

Tuesday, April 14, 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: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-13. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 13 on the following vote is indicated for each item.

Motion by: Frank R. Mecham

Second by: Bruce S. Gibson

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

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

1. Request to approve an engagement letter with Brown Armstrong CPAs for FY 2014-15 audit services. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

2. Submittal of a resolution proclaiming April 27, 2015 through May 1, 2015 "National Active and Retired Federal Employees Association (NARFE) Week" in San Luis Obispo County. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-89, adopted.

3. Request to appoint Clyde Cruise to the Citizens Transportation Advisory Committee. District 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

4. Request to approve a FY 2014-15 contract with Kofile Preservation, Inc. in the amount of \$100,000 for restoration of Historical Official Record Books. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

5. Request to authorize the Use of Alternative Publication Procedures for the Early Summer 2015 General

Plan Amendment Cycle. All Districts.

The Board approves as recommended by the County Administrative Officer.

6. Request to approve an amendment to the contract for special services with SWCA Inc., for staff support associated with the proposed Phillips 66 rail spur project Development Plan / Coastal Development Permit in the amount of \$62,120 for a total final contract amount of \$181,751; DRC2012-00095. District 4.

Mr. Jeff Edwards; Ms. Julie Tacker; and Mr. Eric Greening: speak.

Ms. Ryan Hostetter – Department of Planning and Building: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

7. Submittal of a resolution approving the new classification and establishing the salary range of Division Manager - Water Resources and amending the Position Allocation List for Fund Center 405 - Public Works, by adding a 1.0 Full Time Equivalent Division Manager - Water Resources. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-90, adopted.

8. Submittal of a resolution and tabulation of changes in mileage of maintained County roads as required by the California Department of Transportation. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-91, adopted.

9. Submittal of license and agreement, for installation of traffic signal equipment, from Lucia Mar Unified School District to the County of San Luis Obispo and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA), for the Thompson Avenue at Titan Way Traffic Signal Project, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer.

10. Submittal of a resolution approving the Road Maintenance Agreement for 3-S Ranch, Inc. Conditional Use Permit DRC2012 00083. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-92, adopted.

11. Request to approve a covenant between the Atascadero Mutual Water Company and the County of San Luis Obispo which will implement oak tree mitigation for the Templeton Road Widening Project. District 5.

The Board approves as recommended by the County Administrative Officer.

12. Submittal of a resolution establishing changes to the Traffic Regulation Codes for bikeways in the communities of Avila Beach, Cambria, Los Osos, Nipomo, San Luis Obispo and Templeton. Districts 1, 2, 3 and 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-93, adopted.

Consent Agenda - Sheriff - Coroner Items:

13. Submittal of a resolution to permit the destruction or disposal of certain Sheriff's Office records, documents and papers. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-94, adopted.

Public Comment Period:

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

Mr. Chuck Cesena; Mr. Keith Wimer - Sierra Club, Water Committee Chairperson; and Mr. Patrick McGidney: speak to the Los Osos Groundwater Basin Plan and related mitigation programs.

Mr. Richard Margetson: reads Condition 5B from the Coastal Development Permit regarding the Los Osos Water Conservation Program.

Ms. Julie Tacker and Dr. C. Hite: address concerns regarding the columns written by Tom Fulks. Additionally, Dr. Hite speaks to the importance of respect; and an article regarding the County named as a defendant in a lawsuit involving a Police Officer.

Mr. Jeff Edwards: requests the Board exclude vacation rentals from the Tourism Marketing District (TMD).

Mr. Ben DiFatta: comments on a newspaper article regarding new water restrictions in Los Osos (photograph).

Mr. Eric Greening: discusses a recommendation by the Planning Commission to research carbon sequestration; and provides a list of co-authors relating to this issue.

Ms. Linde Owen: speaks to the Board's decision to move forward with a new animal shelter; and addresses the Los Osos Wastewater Project (LOWWP). **No action taken.**

Board Business:

- 15.** Presentation of the 2014 Annual Agricultural Statistics for San Luis Obispo County. All Districts.

Chairperson Arnold: opens the floor to public comment without response and receives and files the 2014 Annual Agricultural Statistics.

Hearings

- 16.** Hearing to consider a request to approve (1) a resolution approving and authorizing submittal of the 2015-2019 Consolidated Plan and the 2015 Action Plan; (2) the 2015 projects for funding under the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG) Programs by the Homeless Services Oversight Council; and (3) allocation of Fiscal Year 2015-16 General Fund support for the identified homeless services projects, subject to the Fiscal Year 2015-16 budget approval and adoption. All Districts.

Chairperson Arnold: opens the floor to public comment.

Mr. Jim Patterson – El Camino Homeless Organization (ECHO) President and The LINK member (brochure); Mr. Bill Watt – ECHO Executive Director; and Mr. Scott Smith – Housing Authority of San Luis Obispo (HASLO) Executive Director: speak.

Supervisor Hill: states he will be abstaining from voting on this item.

RESOLUTION NO. 2015-95, a resolution approving and authorizing submittal of the Urban County of San Luis Obispo 2015-2019 Consolidated Plan and the 2015 Action Plan under the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grants (ESG) programs, adopted. Furthermore, the Board approves the 2015 projects for funding under the CDBG, HOME and ESG programs as recommended by the Homeless Services Oversight

Council; and approves allocations of Fiscal Year 2015-16 General Fund support for the identified homeless services projects, subject to Fiscal Year 2015-16 budget approval and adoption.

Motion by: Bruce S. Gibson

Second by: Frank R. Mecham

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

Closed Session Items:

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

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION (Government Code, section 54956.9).

1. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9. No. of potential cases: 2. 2. 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: 3. San Luis Obispo Government Attorney’s Union; 4. SLOCEA-Trades and Crafts; 5. Deputy County Counsel’s Association; 6. Sheriffs’ Management; 7. SLOCPPOA; 8. Deputy Sheriff’s Association; 9. DAIA; 10. SLOCPMPOA; 11. SLOCEA-Public Services, Supervisors, Clerical; 12. Unrepresented Management and Confidential Employees; and 13. ASLOCDS.

(Added Closed Session, per the addendum to the agenda. 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) 14. Mesa Community Alliance v. California Department of Parks and Recreation, et al.; 15. Los Osos Community Services District v. Golden State Water Company, et al. All Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Chairperson Arnold: 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.

Presentations

18. Submittal of a resolution proclaiming April 12-18, 2015 "San Luis Obispo County National Public Safety Telecommunicator Week." All Districts.

Chief Deputy Rob Reed: speaks.

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

RESOLUTION NO. 2015-96, a resolution proclaiming the week of April 12-18, 2015 as “San Luis Obispo County National Public Safety Telecommunicators Week” in San Luis Obispo County, adopted.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			

Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

19. Submittal of a resolution recognizing the Assistance League of San Luis Obispo County's opening of a new Assistance League® Thrift Store. All Districts.

Ms. Gail Stoneberg – Assistance League of San Luis Obispo County President: speaks.

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

RESOLUTION NO. 2015-97, a resolution recognizing Assistance League of San Luis Obispo County’s new Thrift Store, adopted.

Motion by: Adam Hill

Second by: Frank R. Mecham

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

Hearing:

20. Hearing to consider an amendment to the Health and Sanitation Ordinance, Title 8 of the San Luis Obispo County Code relating to regulation of the exportation of groundwater. All Districts.

Chairperson Arnold: opens the floor to public comment.

The reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3295, an ordinance regulating the exportation of groundwater, adopted. Furthermore, the Board directs the Clerk to publish the ordinance in its entirety.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

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

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, April 14, 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: April 23, 2015