



## **Buildout Reduction Program Citizens' Committee (BRPCC)**

REGULAR MEETING  
Monday, November 28, 2016 - 10:00 AM  
2850 Burton Drive Cambria CA 93428

### **MINUTES**

#### **A. CALL TO ORDER**

Chairman Siegler called the meeting to order at 10:00 a.m.

#### **B. ESTABLISH QUORUM**

Committee Members Present:

Ted Siegler, Crosby Swartz, Laura Swartz, Cindy Steidel, Mel McColloch, Jerry McKinnon, Greg Hunter, Allison Groves

Bob Sfarzo arrived at 10:03 a.m.

Committee Members Absent:

Mark Rochefort

CCSD Staff Present:

Monique Madrid, Administrative Services Officer/District Clerk

#### **C. CHAIRMAN'S REPORT**

Chairman Siegler asked to approve the letter of commendation for Haley Dodson.

Committee Member Groves motioned to approve the letter.

Committee Member McColloch seconded the motion.

Motion was approved unanimously.

Chairman Siegler will sign it and ask that it be placed in her personnel file.

#### **1. PUBLIC COMMENT**

None.

## **2. REGULAR BUSINESS**

### **A. Consideration to Approve the Minutes from the Regular Meeting held on November 14, 2016**

Committee Member Crosby Swartz stated that on the Chairman's Report it should read "Chairman Siegler stated the Transfer Development Credits will be on the Board of Supervisors Regular Agenda for their next meeting. It will be open for public comment."

Committee Member Crosby Swartz stated that on Item 3.B.3 Committee B Local Taxes, the sentence should remove "is" and state, "Committee Member Laura Swartz asked Committee Member Mel McColloch if Shirley would be open to meeting in regards to an Open Spaces District."

Committee Member Crosby Swartz motioned to approve minutes with the amended changes.

Committee Member Steidel seconded the motion.

Motion was approved unanimously.

### **B. Report on Subcommittee Review of Lot Retirement Methods:**

- 1. Review of Potential Local Taxes and Fees for Acquisition of Undeveloped Properties**
- 2. Review of Funding Sources Outside of Local Taxes and Fees for Acquisition of Undeveloped Properties**
- 3. Review Potential Organizational Structures to Acquire and Manage Undeveloped Properties**

2(B)(1) Committee Member Steidel gave a handout called BRP Subcommittee 3.C.2 (attached) and reported on the meeting she had with Committee Member McColloch. They need to identify sources and the requirements for those sources. They would like to define an agency who would be responsible for collecting the fees identified, either CCSD or another agency. They will begin to define the parcels and their contributions.

Methodologies were identified by Committee Member Rochefort. He will provide more information later.

Committee members have questions on the subcommittee report that needs legal feedback to determine the best path forward.

Chairman Siegler talked about one source being the wait list holders and possibly a Mello Roos fee or mitigation fee. Another possible property tax related item could be for open space and could go to the CCSD. We need a thorough analysis and legal review.

Committee Member Crosby Swartz commented to add there are a number of ways to retire lots that doesn't require a purchase, such as the merger program, or if it is retired as required by a transfer. Hopefully the purchase of all lots won't be required. He suggested to have consideration of number of lots which won't be required to be purchased when considering the funding sources and needs.

Committee Member Laura Swartz commented on the methodologies. Parks and Recreation are different than Open Space. We may want to have a standing committee who is in charge of the collection of the fees.

Chairman Siegler stated he will arrange to meet with District Counsel to discuss the questions posed by the Committee.

Chairman Siegler shared that Supervisor Gibson stated that transient tax will likely not be a fee associated with this program.

#### Item 2(B)(2)

Committee Member Hunter stated he has provided grant information to Committee Member Rochefort and is following up on the matter. He attended a meeting with Supervisor Gibson. They discussed money for conservation efforts, which may be included in the Tourism Board Agreement initial setup.

#### Public comment:

Jim Bahringer stated there are lawsuits in San Diego challenging a BID (Business Improvement District) which is being called a tax. There is a potential that BIDs will cease to exist. Tourism boards are being advised to spend money only on what improves their business to strengthen the position of BIDs.

Committee Member Crosby Swartz stated if there is a fee for residential and or business customers, the business fees would be coming from the tourists and they would be contributing toward the program.

#### Item 2(B)(3)

Committee Member Crosby Swartz reported that he met with Supervisor Gibson and his assistant. They met to discuss language to include in the TDC expansion program. A proposal will be developed and routed to various agencies. Supervisor Gibson felt it would be a simple process proposed. They also asked about the power and purpose of Community Services Districts. Legislative Assistant Cheri McKee sent an email request to LAFCO Executive Officer David Church and they received the Government Code Paragraph 6110-AE, which identified what the District powers can be. They seem to be various and easily changed. He had an item he thought was appropriate in the Government Code Paragraph 6110-AE and thinks it may need to be approved by LAFCO. They also discussed the creation of a new Special District. LAFCO could be in favor of a new one. The rumored report that LAFCO doesn't support new Districts is false.

If the BRP recommends that the CCSD is the agency designated to collect these fee, then there may be a ballot measure required to approve the fee.

TDCs could be a revenue source. The Land Conservancy is concerned about the development of new requirements for TDC's. The matter is between the County and the Land Conservancy. It may be prudent to estimate how many TDC's could be sold if the moratorium were to be lifted.

Committee Member Laura Swartz commented that Daniel Bohlman wants to create a market for the development of the TDC's. She discussed some strategies about moving along the TDC's to generate income with future sales of TDC's. Land Conservancy stated that whoever holds the

land could be a special district with conservation interests. Perhaps there could be an Open Space authority and transfer the FFRP into that authority. We could remove the burden of the Fiscalini Ranch from the CCSD and pass a tax to support the Fiscalini Ranch. She expressed concerns that if Parks are combined with Open Space, the Parks department will deplete all the money dry.

Chairman Siegler stated he thinks the money can be restricted to the Open Space for the designated intention of the committee.

Committee Member McKinnon commented on the CCSD logo and what is the authority of the PROS dept. within the CCSD? Should this committee work with the PROS Committee to develop recommendations? Do we have a definition of what is Open Space? Other Committee Members stated yes, it exists and allows for passive recreation/use.

#### Public Comment:

Jim Bahringer stated perhaps the Friends of the Fiscalini Ranch Preserve could expand their powers. They are already associated with the CCSD and could be viewed positively by the Land Conservancy.

### **C. Discussion to Define Process for Valuing Undeveloped Parcels**

Chairman Siegler introduced the item. They are getting started on defining a process for valuing undeveloped parcels.

### **3. FUTURE AGENDA ITEMS**

Chairman Siegler asked if there was anything to add to future agendas. There was no formal requests but a brief discussion.

He will start the outline of the Committees report to the CCSD Board of Directors. Committee Swartz asked to include the reference to recommend the language include, "up to 4650 connections."

Chairman Siegler recommended the BRP Committee meet on Monday, December 12, 2016 at 10:00 a.m. and again on Monday, January 9, 2017 at 10:00 a.m.

Laura Swartz asked if there was a change in the board and would it have an effect on members needing to be appointed. There are no vacant positions currently.

### **4. ADJOURN**

Committee Member McColloch motioned to adjourn the meeting.

Committee Member Laura Swartz seconded the motion.

The committee unanimously agreed to adjourn the meeting at 11:09 a.m.