

Tuesday, March 11, 2014

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, Caren Ray, Debbie Arnold and Chairperson Bruce S. Gibson

ABSENT: None

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

Consent Agenda – Review and Approval:

1-9. This is the time set for consideration of the Consent Agenda.

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

The action taken for Consent Agenda items 1 through 9 on the following vote is indicated for each item.

Motion by: Adam Hill
Second by: Frank R. Mecham

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

Consent Agenda - Administrative Office Items:

1. Request by the San Luis Obispo County Tourism Business Improvement District (CBID), to appoint Kalie Howard to the Avila Beach Local Area Advisory Board. District 3.

The Board approves as recommended by the County Administrative Officer.

2. Request to appoint Supervisor Caren Ray (District 4) to the Oversight Board of the Successor Agency to the former City of Arroyo Grande Redevelopment Agency. District 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

3. Request to approve Amendment No. 3 to the Lopez Lake Marina Concession Contract to allow the sale of distilled spirits at the marina store at Lopez Lake Recreational Area. District 4.

The Board approves as recommended by the County Administrative Officer.

4. Request to authorize a budget adjustment in the amount of \$51,000 from Fund Center (FC) 305 - Lopez Lake Reserves, to FC 30504 - Parks Operations, for the Camp Mabel French Improvements project, located within the Lopez Lake Recreation Area. District 4.

The Board approves as recommended by the County Administrative Officer.

5. Request to authorize a budget adjustment in the amount of \$553,126 from Federal Aviation Administration Airport Improvement Program Grant funds and Passenger Facility Charges to the New Airport Terminal Construction Documents project for the San Luis Obispo County Regional Airport. District 3.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

6. Request to approve a 2014 calendar year renewal agreement (Clerk's File) with the California Family Health Council, Inc. in the amount of \$129,700 to conduct reproductive health outreach and education activities. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

7. Request to approve: 1) a contract change order to increase the Energy Watch Partnership contract by \$155,000 and decrease the PG&E Innovator Pilot contract by \$224,000; and 2) extension of two limited term positions for Fund Center 142 – Planning and Building. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

8. 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 13-0048, a proposed subdivision resulting in 2 lots by PEDP, Inc. a California Corporation, Prospect Street south of the City of San Luis Obispo. District 3.

The Board approves as recommended by the County Administrative Officer.

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

9. Request to approve Amendment No. 1 to the Integrated Regional Water Management Plan Update agreement with GEI Consultants, Inc. to expand the scope of services for a total agreement amount not to exceed \$707,846 and authorize a budget adjustment in the amount of \$39,000 from Flood Control District unanticipated revenue to Flood Control General for the amendment. All Districts.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

10. This is the time set for members of the public wishing to address the Board on matters that are not scheduled on the agenda.

Supervisor Mecham: announces the 125th anniversary of the City of Paso Robles.

Ms. Jane Swanson and Ms. Linda Seeley – San Luis Obispo Mothers for Peace: address a recent report released by Joseph Mangano regarding the health status of residents in San Luis Obispo and Santa Barbara Counties living near Diablo Canyon's nuclear reactors.

Mr. Tom Dawson: presents and discusses an article written by Cindy Steinbeck titled "Steinbeck: Looking deeper into EMWD's thirst."

Mr. Ben DiFatta and Ms. Linde Owen: comment on the Los Osos Wastewater Project (LOWWP).

Ms. Christine Smith: speaks to Hope's Village of San Luis Obispo and the status of their program to house 30-50 homeless adults in San Luis Obispo.

Dr. C. Hite: presents a video of the Fukushima disaster in Japan.

Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB); Ms. Laura Mordaunt; and

Mr. Bill Pelfrey: address various comments and concerns regarding the formation of a water district. Additionally, Mr. Brown comments on the County’s opposition to the quiet title water action.

Mr. Eric Greening: addresses the upcoming Council of Governments Executive Committee meeting; announces an event hosted by the San Luis Obispo Mothers for Peace at the Steynberg Gallery regarding the survivors of the Fukushima disaster; and comments on the County's emergency preparedness plans.

Ms. Jeannette Watson: speaks to groundwater re-charging and presents photographs of bladder dams.

Mr. Chuck Cesena (letter); Mr. Bill Moylan; Mr. Keith Wimer; and Ms. Elaine Watson - Los Osos Sustainability Group: discuss their request to improve the Los Osos Groundwater Basin Plan and seawater intrusion mitigation programs.

Ms. Julie Tacker: comments on a recent newspaper article in the Tribune and the candidates running for District 2. **No action taken.**

Board Business:

- 11. A presentation by the Economic Vitality Corporation on its report and recommendations from the Economic Analysis Pilot Project. All Districts.

Mr. Mike Manchak - Economic Vitality Corporation (EVC) President and Chief Executive Officer (CEO): speaks.

Ms. Christine Rogers – EVC Program Manager: provides a powerpoint presentation.

Chairperson Gibson: opens the floor to public comment without response. Discusses staff’s interactions regarding project applicant’s economic analysis information; states it is not appropriate to have staff analyze this information; staff should pass this through to the review authority for their consideration, clearly notating it was developed by the applicant and the methodology under which it was developed, with staff agreeing. Further, states he would like this considered as direction to staff.

On motion by Supervisor Caren Ray, seconded by Supervisor Frank R. Mecham, to eliminate Tier 1 from the program as requested by the EVC; issue an request for quotation (RFQ) to identify qualified firms to prepare the economic analysis and presentation of written procedures; and direct s the EVC to continue encouraging companies to use this program, to their benefit, on a voluntary basis. Further, Chairperson Gibson requests the motion include his direction to staff, with the motion maker and second amending the motion to include the direction to staff as outlined by Chairperson Gibson.

The Board receives the presentation and written report by the Economic Vitality Corporation; eliminates Tier 1 from the program as requested by the EVC; issues an RFQ to identify qualified firms to prepare the economic analysis and presentation of written procedures; and direct s the EVC to continue encouraging companies to use this program, to their benefit, on a voluntary basis. Further, the Board includes the staff direction outlined by Chairperson Gibson.

Motion by: Caren Ray
Second by: Frank R. Mecham

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

- 12. Report on Department of Planning and Building Priorities. All Districts.

Chairperson Gibson: opens the floor to public comment.

Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Mr. Craig Arnold – Nipomo Community Services District (CSD); Mr. Muril Clift; and Mr. Eric Greening: speak.

The Board approves staff’s recommended top 10 priorities list.

Motion by: Adam Hill

Second by: Frank R. Mecham

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

- 13. Submittal of the Parks and Recreation Commission's calendar years 2011 through 2013 Report. All Districts.

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

The Board receives and files the Parks and Recreation Commission's calendar years 2011 through 2013 Report.

Motion by: Frank R. Mecham

Second by: Caren Ray

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

- 14. Consideration of a resolution increasing the salary range for the positions of Staff Psychiatrist and Mental Health Medical Director. All Districts.

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

RESOLUTION NO. 2014-63, a resolution amending the position allocation list resolution for Fiscal Year 2013-14, adopted.

Motion by: Caren Ray

Second by: Adam Hill

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

Closed Session Items:

- 15. 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: Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. Steinbeck, et al. v. County of San Luis Obispo, et al.; 2. Paso Robles Water Integrity Network v. County of San Luis Obispo, et al.; 3. Mesa Community Alliance v. State of California Department of Parks and Recreation, et al.; 4. North County

Watch v. County of San Luis Obispo (SMR Subd., CV 098031).

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: 5. SLOGAU; 6. SLOCEA-Trades and Crafts; 7. DCCA.

(Added Closed Session, per the addendum to the agenda. I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 8. Central Delta Water Agency, et al. v. California Department of Water Resources, et al.; 9. Rosedale-Rio Bravo Water Storage District, et al. v. California Department of Water Resources, et al. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 10. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9. No. of potential cases: 1. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Chairperson Gibson: 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.

Board Business:

- 16. Presentation on current drought conditions and related management actions and submittal of a resolution proclaiming the existence of a local emergency due to drought conditions in San Luis Obispo County; exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15269, subd (c). All Districts.

(This item is amended, per the addendum to the agenda, by attaching Exhibit A that was inadvertently omitted from attached documents.)

Ms Mary Bianchi – Director and Horticulture Farm Advisor (document): provides a powerpoint presentation with staff.

Chairperson Gibson: opens the floor to public comment.

Ms. Shirley Bianchi; Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Mr. Eric Greening; Mr. Bill Pelfrey; Ms. Patti King; Mr. Patrick McGibby (photographs); and Mr. Richard Margetson: speak.

Chairperson Gibson: verifies the Board will be receiving updates every 30 days on the status of this emergency and the status of the actions by the Drought Taskforce. Further, directs staff to report on the analysis regarding local water conditions, local responses, conservation projects (waterless urinals, etc.), and carryover water and the State Water Project. Additionally, directs staff to report on outreach efforts, including the use of the public television channels, acceleration of the retrofit program in Los Osos, and suggests the direction to staff be included in the motion.

The Board receives presentation and update on current drought conditions and related management actions; RESOLUTION NO. 2014-64, a proclamation of local emergency by the Board of Supervisors County of San Luis Obispo, State of California, adopted. Further, the Board directs the Office of Emergency Services to return within or no later than every 30 days to confirm the ongoing need for the local emergency. Additionally, staff direction outlined by Chairperson Gibson is included.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			

Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (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, March 11, 2014, 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: March 14, 2014