

AGENDA

Jim Grant
County Administrator



BOARD OF SUPERVISORS

Frank Mecham, 1st District
Bruce Gibson, 2nd District
Adam Hill, 3rd District
Paul A. Teixeira, Vice-Chairperson, 4th District
James R. Patterson, Chairperson, 5th District

Tuesday, February 28, 2012

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

HEARINGS

BOARD BUSINESS

CLOSED SESSION

NOON RECESS

REPORT ON CLOSED SESSION

PRESENTATIONS

BOARD BUSINESS CONTINUED

ADJOURNMENT

5:00 PM

- The Board of Supervisors of the County of San Luis Obispo are now meeting in regular session. Public hearings are scheduled at 9:00 AM.
- 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 agenda items during Public Comment or prior to Closed Session 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 per item during the Consent Agenda, Public Comment period, Public Hearings, Board Business and prior to Closed Session.
- 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 Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.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 - Administrative Items:

1. Request by the San Luis Obispo Business Improvement District (CBID) to approve the appointments of Maggie Juren and William Lee to the Los Osos/Morro Bay (unincorporated) Local Area Advisory Board.

Consent Agenda - Auditor - Controller Items:

2. Submittal of a cash procedures review of the San Luis Obispo County Airport conducted on November 15, 2011.
3. Submittal of a cash procedures review of the County of San Luis Obispo Probation Department conducted on October 13, 2011.

Consent Agenda - Board of Supervisors Items:

4. Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d).
5. Request by Supervisor Frank Mecham to reappoint John Bertoni and Sue Minshull to the Paso Robles Public Cemetery District.
6. Request by Supervisor James Patterson to appoint Mary Kern to the Children and Families Commission.

Consent Agenda - District Attorney Items:

7. Request to approve a resolution amending the Position Allocation List for Fund Center 132 - District Attorney to reorganize and improve fiscal and administrative management of the District Attorney's Office.

Consent Agenda - General Services Agency Items:

8. Submittal of a resolution to approve acceptance of a grant award totaling \$558,000 under the California Department of Boating and Waterways Non-Motorized Boating Access Development Grant program for the purpose of constructing new boat-in campsites at Santa Margarita Lake and authorize a budget adjustment to allocating the grant funding to the project.

Consent Agenda - Health Agency Items:

9. Request to approve a three-year renewal agreement (Clerk's File) with the California Department of Public Health to implement the Women, Infants and Children (WIC) Nutrition Program for the period October 1, 2011 through September 30, 2014.

Consent Agenda - Planning & Building Items:

10. Submittal of a resolution approving Amendment No. 1 to Open-Space Agreement Granting an Open Space Easement with Kay Williams, Trustee of the Kay Williams Revocable Trust dated October 1, 1997.

Consent Agenda - Public Works Items:

11. Request adoption of the Mitigated Negative Declaration for the Wineman Road Culvert Repair Project (ED10-216; 245R12B501).
12. Request adoption of the Mitigated Negative Declaration for the El Camino Real at Santa Margarita Creek Bridge Scour Project (ED10-185; 245R12B585).
13. Submittal of a resolution authorizing execution of a notice of completion and acceptance for the LED Street Light Replacement, various locations, San Luis Obispo County, CA, Contract No. 245R12B133.
14. Request to approve Engineer IV recruitment at Step 5 pay scale per County Code 2.48.060.
15. Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from BSR, a General Partnership, for the Los Osos Wastewater Project, Los Osos.

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

16. Request approval of membership appointment of Andrew Carter for the San Luis Obispo City Council representative position on the Zone 9 Advisory Committee.

Public Comment Period:

17. Members of the Public wishing to address the Board on matters other than scheduled items may do so when recognized by the Chairperson. Individuals interested in speaking should fill out a "Board Appearance Request Form" located at the back of the Board Chambers and hand it to the Clerk of the Board. Presentations are limited to a MAXIMUM of three minutes per individual.

Hearings:

18. Request to (1) authorize a budget adjustment in the amount of \$306,147 from unanticipated loan repayment revenue, (2) allocate this \$306,147 in 2011 HOME program income to three affordable housing development projects, and (3) approve a resolution amending the 2011 Action Plan to reflect this allocation of funding.

19. Continued hearing to consider a request by Ana Torres de Alba for a curb, gutter and sidewalk waiver (DRC2011-00021) for a proposed project within the Residential Multi-Family land use category located at 1176 N Street, in the community of San Miguel.
20. Submittal of a resolution to approve a request by Dana Adobe Nipomo Amigos 1) to waive permit processing fees for a Land Use Ordinance Amendment to change the South County (Inland) Area planning area standards; and 2) to waive permit processing fees for a Conditional Use Permit for a new museum and visitor's center, and 3) to waive permit processing fees for a pre-application meeting.

Board Business:

21. Submittal of Bid Opening Report for the for bridge widening on Price Canyon Road near Edna, California, Contract Nos. 300126, 300360, 300361, Federal Project Nos. HP21L-5949(126), BHL-5949(092) & BHL-5949(063) and authorize a budget adjustment, by a 4/5th's vote, in the amount of \$50,679.

Closed Session Items:

22. 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. County of San Luis Obispo v. Kajima Construction, et al.; 2. Nipomo CSD v. County of San Luis Obispo; 3. Bookout v. County of San Luis Obispo; 4. Application of Pacific Gas and Electric Company for Approval of Ratepayer Funding to Perform Additional Seismic Studies Recommended by the California Energy Commission, California Public Utilities Application # 10-01-014.
 - B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 5. 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. 6. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

NOON RECESS

1:30 REPORT ON CLOSED SESSION

Presentations:

23. Submittal of a resolution proclaiming February 28, 2012 as "Spay Day USA."
24. Submittal of a resolution proclaiming March 2012 as "Grand Jury Awareness Month" in San Luis Obispo County.

25. Submittal of a resolution proclaiming February 2012 as "National Meat Month" in San Luis Obispo County.

Board Business Continued:

26. Submittal of a resolution to designate the Director of Public Works as the authorized representative to file an application and execute agreements for an Integrated Regional Water Management Program Planning Grant.

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 February 16, 2012

Santa Margarita Area

Vaughn Reconsideration. Request by Don Vaughn/Country Financial Inc. for reconsideration of the parcel configuration and building envelope location for CO 05-0406, a Vesting Tentative Parcel Map to subdivide an existing 44.59 acre parcel into two parcels of 22.03 and 22.56 acres each for the purpose of sale and/or development. The

reconsideration would revise the proposed parcel boundaries and locate building envelopes that better conform to the topography and create a lot configuration that is consistent with Title 21 design requirements. The project would result in the future disturbance of approximately 40,000 square feet per parcel. The proposed project is within the Rural Lands land use category. The proposed project is located at 9280 Huer Huero Road approximately 8 miles east of the community of Santa Margarita. The site is in the Las Pilitas planning area. ED11-068 (SUB2005-00216)

February 23, 2012

NO NEGATIVE DECLARATIONS THIS WEEK

COUNTY ADMINISTRATIVE OFFICE, ROOM D430
COUNTY GOVERNMENT CENTER
SAN LUIS OBISPO, CA 93408