

Tuesday, January 08, 2013

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank Mecham, Bruce S. Gibson, Adam Hill, Debbie Arnold and Chairperson Paul A. Teixeira

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON PAUL A. TEIXEIRA.

Consent Agenda – Review and Approval:

1-26 & 31-35. This is the time set for consideration of the Consent Agenda.

Chairperson Teixeira: opens the floor to public comment.

Ms. Rita Neal – County Counsel: recommends the Board take separate action on Item No. 2.

The action taken for Consent Agenda items 1, 3 through 26 and 31 through 35 on the following vote is indicated for each item.

Motion by: Adam Hill

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

- Request by the San Luis Obispo County Tourism Business Improvement District (CBID), on behalf of the Avila Beach Advisory Board, to re-appoint Kim Silverman and Katie Manley to the Avila Beach Area Advisory Board.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller Items:

- Submittal of the airport concessionaire contract audits of Avis Rent-A-Car Systems, Inc., Budget Rent A-Car, Enterprise Rent-A-Car, Hertz Rent-A-Car, Runway Express and the Spirit of San Luis for Fiscal Year 2010-11.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

- Request by Supervisor Frank Mecham to re-appoint Jim Irving as the District One representative to the San Luis Obispo County Planning Commission.

The Board approves as recommended by the County Administrative Officer.

- Request by Supervisor Frank Mecham to re-appoint Ken Sauret as a District One representative to the Fish and Game Fines Committee.

The Board approves as recommended by the County Administrative Officer.

- Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d).

The Board approves as recommended by the County Administrative Officer.

7. Request by Supervisor Frank Mecham to re-appoint Cynthia Steinbeck as the District One representative to the Agricultural Liaison Advisory Committee.

The Board approves as recommended by the County Administrative Officer.

8. Request by Supervisor Frank Mecham to re-appoint Deanne Gonzales as the District One representative to the Parks and Recreation Commission.

The Board approves as recommended by the County Administrative Officer.

9. Request by Supervisor Frank Mecham to re-appoint Marjorie Hamon as a District One representative to the Fish and Game Fines Committee.

The Board approves as recommended by the County Administrative Officer.

10. Request by Supervisor Debbie Arnold to appoint Don Campbell as the District Five representative to the San Luis Obispo County Planning Commission.

The Board approves as recommended by the County Administrative Officer.

11. Request by Supervisor Debbie Arnold to appoint Robert Bergman as the District Five representative to the Civil Service Commission.

The Board approves as recommended by the County Administrative Officer.

12. Request by Supervisor Paul Teixeira to appoint Allen Barbee to the Area Board on Developmental Disabilities.

The Board approves as recommended by the County Administrative Officer.

13. Request by Supervisor Frank Mecham to appoint Anthony Wayne Caruthers III as the District One representative to the Civil Service Commission.

The Board approves as recommended by the County Administrative Officer.

14. Request by Supervisor Adam Hill to appoint David Jewell as the District Three representative to the Water Resources Advisory Council (WRAC).

The Board approves as recommended by the County Administrative Officer.

15. Request by Supervisor Adam Hill to appoint Betsey Nash as the District Three representative to the Civil Service Commission.

The Board approves as recommended by the County Administrative Officer.

16. Request by Supervisor Adam Hill to re-appoint Bruce Hilton as the District Three representative to the Parks and Recreation Commission.

The Board approves as recommended by the County Administrative Officer.

17. Request by Supervisor Adam Hill to re-appoint Tom Ikeda as the District Three Representative to the Agricultural Liaison Advisory Committee.

The Board approves as recommended by the County Administrative Officer.

18. Request by Supervisor Adam Hill to re-appoint Carlyn Christianson as the District Three representative to the San Luis Obispo County Planning Commission.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

19. Request to approve the minutes of the Board of Supervisors meetings held during the months of July 2011 through November 2012.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

20. Request to accept bid results and award a construction contract with Raminha Construction Inc. in the amount of \$278,000 for construction improvements at Norma Rose Park, 2491 South Ocean Avenue, Cayucos. District 2.

The Board approves as recommended by the County Administrative Officer.

21. Request to authorize a budget adjustment in the amount of \$13,500 in Fund Center 114 - Information Technology from within accounts to purchase two line printers in the County Data Center and to amend the Fixed Asset List to add two printers.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

22. Request to approve: 1) a three-year grant from the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$250,000 per year to provide an enhanced treatment program for parents and their children within the existing Family Drug Court; 2) a budget adjustment in the amount of \$187,500 from unanticipated revenue to Fund Center 166 Behavioral Health; and 3) a related resolution amending the existing Position Allocation List for Behavioral Health Fund Center 166 to add a .50 FTE Drug and Alcohol Worker I.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-1, adopted.

Consent Agenda - Planning & Building Items:

23. Request for authorization to submit a grant application to the U.S. Department of Housing and Urban Development (HUD) for the 2012 Federal Continuum of Care program. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-2, adopted.

24. Request for approval of an Avigation Easement from the Family Care Network Inc., a California Corporation, for the San Luis Obispo County Regional Airport. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-3, adopted.

Consent Agenda - Public Works Items:

25. Submittal of a resolution authorizing execution of notice of completion and acceptance for the MidTown Site Restoration Project, Los Osos. District 2.

Dr. C. Hite (video), Ms. Julie Tacker, Mr. Jeff Edwards, Ms. Linde Owen (photographs) and Mr. Richard Margetson: speak.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-4, adopted.

26. Request to amend the FY 2012-13 Fixed Asset List for Fund Center 405 – Public Works Internal Service

Fund (ISF) to purchase two trench shields, for a total cost of \$26,000.

The Board approves as recommended by the County Administrative Officer.

ADDED CONSENT AGENDA ITEM NOS. 31 THROUGH 35 PER ADDENDUM TO THE AGENDA – REQUIRMENTS OF THE BROWN ACT HAVE BEEN SATISFIED AS THIS NOTICE WAS POSTED PRIOR TO THE 72 HOUR NOTICING REQUIREMENT.

Consent Agenda – Administrative Office Items:

- 31. Request to cancel the January 15, 2013 Board of Supervisors' meeting.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda – Board of Supervisors Items:

- 32. Request by Supervisor Debbie Arnold to appoint Kenneth Dahlen as the District Five representative to the Parks Commission.

The Board approves as recommended by the County Administrative Officer.

- 33. Request by Supervisor Debbie Arnold to appoint Jerry Diefenderfer as the District Five representative to the Ag Liaison Board.

The Board approves as recommended by the County Administrative Officer.

- 34. Request by Supervisor Debbie Arnold to appoint John R. Hollenbeck as the District Five representative to the Water Resources Advisory Committee.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda – Social Services Department Item:

- 35. Request to: 1) approve amendments to the bylaws of the Homeless Services Oversight Council (HSOC) to include a Conflict of Interest Policy and to allow non-HSOC members to be appointed to HSOC Committees, and 2) to appoint Jeanette Duncan to fill one vacant position.

Ms. Laurel Weir - Homeless Services Coordinator and Homeless Services Oversight Council (HSOC): speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda – Administrative Office Item:

- 2. Submittal of a resolution approving the amended Joint Powers Agreement (JPA) between the County and the incorporated cities within the County for the San Luis Obispo Regional Transit Authority (RTA). All Districts.

Supervisor Arnold: outlines why she will not support the motion.

RESOLUTION NO. 2013-5, a resolution approving the amended Joint Powers Agreement between the County and the incorporated cities within the County for the San Luis Obispo Regional Transit Authority, adopted.

Motion by: Adam Hill

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			

Arnold, Debbie (Board Member)		x		
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Public Comment Period:

27. This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Mr. Dane Senser: discusses the importance to the public comment process during meetings.

Mr. Tom Dawson: speaks to Agenda 21.

Mr. Jeff Edwards and Mr. Eric Greening: address concerns related to the upcoming review of the County's Resource Management System (RMS) on February 19, 2013. Additionally, Mr. Greening, comments on Item No. 2.

Ms. Julie Tacker and Mr. Alan Martyn: speak to the election of Supervisor Gibson as Vice-Chairperson and his relationship with his Legislative Assistant.

Mr. Ben DiFatta, Ms. Linde Owen (photographs) and Mr. Richard Margetson: comment on the Los Osos Wastewater Project (LOWWP). Additionally, Ms. Owen, speaks to KCBX Radio no longer broadcasting Board of Supervisor Meetings.

Dr. C. Hite - Rural Community Workshop: expresses her concerns regarding dismissive attitudes towards women.

Ms. Andrea Seastrand: comments on the potential election of Supervisor Hill as Chairperson to the San Luis Obispo Council of Governments (SLOCOG) Board.

Ms. Laura Mordaunt: raises concerns regarding the conduct of Board of Supervisor meetings. **No action taken.**

Board Committee Reporting:

28. This is the time set for Board Members to report on various committee activities.

Supervisor Gibson: comments on a workshop he attended in December with Coastal Commissioners and Elected Officials regarding process and results concerning amendments to the Local Coastal Program.

Supervisor Hill: speaks to the status of the upcoming Amgen Tour of California that is scheduled in May.

Supervisor Arnold: provides her appreciation to those involved in the public process and is looking forward to serving the public.

Supervisor Mecham: welcomes Supervisor Arnold, and re-elected Supervisor Hill and is looking forward to serving the public and working with his colleagues. **No action taken.**

Board Business:

29. Direct staff regarding preliminary studies associated with the possible purchase of three parcels near Edna within the Anza Trail corridor.

Mr. Curtis Black - County Parks Deputy Director: states this item was not intended to be heard today and requests that this item be continued to January 29, 2013.

Chairperson Teixeira: opens the floor to public comment without response.

The Board continues this item to Tuesday, January 29, 2013.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Teixeira, Paul A. (Chairperson)	x			
Gibson, Bruce S. (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

30. The Board announces they will be going into Closed Session regarding:

I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

A. Conference with Legal Counsel-Existing Litigation (Government Code, Section 54956.9(a.)) (Formally initiated) 1. Teichert, A. & Son, Inc. v. San Luis Obispo County Flood Control & Water Conservation District.

B. Conference with Legal Counsel-Anticipated Litigation (Government Code, Section 54956.9.) 2. Significant exposure to litigation (Government Code, section 54956.9(b.)) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 3. Initiation of litigation (Government Code, section 54956.9(c.)) No. of cases 2.

ADDED CLOSED SESSION ITEM PER ADDENDUM TO THE AGENDA – REQUIRMENTS OF THE BROWN ACT HAVE BEEN SATISFIED AS THIS NOTICE WAS POSTED PRIOR TO THE 72 HOUR NOTICING REQUIREMENT.

I. PENDING LITIGATION (Government Code, Section 54956.9.) It is the intention of the Board to meet in Closed Session concerning the following items:

A. Conference with Legal Counsel-Existing Litigation (Government Code, Section 54956.9(a.)) (Formally initiated) 4. Dubbink v. County of San Luis Obispo; 5. Excelaron, LLC. v. County of San Luis Obispo.

Chairperson Teixeira: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: No report required as no final action was taken and the Board goes into Open Public Session.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, January 08, 2013, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: January 24, 2013