

MEMORANDUM

From: Jon-Erik G. Storm
To: Los Osos CSD Board of Directors
Re: Parks & Recreation
Date: May 7, 2015

EXECUTIVE SUMMARY

A re-examination of options for providing parks and recreation services to the community results in a narrow range of possibilities. The most viable is sponsoring a small-dollar project on land owned by the San Luis Coastal School District.¹ Other possibilities include improvements of land the CSD owns already or another small “pocket park.”

RECOMMENDED ACTION

The Board should move to direct staff to work with the San Luis Coastal School District to identify a small-dollar project for later approval by the Board. Simultaneous with any proposal to the board for a project, establish a standing committee for parks and recreation. The target should be a joint-use agreement with SLCUSD at the Sunnyside Elementary site developed collaboratively with other responsible agencies, including the County, but other options should be entertained.

I. INTRODUCTION

Parks and recreation services are rare in that every level of government—from the federal government, through to the state, county, and city level, down to single-purpose special districts—provides these services. There are also privately owned and operated parks.

The Los Osos Community Services District was organized in 1998. Subsequently, the CSD added the authority to provide parks and recreation services from the Local Agency Formation Commission (“LAFCO”). Unlike the other powers that were transferred from the County of San Luis Obispo, there was no accompanying revenue stream.

Implicit in this structure is that the various levels of government providing these services cooperate to provide for the needs of the community and reduplication should be avoided. This Memorandum is intended to give recommendations that dovetail with the County’s planning.

II. LOCAL PARKS SERVICES OVERVIEW

A. Inventory

Broadly defined, “parks” include preserves, open space, beach access, lakes, playgrounds, golf courses, and more. Under that definition, Los Osos is already rich in parks both public and private, including Montaña de Oro State Park, Sweet Springs Nature Preserve, Elfin Forest Natural Area, Sea Pines golf course, and Los Osos Oaks State Reserve.

¹ For purposes of full disclosure, the author of this report is the spouse of an administrator employed by the San Luis Coastal School District.

Defined more narrowly, we think of parks as open space improved for recreational activities. Under that definition, Los Osos has one community park, the 6.2-acre Los Osos Community Park. In addition to that, the four sites owned by the San Luis Coastal School District provide recreation facilities and playgrounds.

B. Benchmarks

The County's Parks and Recreation Element indicate that a reasonable goal for the amount of parkland needed is a minimum of three acres of parkland per 1,000 people. That results in a need of about 42 acres of parkland.

The four school district sites combined have about 25 acres of recreational-use space. However, three of these sites are used for schools and are closed to the public when school is in session. Combining the approximately 5 acres of improved recreation area that are at the Sunnyside School site with the existing (and adjacent) Los Osos Community Park nets a total of about 11 acres, or roughly one quarter of what Los Osos should have.

Admittedly, some of the limited activities, like hiking, that are available at the other sites like Montaña de Oro, do fill some of the demand for parkland, but not on an acre-for-acre basis, or on any basis that is easy to calculate.

In the absence of a joint-use agreement, however, the San Luis Coastal School District may shutter the Sunnyside site or any other site from any public use. While it has no plan to do so, there is no guarantee.

The draft Los Osos Community Plan recognizes this deficiency and calls for new parks facilities such as a boat launch park, sports fields, another community park, an aquatic center, a dog park, and pocket parks. It offers no specific project or funding source. Indeed, it calls on the CSD to pursue development and funding.

III. **FUNDING SOURCES**

There are four possible funding sources, each discussed in further detail below: first, the existing parks and recreation fund; second, new taxes and assessments; third, outside grants; and, fourth, allocation of unrestricted funds from the District's other funds.

A. The Parks And Recreation Fund

Fund 900 is money that was raised from the community to fund a pool. Alternatively, it has been suggested that a discount for Los Osos residents be negotiated in a Morro Bay-sited pool. It is the opinion of the District's counsel, however, that this money is legally unrestricted. Its balance as of the Final Budget for fiscal year 2014-15 was \$304,023.

In the decades since this money was raised, the overdraft of the basin, the advance of seawater intrusion, and years of drought have dramatically shifted the consciousness of policymakers in the area regarding the use of water. Local residents have been asked to conserve and it appears they have. Water consumption is down. Lawns are going brown. Hand in hand with this change in consciousness is a change in the perception of a swimming pool.

Recently, the voters, including Los Osos voters, approved Measure D, which funds major infrastructure upgrades for the San Luis Coastal School District. Included in this funding is a pool for Morro Bay High School, which the public will be given access to, according to news

reports. It would appear, therefore, that applying additional funds to this project would result in Los Osos paying twice for a pool in Morro Bay. There are also pools at Cuesta College, where public recreation programs routinely occur. The City of San Luis Obispo funds a pool on its own. It recently committed \$335,000 for single maintenance project of this pool—more than the entire balance of our parks fund.²

If our money is legally unrestricted, and a community pool represents a near-decadence this money doesn't even begin to sustain, much less build, it follows that the District should consider using this money for a more water-conscious exemplary project.

B. Taxes And Assessments

1. **Special Taxes**

Pursuant to Proposition 13 and Proposition 218 codified as Article XIII of the California Constitution, Special Districts may raise special taxes upon a vote of two-thirds of the voters. Special Districts, however, may not raise general taxes, which require only a majority vote.

2. **Special Assessments**

Numerous new assessment districts and community facilities districts have been formed and funded in recent years to form parks. These measures are approved by a property-owner vote and approval requires a two-thirds majority. There has been some difficulty in reconciling the Proposition 218 requirements of "specific benefit" with parks in some cases.

These two methods are the only funding sources that will provide a future guaranteed stream of revenue to parks projects.

Los Osos has a history of voting to fund the government services it desires. Recently, Los Osos voters supported Measure D for the San Luis Coastal School District and Measure L for the San Luis Obispo Community College District by wide margins. Local voters have also voted in favor of special assessments for sewer and wastewater treatment services and for special taxes for fire services.

This is one of many praiseworthy aspects of the community. However, given all of these prior new taxes and assessments, and the fact that the brunt of the sewer charges are about to go into effect, any new tax seems not only unlikely to pass, but poor form to be asked for something like parks and recreation that, while important to a thriving community, aren't on par with concerns like water and fire.

C. Grant Funding

In the course of this report, I identified several foundations that have provided grants in the past for park facilities. It is vanishingly unlikely, however, that the CSD will receive a grant to establish a new facility and permanently fund it. Nor is it likely that we will receive a grant for a non-specific project. Grant funding from foundations and other government agencies should be revisited after a project has been identified. Grants for operations and maintenance are rare.

² <http://www.slocity.org/Home/ShowDocument?id=4889> (Page 3-425).

D. Unrestricted Funds

For property-tax assessment purposes, Los Osos is divided up into several zones. However, Zones A, B, D, and F exist for the purpose of assessment only and the 1% property tax revenues from them are not restricted. These funds may be used for parks and recreation funding and may provide an ongoing stream of funds to parks and recreation, but it could never be guaranteed.

IV. POTENTIAL FACILITIES

A. Morro Shores Tract APN 074-052-049

An investment group has suggested offering a roughly 5 acre site at the corner of Pine Avenue and Los Osos Valley Road to the community for a dog park if it is successful in “transferring” water use to other proposed projects in the basin. In the event, however, that the property ever does become parkland, it is located adjacent to other park facilities and open space.

Despite this proposed use, the draft Community Plan calls for dense residential facilities and business parks on or nearby this facility of a density up to 38 dwellings per acre and for new roads to cross it. Numerous planning and permitting obstacles remain to bring this site into the parks inventory.

B. Pocket Park

A small park on a small empty lot in an underserved area or on existing District property might be within our capabilities. However, such a park would require ongoing maintenance and operations costs that would require permanent funding, which is not recommended by this Memorandum.

C. SLCUSD Facilities

School Districts are exempt from most County zoning regulations. As such, existing facilities are not included in the draft Community Plan, but they go a great distance towards closing the park inventory gap, as mentioned above. The Sunnyside School site in particular, is, like parcel no. 074-052-049, adjacent to existing park areas and is already partially improved.

Preliminary conversations with the School District indicated a willingness to co-operate on improvements to their facilities, including both Sunnyside and the Los Osos Middle School site. However, due to the fact that LOMS is in use, the public’s use of improvements there would be more restricted.