

Tuesday, November 24, 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:**

**1-16.** 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 16 on the following vote is indicated for each item.

**Motion by:** Adam Hill  
**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 - Administrative Office Items:**

**1.** Request to approve a grant from the Federal Fiscal Year 2015 Emergency Management Performance in the amount of \$182,047 and approve a related budget adjustment of \$31,186. All Districts.

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

**2.** Submittal of the FY 2015-16 First Quarter Financial Status Report and request to approve a Position Allocation List adjustment as detailed in Section 3 of the report and various financial actions as detailed in Section 4. All Districts.

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

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

**3.** Submittal of the Annual Compliance Audit of the County Treasurer’s Investment Policy and Oversight Procedures for Fiscal Year Ended June 30, 2015 All Districts.

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

**4.** Request to appoint Dr. Sheldon K. Smith to the County Treasury Oversight Committee as County Superintendent of Schools Designee. All Districts.

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

**5.** Request to approve the 2016 County Treasury Investment Policy. All Districts.

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

**6.** Request to approve rate adjustment for garbage hauling services provided by Mission Country

Disposal, San Luis Garbage Company, and South County Sanitary Service. All Districts.

**Ms. Amanda Rice:** speaks.

**Mr. Jim Hamilton – Assistant Auditor, Controller, Treasurer, Tax Collector:** responds to Ms. Rice's comments.

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

7. Submittal of a report of the Annual Fiscal and Compliance Review of establishments subject to the County Transient Occupancy Tax Ordinance for calendar year 2014. All Districts.

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

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

8. Submittal of a resolution honoring Lorna Whiteaker of SCORE in San Luis Obispo County. All Districts.

**Ms. Debbie Peterson:** speaks.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-311, adopted.**

**Consent Agenda - Health Agency Items:**

9. Request to approve an eighteen month agreement with the California Healthcare Foundation for a Regional Opioid safety grant in the amount of \$60,000 to prevent overdose deaths due to opiates throughout the County. All Districts.

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

**Consent Agenda - Human Resources Items:**

10. Submittal of a resolution to reassign the Waste Water Systems Worker IV job classification from bargaining unit 02 to bargaining unit 05. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-312, adopted.**

11. Submittal of a Resolution approving 1) increases in employee-paid pension contribution rates and County appropriation rates per applicable Memoranda of Understanding, and 2) amendments to the San Luis Obispo County Employees Retirement Plan Appendices for employees in the Association of San Luis Obispo County Deputy Sheriffs, the District Attorney Investigators Association, the Deputy County Counsel Association, the Deputy Sheriffs' Association, the San Luis Obispo County Employees' Association, the San Luis Obispo County Probation Peace Officers' Association, the San Luis Obispo County Sheriff's Managers Association, the San Luis Obispo County Government Attorneys' Union, and Unrepresented employees. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-313, adopted.**

**Consent Agenda - Public Works Items:**

12. Request to approve an agreement for professional engineering services with Cannon Corporation, in the amount of \$146,854 to prepare preliminary plans, specifications, and estimates for the Front Street Revitalization Project in Oceano; and authorize the Public Works Director to sign amendments to the agreement. District 4.

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

13. Submittal of a resolution approving the Nacimiento Lake Drive at Adelaida Road Left Turn Lane Addition Project, adopting the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program pursuant to Section 21000 et seq., of the California Public Resources Code (CEQA), and directing staff to proceed with associated project development activities. District 1.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-314, adopted.**

14. Request to approve a first Amendment to the Board of State and Community Corrections (BSCC) Jail Construction Agreement, Women's Jail Expansion, to extend the deadline to receive AB 900 funding. All Districts.

**Mr. Dave Flynn – Department of Public Works:** replaces Page 2 of the agreement.

**This item is amended by replacing page 2 of the agreement to correct all references to "second amendment" to read "first amendment". Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

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

15. Request to appoint Anthony Lindstrom and Matthew Hubbard of Golden State Water Company as member and alternate member to the Water Resources Advisory Committee. All Districts.

**Mr. Eric Greening:** speaks.

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

**Consent Agenda - Social Services Items:**

16. Submittal of a resolution proclaiming November 2015 as "Family Caregivers Appreciation Month" in San Luis Obispo County. All Districts.

**Ms. Allene Villa – United Domestic Workers (UDW) District Chairperson:** speaks.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-315, adopted.**

**Public Comment Period:**

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

**Mr. Tommy Gong - County Clerk-Recorder:** speaks to the process and deadline for the Paso Robles Basin Water District (PRBWD) nomination filing period.

**Mr. Eric Greening:** discusses the sewage sludge draft ordinance and recommends it be suspended until it can conform to the Board's direction.

**Mr. David Weisman - Volunteer Station Host:** provides information for Amtrak travelers during the Thanksgiving holiday.

**Mr. Ben DiFatta:** addresses various concerns regarding terrorists.

**Dr. C. Hite:** speaks the Thanksgiving holiday and its meaning.

**Councilman Dan Carpenter:** expresses concerns regarding the actions made by a Supervisor.

**Ms. Linde Owen and Mr. Richard Margetson:** discuss the recent Regional Water Quality Control Board regarding the Los Osos Basin Management Plan. Additionally, Ms. Owen comments on the septic management program and homeless emergency shelter.

**Ms. Amanda Rice:** provides her gratitude to County staff and departments for their extensive preparation efforts for the upcoming El Nino.

**Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB):** speaks to the recently approved PACE program. **No action taken.**

**Board Business:**

**18.** Review of the FY 2016-17 Budget Goals and Policies, Budget Balancing Strategies and Approaches, and Board Priorities. All Districts.

**Chairperson Arnold:** recommends adding a fourth priority for road maintenance and road infrastructure related maintenance, is discussed. Further, opens the floor to public comment.

**Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB); and Mr. Eric Greening:** speak.

**A motion by Chairperson Debbie Arnold, to add a fourth priority for road maintenance, dies for a lack of a second.**

**The Board: 1) reviews and approves the FY 2016-17 Budget Goals and Policies; 2) reviews and approves the Budget Balancing Strategies and Approaches; and 3) approves the established Board’s Priorities outlined in the staff report.**

**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**

**19.** Hearing to consider an ordinance amending Title 19 (Building and Construction Ordinance) to adopt by reference Sections 490-495, Chapter 2.7, Division 2, Title 23 in the California Code of Regulations the Model Water Efficient Landscape Ordinance as mandated by the State of California Department of Water Resources per Gubernatorial Executive Order B-29-15. All Districts.

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

**Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB):** speaks.

**Chairperson Arnold:** recommends adding language that this be revisited upon the expiration of the Gubernatorial Executive Order, is discussed.

**The reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3311, an ordinance amending Title 19 of the San Luis Obispo County Code, the Building and Construction Ordinance, by adding new Chapter 19.95, incorporating by reference the California Model Water Efficient Landscape Ordinance, Sections 490-495, Chapter 2.7, Division 2, Title 23 of the California Code of Regulations, adopted. Further, the Board approves the proposed General Rule Exemption in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.**

**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			

**Closed Session Items:**

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

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) Mesa Community Alliance v. State of California Department of Parks and Recreation, 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 (SLOGAU); (5) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (6) Deputy County Counsel’s Association (DCCA); (7) Sheriffs’ Management; (8) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (9) Deputy Sheriff’s Association (DSA); (10) District Attorney Investigators’ Association (DAIA); (11) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (12) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (13) Unrepresented Management and Confidential Employees; and (14) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDs).

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code section 54956.8.) It is the intention of the Board to meet in closed session to have a conference with its Real Property Negotiator concerning the following: (15) Property Description: 249 12th Street, Units A and B, San Miguel (APN 021-252-009); Agency Real Property Negotiator: Shauna Dragomir, Real Property Manager; Party with Whom Negotiating: John Haggerty; Instructions to Negotiator: Price, Terms, and Conditions.

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

**Ms. Rita Neal – County Counsel:** states there is no Closed Session today.

**Presentations:**

**21.** Submittal of a resolution recognizing Steve McGrath for 10 years of dedicated service to the Port of San Luis Harbor District. All Districts.

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

**Mr. Jim Hartig – Avila Beach Advisory Council; Ms. Mary Matakovich - Port San Luis Harbor District; and Mr. Eric Greening:** speak.

**Mr. Steve McGrath:** speaks.

**RESOLUTION NO. 2015-316, a resolution recognizing Steve McGrath for 10 years of dedicated service to the Port San Luis Harbor District, adopted.**

**Motion by:** Adam Hill  
**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			

22. Submittal of a resolution recognizing the United Way Workplace Giving Program in San Luis Obispo County. All Districts.

**Mr. Rick London - United Way and Mr. Pete Manzo (powerpoint):** speak.

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

**RESOLUTION NO. 2015-317, a resolution recognizing the United Way Workplace Giving Program in San Luis Obispo County, adopted.**

**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			

23. Submittal of a resolution recognizing the Dana Adobe Nipomo Amigos as the recipient of the 2015 Governor's Historic Preservation Award. All Districts.

**Mr. Rudy Stowell – Dana Adobe President; Ms. Marina Washburn; and Mr. Alan Daurio – Dana Adobe:** speak.

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

**RESOLUTION NO. 2015-318, a resolution recognizing the Dana Adobe Nipomo Amigos as the Recipient of the Governor’s Historic Preservation Award for 2015, adopted.**

**Motion by:** Lynn Compton  
**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			

**Board Business:**

24. Receive and file a report regarding the financial and programmatic options to implement an Assisted Outpatient Treatment pilot program, and provide direction to staff as necessary. All Districts.

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

**Mr. Eric Greening; and Ms. Sophie Treder:** speak.

The Board receives and files a report regarding financial and programmatic options to implement an Assisted Outpatient Treatment pilot program and directs staff to: try to reduce costs; reconcile a cost comparison from other counties; look at Mental Health Services Act funding and programming as a viable funding source; evaluate any other funding sources to reduce General Fund contributions; continue to look at a contractor operated or in-house program; bring back options, including pros and cons of either approach; Chairperson Arnold and Supervisor Hill will participate with staff as a subcommittee on this matter; moving forward, build the costs in the 2016/17 budget; use of the court order method; and depending on the work of the subcommittee, bring back the documentation needed to implement the program.

**Hearings:**

- 25. Hearing to consider an ordinance implementing the County Fee Schedule "A" for Calendar Year 2016 and Fee Schedule "B" for Fiscal Year 2016-17. All Districts.

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

**Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB):** speaks.

**Supervisor Compton:** states without analyzing the fees one by one, she cannot support the adoption of the fee schedule, is discussed.

**Chairperson Arnold:** addresses this is not right time to raise fees.

**The reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3312, an ordinance amending County Fee Schedule, adopted.**

**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, November 24, 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:** December 16, 2015