

Tuesday, August 26, 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 and 21. This is the time set for consideration of the Consent Agenda.

Chairperson Gibson: discusses his request to pull the added item, No. 21, from the Consent Agenda and bringing it back at the next scheduled meeting on Tuesday, September 9, 2014, with Board Members responding. Further, opens the floor to public comment.

The action taken for Consent Agenda items 1 through 15 and 21 on the following vote is indicated for each item.

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			

Consent Agenda - Administrative Office Items:

- Request to approve the FY 2014-15 agreement with the Food Bank Coalition of San Luis Obispo County in the amount of \$100,000 for the food distribution program from Fund Center 106 – Contributions to Other Agencies. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

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

- Submittal of a resolution delegating limited authority to the Auditor-Controller-Treasurer-Tax Collector to process appropriation transfers between capital projects upon a request of the Department Head and the recommendation of the Administrative Officer. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-221A, adopted.

- Submittal of a resolution setting the FY 2014-15 tax rates for the Secured Property Tax Roll. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-222, adopted.

Consent Agenda - Board of Supervisors Items:

- Submittal of a resolution proclaiming September 2014 as "Childhood Cancer Awareness Month" in San Luis Obispo County. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-223, adopted.

Consent Agenda - District Attorney Items:

5. Request to authorize the District Attorney to sign a FY 2014-15 renewal grant agreement (Clerk's Filed) with the California Office of Emergency Services in the amount of \$125,000 for the continuing administration of an Unserved/Underserved Victim Advocacy and Outreach Program serving elders, dependent adults and victims with disabilities. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

6. Accept \$240,000 California Mitigation Air Quality grant funding for the Templeton to Atascadero Connector Trail project, Resolution designating \$80,000 Public Facilities Fees as match for grant funding and approve the professional service contract for engineering, environmental and right of way for this project. Districts 1 and 5.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-224, adopted.

7. Request to approve and direct the Chairperson sign a consultant contract (Clerk's File) with Cannon Corporation in an amount not to exceed \$498,352 for the completion of the National Environmental Policy Act process, design, right-of-way acquisition, permits, construction documents, and grant administration for the Morro Bay to Cayucos Connector Pathway project. District 2

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

8. Request to hire Megan Fiske, R.N., to a Correctional Nurse II position at step 4 of the salary range. All Districts.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve a FY 2014-15 renewal contract with Family Care Network, Inc. in an amount not to exceed \$4,890,000 to provide mental health services. All Districts.

Dr. C. Hite: speaks.

Ms. Anne Robin – Behavioral Health Administrator and Mr. Jim Roberts – Family Care Network Director: respond to Board Member questions.

The Board approves as recommended by the County Administrative Officer.

10. Request to approve a one year renewal agreement (Clerk's File) with the California Department of Public Health to implement the Women, Infants and Children (WIC) Nutrition program in the amount not to exceed \$1,255,795 for the period of October 1, 2014 through September 30, 2015 and authorize a budget adjustment in the amount of \$27,375 from unanticipated revenue to FC 160 - Public Health. All Districts.

Dr. C. Hite: speaks.

Mr. Jeff Hamm – Health Agency Director: responds to Board Member comments.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve a FY 2014-15 through FY 2018-19 five year renewal contract (Clerk's file) with Dane Howalt, M.D. in an amount not to exceed \$65,000 per fiscal year to provide physician services to inmates at the County Jail. All Districts.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve five FY 2014-15 renewal contracts in the aggregate amount not to exceed \$689,805 to provide prevention and early intervention behavioral health services to individuals throughout the County as part of the Mental Health Services Act. All Districts

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

13. Submittal of right of way documents accepting conveyance from Brothers Investment Company; Robert Hayashi Family Trust; and Valley Investment Company for the Branch Mill Road Bridge Replacement Project, Arroyo Grande. District 4.

The Board approves as recommended by the County Administrative Officer.

14. Submittal of a resolution establishing changes to the Traffic Regulation Codes for the communities of Avila Beach, Cayucos, Nipomo, Oceano and north of Paso Robles. Districts 1, 2, 3 and 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-225, adopted.

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

15. Submittal of a resolution to continue emergency contracting for Nacimiento Water Pipeline repairs and increase the authorization of the Director of Public Works to execute contracts up to \$425,000. District 1.

Mr. Dave Flynn – Department of Public Works Interim Director: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-226, adopted.

Added Item. Consent Agenda – Board of Supervisors Items:

21. Request by Supervisor Adam Hill to appoint Michael L. Cripe to the Airport Land Use Commission. All Districts. Add to the consent agenda as Item #21.

(Added Item, per the addendum to the agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Chairperson Gibson: discusses his request to pull this added item from the Consent Agenda and bring it back at the next scheduled meeting on Tuesday, September 9, 2014, with Board Members responding.

The Board withdraws this item from the Consent Agenda and reschedules this matter on Tuesday, September 9, 2014.

Public Comment Period:

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

Mr. Greg Shearer: announces the upcoming Veteran's Express Benefit Concert on Sunday, August 31, 2014 at the San Luis Obispo Grange Hall.

Mr. Eric Greening: speaks to comment letters regarding the Phillips 66 Extension Project Draft Environmental Impact Report (DIER).

Dr. C. Hite: speaks to various County needs in Los Osos; the increase in rents and other mismanagement issues from the Housing Authority.

Mr. Ben DiFatta: comments on personal relations involving both County and City employees.

Mr. Julie Tacker: speaks to the Board's purview.

Ms. Linde Owen and Mr. Richard Margtson: comment on the Los Osos Wastewater Project (LOWWP). Additionally, Mr. Margetson, speaks to the Nacimiento Project completion award and Ms. Owen, addresses Mr. DiFatta's comments.

Mr. Gary Kirkland: discusses the recent earthquake in Napa Valley and how it relates to the safety at the Diablo Canyon Power Plant.

Ms. Jeanne Blackwell: speaks to urgency to ban hydraulic fracking.

Mr. Dan Buckshi - County Administrative Officer: states an informational update on hydraulic fracking will be presented on Tuesday, September 23, 2014; and a study session on water is tentatively set to be held at the next Strategic Planning Meeting on Tuesday, October 14, 2014.

Supervisor Arnold: requests a public update on the LOWWP, with Board Members responding. **No action taken.**

Board Business:

- 17.** Request to approve a three year contract (August 26, 2014 through August 25, 2017) with Transitions Mental Health Association in a total amount of \$1,860,098 for housing placement and supportive services for chronically homeless individuals, and authorize a corresponding budget adjustment in the amount of \$578,719 from Social Services Realignment funds to FC 180- Department of Social Services to fund the initial year of the contract. All Districts.

Ms. Emily Jackson – Administration Office: amends the contract by replacing page 1 of 1 to add reference to Exhibit G - Qualified Service Organization Agreement.

Ms. Jill Bolster-White - Transitions Mental Health Association: presents a powerpoint with staff.

Chairperson Gibson: opens the floor to public comment.

Ms. Elaine Archer - The Housing Authority of the City of San Luis Obispo (HALSO) Housing Management Director; Ms. Janna Nichols – 5 Cities Homeless Coalition; and Mr. Greg Hermann – City of San Luis Obispo Special Projects Manager: speak.

On motion by Supervisor Debbie Arnold, seconded by Supervisor Caren Ray, to approve staff recommendations as amended, is discussed.

Supervisor Ray: requests staff return to the Board with status reports during each interval.

The motion maker amends the motion to include Supervisor Ray's direction to staff, with the second concurring.

The Board approves, as amended, a new three year contract (August 26, 2014 through August 25, 2017) with Transitions Mental Health Association in a total amount of \$1,860,098 for housing placement and supportive services for chronically homeless individuals; directs the Chairperson to sign the contract; and authorizes a corresponding budget adjustment in the amount of \$578,719 from Social Services Realignment funds to FC 180- Department of Social Services to fund the initial year of the contract. Furthermore, staff is directed to return to the Board with status reports during each interval in the (3) three appropriate intervals.

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			

18. Consideration of options related to Pirate’s Cove Park and Cave Landing Trail construction project. District 3

Chairperson Gibson: opens the floor to public comment.

Mr. Ron De Carli – San Luis Obispo Council of Governments (SLOCOG) Executive Director; Ms. Pandora Nash-Karner - Parks and Recreation Commission Chairperson; Ms. Christine Ensminger; Mr. Brian LoConte (map); Mr. Gene Quayle; Ms. Bob Quayle; and Mr. Bill Denneen: speak.

The Board directs staff to withdraw the Coastal Development Permit application for the Pirate’s Cove Park and Cave Landing Trail construction project.

Motion by: Adam Hill

Second by: Debbie Arnold

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			

19. Consideration of a request by the Land Conservancy of San Luis Obispo for \$400,000 of additional County funds to assist in the purchase of the Pismo Preserve, and if approved, authorization of a budget adjustment in the appropriate amount from General Fund Contingencies to Parks Land Fund Center (FC) 30504. District 3.

Ms. Kaila Dettman – The Land Conservancy of San Luis Obispo County Executive Director: speaks.

Chairperson Gibson: opens the floor to public comment.

Ms. Pandora Nash-Karner – Parks and Recreation Commission Chairperson; Mr. Pete Jenny – The Land Conservancy Board of Trustees Member; Ms. Stacey Smith – The Land Conservancy Conservation Project Manager; Mr. Gary Kirkland; Ms. Kara Woodruff - The Land Conservancy Board of Trustees Member; Ms. Mary Ann-Reiss - Pismo Beach City Council Member; Ms. Sheila Blake; Ms. Effie McDermott; Mr. Chris Helenius - The Land Conservancy Board of Trustees Vice-President; Mr. Bill Denneen; Mr. Jose Esparza – Nipomo High School Conservation Club; and Mr. Marshall Ochylski: speak.

Ms. Rita Neal – County Counsel: recommends the motion include delegation of authority to the Deputy Director of Parks to execute any and all documents necessary to effectuate the transfer of funds.

The Board approves the request by the Land Conservancy of San Luis Obispo for \$400,000 of additional County funds to assist in the purchase of the Pismo Preserve; and authorizes a budget adjustment in the appropriate amount from General Fund Contingencies to Parks Land Fund Center (FC) 30504; and delegates authority to the Deputy Director of Parks to execute any and all documents necessary to effectuate the transfer of funds.

Motion by: Adam Hill

Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
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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:

20. The Board announces they will be going into Closed Session regarding:

I. PENDING LITIGATION (Gov. 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 (Gov. Code, section 54956.9(a).) (Formally initiated) 1. Mountain Cascade, Inc. v. SLO Co. Flood Control & Water Conservation District, et al.

(Added item, per the addendum to the agenda. PERSONNEL. It is the intention of the Board to meet in Closed Session to: 2. Consider Public Employee Appointment for the position of Director of Child Support Services. 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.

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, August 26, 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: September 4, 2014