

A REPORT BY  
THE 2016-2017 CONTRA COSTA COUNTY GRAND JURY  
725 Court Street  
Martinez, California 94553

Report 1711

**Alamo Parks  
Planning and Development**

APPROVED BY THE GRAND JURY:

Date: \_\_\_\_\_

6/15/17

  
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ACCEPTED FOR FILING:

Date: \_\_\_\_\_

6/16/17

  
\_\_\_\_\_  
JOHN T. LAETTNER  
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 1711

## **Alamo Parks Planning and Development**

**TO: Contra Costa County Board of Supervisors**

### **SUMMARY**

Alamo is an unincorporated area of Contra Costa County (County). Because Alamo is not a city, it is governed by the Board of Supervisors (BOS). In 2009, the BOS approved the establishment of a Municipal Advisory Council (MAC) to act on behalf of the citizens of Alamo and to be a centralized voice for the community.<sup>1</sup>

The MAC advises the BOS on community issues and holds monthly public meetings for residents. Land use requests for zoning or other variances are the primary topics of the meetings. MAC meetings are usually attended by those property owners and neighbors immediately affected by the variance requests under discussion.

A portion of the property taxes paid by Alamo property owners funds tax assessment district, R7, which is dedicated to parks and recreation. The MAC is involved in the decision-making process involving park use, site selection, design and construction, and serves as the BOS's advisor on park development. Despite the MAC's role, many residents are unaware of issues concerning park development, such as proposed changes, and learn of them after the fact.

The Grand Jury recommends that the BOS instruct the MAC to reach out to the community for more complete community input prior to submitting recommendations to the BOS. The MAC should identify and respond to the community's concerns and then research ways in which those concerns can best be addressed. The BOS should further instruct the MAC to limit the activities at Livorna Park in accordance with the County's General Plan, and utilize the larger Hap Magee Park for events for which it is better suited.

## METHODOLOGY

In the course of its investigation, the Grand Jury:

- Researched the formation of the parks and the evolution of parks and recreation in Alamo
- Interviewed public officials, County employees, members of the Alamo Improvement Association (AIA), members of the Alamo Municipal Advisory Committee (MAC), and concerned citizens
- Attended MAC meetings and reviewed minutes of their meetings
- Reviewed County records, BOS minutes, budget reports and online postings

## BACKGROUND

Alamo is an unincorporated community in Contra Costa County, which is governed by the County Board of Supervisors. Its population in 2016 was 14,570. <sup>2</sup>

### County Service Area R-7 (Alamo) Financials

	FY 15/16 Year End	FY 16/17 Year End (est)	FY 17/18 Budget (proposed)
Fund Balance	\$3,509,224	\$3,466,358	\$1,987,085
Revenue:			
Taxes	1,025,383	1,078,000	1,080,000
Measure WW	43,576	322,973	354,706
Other	23,401	18,365	19,300
Total Revenue	1,092,360	1,419,338	1,454,006
Expenses			
Grounds Maintenance	340,644	246,000	288,000
Hap Magee Operations	166,863	190,186	191,351
Trash/Custodial	14,658	17,700	33,000
Contracted Services	60,464	40,000	35,000
Recreation Supplies	9,851	10,000	10,800
Other	20,091	26,900	26,900
Capital Improvements			
Hap Magee Park Improvements	6,933	82,500	266,250
Hemme Station Park Construction	212,479	1,637,521	0
Livorna Park Bocce Courts Construction	186,356	533,495	0
Public Works Admin	116,886	114,409	148,900
Total Expenses	1,135,225	2,898,711	1,000,201
Net	(42,865)	(1,479,273)	453,805
Fund Balance	3,466,358	1,987,085	2,440,890

## History of the CSA R7 Fund

On January 28, 1974, County Service Area (CSA) R7 was established by the BOS. In June of that same year, Alamo voters approved a measure authorizing CSA R7 to set aside funds to develop parks and recreation services in the community.<sup>3,4</sup>

Measure WW, a \$500 million bond extension approved by voters in Alameda and Contra Costa counties, was another source of revenue in the amount of \$817,931 for CSA R7.<sup>5</sup> By fiscal 2015-16, the balance of the CSA R7 fund had grown to \$3.5 million. The following chart shows fund balances, plus estimated revenues and expenses. It also shows estimated expenditures of \$719,851 for the proposed Livorna Park bocce courts. As of the writing of this report, there is no long-term plan for the use of CSA R7 funds.<sup>6</sup>

At one point, there had been an active discussion within the Alamo community about improving representation through incorporation. In March of 2009, the residents of Alamo voted not to incorporate.<sup>7</sup> Subsequently, the BOS appointed a MAC, made up of seven residents. The Alamo MAC is intended to act as a voice for the community and provides recommendations to the BOS on new and existing projects, including 'parks and recreation' and the allocation of CSA R7 funds.

The Contra Costa County Advisory Body handbook explains MACs as follows:

These councils face two ways: toward the county, offering the views of the community; and toward the community, supplying information about county proposals... Although each of us has opinions and preferences, the role of the advisory body member is to consider and represent more than your personal opinion on the topics considered... It is the advisory body member's responsibility to represent the larger public interest by putting the needs, interests, and protection of the residents of the county as his or her primary concern.<sup>8</sup>

## DISCUSSION

### History of Livorna Park

In 1992, a development of 98 single family homes was proposed in a previously undeveloped area of Alamo adjacent to a small, quiet neighborhood. Throughout the approval process, a study was done to help mitigate the impact of the development on the surrounding community.<sup>9</sup> Consideration was given to traffic, school resources, noise, lights, scenic impact, preservation of the surrounding landscape and the environmental impact on wildlife. To make the project more appealing to neighboring homeowners, the developer proposed replacing three proposed home sites with a 4.4-acre park, which separated the existing neighborhood and the development.<sup>10</sup>

In 1994, the Alamo Estates Subdivision was approved with 95 houses and a 4.4-acre neighborhood park.<sup>11</sup> This small neighborhood park would later be named Livorna Park.<sup>12</sup>

The County's General Plan outlines the criteria for a "neighborhood park." The site for a neighborhood park without a playground is 3 to 7 acres. If the park includes a playground, it should be 6 to 8 acres. Facilities in the park should be limited to landscaped open space (trees, grass, and shrubbery), benches, tables and walkways. A neighborhood park of this size generally services residents living within one half mile of the park.<sup>13</sup>

Livorna Park sits within a quiet residential area surrounded by single family homes. It was built to accommodate nearby residents and provides parking for 17 vehicles.

Over the years, amenities were added to Livorna Park without increasing its size. These additions included a playground, an active volleyball court, a gazebo, and in 2016 a bocce court facility. Activities at Livorna Park have also expanded in size and frequency to well beyond the park's intended purpose. Livorna Park now hosts summer concerts that are attended not only by residents of Alamo but by people from neighboring cities. The attendance can exceed 500 people.<sup>14</sup> During these events, vendors are invited to set up concession stands. In addition to the noise, vehicles are illegally parked, alcohol is openly consumed and trash is left throughout the surrounding neighborhood. Further measures were deemed necessary to accommodate the large crowds, including the rental of Porta-Potties, a visible police presence and an ambulance.

Over the years, residents have expressed concerns and objections to the Alamo MAC about the size of the crowds and the impact on the surrounding neighborhood. Some residents believe their concerns are not being heard or addressed. For example, a sign at the Miranda Avenue entrance to Livorna Park was changed without notice to indicate increased evening park hours to 10 pm. Residents were not made aware of this change in advance.

There is a larger 16.3-acre park in Alamo named Hap Magee Park with parking for 89 vehicles. It is better suited for holding large events; however, the MAC continues to hold concerts and movies at Livorna Park.

### **The Alamo MAC**

The MAC meets on the first Tuesday of every month at 6 pm at the Women's Club. MAC complies with the Brown Act by posting meeting agendas at park bulletin boards. However, it does not post agendas in downtown Alamo. Meetings are sparsely attended.<sup>15</sup> In the past five years, the issue of public awareness has not been a MAC agenda item.

In 2010, the MAC sought community input by sending a survey to residents to determine how to spend the growing CSA R7 funds. While tabulating the result, it was

discovered that the survey results were flawed, because “[a]n unknown number of people who are not residents of Alamo filled out the survey...” rendering the results invalid.<sup>16</sup> A corrected survey was not conducted and it does not appear that MAC made further efforts to seek input from Alamo residents about this subject.

Without a clear mandate from the residents of Alamo, the MAC recommended to the BOS that \$750,000 be spent planning and building bocce courts at Livorna Park in an area that would extend over an existing volleyball court.<sup>17</sup> The local County Supervisor’s office, the MAC, and published newspaper articles indicate the results of the afore-mentioned survey as a rationale for approving the project.<sup>18</sup>

While the MAC only performed a single, flawed survey prior to adding the bocce courts, the MAC generally puts greater effort into promoting concerts and other large events. The MAC uses several promotional methods to encourage participation on concert and movie nights. These include numerous signs posted on busy corners throughout Alamo, postings in local papers, flyers at schools and advertisements on the radio.

### **Community Concerns**

- In June 2015, concerned residents circulated a petition signed by over 50 residents, which objected to the installation of the bocce courts at Livorna Park. This petition was sent to the local County Supervisor’s office. No community meeting was held in response to the petition, and the issue did not appear on any subsequent MAC meeting agendas.
- In January 2016, following the posting of a flyer in the park about the bocce courts, a heated discussion ensued amongst citizens on a social networking site called Nextdoor.com. The focus of the discussion was the appropriateness of the bocce courts. The discussion included over 70 open comments and revealed that a significant number of residents were unaware of the project, and that some were opposed to it. The MAC did not re-evaluate the project.
- In the beginning of 2016, the County Parks Department performed an online survey. Its purpose was to obtain suggestions on the future development of the new Hemme Park. Out of 31 respondents, 13 used this opportunity to voice their objection to the plan to have bocce courts built at Livorna Park.<sup>19</sup>
- As of the date of the survey, no contracts had yet been signed and minimal financial commitment made to the development of the bocce courts. Yet, the MAC did not attempt to address the concerns about this project.
- On March 10, 2016, bids were due from contractors wishing to build the bocce facility at Livorna Park.<sup>20</sup>
- Construction was finished on the bocce facility and it is expected to be open to the public in June 2017.

## **FINDINGS**

- F1. There is no comprehensive long-term plan for the use of Alamo CSA R7 funds.
- F2. The residents living around Livorna Park were instrumental in the park's creation.
- F3. At the inception of Livorna Park, its design, size, amenities and parking facilities were all in accordance with the County's General Plan and designed to limit the activities at that park.
- F4. Livorna Park is currently being used in a manner that exceeds its original purpose and use.
- F5. The events held at Livorna Park have increased in size and frequency since its inception.
- F6. The events held at Livorna Park are not consistent with that of a quiet neighborhood park.
- F7. The County General Plan indicates that a 4.4-acre park, the size of Livorna Park, should only have trees, grass, shrubs, benches, tables and walks. Amenities suitable for much larger parks have been added over the years.
- F8. The MAC has recommended changes and activities that run contrary to Livorna Park's initial purpose.
- F9. The MAC has not sufficiently considered the impact of recommended changes and activities to Livorna Park on the residents of the surrounding neighborhood.
- F10. A sign at the Miranda Avenue entrance to Livorna Park was changed to increase park hours to 10 pm without consulting with the neighbors.
- F11. Hap Magee Park is larger than Livorna Park and has more parking.
- F12. The Alamo MAC moved building bocce courts forward at Livorna Park without fully addressing residents' concerns or obtaining strong community support.
- F13. The MAC does not adequately solicit input from Alamo residents to determine the needs of the community prior to recommending actions to the BOS.
- F14. The MAC widely and actively promotes concerts, movies and other events at Livorna Park.

## RECOMMENDATIONS

- R1. The Board of Supervisors should consider developing a written, long-term plan for the CSA R7 funds.
- R2. The Board of Supervisors should consider instructing the MAC to use some of its CSA R7 funds to perform a survey of residents to ensure that long term plans for Alamo parks reflect the needs and concerns of the community.
- R3. Prior to funding any park projects, the Board of Supervisors should consider ensuring that improvements or land purchases are in accordance with the proposed long-term CSA R7 plan and the County's General Plan.
- R4. The Board of Supervisors should consider replacing the new sign at the Miranda Avenue entrance of Livorna Park to match the other existing sign, which indicates park hours from sunrise to sunset.
- R5. The Board of Supervisors should consider directing the MAC to hold large events at Hap Magee Park, rather than Livorna Park.
- R6. To ensure that the MAC's recommendations are supported by the community, the Board of Supervisors should consider instructing the MAC to provide a history of community outreach efforts and feedback to support their recommendations.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
Contra Costa County Board of Supervisors	F1 to F14	R1 to R6

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
725 Court Street  
P.O. Box 431  
Martinez, CA 94553-0091

## REFERENCES

1. July 30, 2009 – Supervisor Piepho recommends to the Board of Supervisors the creation of the Alamo MAC. The MAC is being formed to provide an opportunity for a focused voice and input from the unincorporated area.
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4. <http://www.co.contra-costa.ca.us/DocumentCenter/View/27027>
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8. Contra Costa County Advisory Body handbook - <http://www.co.contra-costa.ca.us/DocumentCenter/View/7614>
9. Alamo Estates Response to comments for Environmental Impact Report
10. Contra Costa Community Development Department memo: March 23, 1992  
Re:Alamo Estates Draft EIR, Park Dedication
11. Addendum #2 to the Final EIR for the Alamo Estates Subdivision Project
12. Alamo Estates Draft Environmental Impact Report SCH#91033039
13. Contra Costa County General Plan 2005 – 2020
14. Alamo MAC Record of Actions July 7, 2015
15. <http://www.co.contra-costa.ca.us/3595/Alamo>
16. Alamo Parks and Recreation Survey Summary – January 2011 Report to Alamo Municipal Advisory Council
17. <http://www.cccounty.us/DocumentCenter/View/25531>
18. [https://issuu.com/theeditors/docs/april\\_2017\\_-\\_alamo\\_today](https://issuu.com/theeditors/docs/april_2017_-_alamo_today)
19. <http://www.co.contra-costa.ca.us/5404/Alamo-Parks>
20. <http://www.contracosta.ca.gov/6075/Livorna-Park-Improvements>