

AGENDA

Dan Buckshi
County Administrator



BOARD OF SUPERVISORS

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

Tuesday, December 16, 2014

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

BOARD BUSINESS

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

PRESENTATIONS

BOARD BUSINESS

HEARINGS

ADJOURNMENT

5:00 PM

ADJOURNMENT TO CLOSED SESSION ON DECEMBER 17, 2014 FOR THE PURPOSE OF PARKS AND RECREATION DIRECTOR INTERVIEWS

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: 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 Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Items: Set for Hearing:

1. Submittal of resolutions setting a public hearing to consider establishing a zone within County Service Area 21 for road improvements; and proposing the adoption of a special tax for Leonard Place in the community of Cambria. Hearing date set for January 27, 2015. District 2.
2. Introduction of an ordinance amending water service charges in San Luis Obispo County Service Area No. 16, Shandon Water System, Shandon. Hearing date set for February 3, 2015. District 1.

Consent Agenda - Administrative Office Items:

3. Request to approve Amendment No. 2 to the agreement with MarketCher to provide administrative services to the San Luis Obispo County Tourism Improvement District (CBID). All Districts.
4. Update on current drought conditions confirming the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.
5. Request for approval to accept \$354,091 from the Federal Fiscal Year 2014 Homeland Security Grant Program and authorize related budget adjustments and changes to fixed asset lists. All Districts.

Consent Agenda - Board of Supervisors Items:

6. Request to re-appoint Ron and Ruth Vasconcellos as Full Board appointees to the Developmental Disabilities Board Area IV. All Districts.
7. Request to appoint Theresa Scott as a Full Board appointee to the Developmental Disabilities Board for Area IX. All Districts.
8. Request to appoint Bill Kennedy as a District 4 representative to the Bicycle Advisory Committee. District 4.

Consent Agenda - Clerk-Recorder Items:

9. Submittal of resolution approving the Conflict of Interest Codes for Outside Agencies. All Districts.

Consent Agenda - County Fire Items:

10. Request to approve a contract with Topaz Solar Farms LLC, under which County Fire would continue to provide Advanced Life Saving-level Emergency Medical Services to California Valley. District 5.

Consent Agenda - Planning & Building Items:

11. Submittal of six resolutions approving new land conservation contracts for Niels Udsen (AGP2013-00006) on Ranchita Canyon Road near San Miguel; Niels Udsen (AGP2013-00007) on North Bethel Road, Templeton; Douglas Ayres (AGP2013-00004) on Willow Creek Road northwest of Templeton; Paper Street Vineyard (AGP2013-00012) on Kiler Canyon Road west of Paso Robles; La Bella Grand, LLC (AGP2014-00002) on west Pozo Road east of Santa Margarita; and Lewis Feuerstein (AGP2014-00003) on La Panza Road east of Creston; pursuant to the California Land Conservation Act of 1965. Districts 1 & 5.

Consent Agenda - Public Works Items:

12. Request approval of the final map for Tract 2750, a proposed subdivision resulting in 13 lots by Arciero & Sons, Inc., that has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map; and act on the resolutions to approve an open space agreement and to accept an offer of dedication for a public trail easement, San Miguel. District 1.
13. Request approval of the final map for Tract 2763, a proposed subdivision of 26 residential lots and 2 open space lots by Toad Creek Homes, LLC, that has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map; and act on the resolution to accept the open space agreement and accept the offer of dedication for a multi-purpose trail easement, Templeton. District 1.
14. Request to approve an agreement with Paso Robles Country Disposal to extend the current Solid Waste Collection Franchise Agreement six months, ending the agreement term on July 31, 2015. District 1.
15. Request approval of Parcel Map CO 11-0038, a proposed subdivision resulting in 2 lots by Edward L. and Patrice Ballew Zubillaga that has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map; and act on the attached resolutions to accept the relinquishment of access and the trail easement, northwest of City of Paso Robles. District 1.

Public Comment Period:

16. 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.

Board Business:

17. Submittal of a resolution amending the Position Allocation List for Fund Center 186-Veterans Services to add 2.0 FTE Limited Term Assistant Veterans Services Officer positions in support of the Supportive Services for Veterans Families (SSVF) program, approval of the corresponding budget adjustment in the amount of \$101,374, and signing of a contract between the County and the Community Action Partnership of San Luis Obispo (CAPSLO) to provide staffing for the program. All Districts.

Hearings:

18. Hearing to consider approval of ordinances to amend the County Code Title 2, Chapter 2.36 (Purchasing Agent) and adding Chapter 2.37 (Informal Bidding) of the County Code to increase the contracting authority of the County Purchasing Agent and delegating authority to the County Purchasing Agent to issue notices inviting informal bids for public projects and to award contracts let by the informal bidding procedures as set forth in the California Uniform Public Construction Cost Accounting Act. All Districts.

Hearings - Public Works - Board Sitting as Flood Control District

19. Hearing to consider a proposed ordinance of the San Luis Obispo County Flood Control and Water Conservation District to provide informal bidding procedures under the California Uniform Public Construction Cost Accounting Act. All Districts.

Hearings:

20. Hearing to consider a proposed ordinance amending Section 2.48.095 of the County Ordinance Code regarding compensation increases for the Board of Supervisors. All Districts.

Closed Session Items:

21. 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. Paso Robles Water Integrity Network v. County of San Luis Obispo, et al. 2. Steinbeck, et al. v. County of San Luis Obispo, et al.; 3. State of California ex rel. David Sherwin v. Office Depot, Inc., et al

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION (Government Code, section 54956.9). 4. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9. No. of potential cases: 2. 5. Initiation of litigation pursuant to paragraphs (4) of subdivision (d) of Section 54956.9. No. of potential cases: 2

CONFERENCE WITH LABOR NEGOTIATOR (Government 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: 6. San Luis Obispo Government Attorney's Union; 7. SLOCEA-Trades and Crafts; 8. Deputy County Counsel's Association; 9. Sheriffs' Management; 10. SLOCPPOA; 11. Deputy Sheriff's Association; 12. DAIA; 13. SLOCPMPOA; 14.

SLOCEA-Public Services, Supervisors, Clerical; 15. Unrepresented Management and Confidential Employees; and 16. ASLODS.

RECESS

1:30 REPORT ON CLOSED SESSION

Presentations:

22. Submittal of a resolution recognizing Tim Murphy for his service to the San Luis Obispo County Planning Commission. All Districts.
23. Submittal of a resolution recognizing Julie L. Rodewald upon her retirement after 33 years of service. All Districts.
24. Submittal of a resolution honoring Fourth District Supervisor Caren Ray for her service to the County of San Luis Obispo. All Districts.

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

25. Submittal of a resolution adopting certain policies and procedures set forth in the Low Reservoir Response Plan (LRRP) for San Luis Obispo County Flood Control and Water Conservation District Zone 3, Authorizing the Director of Public Works to implement the LRRP; and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 4.

Hearings:

26. Hearing to adopt the Annual Road Improvement Fee Reports for the fee areas of Avila, Los Osos, South County, Templeton, North Coast, and San Miguel. All Districts.
27. Hearing to consider an appeal of the South County Area 1 Road Improvement Fee by Mr. and Mrs. Lariz. Hearing continued from December 2, 2014. District 4.

Hearings

28. Hearing to consider a request by the County of San Luis Obispo to approve “clean-up” amendments to the Real Property Division Ordinance, Title 21 of the County Code, and the Land Use Ordinance, Title 22 of the County Code as follows: amendments to Title 21, to: (1) update the names of the planning areas and their subareas that correspond to each fee zone for parks and recreational facilities and (2) require that applications for land divisions include justification for any request to receive partial credit against required Quimby fees for land divisions that provide usable common open space for park and recreational purposes, and amendments to Title 22 to: (1) include Section 22.30.480, Residential Uses in the Agriculture Land Use Category, in the Specific Use Standards for Single Family Dwellings and (2) replace references to the “Uniform Building Code” with the “California Building Standards Code” (amendments are exempt from CEQA); and take final action on all items previously given tentative approval on December 2, 2014. All Districts.

29. 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.

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 December 4, 2014

Pismo Beach Area

Hyla Bridge Replacement Major Grading Permit. Request by Freeport-McMoRan Oil & Gas for a Major Grading Permit to replace the existing Hyla culvert crossing with a bridge, which includes (1) construction of a new all-weather bridge over Pismo Creek and realignment of approach roads to provide access to the existing Hyla Extension lease area within the Arroyo Grande Oil Field; (2) removal of the existing, structurally compromised Hyla Road culvert crossing Pismo Creek and existing approach roads; and (3) streambed restoration activities within Pismo Creek to improve steelhead fish passage. The Hyla Crossing Replacement Project would result in the total disturbance of approximately 2.51 acres of a 347-acre parcel within the 1,605 acre unitized agreement area for the Arroyo Grande Oil Field. The project is located on the east side of Price Canyon Road, approximately 2.7 miles northeast of the City of Pismo Beach, in the South County planning area (San Luis Bay Inland sub area South). ED14-055 (PMT2013-01980)

San Miguel Area

Yingling Conditional Use Permit. Request by Richard C. Yingling for a Conditional Use Permit to allow for the construction and operation of an unmanned wireless communication facility consisting of: a) three (3) new antenna sectors with three (3) directional antennas per sector mounted at a height of 45 feet above ground level attached to a 50-foot tall monopine with branches extending to 55 feet; b) one 11'-6" x 16'-10-1/2" prefabricated cellular equipment shelter; c) one 132-gallon diesel generator on a 6'-0" x 13'-0" concrete slab; d) new 6'-0" tall chain link fence with 12'-0" access gate at the lease area perimeter; e) landscape screening at the lease area perimeter to screen the chain link fence; and, f) associated utility trenching for the installation of power and telco lines. The project is located on an approximately 7.42 acre parcel and will result in the disturbance of approximately 2,500 square feet (50'-0" x 50'-0" lease area and concrete pad) for the proposed facility. The facility will be accessed via a twelve foot wide gravel road, which will be widened and repaired to meet Cal Fire specifications. The proposed project is within the residential rural land use category, and is located at 6269 Hog Canyon Road, approximately 2.45 miles north of the community of Paso Robles, in the El Pomar-Estrella sub area of the North County planning area. Site location is 6269 Hog Canyon Road, San Miguel, CA 93451. ED14-006 (DRC2013-00115)

Arroyo Grande Area

Burhenn Grading Permit. Request by Tom and Peggy Burhenn to grade for a new 5,100 square foot single-story single family residence with attached 528 square foot two-car garage, a detached 528 square foot two-car garage, new 1,176 square foot workshop, and new driveway, which will result in the disturbance of approximately 1.8 acres, including approximately 1500 cubic yards of cut and 1500 cubic yards of fill, on a 49.55 acre parcel. The property is currently undeveloped. The proposed project is within the Agriculture land use category. The project is located on Alisos Road, approximately 1,900 feet north of the Alisos/Huasna Road intersection, approximately 2.3 miles east of the City of Arroyo Grande. The site is in the South County (San Luis Bay subarea) planning area. ED14-096 (PMT2014-00299)

For Week of December 11, 2014

Paso Robles Area

Proffitt Grading Permit. Request by Derek Proffitt for a grading permit to allow grading for an access road and building pad for a single family residence which will result in the disturbance of approximately 13,068 square feet (0.3 acres), including 475 cubic yards of cut and 375 cubic yards of fill on a 2.13 acre parcel. The project will result in the permanent disturbance of 0.25 acres (10,890) of kit fox habitat. Site location is 8055 Settlers Place, Paso Robles, CA ED14-065 (PMT2014-00504) For Week of December 11, 2014