

Tuesday, October 14, 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.

Public Comment Period:

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

Ms. Julie Rodewald - County Clerk-Recorder: announces the last day to register to vote is Monday, October 20, 2014.

Mr. Dana Cumming - Veterans Services Officer: introduces two new employees to Veterans Services, Paul Collagan and Sandra Gould.

Mr. Eric Greening: speaks to the release of the revised draft Environmental Impact Report on the Phillips 66 project; the upcoming Huckfest event; and the Open Studios Tour.

Mr. Richard Margetson: comments on a postcard regarding the sewer costs for a Los Osos Mobile Home Park; the recent Regional Water Quality Control Board Meeting; and the Los Osos Groundwater Basin Plan.

Mr. Ben DiFatta: discusses a recent article regarding the candidates running for the Los Osos Community Services District (CSD).

Ms. Julie Tacker: addresses the previous speaker's comments; and issues concerning Los Osos; and the costs for water.

Ms. Linde Owen: speaks to the level of severity of water in Los Osos and the need for oversight on the Los Osos Wastewater Project (LOWWP).

Mr. John Schwind - County Safety Officer: states the Great California ShakeOut will take place on Thursday, October 16, 2014 at 10:16 a.m. **No action taken.**

Board Business:

2. Consideration of a report regarding the County's Fiscal Year 2015-16 financial forecast. All Districts.

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

3. Report on Department of Planning and Building Priorities. All Districts.

Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening: speaks.

Supervisor Mecham: addresses the need to establish continuity of codes between the Cities and the County, with Ms. Cheryl Journey - Building Official responding.

Chairperson Gibson: questions the time for completion of the priorities; encourages staff to look at the climate action plan; and for the code enforcement division to have clear, effective, and direct provisions to enforce, with Mr. James Bergman – Planning and Building Director responding.

Supervisor Arnold: reviews items she feels should not be on the priority list and items she would like added.

The Board directs staff to pursue the priorities as set by the Department.

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:

- 4. The Board announces they will be going into Closed Session:

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. Mesa Community Alliance v. California Department of Parks and Recreation, et al. 2. ARB, Inc. v. County of San Luis Obispo.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED 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-Anticipated Litigation (Gov. Code, section 54956.9.) 3. Significant exposure to litigation (Gov. Code, section 54956.9(b).) No. of cases: 1. 4. INITIATION OF LITIGATION pursuant to paragraphs (4) of subdivision (d) of Section 54956.9. No of potential cases: 1

PERSONNEL (Gov. Code, § 54957.) It is the intention of the Board to meet in closed session to:
5. Consider Public Employee Appointment for the Position of Director of Public Works.

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 employee organizations: 10. San Luis Obispo Government Attorney’s Union; 6. SLOCEA-Trades and Crafts; 7. Deputy County Counsel’s Association; 8. Sheriffs’ Management; 9. SLOCPPOA; 10. Deputy Sheriff’s Association; 11. DAIA; 17. SLOCPMPOA; 12. SLOCEA-Public Services, Supervisors, Clerical; 13. Unrepresented Management and Confidential Employees and 14. ASLODS.

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:

- 5. Presentation of current drought conditions, related management actions, and response plans. All Districts.

Chairperson Gibson: opens the floor to public comment.

Mr. Kevin Stitt; Mr. Eric Greening; Mr. Bob Blair; Mr. John Snyder (public records requests); Mr. Greg Grewall; Mr. Monte Allen; Ms. Sue Harvey; Grover Beach Mayor Debbie Peterson; and Ms. Amanda Rice: speak.

The Board receives the presentation.

6. Update on Federal and State water legislation. All Districts.

Mr. Mike Miller – Ferguson Group: speaks.

Ms. Karen Lange - Peterson Consulting, Inc. and Mr. Paul Yoder - Shaw/Yoder/Antwih, Inc.: present a powerpoint presentation with staff.

Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening; Mr. Bill Pelfrey; Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); and Ms. Claudia Engel – Paso Robles Groundwater Basin Advisory Board: speak.

Chairperson Gibson: receives and files the update.

On motion of Supervisor Frank R. Mecham, seconded by Supervisor Adam Hill, the Board unanimously agrees to continue the meeting past 5:00 P.M.

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

7. Submittal of a report and solicitation of Board direction regarding formation of a Paso Robles Basin Water District. District 1 and 5.

Chairperson Gibson: opens the floor to public comment.

Mr. John Neil – Paso Robles Basin Advisory Committee (PRBAC) Chairperson and Paso Robles Blue Ribbon Committee Member; Mr. Ed Eby; Mr. Larry Werner – Paso Robles Blue Ribbon Committee former Chairperson; Ms. Sherri Moody; Mr. Paul Clark - Farm Bureau; Ms. Laurie Gage - PRO Water Equity Vice-President; Mr. Eric Greening; Ms. Kathleen Maas; Ms. Christine Halley – City of Paso Robles; Mr. Allen Duckworth; Mr. Michael Baugh; Mr. James Neilson; Mr. Greg Grewall; Mr. Ted Gilbert; Mr. John Crossland – Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS); Mr. Jerry Reaugh – PRAAGS Chairperson; Mr. John Richards; Mr. Steve Lohr – J. John Vineyard; Ms. Daniella Sapriel – Coalition of Rural Residents and Landowners; Mr. Mike Brown - Coalition of Labor, Agriculture, and Business (COLAB) (letter); Ms. Sue Luft – PRO Water Equity President and PRBAC Member; Mr. Gary Kirkland (documents); Dr. Serena Friedman – PRBAC Alternate Member; Mr. Dana Merrill – PRBAC Member and PRAAGS Vice-President; Mr. Steve Sinton; Ms. Maria Lorca – PRBAC Member; Ms. Susan Harvey – North County Watch; Mr. Joseph Sulse; Ms. Cynthia Steinbeck; Ms. Sophie Treder – Treder Land Law; Mr. Bill Pelfrey; Ms. Della Barrett; Ms. Sheila Lyons; and Mr. Bob Brown – PRAAGS and PRBAC Alternate Member (chart): speak.

Supervisor Arnold: discusses why she feels it is not the role of the County to apply for the formation of a water district.

The Board, acting as the San Luis Obispo County Flood Control and Water Conservation District, receives the report related to the formation of a Paso Robles Basin Water District and determines it is necessary to construct an application to the Local Agency Formation Commission (LAFCO) for the formation of a Basin Water District. Further, the Board directs staff to prepare the necessary resolution and initial application materials and return to the Board for specific direction on key issues including boundaries, powers of the new district, and methods for determining special benefits for the purposes of a proposition 218 election to fund the new district.

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		

Chairperson Gibson: questions the timing on when this matter will return to the Board, with Mr. Dan Buckshi – County Administrative Officer responding.

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, October 14, 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: October 15, 2014