

Tuesday, May 06, 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:

1-15. This is the time set for consideration of the Consent Agenda.

Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 15 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. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Items Set for Hearing:

1. Introduction of proposed ordinance change amending Chapter 8.23 of the County Code regarding the licensure of tobacco retailers. Hearing date set for May 13, 2014. All Districts.

The Board approves as recommended by the County Administrative Officer.

2. Introduction of an amendment to the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for Fiscal Year 2014-15; exempt from the California Environmental Quality Act (CEQA). Hearing date set for May 20, 2014. District 4.

Mr. Jim Bergman – Planning and Building Director: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

3. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to appoint Richard Shannon to the Cayucos Local Area Advisory Board. District 2.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

4. Request to approve an agreement for the advanced payment of the County's FY 2014-15 employer retirement and employer paid portion of employee normal retirement contributions to the Pension Trust for a savings of \$1.3 million. All Districts.

Mr. Jim Erb – Auditor – Controller, Treasurer, Tax Collector, Public Administrator: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

5. Request to approve the reappointment of Douglas D. Alley to the Shandon Public Cemetery District. District 1.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

6. Request to approve the amended fixed asset listing for the purchase of four SAN switches and Request to amend the Fixed Asset List for Fund Center 114-General Services Agency – Information Technology to include four SAN switches in the amount of \$32,000 and one power distribution unit (PDU) in the amount of \$34,000 for hardware to support the County's data center infrastructure. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

7. Request to approve: 1) a new FY 2014-16 Allocation Agreement with the Department of Health Care Services in an amount not to exceed \$100,000 to accept funding for Medi-Cal outreach and enrollment efforts, and 2) grant delegation of authority to the Health Agency Director to sign future Medi-Cal Outreach and Enrollment Allocation Agreement Amendments. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Human Resources Items:

8. Request to approve a fixed fee three-year contract with The Centre for Organization Effectiveness in the amount of \$365,000 for the first year, for employee development and consultant services. All Districts.

Mr. Dan Buckshi – County Administrative Officer and Ms. Tami Douglas Schatz – Human Resources Director: speak.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

9. Request to approve Amendment #1 to the original contract with Pacific Municipal Consultants to provide additional consultant services for Bob Jones Pathway Environmental Impact Report in the amount of \$80,250. District 3.

Ms. Lea Brooks – Friends of the Bob Jones Trail: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

10. Submittal of a resolution and tabulation requesting changes in mileage of maintained County roads as required by the State Department of Transportation. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-102, adopted.

11. Submittal of a resolution to levy water availability charges for County Service Area No. 16 (Shandon), and County Service Area No. 23 (Santa Margarita). Districts 1 and 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-103, adopted.

- 12. Submittal of a resolution to levy sewer availability charges for County Service Area No. 7-A (Oak Shores) and for County Service Area No. 18 (San Luis Obispo Country Club Estates). Districts 1 and 4.

The Board approves as recommended by the County Administrative Officer. RESOLUITON NO. 2014-104, adopted.

- 13. Submittal of a resolution authorizing execution of notice of completion and acceptance for the See Canyon Road Slip-Out Repair near Avila Beach. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-105, adopted.

Consent Agenda - Social Services Items:

- 14. Request to approve a renewal contract (Clerk’s File) with the California State Association of Counties (CSAC) for the Welfare Client Data Systems (WCDS) Consortium for Fiscal Year 2014-15 in the amount of \$62,637. All Districts.

The Board approves as recommended by the County Administrative Officer.

- 15. Request to approve: 1) Amendment No. 1 to the agreement (Clerk’s File) with the South Bay Workforce Investment Board, Inc. for the continued receipt of Workforce Investment Act (WIA) Dislocated Worker 25% Additional Assistance funds in the amount of \$197,312, and 2) a renewal contract (Clerk’s File) with Goodwill Industries to continue Dislocated Worker services through March 31, 2015 in the amount of \$146,831 in 25% WIA Dislocated Worker Additional Assistance funds. All Districts.

The Board approves as recommended by the County Administrative Officer.

Presentations:

- 16. Submittal of resolution proclaiming May 2014 as "Older Americans Month" in San Luis Obispo County. All Districts.

Ms. Laura Deloye and Ms. Tiffany Alcantara - Adult Services Policy Council: speak.

RESOLUTION NO. 2014-106, a resolution proclaiming May 2014 as “Older Americans Month” in San Luis Obispo County, adopted.

Motion by: Adam Hill

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			

- 17. Submittal of a resolution proclaiming May 4-10, 2014 as "Wildfire Awareness Week" in San Luis Obispo County. All Districts.

Cal Fire Chief Rob Lewin: speaks.

RESOLUTION NO. 2014-107, a resolution proclaiming May 4-10, 2014 as “Wildfire Awareness Week” in San Luis Obispo County, adopted.

Motion by: Adam Hill

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			

18. Submittal of a resolution to congratulate the San Luis Obispo County University of California Cooperative Extension Office on the 100th anniversary of the Smith-Lever Act. All Districts.

Ms. Mary Bianchi: speaks.

RESOLUTION NO. 2014-108, a resolution commending University of California Cooperative Extension for 100 years of science and service, adopted.

Motion by: Adam Hill

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			

Public Comment Period:

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

Ms. Julie Rodewald - County Clerk-Recorder: provides an update to the June 3, 2014 election regarding reminders to voters, deadlines, and the need for back-up precinct workers.

Mr. Eric Greening: announces a forum on homelessness by the League of Women Voters at the San Luis Obispo City/County Library; and viewing of the Chumash Heritage Marine Sanctuary at the Palm Theatre. Additionally, requests a moment of silence for the passing of Ms. Willow Walking-Turtle.

Mr. Ben DiFatta: comments on the Los Osos McDonald's hearing.

Ms. Julie Tacker: addresses Chairperson Gibson's endorsement from the Telegram Tribune.

Ms. Biz Steinberg - Community Action Partnership of San Luis Obispo, Inc. (CAPSLO): presents and discusses their 2014-2015 Community Services Block Grant Community Action Plan.

Mr. Richard Margetson and Ms. Linde Owen: address issues relating to the Los Osos Wastewater Project (LOWWP). Additionally, Ms. Owen comments on the Los Osos McDonald's hearing; and announces a forum in Los Osos regarding the Golden State Water Company.

Mr. Forest Noble Holtz: speaks to the importance of medical marijuana; and announces a meeting today regarding this matter.

Mr. Gary Kirkland: comments on a proposed emergency pipe to take water from Lake Nacimiento to Morro Bay, Cuesta College, the California Men's Colony, and Los Osos.

Ms. Cindy Steinbeck: addresses a letter to Board from Thomas Howard regarding the Paso Robles Groundwater Basin; his reply to her records request (document); and discusses groundwater shortage data from the Department of Water Resources (documents).

Ms. Jeannie Blackwell: speaks to the quality of life in San Luis Obispo; and hydraulic fracking.

Mr. David Broadwater: expresses his appreciation to the San Luis Obispo County University of California Cooperative Extension Office for their work. **No action taken.**

Board Business:

20. Second 30-day update on current drought conditions and related management actions for Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening and Mr. Richard Margetson: speak.

Chairperson Gibson: receives the 30-day update on current drought conditions and related management actions establishing the need to continue the proclamation of local emergency due to drought conditions in San Luis Obispo County.

Hearings:

21. Hearing to consider an ordinance to continue the provisions and restrictions that were in place in the Land Application of Treated Sewage Sludge/Biosolids interim ordinance for a period of four years, and find the ordinance consistent with the previously approved Negative Declaration/Environmental Determination No. ED03-149. All Districts.

Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening; Mr. David Broadwater; Mr. Bruce Keogh – City of Morro Bay Wastewater Division Manager; and Mr. David Hix – City of San Luis Obispo Wastewater Division Deputy Director: speak.

The reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3258, an ordinance to establish an interim moratorium on the land application of treated sewage sludge/biosolids, adopted. Further, the Board finds the ordinance consistent with the previously adopted Negative Declaration/Environmental Determination No. ED03-149.

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			

Board Business:

22. Request to authorize a Land Use Element/Local Coastal Plan amendment (LRP2013-00015) to change the land use category on approximately 0.4 acres from Public Facilities to Commercial Retail located at 880 and 900 Main Street in Cambria. District 2.

Chairperson Gibson: opens the floor to public comment.

Ms. Amanda Rice: speaks.

The Board authorizes processing for a Land Use Element / Local Coastal Plan amendment (LRP2013-00015) to change the land use category on approximately 0.4-acre from Public Facilities (PF) to Commercial Retail (CR) located at 880 and 900 Main Street in Cambria.

Motion by: Bruce S. Gibson

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			

- 23.** Request to receive and file the project update; adopt contract documents (Clerk’s File); advertise for construction bids contingent on State notification to proceed to bid, set the bid opening date for Thursday, June 5, 2014; authorize the General Services Agency Director to adjust the bid date as necessary; and approve the incorporation of specifications for materials, products and control systems for the Juvenile Hall Expansion project located at 1065 Kansas Avenue, San Luis Obispo, CA. District 2.

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

The Board: 1) receives and files the project update; 2) approves the Contract Documents (Clerk’s File) and authorizes the County Clerk to advertise for construction bids for the Juvenile Hall Expansion, contingent on State notification to proceed to bid; 3) instructs the County Clerk to give Notice to Bidders, and call for sealed bids no later than 3:00 PM on June 5, 2014; 4) authorizes the General Services Agency Director to adjust the bid date contingent on State notification to proceed to bid and consistent with the noticing requirements as set forth in Public Contract Code, Section 22037; 5) makes the findings that particular materials, products and control systems that are components of the proposed construction of the Juvenile Hall 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); and 6) 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.

Motion by: Debbie Arnold

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			

Closed Session Items:

- 24.** 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. North County Watch v. County of San Luis Obispo (SMR Subd., CV 098031); 2. Nipomo Parks Conservancy v. County of San Luis Obispo.

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: 3. SLOCEA-Trades and Crafts; 4. DCCA; 5. SLOGAU; 6. SLOCEA-Public Services, Supervisors, Clerical.

Chairperson Gibson: opens the floor to public comment without response and states Closed Session is cancelled.

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, May 06, 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: May 9, 2014