

Tuesday, February 16, 2016

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, Debbie Arnold and Chairperson Lynn Compton

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON LYNN COMPTON.

Public Comment Period:

1. 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: reviews the ballots types mailed out for the March 8, 2016 Paso Robles Basin Water District election; voter information and deadlines; and states today is the first day of nominations for the June 7, 2016 Presidential Primary election.

Ms. Marguerite Bader - League of Women Voters President: discusses the league's civil discourse efforts and next steps.

Mr. Ben DiFatta: speaks to the Los Osos Wastewater Project (LOWWP).

Ms. Julie Tacker and Mr. Richard Margetson: address concerns regarding a member of the public who wasn't allowed to make his commentary at a recent Board meeting. Additionally, Ms. Tacker speaks to an opinion in the Tribune by the District 2 Supervisor.

Mr. Keith Wimer (document) and Mr. Patrick McGibney (document) - Local Chapter of the Sierra Club and Los Osos Sustainability Group; Mr. Bill Moylan; and Mr. Chuck Cesena: requests the LOWWP conservation grant funds be used towards conservation, not construction administration, during the sewer connection phase of the project.

Dr. C. Hite: presents and discusses 15 years of agendas and her public commentary.

Ms. Linde Owen: comments on the sanitation districts review of John Wallace; and the delayed Los Osos Septic Management Program.

Supervisor Arnold: questions if hot water re-circulation is included in the LOWWP Water Conservation Program and the County's efforts regarding the repurposing of septic tanks, with Mr. Wade Horton - Public Works Director and Supervisor Gibson responding. **No action taken.**

Board Business:

2. Submittal of a Fiscal Year 2016-17 County and State Budget update. All Districts.

Board Members: discuss various comments and questions regarding: potential impacts from the increase in Medi-Cal caseloads and Assembly Bill 403; the payment of monthly pension obligations; the use of transportation funds; one-time expense allocations; the uncertainty of the Governor's proposed 3.6 billion transportation funding plan; the need to be cautious with spending money; and potential budgetary impacts if the Diablo Canyon is not re-licensed, with Ms. Emily Jackson – Administration Office, Mr. Dan Buckshi – County Administrative Officer, and Mr. Dave Flynn - Department of Public Works responding.

Chairperson Compton: opens the floor to public comment.

Ms. Debbie Peterson: speaks.

Chairperson Compton: receives and files the update.

A motion to add Road Maintenance as a fourth priority.

Motion by: Debbie Arnold

Second by: Lynn Compton

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

The motion on the floor fails.

3. Adoption of the Five Year Infrastructure and Facilities Capital Improvement Plan. All Districts.

Supervisor Hill: addresses the need to play a more active role in prioritizing infrastructure improvements on Highway 227 between Tank Farm Road and Price Canyon Road, Highway 101, and Tank Farm Road to South Higuera Street, and work on these regional issues with the City, Cal-Trans, San Luis Obispo Council of Governments (SLOCOG), with Mr. David Grim - Administration Office, Board Members, and Mr. Dan Buckshi – County Administrative Officer responding.

Board Members: discuss each of their concerns, questions, and comments regarding: transportation funding; the Board’s necessary leadership to coordinate with Cities, prioritize within funding opportunities, and advocate for ways to raise revenue; better portraying project prioritization in the Capital Improvement Plan; road maintenance fees in the SLO fringe improvement area; the status on the Animal Shelter project; and the expenditures on the Prado facility, with Mr. Dave Flynn – Public Works Deputy Director and Mr. Buckshi responding.

On motion by Supervisor Adam Hill, seconded by Supervisor Bruce S. Gibson, to approve staff recommendations; and direct staff to make traffic issues along the Highway 227 corridor from Tank Farm Road to Price Canyon Road, and Highway 101 as the highest regional transportation issue, is discussed.

Ms. Rita Neal – County Counsel: clarifies the motion on the floor is a tentative motion at this time to allow for public comment.

Chairperson Compton: opens the floor to public comment.

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

Supervisor Mecham: questions on-going and one-time expenses, with Mr. Buckshi responding.

Supervisor Arnold: asks motion maker to separate staff recommendations and the direction to staff, with the motion maker responding. Further, states she is not supporting the motion, feels it is inappropriate and should have been separated, and that the regional transportation issue should be handled through the appropriate body, SLOCOG.

The Board reviews and accepts the proposed Five Year Infrastructure and Facilities Capital Improvement Plan, Fiscal Year (FY) 2016-2017 through FY 2020-2021, and acting in the capacity of the County Planning Agency, pursuant to Government Code 65401, finds that the Capital Improvement Plan conforms to the adopted County General Plan. Furthermore, directs staff to prioritize the regional transportation infrastructure improvements along Highway 227 to Tank Farm Road and Price Canyon Road, and Highway 101 through the Shell Beach area, as the highest regional transportation issue.

Motion by: Adam Hill

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
-------------	------	------	---------	--------

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

4. Report on Department of Planning and Building Priorities. All Districts.

Supervisor Mecham: questions when the San Miguel Community Plan will be finalized, with Mr. Rob Fitzroy - Department of Planning and Building responding.

Chairperson Compton: opens the floor to public comment.

Ms. Jamie Kirk; Mr. Mike Brown - Coalition of Labor, Agriculture, and Business (COLAB); Mr. Beau (Bo) Kramer - Kramer Events; Mr. Ron Holland; Mr. Dave Schmit; Mr. Steven Herring - All About Events; Ms. Korinna Peterson; Mr. Tavener Holland; Mr. Rich Secchiaroli; Ms. Karen Tallent: speaks.

Board Members: address various questions, comments, and concerns regarding the Inland Vacation Rental Ordinance as follows: the progress of stakeholder outreach; extending the public review period; looking at an economic analysis on the inventory; whether the complaints are a countywide issue or specific to the Adelaida area (wanting to see a map of all the complaints); what can be done now to help with the complaints in the 1st District; and when Williamson Act properties were restricted, with Mr. Jim Bergman – Planning and Building Director, Mr. Airlin Singewald – Planning and Building, and Mr. Holland responding. Further, discuss issues regarding craft breweries, with Mr. Bill Robeson – Planning and Building responding.

Supervisor Mecham: states he cannot support the suggestion to extend the public review period.

On motion by Supervisor Bruce S. Gibson, seconded by Supervisor Adam Hill, to direct staff to address the issues raised regarding crafting distilleries/breweries and continue the development of that ordinance; and to extent the Inland Vacation Rental Ordinance public review period, as staff deems necessary, work with the public for input and continue consideration of all relevant issues, is discussed.

Chairperson Compton: asks if the motion maker will add an economics analysis for the Inland Vacation Rental Ordinance, with the motion maker stating he is leaving it up to staff to determine the level of economic analysis that is needed, based on the public input, and allow that to be part of the process. Further, Supervisor Mecham questions if the potential economic analysis will be specific to vacation rentals; and addresses the need to recognize possible conflicts in Williamson Act policies between the Ag Commissioner’s Office and the Planning Department.

Supervisor Arnold: encourages staff to better understand the distillery crafting industry.

The Board receives the report on the Department of Planning and Building priorities; and directs staff to: 1) address the issues raised regarding crafting distilleries/breweries and continue the development of that ordinance; and 2) to extent the Inland Vacation Rental Ordinance public review period, as staff deems necessary, work with the public to gather input and continue consideration all relevant issues.

Motion by: Bruce S. Gibson

Second by: Adam Hill

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

Closed Session Items:

5. 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: Three; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Three.

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) Ethnobotanica v. County of San Luis Obispo, et al.; (4) Steinbeck Vineyards #1, LLC, et al. v. County of San Luis Obispo, 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: (5) San Luis Obispo Government Attorney's Union (SLOGAU); (6) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (7) Deputy County Counsel's Association (DCCA); (8) Sheriffs' Management; (9) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (10) Deputy Sheriff's Association (DSA); (11) District Attorney Investigators' Association (DAIA); (12) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (13) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (14) Unrepresented Management and Confidential Employees; and (15) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

Chairperson Compton: opens the floor to public comment.

Ms. Rita Neal – County Counsel: states there are no matters to discuss in Closed Session. **No action taken.**

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, February 16, 2016, 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: February 21, 2016