

East Bay Regional Park District

Livermore Area Recreation and Park District

A Concept Paper Describing Potential Cooperative  
Activities of the Two Special Districts

Introduction

Historically, the Livermore Area Recreation and Park District (LARPD) has had major responsibility for providing park and recreation facilities and programs within the boundaries of LARPD (generally described as Murray Township). The East Bay Regional Park District (EBRPD) conversely has had limited or no responsibility in the subject area, although its Shadow Cliffs and Del Valle regional facilities provide service to Murray Township residents.

LARPD's local, community, and regional facilities and programs are well received and highly regarded. However, with the possibility of rapid population growth in its area of jurisdiction and a Master Plan which cites the need for expanded facilities and operations, LARPD may be confronted with a demand for additional regional park and open space facilities, and related maintenance and operations, perhaps beyond its predictable availability of financing and operational resources. These particular kinds of publicly supported facilities and operations are typically within the realm of the ongoing EBRPD function in the remainder of Alameda County and throughout Contra Costa County.

Faced with this possibility, and the realization that public interest for regional parks, open space, trails and related issues will inevitably increase in the near future, an LARPD/EBRPD Liaison Committee was established, including two elected Board members from each District, as well as each District's General Manager and support staff. This committee has conducted a number of meetings and study sessions, with a goal of establishing areas of mutual understanding and potential goals. In effect, the primary goal of the Liaison Committee was to determine the most effective, most appropriate means by which the two agencies can work together to provide a proper level of parks, recreation, and open space facilities and services to the people of Murray Township.

Based upon consensus and guidance achieved at these sessions, the staff representatives were able to prepare a concept paper which described the potential cooperative efforts of the two districts, in Murray Township. The concept paper additionally defined a proposed formula for tax-revenue sharing which would make it possible for each of the districts to finance its designated activities and responsibilities. Lastly, the paper defined a series of procedural and legal steps which would be required in order to implement the Liaison Committee's recommendations.

#### Jurisdictional Assumptions

This concept paper assumes the following jurisdictional distinctions:

1. LARPD would continue to assume primary responsibility for all

existing LARPD facilities and programs, as well as all future Murray Township community and local park and recreation facilities, and their related maintenance and operation.

2. EBRPD would assume responsibility for acquisition and development of future regional parks, open space areas, and trails within Murray Township, and their related maintenance and operations. The initial guiding document for the regional program would be the existing LARPD Master Plan, and Master Trails Plan; however, when EBRPD undertakes its regular EBRPD Master Plan review (this occurs at approximately five-year intervals, and the next review is scheduled for completion by 1994), the Murray Township regional needs will be reviewed as a part of the total EBRPD jurisdictional area review.
3. All EBRPD Regional Master Plan considerations would include maximum participation by the LARPD, as well as by other jurisdictions in Murray Township, e.g., the City of Livermore, School Districts, etc., and by citizens in the Livermore community.
4. Implementation of the revised EBRPD Master Plan relating to Murray Township regional parks, open space, trails, etc., would invariably be directly related to the availability of financial resources. In general, EBRPD would attempt to achieve capital financing (i.e., acquisition and development) from external sources, including bond acts, Federal and State grant programs, etc. However, local tax

revenues would be required in order to provide funding for maintenance and operation of the regional facilities. A following section of this paper (Financing Considerations) addresses this issue, and lists a number of equitable approaches which the Liaison Committee considered for accomplishing the facility, operational, and public service responsibilities of each of the two jurisdictions. (It was these considerations and reviews which ultimately led to a decision by the two Board representatives to propose and support the specific recommendation.)

5. Although the specific jurisdictional "split" discussed in this concept paper proposed definitive roles for each of the districts, as a practical matter (based upon financial and other realities), actual implementation would anticipate variations of responsibility, in general or in regard to individual projects, based upon mutual agreement. Specifically, it is planned that Sycamore Grove Regional Park would remain a LARPD responsibility. With regard to Brushy Peak, at the outset it is intended that the facility will be acquired by LARPD. LARPD and EBRPD then would proceed with a joint development plan, consistent with the specific classification of regional park as defined in each agency's master plan. LARPD is responsible for the initial operation of Brushy Peak. EBRPD will consider being involved with future operation of the park if requested by LARPD and if resources are available.

6. As a matter of Board policy for each District, the Liaison Committee would continue to function as a forum for discussion of matters of concern to EBRPD and LARPD with respect to implementation of the cooperative and complementary functions of the two Districts. The Liaison Committee, including two Board members from each district, would meet at least quarterly, throughout each year. The responsibilities of the committee would include:

- review of operational issues;
- review of planning issues;
- review of financial issues.

At least one meeting each year would be devoted primarily to a financial review.

7. The Liaison Committee members would provide regular informational reports to their full Boards. Additionally, at appropriate times, the Liaison Committee would conduct public meetings to secure information from members of the public and to enhance public awareness of joint activities. Lastly, the committee would work cooperatively to provide regular information reports to newspapers and other media.

#### Financing Considerations

These ongoing financial realities were, in effect, the starting points of the reviews.

1. LARPD currently receives \$0.104 per \$100.00 AV in Murray Township, and in addition, it receives development and in lieu fees from the City of Livermore for the development of park

and recreation facilities within the city limit.

2. EBRPD currently receives no property tax-based revenues from Murray Township; in general, in its other jurisdictional areas in Alameda and Contra Costa Counties, EBRPD receives approximately \$0.03 per \$100.00 AV.
3. A primary source for future increased revenue for parks and recreation in Murray Township is the growth of basic assessed valuation, resulting from a combination of the 1% annual AV increased assessment authorized by Proposition 13, and continued property development. For purposes of this paper it is estimated that there will be an annual composite tax revenue growth factor of 10%, generally a lower figure than actual recent years' experience. (The average annual increase over the most recent five-year period is 10.9%, although the impact of the current recession reduced the 90/91 to 91/92 increase to 8.5%.)

In Liaison Committee meetings, and in review by individual staff members, the following financing options were identified and reviewed:

1. Provide to EBRPD \$0.03 per \$100.00 AV total Murray Township AV.
2. Provide to EBRPD \$0.03 per \$100.00 AV of portions of Murray Township AV in which regional facilities were located.
3. Provide to EBRPD \$0.03 per \$100.00 AV of all Murray Township incremental growth.
4. Provide to EBRPD \$0.03 per \$100.00 AV of all Murray Township

incremental growth in those areas served by new regional facilities.

5. Phase in any of Options 1-4, above, over a period of years, e.g., \$0.01 in first year, then proceed to \$0.02 after two or three years, and finally to \$0.03 after an agreed period of time. (Subsequently, EBRPD staff also suggested a "phasing-in" scenario which began at \$.0075 per \$100 AV and then increased every two years, at a \$.0075 increment, until the \$0.03 per \$100 AV goal was achieved.)
6. Form a Landscaping & Lighting Assessment District (L&LD) with actual annual assessment based upon specific revenue requirements for regional facilities.
7. A combined approach, i.e., some funds raised by formation of a L&LD, and the balance secured through tax redistribution (1-5, above).
8. A bond program to secure acquisition and development funds, combined with redistribution or formation of a L&LD or some combination of the two approaches.
9. Distribute all incremental revenue after 1991/92 on a sharing formula providing 25% to EBRPD and 75% to LARPD.

After extended review of these various options, it was concluded that the most practical and equitable approach would be one which identifies actual costs confronting each district (i.e., LARPD - local and community; EBRPD - regional) and then selects a specific financing option which most clearly approximates the desired resource requirement for each of the districts. In developing a

recommended approach, the committee also acknowledged that a transitional financing arrangement was essential before the desired permanent sharing formula was achieved. In addition, it was the consensus concern of all committee members that the recommended financial approach be one which did not in any way increase the tax burden of Murray Township residents. With these factors as a guide, the staff financing approach was intended to respond to these realities.

1. For LARPD, a willingness to support EBRPD annexation of Murray Township for regional park purposes and EBRPD ownership and operation of regional park facilities, with the proviso that sufficient revenues (taxation, development and in lieu fees, grants, etc.) would remain available to finance LARPD local and community park program.
2. For LARPD, a commitment from EBRPD that all master planning for acquisition and development of Regional facilities in Murray Township would include a maximum participation in decision-making by LARPD and by other locally-based governmental agencies and citizens' groups.
3. For EBRPD, a commitment from LARPD that, at a specified date, tax revenues received by EBRPD from Murray township would be the equivalent of approximately \$0.03 per \$100.00 AV, similar to revenues received by EBRPD from all other areas of Alameda County.
4. For EBRPD, an understanding by Murray Township citizens (including those in the City of Livermore) that EBRPD regional



park activities would be based upon both a master plan for regional parks in the area and the availability of tax revenues.

Based upon these concerns, the financial approach recommended is a phase-in or incremental shift of property tax revenues from LARPD's share of the property tax revenues generated from the Murray Township area that would be in accordance with the following:

EBRPD would receive \$0.0075 per \$100.00 AV, total Murray Township, in 93/94 and 94/95, \$0.015 per \$100.00 AV in 95/96 and 96/97, \$.020 per \$100 AV in 1997/98 and 1998/99, \$.0225 per \$100 AV in 99/2000, and \$.0250 in 2000/2001. Beginning with 2001/2002, EBRPD will receive \$.025 of the base year's AV and \$.030 per \$100 of all AV growth over the base year thereafter. The base year is the AV for the year 2000/2001. It is understood, further, that the proposed sequence of revenue distribution will make it possible for LARPD to assume total financing responsibility for all Brushy Peak acquisition costs.

The estimated impact of this sequenced sharing approach is described on the following page.

Proposed Sharing Formula \*  
 LARPD-EBRPD Activities in Murray Township

	LARPD		EBRPD	
Year	Rate per \$100 AV	Est. Revenue	Rate per \$100 AV	Est. Revenue
1993/94	\$ .0965	\$ 4,597,632	\$ .0075	\$ 357,328
1994/95	.0965	5,057,396	.0075	393,062
1995/96	.089	5,130,767	.015	864,736
1996/97	.089	5,643,844	.015	951,210
1997/98	.084	5,859,451	.020	1,395,108
1998/99	.084	6,445,397	.020	1,534,618
1999/2000	.0815	6,878,926	.0225	1,899,090
2000/2001	.0790	7,334,392	.0250	2,321,010

\*Formula based upon following assumptions:

- Total revenue to be distributed is based upon a tax rate (factor) of \$.104 per \$100 AV
- AV in 1991/92 is \$3,937,509,057
- Rate of increased AV, per year, is 10%, based upon previous five year rate of increase, 10.9%

The revenues realized by each of the districts would be used in this manner:

EBRPD

1. In 1993/94 and 1994/95, begin to acquire, plan, develop and operate regional trail segments from Shadow Cliffs to Del Valle. The total length of the trail segments will be based upon available funds, and the trail will be multi-purpose (i.e., equestrian, bicycle, hiking, jogging). Appropriate staging areas will be provided, and the trail will provide specific access for trail users from Sycamore Grove and Veterans Park to Del Valle Regional Park.
2. 1995/96 and 1996/97, continue trail development and begin on-going maintenance and operation of the trail segments, identified above, (see 93/94, and 94/95).
3. 1997/98 and beyond;
  - Continued operation of regional trail segments;
  - Acquisition, development, and operation of additional regional parks, open space, and trails as identified in the EBRPD Master Plan revision (to be completed in 1994).

LARPD

1. In 1993/94 and 1994/95, provide continuing operation and development of Sycamore Grove Park as a regional park facility; acquire Brushy Peak and plan for its development and operation, and continue with assistance to EBRPD to acquire, develop and/or operate regional trail segments.
2. In 1995/96 and 1996/97 continue operation and development of Sycamore Grove Park, and continue payment of acquisition

costs and begin development and operation of Brushy Peak as a regional park facility. Continue coordination with EBRPD on regional trail segments.

3. In 1997/98 and beyond, continue operation and development of Sycamore Grove Park, continue payment of acquisition costs for Brushy Peak until debt is retired, continue development and operation of Brushy Peak, and continue coordination with EBRPD on regional trail segments.

#### Miscellaneous Related Issues

In anticipating an effective LARPD-EBRPD working relationship the following operational issues were identified and resolved.

1. If, during Liaison Committee review, it becomes apparent that tax revenues are insufficient to provide the desired regional park facility and programs, the two jurisdictions will then consider the appropriateness of other funding sources to fill the revenue gap.
2. With regard to State of California, U.S., or other bond or subvention programs, the two agencies will work cooperatively to define priorities of proposed Murray Township programs, in order to avoid unproductive competition, and where practical they will develop joint grant proposals.
3. The existing Sycamore Grove Park would remain in the operational jurisdiction of LARPD.
4. LARPD will continue, and complete, the current ongoing negotiations to acquire Brushy Peak (approximately 800 acres).

Implementation

To implement the proposed LARPD-EBRPD joint operational plan, the following procedural steps will be required:

1. Liaison committee approves specific jurisdictional and financing approaches, and recommends the approaches to Board of Directors of each district. (Completed)
2. Staff, with assistance of LAFCO staff, determines annexation process details resulting in shared park and recreation jurisdiction in Murray Township, and tax revenue redistribution.
3. Districts cooperatively discuss proposal with City of Livermore and other appropriate jurisdictions; presentations would be for informational purposes, and to gain the understanding and support of these agencies.
4. Districts cooperatively discuss proposal with individual Alameda County Supervisors.
5. Districts cooperatively request LAFCO approval, with a goal of ultimately achieving the proposed annexation and tax revenue distribution actions, prior to fiscal year 1993/94 (i.e., prior to July 1, 1993).

It is noted that because EBRPD's operational year is the calendar year (January 1-December 31) it is desirable that, if practical, the indicated procedural steps occur in sufficiently rapid sequence to facilitate a LAFCO decision prior to December 31, 1992.