

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2013-10**

**Adopting Municipal Service Review Determinations, Sphere of Influence Determinations, and
Updating the Sphere of Influence for the Hayward 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 Hayward Area Recreation and Park District (HARD); and

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

WHEREAS, no change in regulation, land use or development will occur as a result of updating the HARD 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 was duly considered at a public hearing held on July 11, 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. As of 2010, the population within Hayward Area Park and Recreation District (HARD) is 279,713, of which 52 percent is within the City of Hayward.
- ii. Based on Association of Bay Area Governments (ABAG) growth projections, the population of HARD is anticipated to be 343,592 by 2035.
- iii. HARD indicated that population growth had resulted in increased demand for its services over recent years. Although, HARD does not conduct formal population projections, it generally anticipates continued moderate growth in population which will be reflected in demand for district services.

b. Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence

- i. Based on Census Designated Places, Alameda LAFCo determines that there are no disadvantaged unincorporated communities that meet the basic state-mandated criteria.

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. HARD has adopted minimal and optimal standards for park acreage per 1,000 residents. Local parks and school parks should at a minimum each offer one acre of park space per 1,000 residents with an optimal level of two acres per 1,000 residents. Local parks meet the optimum acreage standard; however, HARD does not meet adopted minimum school park acreage standards.
- ii. There are limited sites available within the developed portions of HARD that are appropriate for future community needs for new facilities and parks.
- iii. Based on park acreage, hours that the recreation centers are open to the public, and public satisfaction with HARD's services, it appears that the services offered by the District are adequate. One area where HARD could make improvements is by making available more existing school park facilities to the public through joint-use agreements to meet its established standard for school park acreage.
- iv. The District reported that it has a significant amount of deferred maintenance at its 100 plus parks and facilities; however, the District has not yet itemized all necessary improvements and was unable to provide the exact anticipated cost of needed improvements. Priority is given to projects that are needed for improved safety or accessibility, and are completed as funds are made available.

d. Financial Ability of Agency to Provide Services

- i. Financing is reportedly inadequate, due to a decline in property tax revenue, and the District has been forced to make cost reductions in the form of staff cut backs.
- ii. HARD has reduced its workforce by about 10 percent since 2005 and continues to provide the same basic services, although in some cases not at the same level. Staff reductions have forced HARD to assign more responsibility to individual employees, which ultimately reduces the level of service provided by the District.
- iii. Since the last MSR, HARD has amassed a healthy fund balance to weather any short-term contingencies.

e. Status and Opportunities for Shared Facilities

- i. The District collaborates with all of its partner school districts plus the City of Hayward and Alameda County. The District has joint use agreements with area school districts to use facilities for after school recreation activities. These agencies also collaborate on joint financing of new or improved facilities.
- ii. HARD is a member of the Hayward Area Shoreline Planning Agency (HASPA) with the City of Hayward and East Bay Regional Park District (EBRPD). These three agencies, along with several other agencies, each own and maintain property along the Hayward Shoreline. HASPA acts in an advisory role to its member agencies regarding development of the area.

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

- i. HARD practices good governance and accountability. HARD makes efforts to engage and educate constituents through outreach activities in addition to legally required activities such as agenda posting and public meetings. HARD has a defined complaint process designed to handle all issues to resolution. HARD is transparent as indicated by cooperation with the MSR process and information disclosure.
- ii. There is the potential for overlap of regional park services with EBRPD along the Hayward shoreline. A potential governance structure option may be to transfer ownership and maintenance of HARD's property along the shoreline to EBRPD. However, EBRPD has

indicated that it is not interested in taking on the property unless a financing mechanism is in place to maintain the property.

2. Modify the HARD's SOI to exclude areas outside Alameda County's voter approved urban growth boundary (Measure D) with exceptions made for district facilities and other identified residential and commercial areas that would make use of the District's facilities and programs as generally depicted in Exhibit A attached hereto.
3. 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* – The recommended SOI does not conflict with planned land uses. Alameda County and City of Hayward policies support the provision of adequate park and recreation services for residents. County and City plans envision continued growth in population needing park services. While some agricultural and open space lands exist in the area, no impacts on agricultural and open space lands or Williamson Act contracts will occur as a result of the recommended SOI.
 - b. *The present and probable need for public facilities and services in the area* – Based on current demand and anticipated population growth, it is concluded there will be future demand for HARD parks, facilities and services. The District wishes to continue to provide services within its boundary and SOI.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – HARD has adopted minimal and optimal standards for park acreage per 1,000 residents. Local parks and school parks should at a minimum each offer one acre of park space per 1,000 residents with an optimal level of two acres per 1,000 residents. Local parks meet the optimum acreage standard; however, HARD does not meet adopted minimum school park acreage standards.

There are limited sites available within the developed portions of HARD that are appropriate for the needs of the community for future development into new facilities and parks. Based on park acreage, hours that the recreation centers are open to the public, and public satisfaction with HARD's services, it appears that the services offered by the District are adequate. One area where HARD could make improvements is by making available more school park facilities to the public to meet its established standard for school park acreage.
 - d. *The existence of any social or economic communities of interest in the area* – Services are provided throughout the City of Hayward, the unincorporated areas of San Lorenzo, Ashland, Castro Valley, Cherryland, and Fairview. The Crow Canyon and Palomares Hills areas lie within HARD boundaries and are affected communities.
 - e. *Nature, location, extent, functions & classes of services to be provided* – Hayward Area Recreation and Park District (HARD) services include operation and maintenance of community and neighborhood parks, recreation and community centers, senior centers, golf courses, sports fields, school park areas, pools, gymnasiums, and other facilities, and recreational programs at its own facilities as well as school facilities shared with the District. HARD's boundary area includes the City of Hayward, and the unincorporated areas of San Lorenzo, Ashland, Castro Valley, Cherryland, Fairview, Crow Canyon and Palomares.
4. 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.

5. 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 July 11, 2013, at 7051 Dublin Blvd., Dublin, California on the motion made by Commissioner Haggerty, seconded by Commissioner Wieskamp, and duly carried.

Ayes: 6 (Commissioners Haggerty, Wieskamp, Sbranti, Miley, Johnson, Sblendorio)
Noes: 0
Excused: 0

/Sblend Sblendorio/

Sblend Sblendorio, Chair, Alameda LAFCo

Approved as to Form:

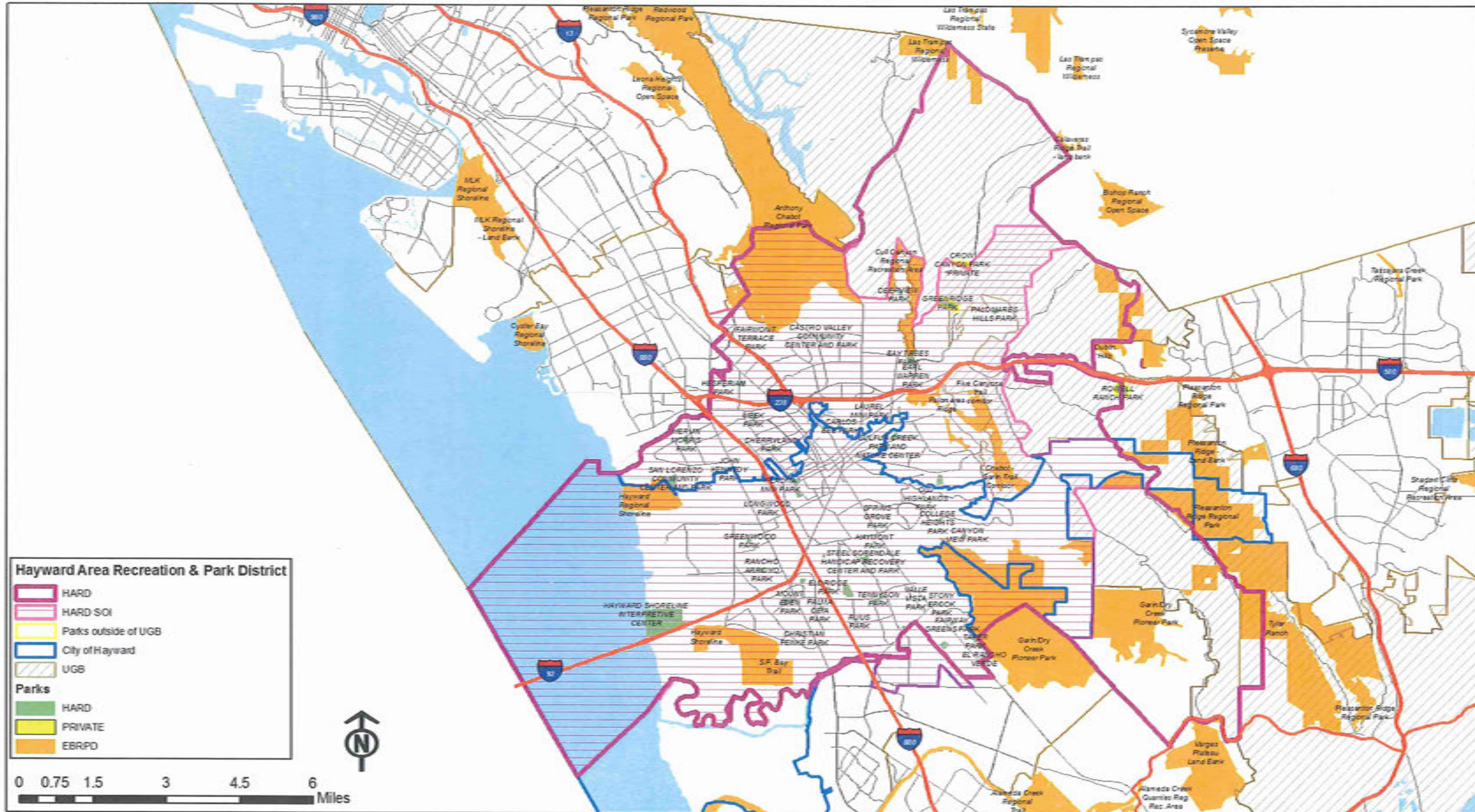
By: 
Andrew Massey, LAFCo Legal Counsel

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: 8/16/2013

Hayward Area Recreation & Park District Boundary and SOI* Approved by Alameda LAFCo on July 11, 2013



*Agency sphere differs from the service area boundary

Created for Alameda LAFCo by the Alameda County Community Development Agency