

AGENDA

Dan Buckshi
County Administrator



BOARD OF SUPERVISORS

Frank R. Mecham, 1st District
Bruce Gibson, Vice-Chairperson, 2nd District
Adam Hill, 3rd District
Vacant, 4th District
Debbie Arnold, 5th District

Tuesday, October 01, 2013

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

BOARD BUSINESS

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

HEARINGS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Consent Agenda - Auditor - Controller Items:

1. Consideration of a financial review of the 2012 concession contract with the Lopez Lake Marina Concessionaire.

Consent Agenda - Board of Supervisors Items:

2. Request to appoint Myron H. "Skip" Amerine as a District 3 representative to the Bicycle Advisory Committee.

Consent Agenda - Health Agency Items:

3. Request to approve: (1) a three year agreement (Clerk's File) with the Food Bank Coalition of San Luis Obispo County from October 1, 2013 through September 30, 2016 in an amount not to exceed \$258,438 to educate low income families on healthy eating and proper exercise; and (2) a budget adjustment in the amount of \$30,000 from unanticipated revenue for FC 160 - Public Health.

Consent Agenda - Human Resources Items:

4. Request to approve contracts with outside counsel firms, Coates and Coates, LLP, Smith Law Offices, APC and Porter Scott, to provide litigation support services to the County from February 1, 2013 through January 31, 2016.

Consent Agenda - Planning & Building Items:

5. Request to authorize service of a partial notice of nonrenewal of a land conservation contract for the Landau Corporation pursuant to the California Land Conservation Act of 1965. District 4.
6. Submittal of a resolution to approve an Avigation Easement from Thomas M. Maino, Joanna M. Witcher, and Michaeline C. Maino, Trustee of the Survivor's Trust created under M.M. Maino Family Trust dated October 1, 1990, for the San Luis Obispo County Regional Airport. District 3.
7. Request to approve five year contracts (Clerk's File) for "on-call" environmental and planning consultant services with: 1) Aspen Environmental Group, Inc., 2) Padre Associates, Inc., 3) Rincon Consultants, Inc., and 4) SWCA, Inc. in an amount not to exceeded \$200,000 per year over the five year term.

Consent Agenda - Public Works Items:

8. Submittal of a resolution to approve Amendment No. 4 to the Development Traffic Fee Agreement with Woodlands Ventures, LLC, dated April 25, 2006, for accelerated payment of South County Road Improvement Area 1 and 2 Fees for the Woodlands Development Project in Nipomo. District 4.
9. Request to approve Amendment No. 1 to the agreement for engineering consulting services with Quincy Engineering for Lopez Drive Bridge No. 2 Seismic Retrofit, Arroyo Grande, increasing the contract amount by \$452,719. District 4.

10. Submittal of a resolution declaring certain County real property interests in the Willow Road Interchange as surplus property and authorizing conveyance to adjoining owner, Nipomo. District 4.

Consent Agenda - Veterans Services Items:

11. Request to approve Medi-Cal cost avoidance, County Subvention agreements and a special certificate of compliance for one-time subvention funding with the California Department of Veterans Affairs (CDVA) and authorize a budget adjustment in the amount of \$50,870.

Public Comment Period:

12. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Board Business - Public Works - Board Sitting as Flood Control District

13. Receive a Paso Robles Groundwater Basin Management Plan Implementation Update. Districts 1 and 5.

Hearings:

14. (1) Discussion of options for implementation of the Urgency Ordinance relative to the development of an Approved County Water Conservation Program; (2) Consideration of a resolution providing direction to staff regarding vested rights determinations described in Ordinance No. 3246; (3) Consider directing staff to explore possible amendments to the General Plan, Title 22 of the County Code, and Title 8 of the County Code to address water demand within the Paso Robles Groundwater Basin; and (4) Hearing to consider the extension of urgency Ordinance No. 3246 pursuant to Sections 25123, 25131 and 65858 of the California Government Code for a period of up to 22 months and 15 days. Districts 1 and 5.

Closed Session Items:

15. 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. In re Los Osos Community Services District (Bankruptcy).
- 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.

II. 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: 3. SLOCEA-Public Services, Supervisors, Clerical; 4. Deputy Sheriff's Association; 5. DAIA; 6. DCCA; 7. SLOGAU; 8. Sheriffs' Management; 9. SLOCPPOA.

RECESS

1:30 REPORT ON CLOSED SESSION

HEARINGS

ND. WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by the County, so that environmental considerations become a part of the decision making process. The following is a summary of the most recent determinations made by the County's Environmental Coordinator. The purpose of this listing is to notify the public of pending actions, which may affect the environment of San Luis Obispo County.

You are invited to participate in this process by reviewing and providing comments on the recommendations of the Environmental Coordinator. Your comments should be in writing and should be delivered to: Ellen Carroll, Environmental Coordinator, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, Ca 93408-2040. For more information about the environmental review process, please write to the address above, call the Environmental Division of the Department of Planning and Building at (805) 781-5600, or review the environmental determination and other information on our website located at www.sloplanning.org.

Proposed Negative Declarations

A Negative Declaration is issued for projects that would not result in significant effects on the environment. In many cases, the project applicant has added mitigation measures to the project to reduce environmental impacts in order to qualify for a Negative Declaration. If you disagree with the issuance of a proposed Negative Declaration, you may provide comments or file a Request for Review (appeal) of the Negative Declaration. Requests for Review must be filed within two weeks of the date that the proposed Negative Declaration is posted and must address only environmental issues. There is a fee for the request. If you would like more information about this process, please contact the Environmental Coordinator.

For Week of September 26, 2013

Arroyo Grande Area

Picacho Ranch & PG&E Conditional Use Permit. Request by Picacho Ranch and PG&E to allow for a 120 foot tall radio tower (20 x 20 foot foundation), one communications trailer/building and foundation, fuel cell pad, with perimeter fence with gate. The project

will result in the disturbance of approximately 2,000 square feet on a 398-acre parcel. The site is in the South County Inland planning area. The project is located at 2130 US Highway 101, approximately 1.5 miles southeast of the City of Arroyo Grande. ED12-194 (DRC2012-00096)

San Luis Obispo Area

Mormann Lot Line Adjustment. Request by Kerry Mormann for a Lot Line Adjustment (SUB2008-00039 / COAL 08-0145) to adjust the lot lines between three parcels of 3.19, 62.81, and 19.24 acres each for the purpose of sale and/or development. The adjustment will result in three parcels of 32.0 (Parcel 1), 29.0 (Parcel 2), and 24.2 (Parcel 3) acres each. The project will not result in the creation of any additional parcels. A 2.3 acre building envelope is proposed for Parcel 1, a 1.7 acre building envelope for Parcel 2 and a 1.6 acre building envelope for Parcel 3. The proposed project is within the Rural Lands land use category and is located approximately 0.5 miles south of Highway 227, and approximately 0.8 miles southwest of Corbett Canyon Road, south of the City of San Luis Obispo. ED12-132 (SUB2008-00039)

Cayucos Area

Johnson Minor Use Permit. Request by Frank Johnson for a Minor Use Permit/ Coastal Development Permit to allow a 2-story single family 2,142.5 square foot residence with an attached 537 square foot 2 car garage. The project will result in the disturbance of approximately 2,900 square feet of the 3490.5 square foot lot. The site is within the Residential Single Family land use category and is located on the western side of Kentucky Avenue, one parcel to the north of Bakersfield Avenue in the community of Cayucos. The site is in the Estero planning area. ED12-160 (DRC2012-00019)