

Tuesday, January 06, 2015

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: Bruce S. Gibson, Adam Hill, Lynn Compton, Debbie Arnold and Chairperson Frank R. Mecham

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON FRANK R. MECHAM.

Consent Agenda – Review and Approval:

1-22 and 29. This is the time set for consideration of the Consent Agenda.

Chairperson Mecham: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 22 and 29 on the following vote is indicated for each item.

Motion by: Bruce S. Gibson

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Mecham, Frank R. (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Items: Set for Hearing:

1. Submittal of a resolution initiating proceedings for the annexation of territory to Zone A of San Luis Obispo County Service Area No. 7 (Oak Shores) and setting, time, date and place of public hearing. Hearing date set for February 10, 2015. District 1.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-1, adopted.

Consent Agenda - Administrative Office Items:

2. Thirty-day update on current drought conditions and related management actions for the Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

The Board approves as recommended by the County Administrative Officer.

3. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to appoint Marna Lombardi to the Oceano Nipomo Local Area Advisory Board. District 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

4. Request to appoint James Brescia, San Luis Obispo County Superintendent of Schools, County Office of Education, to the Children and Families Commission. All Districts.

The Board approves as recommended by the County Administrative Officer.

5. Request to re-appoint Kenneth Topping as a District 2 representative to the San Luis Obispo County Planning Commission. District 2.

The Board approves as recommended by the County Administrative Officer.

6. Request to re-appoint Clyde Ganes and Norman Martignoni as District 2 representatives to the Fish and Games Fine Committee. District 2.

The Board approves as recommended by the County Administrative Officer.

7. Request to re-appoint Lisen Bonnier as a District 2 representative to the Agricultural Liaison Advisory Committee. District 2.

The Board approves as recommended by the County Administrative Officer.

8. Request to re-appoint Pandora Nash-Karner as a District 2 representative to the Parks and Recreation Commission. District 2.

The Board approves as recommended by the County Administrative Officer.

9. Request to re-appoint Alice York as a District 2 representative to the Commission on Aging. District 2.

The Board approves as recommended by the County Administrative Officer.

10. Request to appoint James Harrison as a District 4 representative to the San Luis Obispo Planning Commission. District 4.

The Board approves as recommended by the County Administrative Officer.

11. Request to appoint Erwin Ohannesian as the District 2 representative to the Civil Service Commission. District 2.

The Board approves as recommended by the County Administrative Officer.

12. Submittal of a resolution recognizing Jimmy Quinonez for receiving the Atascadero Chamber of Commerce 2014 "Citizen of the Year" award. District 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-2, adopted.

Consent Agenda - County Fire Items:

13. Request to approve budget adjustment request in Fund Center 140 - County Fire to move a total of \$18,229 from the Services and Supplies account to the Capital Outlay account, and to amend the Fixed Asset list, in order to allow the department to purchase extrication equipment for two replacement fire engines. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Items:

14. Submittal of a resolution authorizing execution of notice of completion and acceptance for construction of the Atascadero Library and North County Service Center, located at 6555 Capistrano

Avenue, Atascadero. District 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-3, adopted.

Consent Agenda - Health Agency Items:

15. Request to approve renewal agreements with Community Health Centers of the Central Coast, Inc. to provide primary, ancillary and pharmacy services and with Dignity Health doing business as Marian Regional Medical Center-Arroyo Grande, Dignity Health doing business as French Hospital Medical Center, Sierra Vista Regional Medical Center and Twin Cities Community Hospital to provide hospital services to County Medically Indigent Services Program and County jail inmate patients. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

16. Submittal of right of way documents accepting conveyance from Apple River & Company, LP for the Buckley Road Widening Project, San Luis Obispo. District 3.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Sitting as Flood Control District:

17. Submittal of a resolution to continue emergency contracting for Nacimiento Water Pipeline repairs and authorize the Director of Public Works to execute contracts for emergency contract work through a sole source process. All Districts.

Ms. Linde Owen and Dr. C. Hite: speak.

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

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-4, adopted.

18. Request to approve Amendment No. 2 to the agreement for professional engineering services with Black & Veatch Corporation, in the amount of \$36,263, for construction support services for the Nacimiento Water Pipeline, Nacimiento River Crossing Repair Project and authorize the Public Works Director to sign future amendments to the agreement in an amount not to exceed a contingency amount of \$10,000. All Districts.

Dr. C. Hite: speaks.

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

The Board approves as recommended by the County Administrative Officer.

19. Request to approve three committee appointments to the Water Resources Advisory Committee of the Flood Control and Water Conservation District. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

20. Request to appoint two new members and one new alternate member to the Paso Robles Groundwater Basin Advisory Committee. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

- 21.** Request to approve a renewal contract (Clerk's File) with Hewlett Packard Enterprise Services, LLC (HPES) for CalWORKs Information Network (CalWIN) Maintenance and Operations (M&O) the period of February 1, 2015 through January 31, 2020 in the amount of \$4,091,583. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Sheriff - Coroner Items:

- 22.** Request to authorize a budget adjustment in the amount of \$40,000 from the Federal Asset Forfeiture Trust Fund to FC 136 - Sheriff-Coroner to construct a fiber optic lateral connection from the County Airport splice location to the Sheriff-Coroner office on Aerovista Way, and increase the appropriation in the Capital Outlay Account. All Districts.

The Board approves as recommended by the County Administrative Officer.

Added Item – Consent Agenda – Public Works Item:

- 29.** Submittal of bid opening report for Nacimiento Water Project Nacimiento River Crossing Pipe Repair, to award the subject contract to V. Lopez Jr. and Sons G.E.C. Inc., the lowest responsible bidder, in the amount of \$841,417. All Districts.

(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.)

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

- 23.** 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 Tacker: states there was not an opportunity for public comment at the recent special meeting and presents correspondence regarding this matter.

Mr. Dane Senser: presents a county policy suggestion called "Hands Out."

Sheriff Ian Parkinson: expresses his support for Mr. Senser's suggestion.

Mr. Eric Greening: urges a discussion regarding the upcoming Paso Robles Groundwater Basin water district formation process; and the Pavley Dickinson implementation plan.

Dr. C. Hite: welcomes the new Chairperson and Supervisor.

Mr. Ben DiFatta: comments on the Los Osos Wastewater Project and the Chairperson's conduct during meetings last year.

Mr. George Sullivan: asks the Board to support an increase in funding to the Department of Public Works Projects.

Ms. Linde Owen: speaks to the meetings no longer being radio broadcasted; the selection of the Vice-Chairperson; the digital democracy program by Senator Blakeslee; the need for an update on the

LOWWP; and questions the deadline to turn in public comment speaker slips.

Mr. Gary Kirkland: discusses Board comments relating to the increase in county revenue and the opportunity to provide more services to county residents. **No action taken.**

Board Business:

- 24. Request to approve the appointments of Board Members to various committees and commissions. All Districts.

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

The Board appoints Supervisor Adam Hill as the alternate member on the Local Agency Formation Commission (LAFCO). Furthermore, the Board approves the recommended appointments of the individual Board members to various committees and commissions.

Motion by: Bruce S. Gibson

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Mecham, Frank R. (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 25. Consideration of a request to authorize processing of a General Plan Amendment application (LRP2008-00004) by the Santa Margarita Cemetery District to change the land use category on 3.63 acres from Agriculture (AG) to Public Facilities (PF) for the Santa Margarita Cemetery Expansion Project. The project site is located at 7500 West Pozo Road (Highway 58), approximately 0.5-mile east of the community of Santa Margarita, in the Salinas River sub-area of the North County planning area. District 5.

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

The Board authorizes this General Plan Amendment application for processing to change the land use category on the 3.63-acre site from the Agriculture to Public Facilities land use category (Option 1 in the staff report).

Motion by: Debbie Arnold

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Mecham, Frank R. (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 26. Consideration of a request to authorize processing of a General Plan Amendment application (LRP2014-00013) by Zacastreet21, LLC to change the land use category on five parcels (approximately 9.8 acres) from Commercial Retail (CR) to a mixed CR and Commercial Service (CS) land use designation. The project site is located along Ramada Drive between Marquita Avenue and Cow Meadow Place in the community of Templeton. District 1.

Chairperson Mecham: opens the floor to public comment.

Ms. Jamie Kirk – representing Steve Olson: states Mr. Olson would like to be included in this authorization. He is the owner of property to east of the Farm Credit West property, zoned in the Commercial Service designation; and recommends authorization of a mixed use designation over all the bordering properties between Marquita Avenue, LaCruz Way; and Cow Meadow Place.

The Board authorizes the General Plan Amendment application for processing to change the land use category on the 9.8-acre site from Commercial Retail (CR) to a mixed CR and Commercial Service (CS) land use category, including the 13 acres of CR designated land to the east (Option 2 in the staff report), including the CS parcels to the east as referenced by Ms. Kirk.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Mecham, Frank R. (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearing:

- 27. Hearing to consider a resolution for a request by the Santa Margarita Cemetery District to waive the application fees for: 1) a Conditional Use Permit to authorize the expansion of the Santa Margarita Cemetery; and 2) a Lot Line Adjustment for the Cemetery District to accept a 0.68-acre land donation from the neighboring Santa Margarita Ranch for the cemetery expansion. District 5.

(This item was amended, per the addendum to the agenda, to change the recommendation line to reference the attached resolution approving the fee waiver request. The recommendation should read as follows: It is recommended that the Board consider the request by the Santa Margarita Cemetery District to waive the application fees for: 1) a Conditional Use Permit to authorize the expansion of the Santa Margarita Cemetery; and 2) a Lot Line Adjustment for the Cemetery District to accept a 0.68-acre land donation from the neighboring Santa Margarita Ranch for the cemetery expansion, and adopt the attached resolution approving these requests based upon the findings in Exhibit "A".)

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

RESOLUTION NO. 2015-5, a resolution approving the request by the Santa Margarita Cemetery District to waive permit processing fees for a Conditional Use Permit and Lot Line Adjustment for the Santa Margarita Cemetery Expansion Project, adopted and based upon the findings in Exhibit A.

Motion by: Debbie Arnold

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Mecham, Frank R. (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

- 28. 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. Paso Robles Water Integrity Network v. County of San Luis Obispo, et al.; 2. Los Osos Community Services District v. Golden State Water Company, et al.; 3. State of California ex rel. David Sherwin v. Office Depot, Inc., et al.; 4. Alice Victorino v. County of San Luis Obispo, et al.

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION (Government Code, section 54956.9). 5. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9. No. of potential cases: 2. 6. 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: 7. San Luis Obispo Government Attorney's Union; 8. SLOCEA-Trades and Crafts; 9. Deputy County Counsel's Association; 10. Sheriffs' Management; 11. SLOCPPOA; 12. Deputy Sheriff's Association; 13. DAIA; 14. SLOCPMPOA; 15. SLOCEA-Public Services, Supervisors, Clerical; 16. Unrepresented Management and Confidential Employees; and 17. ASLODS.

PERSONNEL (Gov. Code, section 54957.) It is the intention of the Board to meet in closed session to: 18. Consider Public Employee Appointment for the Position of Director of Parks and Recreation.

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

(Supervisor Lynn Compton is now absent.)

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: the Board voted unanimously to appoint Nick Franco as the Director of Parks and Recreation. Mr. Franco's contract will come to the Board on Tuesday, January 13, 2015 for approval and his first day will be Monday, February 2, 2015. Furthermore, 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, **TOMMY GONG**, 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, January 06, 2015, 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.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: January 07, 2015