

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2013-05**

**Adopting Municipal Service Review Determinations, Sphere of Influence Determinations, and
Updating the Sphere of Influence for the Livermore Area Recreation and Park District**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo) to develop and determine the sphere of influence (SOI) of each local governmental agency under LAFCo jurisdiction within the County; and

WHEREAS, Government Code Section 56425(g) requires that LAFCo review and update adopted SOI boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code Section 56430 requires that a municipal services review (MSR) be conducted prior to or in conjunction with a SOI update; and

WHEREAS, LAFCo conducted a municipal services review of the services provided by the Livermore Area Recreation and Park District (LARPD); and

WHEREAS, the LARPD has a SOI that is larger than the District's jurisdictional boundary; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the CSA's coterminous 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 update action; and

WHEREAS, the MSR determinations, the SOI determinations and the SOI update were duly considered at a public hearing held on January 10, 2013; and

WHEREAS, the Alameda 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 action.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Alameda LAFCo hereby:

1. Adopt the following MSR determinations:
 - a. *Growth and Population Projections*
 - i. The LARPD population in 2010 was 85,926 as determined by GIS analysis of Census data.
 - ii. Based on Association of Bay Area Governments (ABAG) growth projections and LARPD's estimated 2010 Census population, LARPD's population is anticipated to reach 118,574 by 2035.
 - iii. Demand for services is anticipated to continue to grow with population growth, as well as increased needs for services by low-income families and seniors in the core area of Livermore.
 - b. *Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence*
 - i. Using Census Designated Places, Alameda LAFCo determines that there are no disadvantaged unincorporated communities that meet the basic state-mandated criteria within the County. Alameda LAFCo recognizes, however, that there are communities in the County that

experience disparities related to socio-economic, health, and crime issues, but the subject of this review is municipal services such as water, sewer, and fire protection services to which these communities, for the most part, have access.

c. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- i. Using a district adopted service guideline for acreage ratios, LARPD partially meets service standards. LARPD does not meet the acreage standard for neighborhood parks, but does meet the one park per 3,000-5,000 people for neighborhood parks standard. LARPD does not meet either of the service guidelines for community parks.
- ii. LARPD will need to invest in and develop new parks and facilities in the future in order to attain adopted park standards and meet the anticipated demand for services of the growing population. It is also recommended that LARPD and the City of Livermore collaborate on any future development park requirements to ensure that adopted park standards are met.
- iii. Based on recreation center hours per week, number and scope of facilities and the breadth of recreation services offered, services offered by LARPD appear to be adequate. However, as noted, LARPD should consider measures in order to meet acreage per person standards, particularly as the population continues to grow.
- iv. LARPD staff have identified and reported infrastructure needs in the District, which can be found in Figure 2-1.
- v. Many of LARPD's neighborhood parks are older parks, built during the 1970s as part of residential subdivisions developed in Livermore. Over half of these smaller neighborhood pocket parks are 30 or more years old, which require improvements.
- vi. Short-term planned capital improvements include the following: Robertson Park parking lot, sports field, respite area and trail improvements, land acquisition, restroom improvements, Wetmore improvements for Sycamore Grove, Robert Livermore Park pump replacement, paving and concrete repair at various parks, and creek bank repair at Arroyo Mocho.

d. Financial Ability of Agency to Provide Services

- i. Due to the general economic downturn beginning in 2008, LARPD reported that current financial levels are not adequate to deliver services in the same manner as prior to 2008. LARPD noted that property tax revenues have fallen while demand for services, unfunded mandates and cost of materials and utilities have all increased.
- ii. LARPD appears to maintain healthy reserves, and recently paid off all long-term debt.
- iii. Voters within LARPD approved a special tax in June 1997, which is restricted for use on maintenance and operation of park facilities in order to recover funds that are diverted to the state under ERAF.

e. Status and Opportunities for Shared Facilities

- i. LARPD has joint use agreements with the Livermore Valley Unified School District and City of Livermore. These three agencies have also passed a joint bond measure through voters, which funded needed facilities for all three agencies. Additionally, the City and LARPD share a maintenance yard and new equipment costs. LARPD and the City are also jointly working on trail connections and development.
- ii. EBRPD is responsible for the maintenance and operation of new (post 1992 agreement) regional parks, open space and trails in the Murray Township area, which is in the LARPD boundary, but more appropriately maintained and managed by EBRPD. As part of a tax sharing agreement between EBRPD and LARPD, EBRPD is reimbursed for this.

f. Accountability for Community Services, Including Governmental Structure and Operational Efficiencies

- i. LARPD practices good governance and accountability. LARPD makes efforts to engage and educate constituents through outreach activities in addition to legally required activities such as agenda posting and public meetings. LARPD has a defined complaint process designed to handle all issues to resolution. LARPD is transparent as indicated by cooperation with the MSR process and information disclosure.

- ii. Since the majority of parks and facilities that LARPD owns and/or operates are within the boundaries of the City of Livermore, a governance alternative is for LARPD to become a subsidiary district of the City of Livermore, where the City would govern and manage the operations of the District. In this case, the territory of LARPD would need to be at least 70 percent within the City's limits. As LARPD's bounds presently exist, they include a substantial area outside of the City, and therefore a large area of the unincorporated territory to the south would need to be detached before this kind of reorganization could occur. Presently, LARPD indicated that it is not interested in moving forward with a reorganization of this sort.
 - iii. LARPD could annex the area in the northeast of Alameda County, which is currently within LARPD's SOI. The area in the northeast is primarily parcels of farmland with low population density.
 - iv. There are properties that are within both the City of Pleasanton and LARPD that receive similar services, but the city is the more logical service provider. Therefore, it is recommended that these parcels be detached from LARPD.
 - v. LARPD's bounds overlap entirely with those of East Bay Regional Park District (EBRPD). In an effort to serve the expanding needs of the residents of Murray Township, EBRPD is responsible for the maintenance and operation of new regional parks, open space and trails in the area, which is in LARPD's boundary, but more appropriately maintained by EBRPD given its mission which is more regional in nature. LARPD provides continued maintenance and operations at two regional parks that were in place prior to this agreement with EBRPD. While there is the potential for duplication of services, the two agencies operate under a formal tax sharing agreement that appears to clearly delineate the roles of each district.
2. Reduce the LARPD SOI to exclude areas within the City of Pleasanton as generally depicted in Exhibit A attached hereto and require the District to report back to LAFCo within 12 months on efforts to detach overlap areas in the City of Pleasanton. To the extent reasonably possible, Alameda LAFCo will waive the detachment application processing fees.
 3. If the territory within the District's SOI but outside its jurisdictional boundary is not annexed by the next SOI update cycle, require that the District provide LAFCo with a plan to annex and provide services to that territory.
 4. Consider the criteria set forth in Government Code Section 56425(e) and determine as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands* – Within the City of Livermore, the predominant existing land use is residential. Approximately half (49 percent) of land within Livermore city limits is designated for residential uses. The second major category of existing land uses within Livermore are agriculture, parks, and open space (19 percent) followed by industrial (13 percent) and retail and office (eight percent) uses.

Outside city boundaries, in unincorporated areas of Alameda County that are within LARPD's jurisdiction, land is generally designated as large parcel agriculture. This designation permits only agricultural uses and recreation or open space uses.
 - b. *The present and probable need for public facilities and services in the area* – Results of the community needs assessment survey, the number of parks and facilities and the breadth of activities and services offered suggest that there is existing demand for parks and services from LARPD residents. Based on current demand and anticipated population growth, it is concluded there will be future demand for LARPD parks, facilities and services.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – LARPD owns and/or maintains 1,777 acres of parks,

facilities and open spaces equaling over 20 acres per 1,000 residents. This is generally sufficient based on service guidelines, although additional facilities are needed to meet specific park-type standards.

Based on recreation center hours per week, number and scope of facilities and the breadth of recreation services offered, services offered by LARPD appear to be adequate. However, as noted, LARPD, the City of Livermore and the County of Alameda should consider measures in order to meet acreage per person standards, particularly as the population continues to grow. It is recommended that LARPD update its master plan to reflect the changes that have taken place in the District. It is also recommended that LARPD conduct another community needs assessment survey to identify current needs as perceived by the community.

- d. *The existence of any social or economic communities of interest in the area* – The residents of the City of Livermore, which is considered the primary community of interest, primarily use the parks and facilities owned and/or operated by LARPD. The residents of the area pay taxes for the operation of the parks and facilities by LARPD and thus have an interest in the District’s functions and activities.
- e. *Nature, location, extent, functions & classes of services to be provided* – LARPD maintains and operates community, neighborhood, and open space parks and trails. LARPD provides maintenance of community centers and historic buildings, park areas, trees, trails, landscaping, buildings, sports fields, and other structures at its park sites and facilities. LARPD provides recreational programs at its facilities, private sector venues and joint-use school facilities. Activities provided by LARPD include pre-school, youth, adult, and senior activities such as educational and art classes, child day care, sports leagues and training, aquatics classes, golf lessons, teen programs, and nature programs.

LARPD provides contract services to and receives contract services from other agencies. LARPD manages parks and historic buildings for the City of Livermore as well as the Veterans Building for the County of Alameda. The City of Livermore has provided planning, engineering, technical and related services throughout LARPD since 2004. Since 2007, the Lawrence Livermore National Laboratories has used the Robert Livermore Community Center to provide emergency services. The Alameda County Resource Conservation District provides mitigation project management for Sycamore Grove Park and has done so since January 2011.

LARPD’s boundary area includes the City of Livermore and most of the unincorporated area east, southeast, and north of Livermore, plus a few smaller unincorporated areas west of Livermore and east of Pleasanton. The District’s bounds include a small area within the City of Pleasanton.

- 5. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that update of the agency’s SOI and the related MSR are categorically exempt under Sections 15061(b)(3) and 15306, Class 6 of the CEQA Guidelines.
- 6. Direct staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

* * * * *

This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at the public hearing held on January 10, 2013, at 7051 Dublin Blvd., Dublin, California on the motion made by Commissioner Wieskamp, seconded by Commissioner Haggerty, and duly carried.

Ayes: 7 (Commissioners Haggerty, Miley, Sblendorio, Wieskamp, Johnson, Sbranti, and Marchand)
Noes:
Excused:

/Nate Miley/

Nate Miley, Chair, Alameda LAFCo

Approved as to Form:

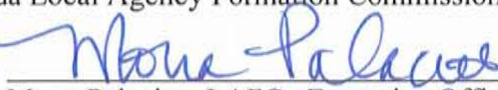
By:



Andrew Massey, LAFCo Legal Counsel

CERTIFICATION: I hereby certify that the foregoing is a correct copy of a resolution adopted by the Alameda Local Agency Formation Commission, Oakland, California.

Attest:

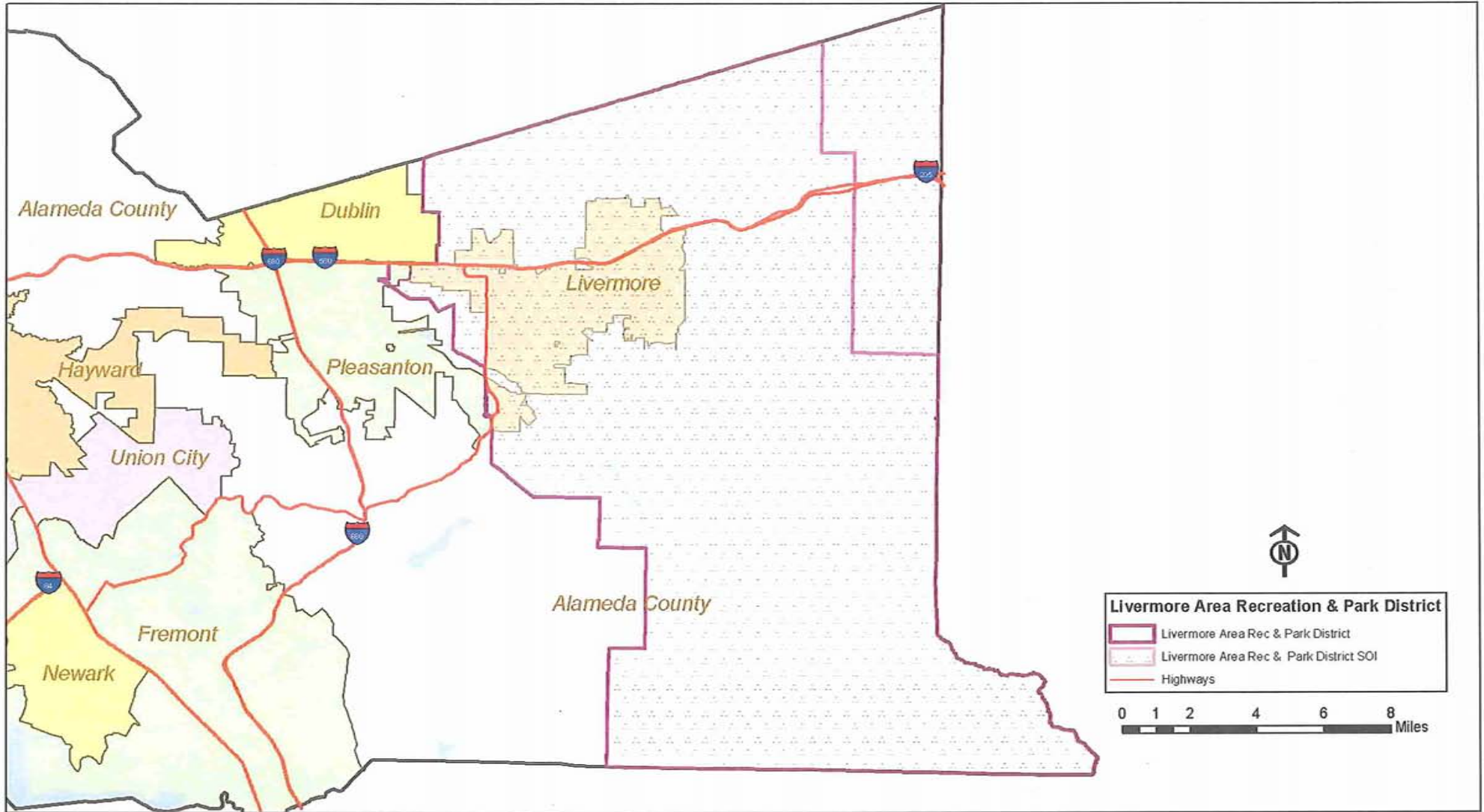


Mona Palacios, LAFCo Executive Officer

Date:

2/22/2013

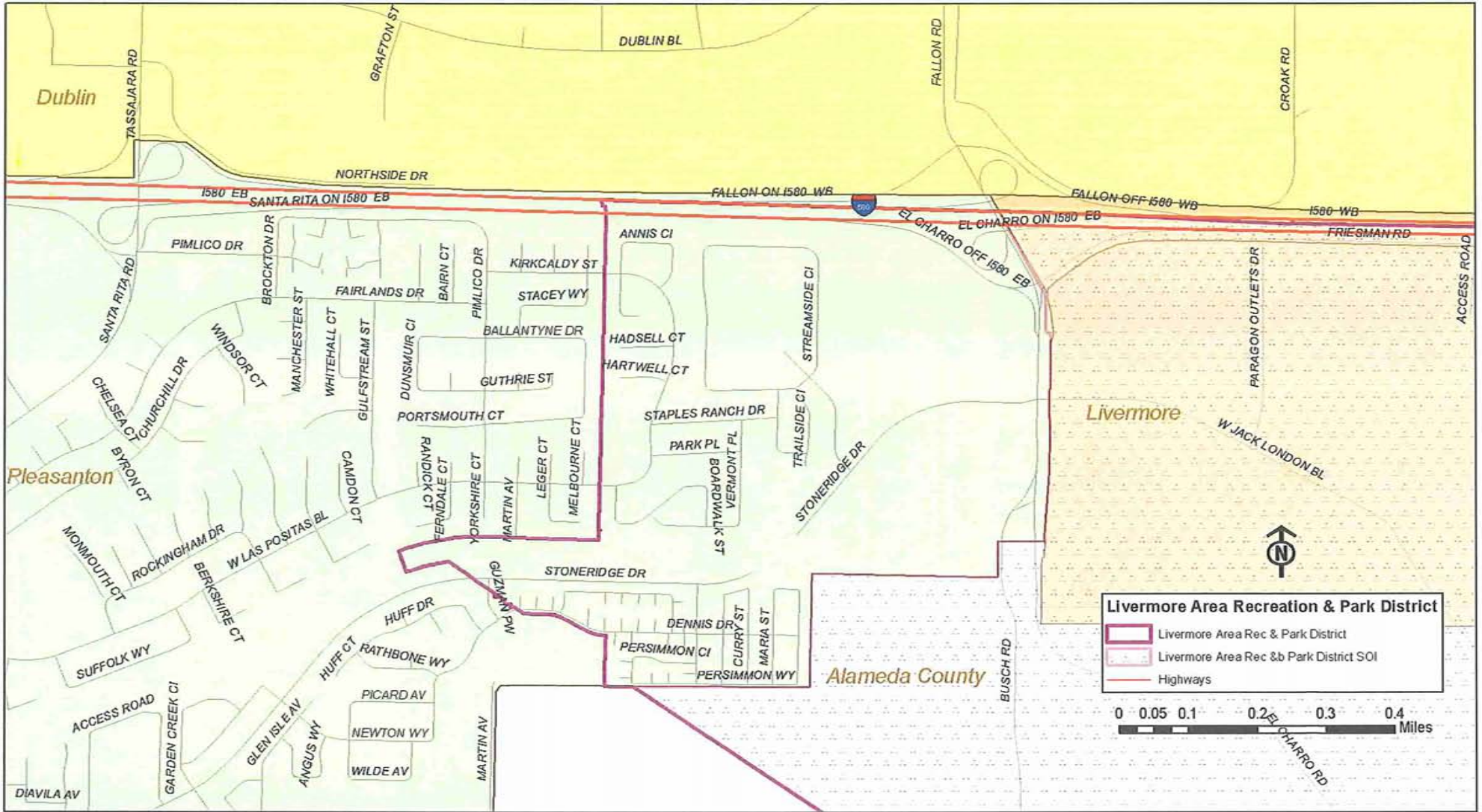
Livermore Area Recreation & Park District Area and SOI* Approved by Alameda County LAFCo, January 10, 2013



*Agency sphere differs from the service area boundary

Livermore Area Recreation & Park District Area and SOI*
Approved by Alameda County LAFCo, January 10, 2013
Detail 1

EXHIBIT A, con't.

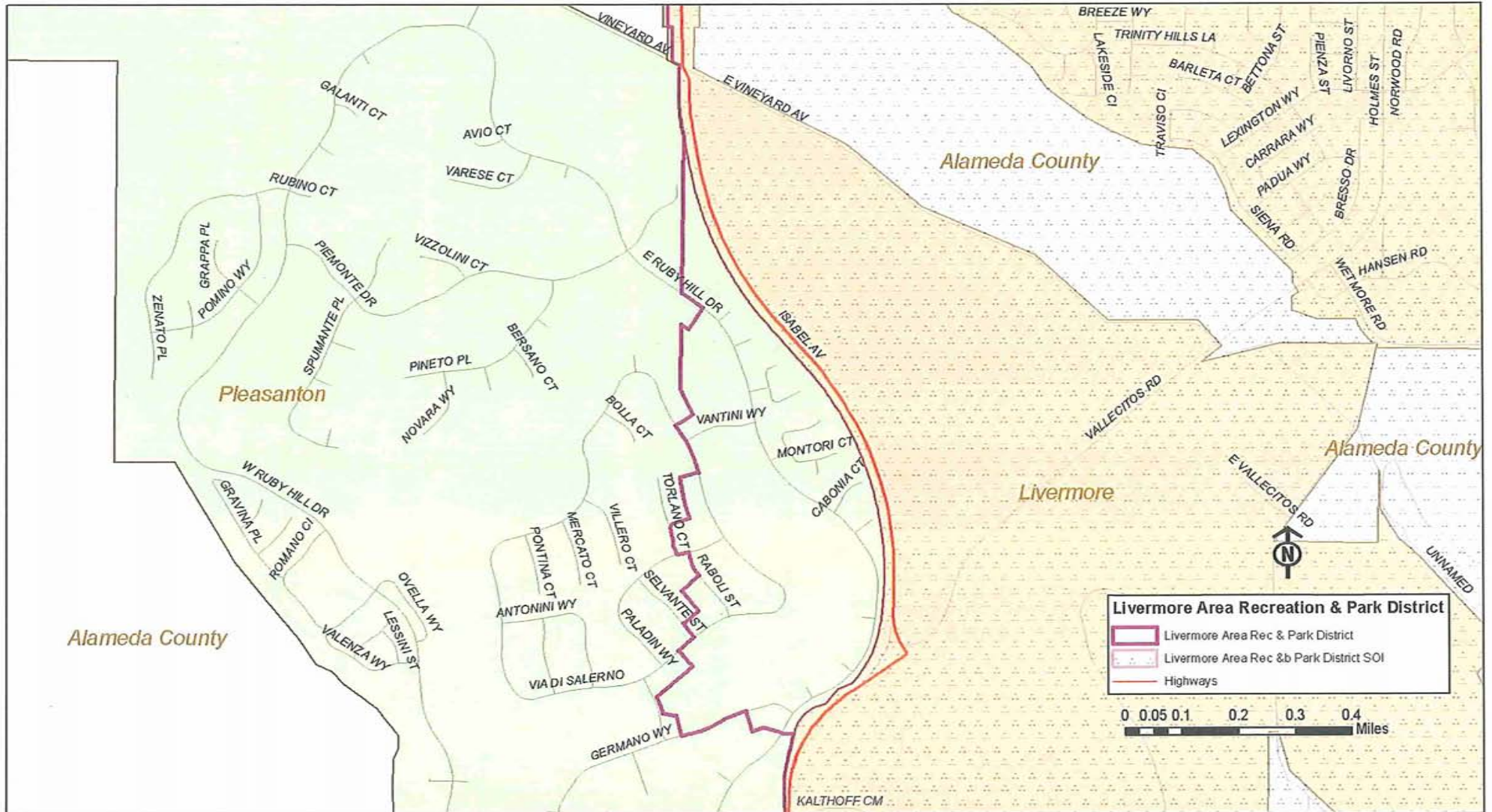


*Agency sphere differs from the service area boundary

Created for Alameda LAFCo by the Alameda County Community Development Agency

EXHIBIT A, con't.

Livermore Area Recreation & Park District Area and SOI* Approved by Alameda County LAFCo, January 10, 2013 Detail 2



*Agency sphere differs from the service area boundary

Created for Alameda LAFCo by the Alameda County Community Development Agency