

Tuesday, August 13, 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.

SUPERVISOR FRANK R. MECHAM CALLS FOR A MOMENT OF SILENCE IN HONOR OF JUDGE WILLIAM P. CLARK.

1-13. This is the time set of consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda Items 1 through 13 on the following vote is indicated for each item.

Motion by: Frank R. Mecham

Second by: Adam Hill

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

Consent Agenda - Administrative Office Items:

1. Request for approval to Apply for the Federal Fiscal Year 2013 Homeland Security Grant Program.

Consent Agenda - Board of Supervisors Items:

2. Submittal of resolution recognizing Atascadero Mutual Water Company on its 100th anniversary.

Mr. John Hollenbeck, Mr. Grigger Jones, and Mr. John Neil: speaks.

Consent Agenda - Clerk-Recorder Items:

3. Submittal of the Port San Luis Harbor District 2013-14 Final Budget and implementing resolution.

Consent Agenda - Health Agency Items:

4. Request to approve a renewal contract (Clerk’s File) with Wilshire Community Services for FY 2013-14 in an amount not to exceed \$208,889 to provide prevention and early intervention behavioral health services to older adults throughout the county.
5. Request to approve renewal contracts (Clerk’s File) with San Luis Coastal Unified School District, County Office of Education, and Atascadero Unified School District for FY 2013-14 in a collective amount not to exceed \$154,791 under which the County will provide on-site support in addition to educationally related mental health services in the District’s special education classes.
6. Request to approve a contract with Allan Hancock Joint Community College District for Fiscal Years 2013-16 to provide training for its Allan Hancock College nursing students.

Consent Agenda - Planning & Building Items:

7. Submittal of resolution commending John Busselle upon his retirement after 27 years with the County of San Luis Obispo Department of Planning and Building.

8. Submittal of two resolutions approving new land conservation contracts (Clerk's File) pursuant to the California Land Conservation Act of 1965. District 5.
9. Request to approve a proposed contract (Clerk's File) with Pacific Municipal Consultants in the amount of \$527,699 for a California Energy Commission funded renewable energy streamlining project and authorize a budget adjustment in the amount of \$527,699. All Districts.

Mr. Eric Greening and Mr. Tom Dawson: speak.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

10. Request to approve Amendment No. 1 to the agreement for engineering consulting services with Quincy Engineering for River Grove Drive over Estrella River Bridge Replacement, Whitley Gardens, increasing the contract amount by \$86,910. District 1.
11. Submittal of bid opening report for See Canyon Road Slope Repair, Avila Beach, to award the subject contract to Souza Construction, Inc., the lowest responsible bidder, in the amount of \$236,764.75. District 3.
12. Submittal of bid opening report for Asphalt Overlay 2013, Ramada Drive and El Pomar Drive, east of Templeton and southeast of Paso Robles, to award the subject contract to Papich Construction Co., Inc., the lowest responsible bidder, in the amount of \$1,514,284. District 1 and 5.

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

13. Request to approve committee appointments for Anthony Kalvans, member, and David Bentz, alternate member, as representatives of the San Miguel Community Services District to the Paso Robles Groundwater Basin Blue Ribbon Committee. Districts 1 and 5.

Public Comment Period:

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

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening, Ms. Daniella Sapriel, Mr. Mike Brown – COLAB, Ms. Elsa Dawson, and Mr. Tom Dawson: comment on the Paso Robles Groundwater Basin.

Ms. Julie Tacker (handout), Ms. Linde Owen, Dr. C. Hite (Public Records Request), Mr. Ben DiFatta: address various comments and concerns with the Los Osos Wastewater Project (LOWWP).

Mr. John Waddell – Public Works: responds to public comment regarding the LOWWP. **No action taken.**

Hearings:

15. Hearing to consider protests regarding the proposed assessments for the Tract 1747 Streetlight Assessment District. District 4.

Mr. John Diodati – Public Works: states the ballots will be opened in the Clerk's office on Wednesday, August 14, 2013 at 9:00 a.m., and amends Recommendation 4 by replacing August 27, 2013 with September 10, 2013.

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

The Board held a public hearing of protests, in accordance with California Government Code Section 53753, regarding the proposed Tract 1747 Streetlight Assessment District; opened a Public Testimony period to allow any interested person to present oral or written testimony and to allow the ballots to be submitted, changed or withdrawn; closed the Public Testimony period regarding the proposed Tract 1747 Streetlight Assessment District; and closed the Public Hearing and directs the Clerk of the Board to collect and tabulate

the ballots and report the results of the ballot tabulation at the regularly scheduled Board of Supervisors meeting on September 10, 2013.

Motion by: Frank R. Mecham

Second by: Adam Hill

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

Board Business:

16. Report on the activities of the Homeless Services Oversight Council (HSOC).

Acting Chairperson Gibson: opens the floor to public comment.

Dr. C. Hite, Mr. Eric Greening, Ms. Linde Owen, and Mr. Richard Margetson: speak.

Board members: direct staff to: look closely at where funds are being spent; ways to ensure less bureaucracy, both federally and locally; and focus more on direct programs.

Mr. Buckshi: addresses his concerns about the huge challenges with the 100,000 homes campaign.

Acting Chairperson Gibson: receives and files the report on current activities of the Homeless Services Oversight Council.

17. Submittal of a resolution to amend the Position Allocation List for Fund Center 180- Social Services Administration, to add 24.0 FTEs in various classifications to support implementation of the Patient Protection and Affordable Care Act, and request to authorize a corresponding budget adjustment in the amount of \$2,205,774.

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

Dr. C. Hite: speaks.

RESOLUTION NO. 2013-206, resolution amending the position allocation list resolution for Fiscal Year 2013-14, adopted; and the Board authorizes a budget adjustment to add \$2,205,774 of Medi-Cal funding to Fund Center 180 – Department of Social Services Fiscal Year 2013-2014 Adopted Budget (4/5ths vote of Board required).

Motion by: Adam Hill

Second by: Debbie Arnold

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

21. The Board re-opens public comment.

Acting Chairperson Gibson: re-opens the floor to public comment.

Mr. Richard Margetson: (Handouts) addresses various comments and concerns regarding the Los Osos Wastewater Project. **No action taken**

Closed Session Items:

18. I. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 1.

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. 2. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

II. PERSONNEL (Gov. Code, § 54957.) It is the intention of the Board to meet in closed session to: 3. Consider Public Employee Appointment for the Position of Director of Building/Planning.

III. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 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. SLOCEA-Public Services, Supervisors, Clerical; 5. Sheriffs’ Management; 6. SLOCPPOA; 7. Deputy Sheriff’s Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU.

Ms. Rita Neal - County Counsel: states Closed Session is cancelled.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Richard Margetson: speaks. **No action taken.**

19. Request to discuss and appoint one of three applicants to the Airport Land Use Commission: Larry Cooper, Adam Verdin, or Tim Williams.

Ms. Rita Neal - County Counsel: explains the Board's role to make appointments to this Commission; states Mr. Verdin and Mr. Williams have both withdrawn their applications.

Mr. Larry Cooper: outlines his qualifications.

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

The Board appoints Mr. Larry Cooper to fill the vacancy on the Airport Land Use Commission to a term which expires on May 1, 2017.

Motion by: Frank R. Mecham

Second by: Adam Hill

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

20. Request to receive and file the project update, adopt contract documents (Clerk’s File), approve the incorporation of specifications for materials, products and control systems and authorize processes for public bidding for construction services for the Women’s Jail Expansion project located at 1585 Kansas Avenue, San Luis Obispo, CA. Set bid opening date for Thursday September 26, 2013.

(This item was amended by the Addendum as follows: Recommendation #2 to read: “Adopt contract documents for the Women’s Jail Expansion Project”, this amended recommendation eliminates language authorizing the Clerk to advertise the bids for construction services as language instructing the Clerk to provide notice to bidders is already contained in Recommendation #5.)

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

The Board receives and files the project update; adopts the Contract Documents (Clerk’s File); makes the findings that particular materials, products and control systems that are components of the proposed construction of the Women’s Jail Expansion are to be designated by specific brand names or trade names to match other materials, products and control systems in use in other facilities within the County, as authorized by the Public Contract Code, Section 3400(c)(2); directs staff to set forth the brand name findings in the Invitation to Bidders, and incorporate the requirements for the particular material, products and control systems into the bid documents; instruct the County Clerk to give Notice to Bidders, call for sealed

bids no later than 3:00 PM on September 26, 2013; and authorizes the General Services Agency Director to adjust the bid date if necessary and consistent with the noticing requirements as set forth in Public Contract Code, Section 22037.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

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

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, August 13, 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/ Catrina M. Christensen, Deputy Clerk-Recorder

DATED: August 22, 2013