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Session Goals:

• Review local funding options
• Define Benefit Assessments and demonstrate how they are effectively used
• Briefly review enabling laws and Proposition 218
• Review four local agency Benefit Assessments
• Discuss options for your agency
• Leave ample time for questions and answers
Local Agency Funding Options

- General taxes
- Special taxes
  - General obligation bonds
  - Parcel taxes
  - Sales taxes
  - Community Facility District taxes
  - Other
- Property-related fees
- Development impact/mitigation fees
- Fees and charges
- Benefit Assessments
Where are you at??

What type of assessment would work for your agency?
What is a Benefit Assessment?

1. Annual levy on property
   — Based on special benefit to the property

2. What the assessment be used for?
   — Capital Improvements
   — Equipment
   — Salaries and Administration
   — Land Acquisition
   — Bonded Improvements/Acquisitions
Benefit Assessments:

3. Are used by local governments to pay costs for providing services, such as fire suppression, flood control and parks. Benefit assessments are based on a **specific benefit** and are not subject to Proposition 13 limitations.
4. “Special Benefit” – a particular and distinct benefit over and above general benefits conferred on real property located in the district or the public at large. General enhancement of property value does not constitute “special benefit”.

Photo courtesy of East Bay Municipal District, Steve Diers
Benefit Assessment District Information

- Used to pay the costs of providing fire, flood, water, sewer and other community services.
- Based on assessing those properties that directly benefit from the services.
- Based on Prop.13 law; cannot be based on property value.
- Rate can be increased annually, if this is initially approved by property owners.
- To finance, tax exempt bonds are issued.
The agency is required to give written notice to all affected property owners, hold a public hearing and conduct an assessment ballot vote.

Most benefit assessments will continue as services (improvements) are provided.

Majority vote of affected property owners is required (50%+1)
How is an Assessment District created?

1. Assess recreation and conservation needs
2. Boundaries of district determined
3. Secure comprehensive engineer’s report (legal basis for an assessment district)

Report must outline the proposed area, key projects estimated project costs, annual cost to each property, and the benefit formula used to determine each property’s share of the cost.
All owners of property must be mailed a detailed Notice of Public Hearing and a ballot 45 days prior to hearing

Ballots weighted according to the proportional financial obligation of the affected property

If approved, agency authorizes the creation of the district and proceeds with assessment
One step at a time

- Step 1 – Determine project vision
- Step 2 – Feasibility analysis (Survey)
- Step 3 – Ballot measure (contingent on step 2)
- Step 4 – Enactment procedure
Step 1 – Developing Your Vision

- Identify the recreational, natural, and historic places that define the community and are in need of development, protection or improvement. The vision should be established through a community process with participation and support of elected officials.
Step 2 – Feasibility Research

Initial Surveying/Feasibility Research:

1. Measure level of support
2. Measure threshold of support at various rates
3. Profile/areas of support
4. Profile supporters and opponents
5. Determine support from various property types
6. Determine project and feature priorities
7. Determine funding alternative
8. Determine competing needs for public funds
9. Accurate gauge of opportunity/risk with proceeding with ballot measure
More on Survey Deliverables

1. Accurate measure of the public’s support for park and recreation services and improvements
2. Project priorities
3. Price sensitivity
4. Provide board council with insight/cover
5. Determine viability of measure with minimal expense/political exposure
6. Tailor the measure to improve chances for success
Step 3 – Engineer’s Report and Ballot Proceeding

1. Initial resolution
2. Service plan and action plan (determined by need/findings/community specifics)
3. Educational Outreach
4. Engineer’s report and budget
5. Mail ballots
6. Minimum 45-day ballot return period
7. Public Hearing, tabulate ballots
Step 4 – Enactment Procedure

- Research legal pathways for enactment and develop the resolutions
- Have leadership team assist with public education

➤ Celebrate!
Steps for Successful Elections

- Be visionary
- Determine *what* the public will support by making tough decisions
- Develop priorities
- Keep your message simple and to the point
- Understand *who* votes
- Determine *when* you want to have your assessment on the ballot
- Build an army of volunteers
- If you don’t succeed, don’t be afraid to try again
Common Missteps

- Perceived lack of strong agency leadership
- “Give us the money first, then we’ll develop the plan”
- Inability to eliminate projects or programs that are not absolutely necessary
- Not taking the time to plan well or build support
- Not staying on the “message”
- Insufficient volunteer commitment
- Not raising sufficient resources
- Focusing on the money and not the need
Learning from the Field:

1. City of Brentwood and CA State Parks

PARTNERS IN PARK PLANNING

In a collaborative partnership, California State Parks and the City of Brentwood Parks and Recreation Department are launching a land use planning process to plan for the future development of John Marsh / Cowell Ranch. Working together with the community, this planning process will create a vision for the future, provide recommendations for the future of the historic John Marsh House, public recreation access, and natural resources management as well as set guidelines for implementation of a long term vision for the Park.

We invite you to join us in creating this Park’s future!

John Marsh / Cowell Ranch encompasses nearly 400 acres of natural habitat, wildlife, and unique cultural features including the John Marsh House, nestled within one of California’s oldest growing regions. Through the efforts of concerned citizens as well as the Trust for Public Land and other public entities, John Marsh / Cowell Ranch is one of California’s newest state parks. We’re looking for your ideas and suggestions for future public use and preservation of this unique property. You can start by filling out the enclosed questionnaire and attending the Public Planning Workshop on May 17. Every public input will provide us insights into your priorities, needs and concerns as we begin planning for this unique resource at this new state park.
John Marsh/Cowell Ranch State Park

John Marsh Home in disrepair
John Marsh/Cowell Ranch State Park

- TPL raised $13 million for nearly 4,000 acres for CA State Parks
- Acreage added to 40+ acre John Marsh House State Park property
- CA State Parks has no money for repair/ restoration, general plan, maintenance or operations of the facility
- An adjacent 480 acre development got annexed and approved by the City of Brentwood

Photo of Mt. Diablo
As a result of a MOU between City of Brentwood and CA State Parks:

- Developer conditioned to provide $350,000 to CSP General Plan
- City agrees to coordinate General Plan process
- Developer conditioned to provide $500,000 toward emergency stabilization
- City committed $650,000 in developer fees for emergency stabilization
- Developer conditioned to bring sewer/water/utilities to State Park property
- Developer conditioned to provide gravel parking lot at a location yet to be determined
- Development incorporates trail/open space maintenance in Lighting and Landscape District in coordination with East Bay Regional Park District
• Developer conditioned to create critter fence along nearly 5 miles of property line to make sure that domestic pets stay inside the development

• Developer conditioned to provide $3.5 million for a City operated amphitheater adjacent to John Marsh House with join City/State activities and staging areas

• Through establishment of CFD in this development, money is collected for maintenance of open space and staff for future state park

• City established two additional CFD’s in the community that provide for acquisition and maintenance of open space, construction of trails, and staff for future State Park
2. Cordova Recreation and Park District

- Disparity between existing and new home areas
- High levels of growth potential
- District-wide funding measure to complement funding from new homes
3. Santa Clara County Open Space Authority

- Property owners approved a new open space/parkland assessment in Santa Clara County in 2001.
- Local anti-tax organization and Howard Jarvis Taxpayers Association filed claim against the assessment.
- Open space authority prevailed in trial and appellate courts.
- Appellants appealed to the Supreme Court and case should be heard in 2007

Coyote Creek Parkway

Joseph D. Grant County Park
4. City of San Diego

- Over 40 neighborhood assessments
- Property owners decide what should be funded, spearhead formation effort and manage services funded by assessments

Balboa Park
Lilypond

San Diego River Park
South Clairmont Recreation Center
Short Break

What have I learned today that I can bring back to my agency?
Assessment District funding is REAL

- Funding maintenance often gains more support than building new stuff
- Property Owners or Voters? Consider…
  - number of tenants for special tax
  - weights held by large owners for assessment
- More opportunity to tell story/describe projects on mailed assessment ballot
- Most community-wide funding measures for parks/recreation have been benefit assessments, and significant majority have succeeded.
Selected Resources

- California Tax Data, www.californiataxdata.com
- CPRS, www.cprs.org
- Trust for Public Lands, www.tpl.org
- SCI, Inc., www.sci-cg.com
- “What’s So Special About Special Districts? – A citizen’s guide to special districts in California, Kimia Mizany and April Manatt, February 2002