

Meeting called to order by President John Carsel - 7:05 PM

approx. 55 in public attendance

Present: John Carsel, Carol Baptiste, Arley Robinson, Paul Choucalas, Bill Shea, Cyndi Malmen, Dave Dabritz, Jim Christiansen, Roland Hutchinson, DeAnne Harland, Marie Jaqua, Greg Bettencourt, and Larry Fishman.

Margaret Ambrosavage, Steve Beightler, Chris Pope and Clay Selkirk were absent and excused.

Minutes:

Dave Dabritz moves to approve the minutes of December 7, 2011. Roland Hutchison seconds the motion. The minutes are unanimously approved.

Treasurer's Report: beginning \$ 746.39 balance \$ 627.11

Roland Hutchinson: Checks were written in the amount of \$75 for rent to the Vet's Hall, and to Carol Baptiste in the amount of \$44 for refreshment supplies and for copies.

Announcements:

John Carsel: None.

Correspondence:

John Carsel: None.

Public Comments: use the microphone, state name and residence, 3 minute limit.

No public comments.

Public Agencies

County Sheriff: Jason NeFores, Commander, Coastal Patrol Division

Senior Deputy Todd Steeb:

There were 165 calls this last month. There were 31 EMS with the Fire Department. One indecent exposure, one burglary. The Sheriff's Department just secured three new canines. They are German Shepherds to be used primarily for narcotics investigations and for protection. A Sheriff rotation will occur January 8th. There will be some new faces. Sgt. Rasmussen from Los Osos is coming back.

The Crown Vics are no longer. Chevy Caprices are the new cars. All black. There is a Chevy Tahoe too. During last year, there were 1,862 calls, 200 plus were EMS calls. There were 4,886 calls for Cambria to San Simeon.

DeAnne Harland: Saturday there were gun shots fired up the hill from my home. I went up there in my car and there were no vehicles in the vicinity. Today the Sheriff's were up there.

Senior Deputy Sheriff Steeb: The trail bike activity has calmed way down. There were gun shots on New Years Eve.

Jim Christiansen: How is the budget?

Senior Deputy Steeb: We just were able to hire nine more deputies.

Jim Christiansen: Additional deputies?

Senior Deputy Steeb: We were filling in what we lost on the street and adding to the jail. The population that is coming in from the State is more difficult to handle.

CHP - Officer Jim Townsend

Officer Townsend:

No report.

Parks -

No report.

Co. Planning - Paul Sittig

Paul Sittig: It has been quiet. At the Planning Department hearing set for January 20th, a new project, single family residence, 7th St., addition to an existing home.

Connie Paine: Could you please repeat what you just said?

MaryAnn Carnegie: Stenneron was in the paper as on the auction block for 1/11/12. Will it remain status quo?

Paul Sittig: Yes, same problems, new owner.

Co. Public Works - Jeremy Ghent

No Report.

Cayucos Sanitary District - Bill Callahan:

The quarterly update is out. We have it in print form at our office and it is on our website. We are under appeal by The Coastal Commission. They want to see if there could be a better location. We hired a firm to look at that. People attended our meeting and gave input. Three sites are being considered. The current site in Hwy 41, one up on Hwy 41 on the Rhigetti property, and the Chevron property. The Coastal Commission hearing is in April. The current sight ranked the highest. I met in Santa Cruz with The Coastal Commission. They seemed encouraged with the analysis information and asked for more specific information re: sea level and flooding.

We are available for public questions every Weds. between 3:30 and 4:30. Please call first.

Domestic grease is a significant problem. Bacon grease, cooking oil. It accumulates. Each person's contribution has a detrimental effect. Please think about this.

We have burn permits available at our office. Our website is cayucosse.org.

There are forms available on our website. People have been bringing baked goods by our office. Thank you for the courtesy.

Roland Hutchison: Are you expecting to go to The Coastal Commission in August and get the current site approved?

Bill Callahan: Yes.

MaryAnn Carnegie: If the Chevron property is in contention, has that been cleaned out and is it ready?

Bill Callahan: Since it is not the top ranked site, we have not looked that far.

John Carsel: Would the existing site be the cheapest?

Bill Callahan: Yes.

Public Comment: The current site is susceptible to flooding and to tsunami, doesn't that affect the financing? And isn't it in the flood plane?

Bill Callahan: We would be raising it.

Greg Bettencourt: Is it fair to say the current site came out on top because it's cheaper and requires less piping?

Bill Callahan: Cost was not the main factor, it was not the overriding factor.

Chamber of Commerce - Bill Shea

Bill Shea: The Polar dip was a great success. We had a lot of people here and the weather was great. The Sea Glass Festival will be in March and it is a two day event this year. May Madness will be May 26th.

County Supervisor - Bruce Gibson

Cherie Aispuro: It was slow over the holidays.

The first Weds. of every month, we hold office hours at the Cayucos library from 4:00 to 5:00.

We also hold office hours from 4:00 to 5:00 on the 3rd Weds. in Cambria.

The 4th Thurs. from 4:00 to 5:00, we are available at the Sea Pines Resort in Los Osos.

Land Use - Larry Fishman

Larry Fishman: Our meeting was pretty quiet yesterday. There were two items in old business. Cyndi Prange had questions re: vacation rentals. We also discussed extending building permits which will come up later in Old Business. There is a new project on Pacific Ave..Cal Trans has a Minor Use Permit for work on Estero Bluffs that has already been approved by the CCAC.

Public Safety - DeAnne Harland

DeAnn Harland: I would like to postpone my comments until next month since Public Works is not here tonight to talk about sidewalks and bluff sloughing.

Recreational Planning - Greg Bettencourt

Greg Bettencourt: I would like to ask Curtis Black about the 1st Street access.

Curtis Black: We had to close the 1st Street beach access due to sloughing off and deterioration. It will require a concrete base to handle tidal surges, etc. It could be expensive, \$160,000 to \$200,000. There are no County Parks funds for that. We have it on the radar for grants that might come along. We need to keep accesses to the beach. Fortunately the 4th Street access is open and also here at the pier. We will be watching for any fundraising events that could help out or for any grants.

Greg Bettencourt: I am glad that you brought up the pier. The pier is the elephant in the living room. We choose to not look at problems with the pilings, etc.

Curtis Black: Engineering study information is available and we can come back to that.

Utilities - Margaret Ambrosavage

Margaret Ambrosavage: No report.

Community Design - Margaret Ambrosavage

Margaret Ambrosavage: No report.

CSA 10-A

Arley Robinson: CSA 10-A is an agenda item.

By-Laws - Arley Robinson

Arley Robinson: The By-Laws are in good shape.

Traffic - Margaret Ambrosavage

No report. Ad hoc traffic is not a part of Community Design.

Old Business

a. Vacation Rental Ordinance.

Larry Fishman: The Central Coast Management Association submitted comments. Toni LeGras, Cyndi Prange and I got together to talk about the comments. One issue was the location of vacation rentals and how close they can be. Toni said vacation rentals have decreased by 25%.

Toni LeGras: A combination of revenue and fewer vacation rentals on the market.

Marie Jaqua: The number of vacation rentals is over rated. People move into their homes but maintain the vacation rental permits. The location of vacation rentals is muddy for these reasons. The CCMA suggested that we have no restriction on vacation rentals. We said that is not going to "fly". We feel that Cayucos needs to have a balance between residents and vacation rentals. Permits for vacation rentals are \$25 a year. We thought maybe we should up that to \$500 a year. Then, only the serious would renew. Another thing would be the transient occupy tax. If you haven't rented enough to meet the minimum tax, you would have to pay the tax. Another thing, they were requesting specifics w/ condos and the space between. They would like for the restrictions to be lifted on condos.

I think we raised more questions than were answered. It will be heard in another month. We need more time, we have more time.

Greg Bettencourt: We have all had problems with vacation rentals. The non-legal vacation rentals seem to be more of a problem. It seems to me that if we got the County code enforcement a list of legal vacation rentals, if we provided them with the list, then they would be more willing to deal with it.

John Carsel: I did provide a list of 50 or so rentals by owners.

Cherie Aispuro: That no one has heard back re: the list does not mean they did not do anything with it.

John Carsel: I gave it to Art Trinidad.

Marie Jaqua: Toni, do you have anything to add?

Toni LeGras: Yes, there needs to be more discussion and enforcement is a big part of it.

John Carsel: Would the subcommittee like to meet a couple more times in the next month? I would like to be able to vote on this at the February 1st CCAC meeting. You might look at the issue if the Sheriff is called for noise violation on a weekend.

Greg Bettencourt: We should have a definitive explanation of what should be done when there is a violation.

John Carsel: Thank you Marie and the subcommittee.

Paul Choucalas: Is it possible for code enforcement to come and hear what the problems are.

Cherie Aispuro: Yes, I will ask her.

John Carsel: It would be good if she could come to the next meeting.

b. CSA 10-A Water Infrastructure Inadequacies and Rate Increase.

Doug Bird: The infrastructure needs new pipes, there are inadequacies. On November 22nd we went to the Board. That will be the 1st item on the agenda next Tuesday. The Proposition 218 protest hearing. We propose improvements. Pipe lines on Shearer Avenue, the existing CSA 10-A tank has inadequate storage, and we recommend a new tank.

The Board will hear this next Tuesday.

You have an opportunity if you live in the CSA 10-A district, to send in a protest letter. We would have to have 50% plus one to overturn the proposal. That would be 476 letters as of the AM of the 16th. They can be mailed or submitted at the hearing before it ends.

I have a list of questions the CSA 10-A subcommittee submitted. I'm going to run through this.

#1. See Print Out.

What we are proposing is \$74.76 per month.

Paso Robles Beach is \$116 per month.

Morro Rock is \$108 per month.

CSA 10-A is less than Morro Rock Mutual and Paso Robles Beach.

Are we higher or lower? Why is that?

What debt is out there - what does maintenance cost. Operations and maintenance over the last decade.

We are proposing \$17 per month more, taking it from \$57.10 to \$74.76.

It is a 45% increase. 45% sounds like a lot. \$17 doesn't sound like a lot.

Cyndi Prange: Is there a minimum rate?

Doug Bird: Now it is \$80 every two months.

Cyndi Prange: No matter what you use, it's \$40 per month.

Doug Bird: With the increase it would be \$115 every two months, \$57.76 a month.

Jean Edwards: We were told that money was set aside and it was used for something else.

Doug Bird: As far as I know, CSA 10-A money has never been taken out for anything else. Money was used for preliminary engineering studies for the proposed project.

Dave Dabritz: The figures were for labor and treatment. Some of that could be for the actual water.

Doug Bird: #2. What is the overhead in CSA 10-A compared to the others.

Accounting, County Counsel, are included in the overhead.

#3. The rate increase in 2005 of 3.25% over 4 years was for water line upsizing which produced \$256,000. Costs exceeded that. Some revenues were to come from connection fees and we have had fewer connections.

#4. If we approve the increase, how can we be sure the \$ will not disappear.

To the best of my knowledge, no money has disappeared.

You cannot take CSA 10-A money and use it for something else. They are separate entities.

#5. Based on actual usage in CSA 10-A, why is there a cost of living increase in water?

There is an annual cost of living because there has been 2.75 inflation in cost of maintenance.

#6. Accountability.

The County is subject to an annual audit standard to insure the County is not screwing around with the money. There is money coming and going. There are invoices. The lender is checking.

When pipes are replaced on Shearer, wharf heads and fire hydrants will be replaced as well.

(Some of the numbered questions were not noted in the handwritten notes of the minutes.)

9. Siting studies: \$69,000 was spent on tank siting studies. Acquiring land, grading..... If it is approved next week and we proceed, we have to get permission from The Coastal Commission. We put a lot of thought into the proposed sitings. There would be additional piping needed if the Chevron site is not approved.

#10. Increase and decrease of the population has no effect on the sizing of the tank. What we need for daily use, 120,000 gal., what we need for fire suppression, and what we need for emergency storage.

#11. Ongoing repair in budgeting.

Currently \$308,650 for each year. \$54,000 for repair and maintenance. 755 connections.

Paul Choucalas: What does that come out to per property? That is a lot of money. \$511 per property per year.

Doug Bird: We have done some pipe replacement.

John Carsel: If the proposal is not approved.....

Doug Bird: If we can not get the tank approved, we have a prioritized list of other needs.

Ralph Wessel: If these repairs need to be done, what if the tank is approved. Then what about the repairs?

Doug Bird: We have considered that.

John Carsel: Some of the other repairs, could those be done through "maintenance and repair"?

Doug Bird: We have pulled money out of reserves for repairs. We don't want to get so low that we don't have money for an emergency.

Jean Edwards: You found \$68,000 to refurbish the tank on the hill.

Doug Bird: That was the exterior. Now we need to do the interior and the roof. Even though we had money for the treatment tank does not mean we can come up with the money for the re-hab of the existing tank.

MaryAnn Carnegie: I find this thing a little convoluted. The whole process sounds like a negativity route. Everyone agrees that we need the improvements. We don't know what we are getting. It's like signing a blank check. It seems like we should go in a positive way instead of having protest letters as the only option.

Doug Bird: It's not our money, it's your money. We know we need improvements and additional storage. We would have to come back to the planning table.

MaryAnn Carnegie: You have set up the 45 days during the holidays so you could get what you want. My neighbors don't know what's going on.

Ed Carnegie: Under the curtain...If we went in steps, what effect would that have on USDA funding?

Doug Bird: If we split it, it would depend how much time lapse there was. There would be additional cost of going through this process again.

Ed Carnegie: USDA is Federal government money and the federal government is broke.

Doug Bird: The federal government is looking forward to providing funds for this area.

Ralph Wessel: If this does go through, what about the repairs that there are no funds allocated for? We don't know what the figures are.

Larry Fishman: Basic Budgetary 1A says "reserves". I can't believe that all along there have not been reserves for repairs and maintenance. The other companies cost more? The next generation is going to ask "What were they thinking?" My point is, something should have been done years ago re: reserves. And something needs to be done now re: reserves.

Doug Bird: The Board has options. If the Board felt strongly enough, they could turn this down. We do have reserves in 10-A. We like to have 50% of our operating budget in reserve. We should have \$250,000 in reserve. We have about \$125,000 in reserve.

John Carsel: The subcommittee did meet and at the time, we were under the understanding that residents of the other two water companies paid less.

The CSA 10-A Subcommittee Report:

“Due to the nature of the proposed Ordinance raising the water rates where we must either agree in whole or disagree, we state that we are in favor of replacing the inadequate water lines and related infrastructure on Shearer Ave., Chaney and Stuart Streets and, eventually another water tank, however, we are opposed to issuing a blank check and we want the projects done in stages (i.e., the pipes and plan the tank as stage 1., once tank approved by The Coastal Commission get money to pay for it as Stage 2., once tank is built get money to rehab existing tank as Stage 3.) and we want accountability for the funds spent which have led to this increase in rates, therefore, we are opposed to the rate increase as structured and recommend that written protests be sent against the rate increase.

We would like to see a proposed Ordinance reworded to repair the infrastructure in the manner stated above.”

At the time, I agreed with that. Now that I hear your comments, I disagree. Our rates are cheaper than the other companies. Being that CSA 10-A is a lot cheaper, I have withdrawn my opposition.

Ralph Wessel: We looked at the other water rates and I think our rates in CSA 10-A are higher. I would like a chance to look at it.

Paul Choucalas: The truth is, if they have to pump 1,000 gal. per min., we need this infrastructure improvement for fire suppression. It's time that we take care of this. If this is going to protect our homes, then we need these improvements and the rate increases. We are not going to get 50% plus one protest letters.

Dave Dabritz: What are the minimum rates of the three water districts? The minimum for CSA 10-A is about \$40 per month. What are the minimums for the other two privates?

Doug Bird: I don't have those figures.

Marie Jaqua: This affects the rest of the town as well. If there is a fire in CSA 10-A, it could affect the whole town.

Russ Taylor: The protest was not against safety, it was against the way the County was going about it. The rate was based on build out that was not there. And why not do it in stages. Right now just pay for pipes and wharf heads. The protest is that the County wants to do this in a lump sum.

John Carsel: The second loan will be later.

Doug Bird: Yes, it would be the first quarter or maybe later that you would see the raise.

Russ Taylor: Why not raise the rates for the new tank when you have the site and the site is approved by The Coastal Commission.

Doug Bird: The last rate hike in 2005 was for preliminary design.

Trish Childress: What happens after two years with the extra \$60,000?

Doug Bird: The website has the details of the additional projects that need improvement.

Greg Bettencourt: Are you looking for a motion on this? I am reluctant because I don't live in the district.

Paul Choucalas: Where would we go with the motion?

Bill Shea: I have lived in the district 30 years and I agree with the proposal.

Greg Bettencourt: I make a motion that we support the rate increase in CSA 10-A.

Dave Dabritz: I second the motion.

Roll call vote. The vote is unanimous.

c. Extending Building Permits.

John Carsel: This item is continued to the next months meeting as it is now 9:15 and we still need to address the connector.

New Business

a. Morro Bay -Cayucos Connector (referred back to the CCAC from the Parks Commission as Cal Trans says it will not put a light at Chaney St.).

Elizabeth Kavanaugh, County Parks: In May, your CCAC suggested having a crossing at Chaney St.. That crossing was denied by Cal Trans. We are going to request that you make a recommendation. It's a multi-use trail, it's a Class 1 trail.

At 6:00 this Friday there will be a meeting of the Parks Commission in the Board of Supervisors chambers. The connector trail is on the agenda.

There will also need to be a Coastal Development permit which will involve the Planning Commission w/in the next year or so.

We are here to ask for a recommendation on the trail.

John Carsel: I talked with you a little about the possibility of an underground crossing.

Elizabeth Kavanaugh: They ran out of money for an underground crossing.

Public Comment: How far North does this go? It goes to Norma Rose Park by the cemetery and then through downtown?

Curtis Black: We can't leave the Chaney St. crossing in the planning for the alignment because Cal Trans will deny the permit.

Paul Choucalas: Then why don't we go with the Eastern Alignment. Studio Drive is too impacted.

Curtis Black: There would not be funding for the Eastern Alignment.

Marie Jaqua: What are we doing here?

Greg Bettencourt: It's simple. Do we think that a Morro Bay to Cayucos connector is worth routing cyclists down Studio Dr..

Dave Dabritz: We've got millions of dollars for a trail on the Estero Bluffs. A walking trail. The bicycles are staying on the Hwy at the N. end of town by Estero Bluffs and the walking trail is on the bluffs.

Down here, on the South end of town, we are trying to put a 12' wide bike Hwy on the bluffs.

We have argued the impacts of traffic on Studio Dr. but we have not talked about the scenic vistas and natural resources of the bluffs S. of Studio Dr. The Coastal Trail is proposed along the bluffs. I can see a walking trail there. The Coastal Trail is a 3' wide walking trail. The recommendation for the bike connector is 12' wide. The Western Alignment has significant irreversible environmental impacts. It is important that the dwindling biological resources be preserved.

Bill Shea: I would like to make a motion that the connector be sent to the Eastern side of Hwy 1.

Dave Dabritz: I second the motion.

Roland Hutchison: I do not support the motion. The Eastern alignment is dead in the water.

John Carsel: I am opposed to the motion as I would like the Western alignment or no connector.

Kathy Longacre: There is more to this.

Nancy Graves: As a biker, the Western alignment is the only one to look at.

Paul Choucalas: To me, it's like we are being forced to take what you want. We're asking for a stop light.

John Carsel: I received two emails. One opposing the trail on Studio Drive and another one opposed to the Western alignment along Studio Dr. for safety reasons.

Trish Childress: The only funding that has been discussed is the National Bi-Way grant. There could be other funding available for the Eastern alignment. This whole process seems to have been manipulated. I have provided a written statement with my concerns. I am strongly opposed to the Western alignment for a variety of reasons which I have outlined in my written statement.

Carol Baptiste: I was on the subcommittee that studied the connector trail options. I have studied the Environmental Impact Report at great length. The environment impact reports states that the Western alignment has the most negative environmental impacts of the alignment options. I agree with the concerns about the congestion on Studio Drive. My own most passionate concerns about the Western alignment are about the irreversible destruction to the bluffs and to the very few white fluffy dunes that we have between N. Morro Bay and South Studio Dr. near Toro Creek. We all love that spectacular view as you approach Cayucos from Morro Bay coming around the curve there. That view is like what you would see in a travel brochure for Kauai and we have that right here in South Cayucos. That view of the ocean curving along the shoreline in it's natural state is priceless and irreplaceable. It is unconscionable to put a paved road out there with fences and barriers, retaining walls and three span bridges. That view is not just enjoyed by the locals but by everyone who travels Hwy 1. I am the one who distributed the article from the SLO Tribune from 1/20/11 called "A Retreat in the Face of a Rising Sea" depicting the removal of an ocean front bike path in Ventura due to rising sea levels. Everyone must know by now that the sea levels are rising. There was an article in the SLO Tribune yesterday about opposition by The Coastal

Commission to sea walls that are being put in in San Francisco due to erosion damage. I have walked the bluffs and the foot path between S. Studio Dr. and Toro creek many many times as that is the closest beach to my house. It is a rare chance to see bluffs and sand dunes in their natural state along the beach. We need to preserve this environmental treasure for future generations. There are many other opportunities to engage in activities that require pavement. The bike path in Morro Bay that goes out to the rock, all of the paved areas in downtown Cayucos that offer access to restaurants and bathrooms. We had young, environmentally informed cyclists speak to us at the previous CCAC meeting about this connector trail. They said the existing bike lanes along Hwy 1 are adequate except for a bike lane on the N. bound lane of the Toro Creek bridge. How simple is that to fix compared to paving over and destroying the bluffs and sand dunes on the West side of Hwy 1, the irreplaceable "pristine gem".

Connie Paine: You can ride your bike and push your stroller on the beach from the pier to Morro Bay the way it is now without destroying it or paving it over. The only thing we need is a bike lane on the N. bound Toro Creek bridge. I ride my bike back and forth to Morro Bay from Cayucos all of the time.

Evelyn Dabritz: The pristine 1 mi. of bluffs and dunes between S. Studio Dr. and N. Morro Bay is a natural treasure that needs to be preserved. 8' to 12' of developed bike path along this narrow strip would destroy it. In the Spring the bluffs are purple with the little native Iris flowers that is beautiful and priceless. Please do not approve the West alignment.

Larry Fishman: I can not support this motion. If we say go on the East side and we think it's going to stop this, I don't support the motion.

Dave Dabritz: There are other funding sources. It can be worked out that we can get something for the Eastern alignment.

Cyndi Malmen: Often times it is true that we don't have a say in things. Is that what is true here? Are they just going to railroad this through?

Curtis Black: Bike groups and citizens have gotten together. They have taken steps that brought us here today.

Jim Christiansen: I am going to vote in favor of the motion. There is some earmarked money here and some would like to try to make a grab at the money. I drive my car, a motorcycle, and I ride a bike. When you ride a motorcycle, you have to watch for obstacles and hazards like water, oil, and debris. The bicycle is the same. With a mixed use trail the hazard is pedestrians. Some people are wearing headsets and can't hear you, some are walking two and three abreast, and some people have dogs on leashes. If you are on a bike you have to stop. A mixed use trail does not work for cyclists. You rarely see a cyclist on a trail where there are pedestrians. When I see a trail with pedestrians, I get back on the freeway. Like Dave said, you can have a walking trail 3' wide that does not destroy the environment and the view on the West side that would be part of The Coastal Trail. If you do an Eastern alignment bike trail with good planning, you could have a parking lot with restrooms and a bigger wider perspective.

Greg Bettencourt: My mom reminded me of when the beach accesses were the topic in the 1960's. There was community. They had a vision. They invested a lot of time and energy with private property owners to have accesses to the beach.

Marie Jaqua: We support the Eastern alignment

Roll Call Vote: Six Yes and Five No. The motion that the connector trail be sent to the East side of Hwy 1 carries.

Greg Bettencourt: I would like to propose that in the letter to the Parks and Recreation Dept. that the letter show the vote was 6 to 5 in favor of the motion for the Eastern alignment.

Good of the Order - 10:00 PM.

Next meeting of the CCAC will be February 1, 2012.

Set up and refreshments will be precincts 1 & 2.

The next Land Use Committee meeting will Monday, January 30, 2012.

Respectfully Submitted: Carol Baptiste

January 26, 2012

