

Tuesday, July 09, 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 R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

**ABSENT:** None

**THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.**

**Tribute to Paul Teixeira:**

- 1. This item is reserved to pay tribute to the life and service of District 4 Supervisor Paul Teixeira, who passed away unexpectedly on the night of Wednesday, June 26.

**Ms. Deanna Teixeira; Board Members; Mr. Dan Buckshi - County Administrative Officer; and Ms. Rita Neal – County Counsel: speak.**

**Acting Chairperson Gibson:** opens the floor to public comment.

**Mr. James R. Patterson; Mr. Robert Lewin – CalFire Chief; Mr. Tim Olivas – Under Sheriff; and Assemblyman Katcho Achadjian: speak. No action taken.**

**Consent Agenda – Review and Approval:**

- 2-32. This is the time set for consideration of the Consent Agenda.

**Acting Chairperson Gibson:** opens the floor to public comment.

The action taken for Consent Agenda items 2 through 32 on the following vote is indicated for each item.

**Bid Opening:**

- 2. Letter transmitting plans and specifications (Clerk’s File) for 2013 Micro-Surfacing, various county roads, San Luis Obispo County, for Board approval and advertisement for construction bids. The recommended bid opening date is Thursday, August 8, 2013. Districts 1, 2, and 3.

**The Board approves as recommended by the County Administrative Officer.**

- 3. Letter transmitting plans and specifications (Clerk’s File) for the Klau Mine Road and Huasna Road Slip Out Repair, Nacimiento Lake area and Arroyo Grande, respectfully, for Board approval and advertisement for construction bids. The recommended bid opening date is Thursday, August 8, 2013. Districts 1 and 4.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Administrative Office Items:**

- 4. Request to approve recommended responses from the Sheriff and Cal Fire/County Fire to the Grand Jury's 2012-13 report "Consolidation of Public Safety Dispatch Systems."

**The Board approves as recommended by the County Administrative Officer.**

- 5. Request to approve a budget adjustment in the amount of \$1,560 from unanticipated revenues to Fund Center 106 – Contributions to Other Agencies’ professional services account. District 2.

**The Board approves as recommended by the County Administrative Officer.**

6. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to re-appoint Kaushik Patel for a three-year term on the San Simeon Local Area Advisory Board.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Assessor Items:**

7. Request to approve a resolution to amend the Position Allocation List for Fund Center 109-Assessor to delete an Administrative Assistant position and add an Assessment Technician position to provide support functions throughout the Department.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-151, adopted.**

**Consent Agenda - Board of Supervisors Items:**

8. Submittal of resolution recognizing Wade G. McKinney for his service to Atascadero and San Luis Obispo County.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-152, adopted.**

9. Request to approve an agreement with the Atascadero Colony Days Committee allocating \$1,800 from District 5 Community Project Grand Funds – Fund Center 106 to be used for expenses associated with the annual Colony Days event on October 19th, 2013.

**The Board approves as recommended by the County Administrative Officer.**

10. Request to approve an agreement with the 5Cities Homeless Coalition allocating \$4,050 from District Community Project Funds – Fund Center #106 (District Three - \$2,000, District Four - \$2,000 and District 5 - \$50) to be used for expenses associated with holding the Empty Bowls Luncheon fund raiser on September 25th, 2013.

**The Board approves as recommended by the County Administrative Officer.**

11. Request by Board Chair to appoint Rita L. Neal, Nina Negranti and a member designated by the San Luis Obispo County Bar Association to the Law Library Board of Trustees.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Clerk-Recorder Items:**

12. Certification of results of the Pension Trust Election held on June 18, 2013.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - General Services Agency Items:**

13. Request to approve Resolution and Quitclaim Deed to relinquish the County's interest in road and utility easements on a 6.0 acre vacant parcel on Buckley Road near Broad Street in San Luis Obispo. District 3.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-153, adopted.**

**Consent Agenda - Health Agency Items:**

14. Request to approve a contract amendment (Clerk's file) with the Department of State Hospitals to extend the existing contract through December 31, 2013, and increase the contract by \$265,492 to an amount not to exceed \$720,860, with all other provisions of the contract remaining the same, to continue the State funded Conditional Release Program providing mental health services to clients released from State Hospitals.

**The Board approves as recommended by the County Administrative Officer.**

15. Request to approve six renewal contracts and one new contract (Clerk's File) for Fiscal Year (FY) 2013-14 in the collective amount not to exceed \$613,173 with seven group home facilities to provide residential board and care and social support services for youth and adolescents with severe emotional and mental health issues.

**The Board approves as recommended by the County Administrative Officer.**

16. Request to approve a renewal agreement (Clerk's File) with the Lucia Mar Unified School District for a five (5) year period from July 1, 2013 through June 30, 2018 in the amount not to exceed \$3,250,000 to access School Based Medi-Cal Administrative Activities funding.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Probation:**

17. Submittal of a resolution to approve the new classification and setting of salary range of the Supervising Collection Officer and amend the Position Allocation List in Fund Center 139 - Probation to delete a vacant 1.00 FTE Collection Officer I/II position and add a 1.00 FTE Supervising Collection Officer position.

**This item is amended by changing the recommended action to read: "It is recommended that the Board adopt the resolution to approve the new classification and setting of salary range of the Supervising Collection Officer and amend the Position Allocation List in Fund Center 139 - Probation to delete a vacant 1.00 FTE Collection Officer I/II position and add a 1.00 FTE Supervising Collection Officer position." Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-154, adopted.**

**Consent Agenda - Public Works Items:**

18. Submittal of right of way documents accepting conveyance from the Kenneth Raymond Hord Family Trust for the La Panza Road Widening Project, Creston. District 5.

**The Board approves as recommended by the County Administrative Officer.**

19. The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on the tentative map, Parcel Map CO 11-0116, a proposed subdivision resulting in 3 lots by High Plains Ranch I, a Delaware Limited Liability Company, California Valley. District 5.

**The Board approves as recommended by the County Administrative Officer.**

20. Submittal of a resolution for the acceptance of road improvements on Limestone Way and Blue Rock Road in Templeton. District 1.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-155, adopted.**

**Consent Agenda - Sheriff - Coroner Items:**

21. Submittal of a resolution authorizing the Sheriff or the Chief Deputy of Operations within the Sheriff's Office to sign a renewal contract for the Sheriff's Crime Lab to provide services to the California

Department of Corrections and Rehabilitation (CDCR), California Men's Colony (CMC), in an amount not to exceed \$40,000 over a two year period.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-156, adopted.**

22. Submittal of a resolution to approve the new classification and setting of salary range for Sheriff's Records Manager, and amend the Position Allocation List in Fund Center 136 – Sheriff-Coroner to delete a vacant 1.00 FTE Administrative Services Officer II position and add a 1.00 FTE Sheriff's Records Manager position.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-157, adopted.**

23. Submittal of a resolution to approve the new classification and setting of salary range for Sheriff's Correctional Captain, amend the Position Allocation List in Fund Center 136 – Sheriff-Coroner to delete a vacant 1.00 FTE Correctional Lieutenant position, and add a 1.00 FTE Sheriff's Correctional Captain position.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-158, adopted.**

24. Submittal of a resolution requesting authority for the Sheriff-Coroner to sign the annual state-mandated Memorandum of Understanding establishing a legal agreement for delivery of court security services provided by the Sheriff-Coroner to the Superior Court of the State of California, County of San Luis Obispo.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-159, adopted.**

**Consent Agenda - Social Services Items:**

25. Request to approve re-appointment of four (4) business representatives, two (2) local education representatives, one (1) economic development representative, and one (1) One-Stop Career Center partner to the San Luis Obispo County Workforce Investment Board (WIB).

**The Board approves as recommended by the County Administrative Officer.**

26. Request to approve the Child Care Planning Council's priorities for the California Department of Education (CDE) Child Development Program and sign the attached State Report forms.

**The Board approves as recommended by the County Administrative Officer.**

27. Request to approve three renewal service contracts (Clerk's File) for CalWORKs Work-study, Bridge to Success, and the Independent Living Program (ILP)/Extended Foster Care (EFC) with San Luis Obispo County Community College District (Cuesta) for Fiscal Year 2013-2014 in the amounts of \$75,000, \$65,000 and \$380,594 respectively.

**The Board approves as recommended by the County Administrative Officer.**

28. Request to approve the renewal service contract (Clerk's File) for mandatory California Work Opportunity and Responsibility to Kids (CalWORKs) Information Network (CalWIN) Client Correspondence Printing and Mailing services with Document Fulfillment Services (DFS) for Fiscal Years 2013-2014 and 2014-2015 in the total amount of \$274,000.

**The Board approves as recommended by the County Administrative Officer.**

29. Request to approve a renewal service contract (Clerk's File) for Direct Family Services and Parent Education with Community Action Partnership of San Luis Obispo County, Inc., for Fiscal Year 2013-2014 in the amount of \$407,098.

**The Board approves as recommended by the County Administrative Officer.**

30. Request to approve a renewal service contract (Clerk's File) for Cal-Learn Case Management Services with Community Action Partnership of San Luis Obispo County, Inc., for Fiscal Year 2013-2014 in the amount of \$67,500.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda Public Works - Board Sitting as Flood Control District:**

31. Request to approve and authorize the Chairperson to sign the existing San Luis Obispo County Local Hazard Mitigation Plan (Clerk's file) on behalf of the San Luis Obispo County Flood Control and Water Conservation District. All Districts.

**Mr. Eric Greening:** speaks.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda General Services Agency – Board Sitting as Flood Control District:**

32. Request to approve Amendment #4 to the concession contract with CPS Amusements, Inc. revising the term and rent schedule for operation of the Mustang Water Slides at Lopez Lake. District 4.

**Ms. Linda VanFleet – General Services Agency:** replaces Exhibit C to the amendment to provide the Clerk with a legible document for the record.

**This item is amended by replacing Exhibit C to the amendment which was illegible. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

**Public Comment Period:**

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

**Mr. Eric Greening:** comments on the Planning and Building Director interviews.

**Mr. Barry Vanderkelen: Community Foundation San Luis Obispo County Executive Director:** informs the Board of a name change to their organization from "The San Luis Obispo County Community Foundation" to "The Community Foundation San Luis Obispo County."

**Ms. Julie Tacker; Mr. Ben DiFatta; Ms. Linde Owen; and Mr. Richard Margetson:** address various concerns relating to the Los Osos Wastewater Project (LOWWP). Additionally, Ms. Julie Tacker, speaks to the comments made by Supervisor Hill at the recent South County Chamber event.

**Dr. C. Hite - World Community Workshop:** speaks to community concerns and an exhibit displayed at the Steynberg Gallery in San Luis Obispo.

**Ms. Elsa Dawson:** addresses concerns regarding ICLEI (International Council for Local Environmental Initiatives) and the recent meeting in Santa Barbara regarding this matter.

**Ms. Gina Whitaker; Mr. Lou Traga - Independent Living Resource Center; Mr. Les Tilguer, Mr. Norman Stone, Ms. Christine Petraeus and Ms. Allene Villa - IHSS Providers:** speak to the cut to the In-Home Supportive Services program and urges the Board's support for a wage and benefit increase to In-home Support Services (IHSS) Providers. **Acting Chair Gibson:** directs the County Administrator and the Director of Social Services to provide information to the Board regarding the IHSS situation and Home Health Care provision at both the State and Local levels, with Mr. Dan Buckshi - County Administrative Officer responding.

**Mr. Tom Dawson; Mr. Rick Hernandez; Mr. Jerry Reaugh - Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS) Chairperson; Mr. Dana Merrill - PRAAGS Vice-Chairperson and Blue Ribbon Committee Vice-Chairperson; Mr. Bob Harrison; Ms. Sue Luft - PRO Water Equity President; Mr. Bill Stansbury; Ms. Lindsay Pera - PRO Water Equity; Ms. Milagro Velasco; Ms. Sarah Leon; Ms. Elaine Haggen (Petition and Letters); Ms. Dianne Jackson; Ms. Jan Seals - PRO Water Equity Board Member; Ms. C.C. Coates: PRO Water Equity Member; Mr. James Patterson - Former District 5 Supervisor; Ms. Daniella Sapriel; Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB); Mr. Bill Pelfrey (Handout); and Ms. Sheila Lyons - Creston Advisory Committee (Letter):** discuss various issues relating to the Paso Robles Groundwater Basin, including water supply; drying wells; and the need to enact emergency water measures.

**Board Members:** discuss the issues related to the water supply in the Paso Robles Groundwater Basin area, the need for immediate action to ensure adequate resources for existing users and the need to address the concerns that have been raised by the public. Further, discuss options to implement an urgency ordinance to address supply and demand issues; and directs staff to return to the Board, seeking further direction on potential options for an urgency ordinance addressing the supply and demand issues on existing resources.

**Mr. Dan Buckshi – County Administrative Officer:** reiterates the Board’s final direction is for the Acting Chair to work with staff to bring something back to the Board no later than the end of July or early August, outlining options for urgency ordinances and at that time the Board may choose to direct staff to return no later than August 27, 2013 to introduce and pursue an urgency ordinance.

**Hearings:**

- 34. The Board of Supervisors will hold a public hearing to consider approval of ordinances creating the Office of Auditor-Controller-Treasurer-Tax Collector-Public Administrator.

**Acting Chairperson Gibson:** opens the floor to public comment without response.

**Supervisor Arnold:** outlines her reasons for not supporting the consolidation of offices.

**The readings of the proposed ordinances are waived and said proposed ordinances are read by title only and ORDINANCE NO. 3243, an ordinance repealing Sections 2.13.010 and 2.13.020 of the County Code; ORDINANCE NO. 3244, an ordinance amending Section 2.20.030 of the County Code; and ORDINANCE NO. 3245, an ordinance amending Section 2.12.010 and 2.12.020 of the County Code, adopted.**

**Motion by:** Frank R. Mecham

**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank R. Mecham (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)		x		

**Closed Session Items:**

- 35. The Board announces they are 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. Los Osos Community Services District v. County of San Luis Obispo, et al. (Golden State Water).
    - 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.

II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 4. SLOCPPOA; 5. SLOCEA-Public Services, Supervisors, Clerical; 6. Deputy Sheriff’s Association; 7. DAIA; 8. Sheriffs’ Management; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU.

**(ADDED ITEM, PER THE ADDENDUM TO THE AGENDA. REQUIREMENTS OF THE BROWN ACT HAVE BEEN SATISFIED AS THIS NOTICE WAS POSTED PRIOR TO THE 72-HOUR NOTICING REQUIREMENT. III, PERSONNEL (Gov. Code 54957.) A. It is the intention of the Board to meet in Closed Session to (1) Consider the Public Appointment for the position of Director of Planning/Building.)**

**Acting Chairperson Gibson:** opens the floor to public comment without response.

**Ms. Rita Neal – County Counsel:** reminds the board that at the end of today’s meeting they will be adjourning to Closed Session on Friday, July 12, 2013 to consider the position of Director of Planning and Building.

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.

**Board Business:**

**36.** Consideration of a request to authorize a General Plan Amendment to: 1) amend the San Luis Obispo Area Plan by changing the land use category on an approximately 21.5 acre site located immediately southeast of the City of San Luis Obispo Urban Reserve Line, at the eastern terminus of Tiburon Way from Agriculture to Residential Rural; and 2) change the Agriculture Element land use designation from Agriculture to Small Lot Rural for the purpose of subdivision of the property into two parcels. District 3.

**Ms. Rachel Kovesdi – Representing Paul Vanderheyden and Lucia Cleveland, Applicants (powerpoint):** speaks.

**Acting Chairperson Gibson:** opens the floor to public comment without response.

**The Board reviews the proposal (LRP2010-00006 – Paul Vanderheyden) and determines to authorize the application for processing to change the land use category as proposed with restrictions on secondary residences based on limited water availability. Further, the Board provides the following restrictions of two (2) primary residences with one (1) guest house; one (1) detached garage with a shed and a barn which is allowed under the current zoning and the CC&R's for each of the two parcels.**

**Motion by:** Frank R. Mecham

**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank R. Mecham (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

**37.** Request to approve a grant agreement (Clerk's File) for \$638,152 with the California Energy Commission (CEC) for funding of a Renewable Energy Streamlining Program that will encourage development of renewable energy resources. All Districts.

**Acting Chairperson Gibson:** opens the floor to public comment.

**Mr. Eric Greening:** speaks.

**The Board approves and instructs the Acting Chairman to sign the attached agreement with the California Energy Commission for a Renewable Energy and Conservation Planning Grant.**

**Motion by:** Adam Hill

**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank R. Mecham (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

**38.** A hearing to request approval of a resolution for the adoption of the Biddle Regional Park Master Plan Update and approval of the related Mitigated Negative Declaration. District 4.

**Acting Chairperson Gibson:** opens the floor to public comment.

**Mr. Eric Greening:** speaks.

**RESOLUTION NO. 2013-160, a resolution authorizing adoption of the: 1) Mitigated Negative Declaration for the Biddle Regional Park Master Plan Update and Implementation Plan and 2) Biddle Regional Park Master Plan Update and Implementation Plan, adopted.**

**Motion by:** Frank R. Mecham

**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank R. Mecham (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

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 to Friday, June 12, 2013 at 9:00 A.M.

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, July 09, 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:** July 19, 2013