

Tuesday, September 16, 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:**

1-5. 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 5 on the following vote is indicated for each item.

**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			

**Consent Agenda - District Attorney Items:**

- Request to approve a renewal grant agreement for FY 2014-15 to receive funding from the State’s Workers’ Compensation Insurance Fraud Prosecution and Investigation Program in the amount of \$55,803 and submittal of a resolution authorizing the District Attorney to sign the State agreement and other grant related documents. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-237, adopted.**

**Consent Agenda - General Services Agency Items:**

- Request to authorize a budget adjustment to transfer \$165,600 from previously authorized funding in Fund Center (FC) 200 - Maintenance Projects, to FC 230 - Capital Projects to consolidate funding for the Reconstruct Honor Farm Laundry project located at 885 Oklahoma Avenue, San Luis Obispo. District 2.

**The Board approves as recommended by the County Administrative Officer.**

- Request to authorize a budget adjustment in the amount of \$25,125,630 from the state-funded AB 900 Jail Financing Program to Fund Center 230 - Capital Projects allowing receipt of State reimbursements to construct the Women’s Jail Expansion. District 2.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Health Agency Items:**

- Request to approve a renewal agreement (Clerk's File) with the State Office of Traffic Safety for one year (October 1, 2014 through September 30, 2015) in the amount not to exceed \$192,000 to fund the Injury Prevention Program and a one-year extension of a full-time Limited Term position funded by

this grant to September 30, 2015. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Social Services Items:**

- 5. Request to approve the appointments of Amy Christey and Rick Gulino to the Homeless Services Oversight Council (HSOC). All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Presentations:**

**Chairperson Gibson:** tables Item No. 6 following Item No. 8.

- 7. Submittal of a resolution recognizing the 8th Annual Celebration of Mexican Independence from Spain, "El Grito De La Independencia" in San Luis Obispo County. All Districts.

**Mr. Mark Corella - Latino Outreach Council (LOC) Board Member and Ms. Jaqeline Fredrick – LOC President:** speak.

**RESOLUTION NO. 2014-238, a resolution recognizing the 8th annual celebration of Mexican Independence from Spain, "El Grito De La Independencia" in San Luis Obispo County, adopted.**

**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			

- 8. Submittal of a resolution recognizing the United Way Workplace Giving Program in San Luis Obispo County. All Districts.

**Mr. Rick London - United Way Chief Executive Officer (CEO):** speaks.

**RESOLUTION NO. 2014-239, a resolution recognizing the United Way Workplace Giving Program in San Luis Obispo County, adopted.**

**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			

- 6. Submittal of a resolution proclaiming September 2014 as "National Recovery Month" in San Luis Obispo County. All Districts.

**Ms. Susan Warren - North County Connection:** speaks.

**RESOLUTION NO. 2014-240, a resolution proclaiming September 2014 as "National Recovery Month" in San Luis Obispo County, adopted.**

**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			

**Public Comment Period:**

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

**Mr. John Carsel - Preserve Cayucos President (documents); Ms. Joan Watt; Ms. Becky Evans; Ms. Marie Jaqua; and Mr. Arley Robinson:** address concerns regarding the potential dangers of movement and surface land sliding on the hillside South of Old Creek Road and Highway 1 in Cayucos; and encourages the Board to read a study concerning this matter. Further, Chairperson Gibson responds to the concerns regarding the stability of the hillside and states he has contacted the Department of Planning and Building Environmental Division to review this matter and provide a response.

**Mr. Ben DiFatta:** comments on the Board's purview and his comments that have not been allowed.

**Ms. Jane Swanson - Mothers for Peace:** commends Board Members for a letter submitted to the Nuclear Regulatory Commission.

**Ms. Simone Malboeuf - Mothers for Peace:** discusses the health impacts as a result of Nuclear Power Plants and requests this issue be scheduled on a future meeting date.

**Mr. Eric Greening:** announces the People's Climate March on September 21, 2014 at Mitchell Park in San Luis Obispo; suggests adding to the Legislative Platform an opposition to all subsidies to climate endangerment and oil extraction; and requests a progress report on the implementation of the county's climate action plan at the upcoming Strategic Planning Session.

**Ms. Jeanne Blackwell:** addresses hydraulic fracking and its impacts.

**Ms. Julie Tacker:** addresses why she feels Mr. DiFatta's comments are within the Board's purview; and concerns regarding cease and desist orders served to individuals in Los Osos.

**Mr. Gary Kirkland:** discusses the impacts to daily routines if nuclear power plants and oil industries were to shutdown; and states the county should encourage all nuclear energy and oil production.

**Ms. Becky Jorgensen – Hope's Village:** speaks to the County's various contributions to homeless projects; presents an article titled "Tiny houses aim to help homeless"; and requests the Board's help in obtaining land for their project, with Supervisors Mecham and Ray responding. **No action taken.**

**Board Business:**

10. Submittal of the Fiscal Year 2013-14 Year-End Financial Status Report. All Districts.

**(This item is amended, per the addendum to the agenda, by replacing page 23 (Los Osos Wastewater Project cost to date) of the Year-End Financial Status Report with the correct version.)**

**Ms. Lisa Howe – Administrative Office:** clarifies the staff report references the reported year-end fund available for the General Fund was \$30.1 million when it should read \$36.8 million.

**Chairperson Gibson:** opens the floor to public comment.

**Ms. Julie Tacker:** speaks.

The Board: 1) Receives, reviews, and files the FY 2013-14 Year-End Financial Status Report; 2) accepts cash donations in the amount of \$1,789.74 made to Fund Center (FC) 160 – Public Health; 3) accepts cash donations in the amount of \$6,718.86 made to FC 137 – Animal Services; 4) accepts cash donations in the amount of \$22,747.25 made to FC 305 – Parks; 5) accepts cash donations and approves corresponding budget adjustment in the amount of \$2,493.11 for FC 180 – Social Services; 6) accepts cash donations and approves corresponding budget adjustment in the amount of \$69,579.61 for the FC 377 – Library; 7) approves a request for Relief of Accountability in the amount of \$2,055 for a non-collectible balance on behalf of FC 405 – Public Works Internal Service Fund (ISF); 8) approves a request for Relief of Accountability in the amount of \$23,346.99 on behalf of the FC 180 – Social Services for client overpayments for non-collectable debt for CalWORKs, CalFresh and General Assistance programs; 9) approves a request for Relief of Accountability in the amount of \$15,815 on behalf of FC 160 – Public Health for Public Health’s Environmental Health Services accounts that have been determined non-collectible; 10) approves a request for Relief of Accountability in the amount of \$20,740 on behalf of FC 160 – Public Health for Public Health Laboratory accounts that have been determined to be non-collectable; 11) approves a budget adjustment to FC 305 – Parks in the amount of \$8,103 using Litter Clean Up funds as the financing source for the purchase of litter control supplies; 12) approves a budget adjustment to FC 427 – Golf in the amount of \$4,770 using Litter Clean Up funds as the financing source for the purchase of litter control supplies; 13) approves a budget adjustment in the amount of \$35,000 using the Library Facilities Planning Reserves to fund the Morro Bay Library Building Renovation Project; 14) approves a budget adjustment in the amount of \$17,168.10 using the Library’s Atascadero Building Expansion Reserve as a funding source to augment the FC 377 – Library operating Budget for moving and equipment costs directly associated with new Atascadero Library; 15) approves an increase in the amount of \$379,772 to the Library’s Facilities Planning Reserve, using Cambria Library Building Project Construction savings, for funds previously advanced to the project on behalf of the Cambria Friends of the Library; and 16) approves a request to declare twenty-seven (27) vehicles as surplus, authorize removal from County fleet, and authorizes their sale to recover value in accordance with County Code 2.36.030(5).

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			

- 11. Submittal of a report on the effects of the Affordable Care Act on health services in San Luis Obispo County. All Districts.

Chairperson Gibson: opens the floor to public comment without response and receives and files the report.

- 12. Submittal of a bid opening report for the project to Restore Cayucos Pier located on Cayucos Drive, Cayucos; award of the subject contract to Associated Pacific Constructors, Inc. in the amount of \$1,700,773; and receive and file the project update. District 2.

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

The Board: 1) accepts the results of the August 14, 2014 bid opening for the Cayucos Pier Restoration project; 2) Awards a construction contract to Associated Pacific Constructors, Inc., the lowest responsible in the amount of \$1,700,773; 3) instructs the Chairperson to sign the contract upon the receipt of the insurance and bond documents; and 4) receives and files the project update.

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			

**Closed Session Items:**

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

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. Los Osos Community Services District v. Golden State Water Company, et al.

**(Added Item, per the addendum to the agenda. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code, section 54956.9). Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9. No. of potential cases: 1; Initiation of litigation pursuant to paragraphs (4) 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.

**Ms. Julie Tacker:** speaks.

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, September 16, 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 19, 2014