

Tuesday, May 05, 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.**

**Board Business:**

- 22. Presentation from California Polytechnic State University, San Luis Obispo (Cal Poly) regarding efforts to update the Master Plan. All Districts.

**Chairperson Arnold:** states a request to move this item after the Board’s recess at 1:30 P.M.

**The Board moves the order of this item to 1:30 P.M.**

**Motion by:** Adam Hill

**Second by:** Lynn Compton

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			

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

**Mr. Eric Greening:** speaks.

**Consent Agenda – Review and Approval:**

- 1-20. This is the time set for consideration of the Consent Agenda.

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

**Supervisor Compton:** states she will be recusing from voting on Item No. 15.

The action taken for Consent Agenda items 1 through 20 on the following vote is indicated for each item.

**Motion by:** Bruce S. Gibson

**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			X (Item No. 15 only)
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

**Items: Set for Hearing:**

- 1. Introduction of an amendment to the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for Fiscal Year 2015-2016 and maintain the 0% Cambria growth rate per fiscal year for the period from July 1, 2015 through June 30, 2018; exempt from the California Environmental Quality Act (CEQA). Hearing date set for May 19, 2015. Districts 2 and 4.

**Ms. Linde Owen:** speaks.

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

**Bid Opening:**

2. Letter transmitting plans and specifications (Clerk's File) for the County Service Area (CSA) 23 / Atascadero Mutual Water Company (AMWC) / Garden Farms Community Water District (CWD) Emergency Intertie Project, Santa Margarita, for Board approval and advertisement for construction bids. Bid opening date set for Monday, June 1, 2015. District 5.

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

3. Letter transmitting contract documents (Clerk's File) for approval and advertisement of bids, and authorize Interim Director of General Services to award two Job Order Contracts for repair and remodeling construction work. Bid opening date set for Thursday, June 4, 2015. All Districts

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

**Consent Agenda - Board of Supervisors Items:**

4. Submittal of a resolution recognizing French Hospital Medical Center for receiving the Truven Health Analytics "Top 100 Hospital in the Nation" Award. District 3.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-109, adopted.**

5. Request to ratify a resolution honoring People's Self Help Housing on their 45th Anniversary. District 3.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-110, adopted.**

**Consent Agenda - General Services Items:**

6. Submittal of a bid opening report for the project to extend the Nacimiento Fiber to the County Operations Center and award of a construction contract to Daleo, Inc., the lowest responsible bidder, in the amount of \$356,287. Districts 1, 2, 3, and 5.

**Ms. Linde Owen:** speaks.

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

**Consent Agenda - Health Agency Items:**

7. Request to: 1) approve a Memorandum of Understanding authorizing San Luis Obispo County Behavioral Health Department's participation in the Workforce Education and Training Southern Counties Regional Partnership; and 2) grant delegation of authority to the Behavioral Health Administrator to sign the agreement as well as future amendments. All Districts.

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

8. Request to appoint Martin Bragg and retroactively appoint Marshall Hamilton to the Behavioral Health Board. All Districts.

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

**Consent Agenda - Parks & Recreation Items:**

9. Request to approve a FY 2015-16 through FY 2016-17 vendor contract including a two year renewal option with the California Hot Dog Company for food cart vendor service at the Avila Beach Front Street Plaza. District 3.

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

**Consent Agenda - Public Works Items:**

10. Submittal of a resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, pursuant to Section 21000 et seq., of the California Public Resources Code (CEQA), and approving the Cypress Mountain Drive Bridge Replacement Project and direct staff to proceed with associated project development activities. District 1.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-111, adopted.**

11. Submittal of a resolution establishing a bikeway naming policy for bikeways under Public Works jurisdiction. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-112, adopted.**

12. Submittal of a resolution to levy water availability charges for County Service Area No. 16 (Shandon), and County Service Area No. 23 (Santa Margarita). Districts 1 and 5.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-113, adopted.**

13. Submittal of a resolution requesting a functional classification change for four County roads including Air Park Drive, Pershing Drive, and Railroad Street in Oceano; and Los Osos Valley Road in Los Osos and San Luis Obispo. Districts 2 and 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-114, adopted.**

14. Submittal of a resolution establishing changes to the Traffic Regulation Codes for a yield sign at the intersection of Berwick Drive and Burton Drive, Cambria. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-115, adopted.**

15. Submittal of a resolution to levy sewer availability charges for County Service Area No. 7-A (Oak Shores) and for County Service Area No. 18 (San Luis Obispo Country Club Estates). Districts 1 and 3.

**Supervisor Compton:** states she is recusing from voting on this item.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-116, adopted.**

**Consent Agenda - Public Works Sitting as Flood Control District:**

16. Request to approve and execute an agreement for professional engineering services with HDR Engineering, Inc. in the amount of \$153,988 for construction management services on the County Service Area 23 (Santa Margarita) / Atascadero Mutual Water Company / Garden Farms Community Water District Emergency Intertie Project and authorize the Public Works Director to sign future amendments to the agreement in an amount not to exceed a contingency of \$15,400 for a total contract amount of \$169,388. District 5.

**Mr. Jeff Lee – Department of Public Works:** replaces page 22 of 23 of the agreement to label it Exhibit

D.

**Ms. Linde Owen:** speaks.

**This item is amended by replacing page 22 of 23 of the agreement to label it Exhibit D. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

17. Request to approve and execute an agreement for professional engineering services with HDR Engineering, Inc. in the amount of \$76,528 for construction management services on the County Service Area (CSA) 16 (Shandon) State Water Project Turnout and authorize the Public Works Director to sign future amendments in an amount not to exceed a contingency of \$7,600; for a total contract amount of \$84,128. District 1.

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

18. Request to approve an agreement with the Upper Salinas-Las Tablas Resource Conservation District for Implementation of Templeton Community Creek Stewardship and Maintenance Program. District 1.

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

**Consent Agenda - Sheriff - Coroner Items:**

19. Submittal of Inmate Welfare Fund Statement of Operations for FY 2013-14. All Districts.

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

**Consent Agenda - Social Services Items:**

20. Request to approve a FY 2015-16 renewal contract (Clerk's File) with the California State Association of Counties (CSAC) for the Welfare Client Data Systems (WCDS) Consortium in the amount of \$110,122. All Districts.

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

**Public Comment Period:**

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

**Dr. C. Hite:** presents and discusses a video called "Fearless" and addresses the need for compassion during the upcoming Budget Hearings.

**Ms. Rochelle Becker and Mr. David Weisman - Alliance for Nuclear Responsibility (video):** address the need to support Senate Bill (SB) 657. Additionally, Ms. Becker comments on Assembly Bill (AB) 361.

**Mr. Ben DiFatta:** comments on the Baltimore Riots; closure of Diablo Canyon Power Plant; Hilary Clinton's conflict of interest issues; and a Supervisor's acceptance of funds for a shelter foundation.

**Ms. Linde Owen:** suggests solar panels and wind generators be installed at the Diablo Canyon Power Plant; comments on green lawns sightings during a water crisis; and the need for well metering and water tanks.

**Ms. Julie Tacker and Mr. Eric Greening:** discuss the Philips 66 Rail Spur Project. Additionally, Mr. Greening addresses a San Luis Obispo City Council meeting regarding a rental inspection ordinance.

**Ms. Cindy Steinbeck:** states her family has been hosting meetings regarding water issues; presents and discusses a handout from a website called Cadiz and a flyer about local neighborhood meetings being held relating to the Paso Basin Water District.

**Supervisor Hill:** states May is National Mental Health Awareness Month.

**The Board directs staff to draft a letter of support for SB 657 and bring it back for the Board's consideration.**

**Motion by:** Bruce S. Gibson

**Second by:** Adam Hill

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			

**The Board direct staff to draft a letter of support of AB 361 and bring it back for the Board's consideration.**

**Motion by:** Debbie Arnold

**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			

**Board Business:**

- 23. Status report on implementation of the contract with Transitions Mental Health Association for the 50 Now Program, which provides housing and supportive services for chronically homeless individuals. All Districts.

**Chairperson Arnold:** opens the floor to public comment without response and receives and files the presentation.

- 24. Request to approve and direct the Chairperson to sign an acquisition agreement for the acquisition and renovation of two apartment complexes for homeless families participating in the CalWORKs Housing Support Program or in Child Welfare Services, and, if approved, authorize a corresponding budget adjustment in the amount of \$1,250,000 from the Social Services Realignment Trust to FC 180-Social Services Administration. District 5.

**(This item is amended by replacing the staff report to: 1) replace the subject line; 2) add two new recommendations (#4 and #5); and 3) clarify the financial impacts. The revised subject line reads as follows: "Request to approve an Acquisition Agreement and Operating Program Agreement for the acquisition and renovation of two apartment complexes for homeless families participating in the CalWORKs Housing Support Program or in Child Welfare Services, and, if approved, authorize a corresponding budget adjustment in the amount of \$1,250,000 from the Social Services Realignment Trust to FC 180- Social Services Administration. District 5.")**

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

**The Board:** 1) approves and authorizes the Chairperson to sign an Acquisition Agreement for: a) up to \$1,300,000 for a property acquisition of two apartment complexes with a total of nine units to be utilized by homeless families participating in the CalWORKs Housing Supports Program or in Child Welfare Services, and b) additional closing costs, improvements, and relocation costs in the amount of approximately \$350,000 as identified in the Acquisition Agreement and detailed in the associated Operating Program Agreement; 2) directs the Clerk of the Board to return the Acquisition Agreement to the Real Property Manager for recordation through escrow; 3) authorizes a

corresponding budget adjustment in the amount of \$1,250,000 from the Social Services Realignment Trust funds to Fund Center (FC) 180- Social Services Administration for the acquisition and renovation of two apartment complexes and for relocation costs associated with the acquisition; 4) approves and authorizes the Chairperson to sign a 3-year Operating Program Agreement (OPA) between the County of San Luis Obispo Department of Social Services and Family Care Network, Inc., to establish the roles and responsibilities for providing housing improvements, operating expenses, and case management services in an amount not to exceed \$734,516 for eligible homeless families participating in the CalWORKs Homeless Services Program (HSP) and homeless families participating in Child Welfare Services; and 5) approves and directs the Chairperson to waive the Request for Proposal (RFP) process for the sole source contracts with Family Care Network Inc.

**Motion by:** Debbie Arnold  
**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			

**Hearings:**

- 25. Hearing to consider a request by the Santa Margarita Cemetery District to amend the County’s Land Use and Circulation Element by changing the land use category on 3.63 acres from Agriculture to Public Facilities and make related area plan text and mapping amendments. District 5.

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

The Board holds the public hearing on the amendment recommended for approval by the Planning Commission as set forth in the attached exhibits and staff reports; RESOLUTION NO. 2015-117, a resolution to amend the San Luis Obispo County General Plan, the Land Use and Circulation Element and to approve the environmental document; the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3297, an ordinance amending specific sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code, adopted.

**Motion by:** Debbie Arnold  
**Second by:** Lynn Compton

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:**

- 26. 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

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

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: 4. San Luis Obispo Government Attorney’s Union; 5. SLOCEA-Trades and Crafts; 6. Deputy County Counsel’s Association; 7. Sheriffs’ Management; 8. SLOCPPOA; 9. Deputy Sheriff’s Association; 10. DAIA; 11. SLOCPMPOA; 12. SLOCEA-Public Services, Supervisors, Clerical; 13. Unrepresented Management and Confidential Employees; and 14. ASLOCDS.

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

Thereafter, pursuant to the requirements of the Brown Act, Assistant 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:**

- 22. Presentation from California Polytechnic State University, San Luis Obispo (Cal Poly) regarding efforts to update the Master Plan. All Districts.

**Cal Poly President Jeffrey Armstrong:** speaks.

**Ms. Linda Dalton:** presents a powerpoint.

**Chairperson Arnold:** opens the floor to public comment and receives and files the presentation.

**Presentations:**

- 27. Submittal of a resolution proclaiming May as "Living Schoolyard Month" in San Luis Obispo County. All Districts.

**Ms. Teresa Lees – County Office of Education:** speaks.

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

**RESOLUTION NO. 2015-118, a resolution proclaiming May as “Living Schoolyard Month” 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			

- 28. Submittal of a resolution proclaiming May 19, 2015 as "Viral Hepatitis Awareness Day" in San Luis Obispo County. All Districts.

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

**RESOLUTION NO. 2015-119, a resolution proclaiming May 19, 2015 as “Viral Hepatitis Awareness Day” in San Luis Obispo County, adopted.**

**Motion by:** Adam Hill

**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
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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			

29. Submittal of a resolution to recognize May as “National Foster Care Month” in San Luis Obispo County. All Districts.

**Ms. Tracy Schiro:** speaks.

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

**RESOLUTION NO. 2015-120, a resolution proclaiming May as “National Foster Care Month” 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			

**(Item No. 31 is to be heard before Item No. 30, per the Addendum to the Agenda.)**

**Board Business:**

31. Submittal of a resolution authorizing: 1) the surplus and sale of County-owned real property (former Atascadero library property) at 6850 Morro Road in Atascadero by public auction; and 2) a budget adjustment to reduce an outstanding loan to the County’s Capital Projects Fund and increase the Facilities Planning designation, by the amount of the net proceeds of sale less costs of sale. District 5.

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

**Ms. Linda Van Fleet – General Services Real Property Manager:** presents the Chairperson with 2 sealed written bids.

**Chairperson Arnold:** opens the (2) two sealed bids and announces the following: 1) Brad Hollstien has submitted an offer to purchase in the amount of \$1,379,000. The bid was procured by Jim Claassen from Country Real Estate, Inc., and a commission in the amount of 3% of the sales price is requested; and 2) Seneca Family of Agencies has submitted an offer to purchase in the amount of \$1,363,000. The bid was procured by David Silberstein from Meacham/Oppenheimer, Inc., and a commission in the amount of 3% of the sales price is requested.

**Ms. Van Fleet:** states the highest bid was submitted by Brad Hollstien in the amount of \$1,379,000 and oral bids must be 5% higher than the written bid, which is \$1,447,950.

**Chairperson Arnold:** opens the floor to oral bids.

**Ms. Tina Lehman, representing Seneca Family of Agencies:** announces a oral bid in the amount of \$1,447,951; states the name of the realtor and the name of the realtor’s employing brokerage is David Silberstein from Meacham/Oppenheimer, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Jim Claassen, representing Brad Hollstien:** announces a oral bid in the amount of \$1,500,000; states the name of the realtor and the name of the realtor’s employing brokerage is Jim Claassen from Country Real Estate, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful

bidder.

**Ms. Tina Lehman, representing Seneca Family of Agencies:** announces a oral bid in the amount of \$1,510,000; states the name of the realtor and the name of the realtor’s employing brokerage is David Silberstein from Meacham/Oppenheimer, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Jim Claassen, representing Brad Hollstien:** announces a oral bid in the amount of \$1,515,000; stae the name of the realtor and the name of your realtor’s employing brokerage is Jim Claassen from Country Real Estate, Inc.; the percentage of commission requested is 3%; and states she agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Tina Lehman, representing Seneca Family of Agencies:** announces a oral bid in the amount of \$1,525,000; the name of the realtor and the name of the realtor’s employing brokerage is David Silberstein from Meacham/Oppenheimer, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Jim Claassen, representing Brad Hollstien:** announces a oral bid in the amount of \$1,535,000; states the name of the realtor and the name of the realtor’s employing brokerage is Jim Claassen from Country Real Estate, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Tina Lehman, representing Seneca Family of Agencies:** announces a oral bid in the amount of \$1,550,000; states the name of the realtor and the name of the realtor’s employing brokerage is David Silberstein from Meacham/Oppenheimer, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Chairperson Arnold:** opens the floor to any other oral bids without response and closes the time for oral bids.

**The Board holds the public auction for the County’s former Atascadero Library property at 6850 Morro Road in Atascadero; accepts the offer from Seneca Family of Agencies in the amount of \$1,550,000; RESOLUTION NO. 2015-121, a resolution to surplus and sell County-owned Commercial Real Property located at 6850 Morro Road in the City of Atascadero, adopted; approves a Grant Deed transferring title of the property to the highest bidder; authorizes the County Real Property Manager to sign all other related documents to close the escrow; and authorizes a budget adjustment, to be completed by the Auditor’s office, after net proceeds of the sale have been determined, to reduce an outstanding loan to the County’s Capital Projects Fund and increase the Facilities Planning designation, by the amount of the net proceeds of sale less costs of sale.**

**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			

- 30. Submittal of a resolution authorizing: 1) the surplus and sale of County-owned real property (former Atascadero library property) at 6907 and 6925 Atascadero Avenue in Atascadero by public auction; and 2) a budget adjustment to reduce an outstanding loan to the County’s Capital Projects Fund and increase the Facilities Planning designation by the amount of the net proceeds of sale less costs of sale. District 5.

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

**Ms. Linda Van Fleet – General Services Real Property Manager:** presents the Chairperson with 3 sealed written bids.

**Chairperson Arnold:** opens the (3) three sealed bids and announces the following: 1) Michael Messer has submitted an offer to purchase in the amount of \$198,000. The bid was procured by Mike Messer from Central Coast Financial, and a commission in the amount of 3% of the sales price is requested; 2) Brad Hollstien has submitted an offer to purchase in the amount of \$207,995. The bid was procured by Jim Claassen from Country Real Estate, Inc., and a commission in the amount of 3% of the sales price is requested; and 3) Seneca Family of Agencies has submitted an offer to purchase in the amount of \$198,000. The bid was procured by David Silberstein from Meacham/Oppenheimer, Inc., and a commission in the amount of 3% of the sales price is requested.

**Ms. Van Fleet:** addresses the acceptability of the last bid based on a contingency term listed in the Bid that the bid is valid if Seneca Family of Agencies is the highest bidder for the property on 6850 Morro Road (previous item), with Ms. Nina Negranti responding. Further, states the highest bidder was from Mr. Hollstien in the amount of \$207,995 and oral bids must be 5% higher than the written bid, which is \$218,395.

**Chairperson Arnold:** opens the floor to oral bids.

**Ms. Tina Lehman, representing Seneca Family of Agencies:** announces a oral bid in the amount of \$230,000; states the name of the realtor and the name of the realtor’s employing brokerage is David Silberstein from Meacham/Oppenheimer, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Mike Messer:** announces a oral bid in the amount of \$235,000; the name of the realtor and the name of your realtor’s employing brokerage is Mike Messer from Central Coast Financial; the percentage of commission requested is 3%; and states he agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Ms. Tina Lehman, representing Seneca Family of Agencies:** announces a oral bid in the amount of \$250,000; states the name of the realtor and the name of the realtor’s employing brokerage is David Silberstein from Meacham/Oppenheimer, Inc.; the percentage of commission requested is 3%; and agrees to the terms of sale as outlined today and agrees to sign the County’s bid form following the sale, if the successful bidder.

**Chairperson Arnold:** opens the floor to any other oral bids without response and closes the time for oral bids.

**The Board holds the public auction for the County’s former Atascadero library property at 6907 and 6925 Atascadero Avenue; accepts the offer from Seneca Family of Agencies in the amount of \$250,000; RESOLUTION NO. 2015-122, a resolution to Surplus and Sell County-Owned Residential Multi-Family Real Property located at 6907 and 6925 Atascadero Avenue in the City of Atascadero, adopted; approves a Grant Deed transferring title of the property to the highest bidder; authorizes the County Real Property Manager to sign all other related documents to close the escrow; authorizes a budget adjustment, to be completed by the Auditor’s office, after net proceeds of the sale have been determined, to reduce an outstanding loan to the County’s Capital Projects Fund and increase the Facilities Planning Designation, by the amount of the net proceeds of sale less costs of sale.**

**Motion by:** Frank R. Mecham

**Second by:** Adam Hill

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			

**Hearings:**

**32.** Hearing to consider an appeal by Mildred Miyazaki and Terri Perevoski of the Planning Department Hearing Officer’s decision to approve a Minor Use Permit / Coastal Development Permit (DRC2014-00030) to establish a residential vacation rental at 656 Santa Lucia Avenue, in the community of Los Osos. District 2.

**Mr. Cody Scheel – Department of Planning and Building:** amends the resolution by replacing the first page of the resolution to correct minor typographical errors in the resolution title.

**Mr. Jeff Edwards – representing the Applicants (letter) and Sharon Witte – owner of subject property:** speak.

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

**Ms. Miyazaki and Mr. Edwards:** provide closing statements.

**On motion by Supervisor Bruce S. Gibson, seconded by Supervisor Frank R. Mecham, to deny the appeal and uphold the decision of the Planning Department Hearing Officer; with a modification to a condition to require either a submission of a waiver request to the Regional Board or the removal of the unpermitted bathrooms within 3 months of the approval of this project, is discussed.**

**Mr. Edwards:** speaks to the 90 day timeframe, with Ms. Whitney McDonald – Deputy County Counsel responding.

**The motion maker adds to the motion direction to staff to work with the applicant, independent of this permit, to get the unpermitted bathrooms resolved within a 3 to 6 month time period, with the second concurring.**

**Staff:** presents the modification language to Condition 1.b. as requested by the motion maker.

**The Board amends the resolution by replacing the first page to correct typographical errors in the resolution title; and amends Exhibit B - Revised Conditions of Approval, under Authorized Use, Section 1. Subsection b., by adding the words "Within 90 days of the approval of this permit:" to the beginning of the paragraph. Furthermore, RESOLUTION NO. 2015-123, a resolution denying the appeals of Terri Perevoski and Mildred Miyazaki, affirming the decision of the Planning Department Hearing Officer, and conditionally approving the application of Pamela Rutledge & Morro Bay Legacy LLC for Minor Use Permit / Coastal Development Permit DRC2014-00030, adopted as amended and based on the Findings listed in Exhibit “A” and Conditions of Approval listed in Exhibit “B”. Additionally, staff is directed to work with the applicant, independent of this permit, to get the unpermitted bathrooms resolved within a 3 to 6 month time period.**

**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			

**33.** Hearing to consider the 2012-2014 Biennial Summary Report of the Resource Management System (RMS) that summarizes the condition of the following resources throughout the County: water supply and systems, wastewater treatment, roads and U.S. Highway 101 interchanges, air quality, parks, and schools. All Districts.

**Mr. Brian Pedrotti – Department of Planning and Building:** amends the Biennial Summary Report on Page 22 of 183, Table I-4 -- Recommended Levels of Severity – Water Supply, to remove the words “and for the Atascadero Sub-Basin” from the Recommendation Actions field for the Paso Robles Groundwater Basin; on Page 32 of 183, Table II-2 – Groundwater Basins, the Safe Basin Yield (AFY) for the Nipomo Mesa Management Area should read: “(1) No estimate available” not “4,800 – 6,000” and

the words “DWR (2002) estimated the dependable yield (DWR 2002. Page ES21) at 4,800 AFY to 6,000 AFY, which was prior to the formal establishment of the NMMA.” should be removed from the Notes field; and on Page 33 of 183, Table II-2 – Groundwater Basins, the AFY for Pozo Valley should read: “(1) No estimate available” not “1,000”, and removes the first sentence in the Notes field that reads: “There are some small public water systems in the basin”.

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

**Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Mr. Eric Greening; Mr. Joe Patterson – Santa Margarita Area Advisory Council; and Ms. Amanda Rice:** speak.

**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.**

**Chairperson Arnold:** addresses her concerns with the format of the report.

**The Board amends the Biennial Summary Report on Page 22 of 183, Table I-4 -- Recommended Levels of Severity – Water Supply, to remove the words “and for the Atascadero Sub-Basin” from the Recommendation Actions field for the Paso Robles Groundwater Basin; on Page 32 of 183, Table II-2 – Groundwater Basins, the Safe Basin Yield (AFY) for the Nipomo Mesa Management Area should read: “(1) No estimate available” not “4,800 – 6,000” and the words “DWR (2002) estimated the dependable yield (DWR 2002. Page ES21) at 4,800 AFY to 6,000 AFY, which was prior to the formal establishment of the NMMA.” should be removed from the Notes field; and on Page 33 of 183, Table II-2 – Groundwater Basins, the AFY for Pozo Valley should read: “(1) No estimate available” not “1,000”, and removes the first sentence in the Notes field that reads: “There are some small public water systems in the basin”. Furthermore, the Board approves the 2012-2014 Biennial Resource Summary Report and recommendations as amended; and directs County staff to implement the applicable recommendations of the 2012-2014 Biennial Resource Summary Report.**

**Motion by:** Bruce S. Gibson

**Second by:** Adam Hill

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, May 05, 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:** May 7, 2015