

# AGENDA

Dan Buckshi  
County Administrator



# BOARD OF SUPERVISORS

Frank R. Mecham, Vice-Chairperson, 1<sup>st</sup> District  
Bruce Gibson, Chairperson, 2<sup>nd</sup> District  
Adam Hill, 3<sup>rd</sup> District  
Caren Ray, 4<sup>th</sup> District  
Debbie Arnold, 5<sup>th</sup> District

Tuesday, June 17, 2014

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

PRESENTATIONS

BOARD BUSINESS

HEARINGS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: [www.slocounty.ca.gov](http://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 Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.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 - Administrative Office Items:

1. Request to receive and file update of current drought conditions confirming the continuing need for the March 11, 2014 Proclamation of Local Emergency pursuant to Government Code section 8630. All Districts.
2. Request to approve Amendment No. 1 to the agreement with Shaw/Yoder/Antwih, Inc. and Peterson Consulting extending the term of the agreement to provide state lobbyist and advocacy services through June 30, 2018. All Districts.
3. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to appoint Ed Kurtz to the Arroyo Grande/San Luis Obispo (unincorporated) Local Area Advisory Board. Districts 3 and 4.

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

4. Submittal of a resolution to accept the 2014-15 Appropriation Limitation calculation for San Luis Obispo County. All Districts.

Consent Agenda - District Attorney Items:

5. Submittal of a resolution authorizing the District Attorney to sign an agreement (Clerk's File) between the County and the California Victim Compensation and Government Claims Board (VCGCB) to enable the District Attorney's Victim/Witness Assistance Division to continue providing direct payment of emergency funeral/burial, relocation, and crime scene clean-up expenses for crime victims pursuant to Government code Section 13954(c) for FY 2014-17. All Districts.

Consent Agenda - General Services Agency Items:

6. Submittal of a resolution to amend the deed restriction on the parking lot property owned by the Port San Luis Harbor District located at First Street and San Francisco Street in Avila Beach. District 3.
7. Request to authorize a budget adjustment in the amount of \$120,000 from Quimby District 4 to increase funds previously appropriated to replace the Nipomo Community Park Playground located at Pomeroy Road and West Tefft Street in Nipomo. District 4.
8. Submittal of a resolution commending Jack "Greg" Willis upon his retirement after 11 years of service to San Luis Obispo County General Services Agency. All Districts.

Consent Agenda - Health Agency Items:

9. Request to approve a three year (July 2014 through June 2017) renewal agreement (Clerk's File) with French Hospital Medical Center to serve as a ST-segment Elevation Myocardial Infarction (STEMI) Receiving Center. All Districts.

10. Request to approve five two-year (FY's 2014-15 and 2015-16) renewal agreements (Clerk's File) totaling \$591,127 with the Children and Families (First 5) Commission of San Luis Obispo County and one two-year renewal agreement (Clerk's File) in the amount of \$183,799 with French Hospital Medical Center, to promote early childhood development. All Districts.
11. Request to accept a bequest to Animal Services from the Estate of Greta Kraum in the amount of \$310,015. All Districts.
12. Request to approve the FY 2014-15 renewal contract with Maxim Healthcare Services (Clerk's File) in the amount not to exceed \$33,000 to provide skilled nursing and psychiatric technician personnel to supplement County staff at the County's Psychiatric Health Facility and Jail Facility. All Districts.
13. Request to approve five renewal contracts and three new contracts (Clerk's File) for FY 2014-15 in the cumulative amount not to exceed \$468,000 with eight Sober Living Environment (SLE) facilities to provide sober living environment housing in collaboration with drug and alcohol treatment services. All Districts.
14. Request to approve renewal contracts for FY 2014-15 with Medical Doctor Associates, Inc., Jackson & Coker, DrWanted.com LLC, California Locums, P.C., and Daniel and Yeager, Inc. (Clerk's File) in the cumulative amount not to exceed \$297,000 to provide locum tenens (temporary) licensed psychiatrist services. All Districts.

Consent Agenda - Library Items:

15. Request to approve the attached Memorandum of Understanding between the County of San Luis Obispo and the Morro Bay Friends of the Library regarding the renovation of the existing Morro Bay Library at 625 Harbor Street in Morro Bay. District 2.

Consent Agenda - Planning & Building Items:

16. Submittal of Amendment #4A to Amendment Contract #4 with Marine Research Specialists, to provide additional consultant services for the preparation of a Revised Draft Environmental Impact Report (EIR) for the Phillips 66 Rail Spur Project in the amount of \$360,689. District 4.
17. Submittal of a resolution accepting an Avigation Easement from Maino and Whitcher for the San Luis Obispo County Regional Airport. District 3.
18. Submittal of a resolution authorizing the department of Planning & Building to submit an application to the California Department of Housing and Community Development for a CalHome grant in the amount of \$1,000,000 for the County's First Time Home Buyer Program. All Districts.
19. Submittal of resolutions authorizing the Department of Planning and Building to submit applications to the California Coastal Commission and the Ocean Protection Council for two grants in the amount of \$50,000 each to conduct a sea level rise study for the Los Osos Community Plan update. District 2.

20. Submittal of a resolution and an amended Affordable Housing Agreement for the Borges project in Cambria. District 2.

Consent Agenda - Public Works Items:

21. Submittal of a resolution to initiate proceedings to levy annual assessments for the Nipomo Lighting District Tract 1747 Assessment District. District 4.
22. Submittal of a resolution vacating Railroad Avenue (a paper street) by Summary Vacation, and finding that the project is exempt from section 21000 et. seq. of the California Public Resources Code (CEQA), in the unincorporated community of Edna. District 3.
23. Submittal of a resolution establishing the 2014-15 special tax rate, and confirming the per parcel special tax amount to be placed on the 2014-15 tax roll for County Service Area No. 9, Zone I (East of Los Osos Creek). District 2.
24. 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 06-0088, a proposed subdivision resulting in 4 lots by Zaca Street 21, LLC, in the community of Templeton; and act on the attached resolution to accept the relinquishment of ingress and egress. District 1.
25. Request to authorize a budget adjustment, in the amount of \$7,815, from FY 2013-14 unanticipated revenues to Fund Center 475 – Nipomo Lighting professional services account. District 4.
26. Request to approve a Solid Waste Collection Franchise Agreement with Mid-State Solid Waste and Recycling, Inc. Districts 1 and 5.
27. Submittal of bid opening report for sidewalk improvements for Crocker Street in Templeton, to award the subject contract to CalPortland Construction, the lowest responsible bidder, in the amount of \$74,400. District 1.
28. Submittal of bid opening report for 2014 Pavement Surface Treatment, Various County Roads, San Luis Obispo County, to award the subject contract to Intermountain Slurry Seal, the lowest responsible bidder, in the amount of \$1,011,900. Districts 1, 2, and 3.

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

29. Submittal of a resolution to levy assessments for Flood Control Zone 18 (Cambria West Village Area). District 2.
30. Submittal of a resolution to levy assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area). District 4.
31. Submittal of resolution to levy additional annual assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area). District 4.
32. Submittal of a resolution to levy assessment for Flood Control Zone 16 (Nipomo, San Miguel, and Shandon Areas). Districts 1 and 4.

33. Submittal of bid opening report for removal and replacement of the Reservoir Liner at the Santa Margarita Booster Station Reservoir in Santa Margarita, to award the subject contract to EC Applications, Inc., the lowest responsible bidder, in the amount of \$245,800. District 5.
34. Request to approve bylaws for the Paso Robles Groundwater Basin Advisory Committee and five appointments to the Paso Robles Groundwater Basin Advisory Committee. All Districts.

Consent Agenda - Sheriff - Coroner Items:

35. Submittal of a resolution to accept funds from the Anti-Drug Abuse Enforcement Team grant (ADA) from the Board of State and Community Corrections (BSCC) in the amount of \$121,946 and certify that the Sheriff-Coroner is authorized to submit and sign all contracts and grant documents related to this program. All Districts.

Consent Agenda - Social Services Items:

36. Request to approve a renewal service contract (Clerk's File) for child care services with Community Action Partnership of San Luis Obispo County, Inc., for Fiscal Year 2014-15 in the amount of \$1,520,049. All Districts.
37. Request to approve a renewal service contract (Clerk's File) for Emergency Shelter, Crisis-Stabilization Foster Care, and Wraparound Foster Care with Family Care Network, Inc., a local foster family agency, for Fiscal Year 2014-15 in the amount of \$4,591,404. All Districts.
38. Request to approve three renewal service contracts (Clerk's File) for CalWORKs Work-study, Bridge to Success, and the Independent Living Program/Extended Foster Care with San Luis Obispo County Community College District (Cuesta) for Fiscal Year 2014-15 in the amounts of \$75,000, \$65,000 and \$380,594 respectively. All Districts.
39. Request to approve the Child Care Planning Council's Priorities for the California Department of Education Child Development Program. All Districts.

Public Comment Period:

40. 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.

Hearings:

41. Hearing to consider a resolution amending the 2010, 2012 and 2014 Action Plans to facilitate compliance with expenditure deadlines for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs by reallocating some CDBG funds and allocating HOME funds to the Courtland Street Apartments Project. All Districts.
42. Hearing to consider a request by the County of San Luis Obispo to amend the Land Use Ordinance, Title 22 and the Coastal Zone Land Use Ordinance, Title 23 to add Sections 22.70.035 and 23.01.046 referring to reasonable accommodations in order to provide individuals with disabilities flexibility in the application of land use regulations. This project is exempt under CEQA. All Districts.
43. Hearing to consider a resolution for a request by the County of San Luis Obispo for General Plan Amendments to: 1) incorporate information relative to infrastructure needs and financing within the "Disadvantaged Communities" of Shandon, San Miguel and Oceano into the County Land Use and Circulation Elements as required by Government Code Section 65302.10 (Senate Bill 244), and 2) make numerous updates and amendments to the Housing Element (Clerk's File) of the County General Plan including a new five-year Regional Housing Needs Plan as required by State law; and approve the CEQA exemption and addendum to the previously issued Negative Declaration respectively. All Districts.

Closed Session Items:

44. 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-Anticipated Litigation (Government Code, section 54956.9.) 1. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2.
- 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: 2. SLOCEA-Public Services, Supervisors, Clerical; 3. SLOCEA-Trades and Crafts.

**RECESS****1:30 REPORT ON CLOSED SESSION**Presentations:

45. Submittal of a resolution commending Paavo A. Ogren for his outstanding service as Public Works Director and for twenty-three years of Public Service with the County of San Luis Obispo in the Public Works Department. All Districts.

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

46. Request to: 1) receive Integrated Regional Water Management (IRWM) Plan and eligibility update; 2) approve the attached resolution designating the Director of Public Works or Interim Director of Public Works, or designee, as the authorized representative to file a grant application and execute a grant agreement for the 2014 IRWM Program Drought Implementation Grant; 3) authorize a budget adjustment, in the amount of \$88,226, from unanticipated revenues to Fund Center (FC) 201 – Public Works Special Services professional services account; and 4) carry forward unspent appropriation to the subsequent fiscal year. All Districts.

Hearings:

47. Hearing to consider a resolution setting forth a determination of established vested right(s) at the Whale Rock Pit / Cayucos Pit – CA Mine ID #91-40-0010 located at 1424 Old Creek Road, east of the community of Cayucos including the scope and nature of surface mining activities included within the established vested right(s). District 2.

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](http://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 June 12, 2014

#### Shandon Area

Fallingstar Homes, Inc. Grading Permit. Request by Fallingstar Homes Inc. for an as-built grading permit for grading that resulted in 37.6 acres of disturbance including approximately 153,700 cubic yards of cut and 153,700 cubic yards of fill, on a 164.5 acre parcel over an approximate 19 month period. Grading that remains to be completed would include disturbance of approximately 1,500 square feet of an existing fill slope (unless the slope is determined to be stable by a soils engineer). The grading has allowed for construction of a barn, water tanks, and a horse exercise track, all of which have been developed. The exercise track is proposed for private use. It would not be used for special events. The proposed project is within the Agriculture land use category. The project is located on the north side of Highway 46 East, approximately one-half mile east of McMillan Canyon Road and approximately on-half miles east of the community of Shandon in the Shandon Carrizo planning area. ED07-067 (PMT2006-02485)

#### Cambria Area

Fox Minor Use Permit. Request by Phil and Julie Fox for a Minor Use Permit / Coastal Development Permit to allow for the construction of a new 3,451 square-foot single family residence with a 624 square-foot attached garage, 852 square feet of decking, and a height of 28 feet from average natural grade. The project will result in the disturbance of approximately 5,000 square feet of a 13,068 square-foot lot. The proposed project is within the Residential Single Family land use category and is located on the east side of Burton Drive, approximately 850 feet southeast of the intersection with Kay Street, within the community of Cambria. The site is in the North Coast planning area. ED13-072 (DRC2012-00091)

#### Paso Robles Area

Acheeve Vineyards LLC Minor Use Permit. Request by Acheeve Vineyards for a Minor Use Permit to allow for the phased construction of a new winery building with tasting room (buildout 9,200sf indoor winery and 4,065sf outdoor winery); limited special event program. The project will result in the disturbance of approximately 13,265 square feet on a 70 acre parcel. The proposed project is within the agriculture land use category and is located at 5170 Vineyard Dr. Paso Robles, Ca, 93446. The site is in the Adelaida planning area and located at 5170 Vineyard Drive, Paso Robles, CA 93446. ED13-088 (DRC2012-00123)