Regarding financial ability of the district to provide services, R-9 lacks a secure source of revenue. Planned expenditures are expected to exceed revenues, which means maintenance and other expenses may need to be partially deferred. Two past attempts to pass assessments in 1985 and 1998 failed.

The LAFCO MSR identified two SOI options for R-9: 1) retain the existing coterminous SOI, or 2) adopt a zero SOI signaling future dissolution of R-9 whereby the County would be the successor agency. County staff noted that R-9 park maintenance duties could shift to the County Landscape & Lighting District.

In accordance with the MSR consultant and LAFCO staff recommendations, the Commission adopted a zero SOI as CSA R-9 is not providing services and has no secure source of revenue.

**Commission Proceedings** – A dissolution may be initiated by LAFCO if it is consistent with a recommendation or conclusions of a study prepared pursuant to GC §§56378, 56425, or 56430, and LAFCO makes determinations specified in §56881(b). Sections 56378, 56425, and 56430 require LAFCO to study existing agencies, make determinations regarding SOIs and conduct MSRs.

Section 56881(b) requires LAFCO to make both of the following determinations regarding dissolution:

- (1) Public service costs of a proposal that the commission is authorizing are likely to be less than or substantially similar to the costs of alternate means of providing the service.
- (2) A change of organization or reorganization that is authorized by the commission promotes public access and accountability for community service needs and financial resources.

As previously noted, in August 2022, the Commission adopted a resolution initiating dissolution of CSA R-9. Before LAFCO can dissolve a district, LAFCO must hold a public hearing. LAFCO deferred action on the proposed dissolution pending an update from Supervisor Gioia.

## ALTERNATIVES FOR COMMISSION ACTION

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

- Option 1**      Defer further action regarding dissolution and request an update in 12 months (March 2025) regarding the status of CSA R-9 including funding.
- Option 2**      Direct LAFCO staff to schedule a public hearing to consider dissolution of CSA R-9.
- Option 3**      If the Commission needs more information, CONTINUE this matter to a future meeting.

**RECOMMENDED ACTION:** Given the potential for Measure X funding for CSA R-9, staff recommends **Option 1**

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LOU ANN TEXEIRA, EXECUTIVE OFFICER  
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

Exhibit: LAFCO Map of CSA R-9  
c: Distribution

# County Service Area R-9 (El Sobrante) and Coterminus SOI

