

Tuesday, April 12, 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.**

**Consent Agenda – Review and Approval:**

1-11. This is the time set for consideration of the Consent Agenda.

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

The action taken for Consent Agenda items 1 through 11 on the following vote is indicated for each item.

**Motion by:** Bruce S. Gibson  
**Second by:** Frank R. Mecham

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			

**Items: Set for Hearing:**

1. Introduction of an ordinance to amend Title 30, amending the contribution and expenditure amount to reflect Government Code 84615 and allow an exemption to file in a paper format. Hearing Date set for April 19, 2016. All Districts.

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

**Consent Agenda - Airports Items:**

2. Request to approve contracts with Pacific Gas and Electric Company in the amount of \$190,719 to underground aerial power lines at the San Luis Obispo County Regional Airport as part of the new terminal construction project. District 3.

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

**Consent Agenda - Assessor Items:**

3. Request to approve a resolution requiring assessment staff who make change in ownership and exemption decisions be certified by the State Board of Equalization. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-91, adopted.**

**Consent Agenda - Health Agency Items:**

4. Submittal of a resolution amending the Position Allocation List for Fund Center 137 – Animal Services by deleting a 1.00 FTE Administrative Assistant position and adding a 1.00 FTE Animal Control Officer

position to more effectively operate the Health Agency's Animal Services Division. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-92, adopted.**

**Consent Agenda - Human Resources Items:**

5. Submittal of a resolution approving the new job classification and establishing the salary range of Safety Coordinator – Public Works. All Districts.

**Chairperson Compton and Supervisor Arnold:** question the need and salary range classification for the position, with Mr. Dave Flynn - Department of Public Works and Mr. Dan Buckshi - County Administrative Officer responding.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-93, adopted.**

**Consent Agenda - Public Works Items:**

6. Request to approve a sole source agreement for professional environmental consulting services with Far Western Anthropological Research Group, Inc., for an amount not to exceed \$189,591 for archaeological services for the Los Osos Wastewater Laterals Connection. District 2.

**Mr. Eric Greening and Ms. Linde Owen:** speak.

**Ms. Kate Ballantyne – Department of Public Works:** responds to the questions asked by the public.

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

7. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the San Miguel Gateway and Pedestrian Enhancements, San Miguel. District 1.

**Supervisor Mecham:** comments on the gateway and pedestrian enhancements.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-94, adopted.**

8. Submittal of a resolution authorizing submittal of grant applications to the California Department of Resources Recycling and Recovery to enhance the California Redemption Value (CRV) program. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-95, adopted.**

9. Request to approve a Solid Waste Collection Franchise Agreement with Paso Robles Country Disposal. District 1.

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

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

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-96, adopted.**

**Consent Agenda - Social Services Items:**

11. Request to appoint Janna Nichols to the Homeless Services Oversight Council (HSOC). All Districts.

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

**Presentations:**

- 12.** Presentation of the Commission on the Status of Women's 2015 annual report and submittal of resolutions recognizing Cherie Michaelson, Jacqueline Frederick, and Marina Washburn for receiving the "Women's Hall of Fame" Award. All Districts.

**Ms. Amanda King (powerpoint); Ms. Kathy Veder; Ms. Julie Jones; Ms. Helen Daurio (speaks on behalf of Marina Washburn who is not present); and Ms. Jacqueline Frederick: speak.**

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

**Ms. Beverly Colen – Association of American University Woman (AAUW), San Luis Obispo County Branch (document) and Ms. Debbie Peterson: speak.**

**The Board receives and files the Commission on the Status of Women’s 2015 annual report; RESOLUTION NO. 2016-97, a resolution recognizing Cherie Michaelson for receiving the Commission on the Status of Women “Women’s Wall of Fame” Award; RESOLUTION NO. 2016-98, a resolution recognizing Jacqueline Frederick for receiving the Commission on the Status of Women “Women’s Wall of Fame” Award; and RESOLUTION NO. 2016-99, a resolution recognizing Marina Washburn for receiving the Commission on the Status of Women “Women’s Wall of Fame” Award, adopted.**

**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			

- 13.** Submittal of a resolution recognizing the Reserve Officers' Training Corps (ROTC) for its 100th Anniversary. All Districts.

**Lieutenant Colonel Joshua Gillen – Cal Poly Military Science and Tactics (PMS&T) Professor and Mr. Everette Brooks – Cal Poly Student Clubs & Organizations Assistant Director: speak.**

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

**RESOLUTION NO. 2016-100, a resolution recognizing the Reserve Officers' Training Corps (ROTC) for its 100th Anniversary, adopted.**

**Motion by:** Frank R. Mecham

**Second by:** Debbie Arnold

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			

**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. Eric Greening:** requests the Library’s hours of operation, staffing, and water actions being

considered on May 24, 2016 be included when preparing the proposed budget.

**Mr. Ben DiFatta:** addresses concerns regarding local farm owners purchasing a housing complex in Nipomo for their workers.

**Ms. Jeanne Blackwell:** speaks to a study regarding health and safety impacts from hydraulic fracking and well stimulation; and a proclamation and declaration to a safe, clean, healthy environment.

**Ms. April Dury:** thanks Chairperson Compton for the information she provided regarding District 4; requests more public outreach on matters pertaining to District 3; and announces a Supervisor debate on April 14, 2016.

**Dr. C. Hite:** presents and discusses past agendas; and provides her gratitude to people who treat her well.

**Ms. Julie Tacker:** addresses staff's response on Item No. 6; a ribbon cutting event relating to the Los Osos Wastewater Project (LOWWP); the Diablo Canyon Desalination project regarding Supervisor Hill's comments and desalination permits that have not been reviewed by staff.

**Ms. Linde Owen:** commends Ms. Blackwell and Ms. Tacker for their comments; and discusses various matters relating to the LOWWP. **No action taken.**

#### Hearings:

15. Request to approve (1) the 2016 Action Plan; (2) the 2016 projects for funding under the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG) Programs; and (3) FY 2016-17 General Fund Support (GFS) allocations for the 2016 homeless related programs; and 4) proposed amendment to the 2014 Action Plan. All Districts.

**Mr. Matt Leal – Department of Planning and Building:** provide the staff presentation (powerpoint) and addresses a typographical error on page 8 of 8 of the staff report, correcting the Tenant Based Rental Assistance Project creation year to read "2014" not "2016".

**Supervisor Hill:** addresses the rating criteria; two areas not evaluated (housing first programs and low bearers); questions the efforts to allocate funds and the work with shelters to lower barriers and the emphasis on housing; and future rating criteria revisions, with Ms. Ivana Yeung – Department of Planning and Building responding.

**Supervisor Arnold:** questions the following: funding allocations to housing projects; the Iron Works Apartments, its number of units, who has the authority to determine tenancy; and if the Tenant Based Rental Assistance is a countywide project, with Mr. Leal and Mr. Tony Navarro - Department of Planning and Building responding.

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

**Mr. Michael Burke – Housing Authority of San Luis Obispo; Ms. Susan Warren – North County Connection and Homeless Services Oversight Council Member; Mr. Richard Morrison (speaker statement); Dr. C. Hite; Ms. Janna Nichols – 5 Cities Homeless Coalition; Mr. James Patterson – El Camino Homeless Organization (ECHO) and Central Coast Link; Mr. Chuck Jehle – Mission Community Services Corporation (letter); Ms. Carol Ramirez - Interest Legal; Mr. Bryn Smith - Community Action Partnership of San Luis Obispo (CAPSLO); and Mr. Ken Trigueiro – People's Self-Help Housing:** speak.

**Board Members:** address options regarding: redirecting CDBG funds to more housing based projects and increasing General Fund support; discuss being cautious about allocating general funds towards programs; and the need to direct resources to county residents, with Mr. Buckshi and Mr. Leal responding.

**On motion by Supervisor Gibson, seconded by Supervisor Arnold, to approve staff's recommendations; direct staff to engage with the cities about shifting CDBG funding from sidewalk improvements towards housing; direct the Administration Office to work with the appropriate staff**

**and agencies on increasing General Fund support for programs through the upcoming budget process, is discussed.**

**Supervisor Arnold:** asks if there will be an opportunity to come back to allocate funds to the Mission Community Services Corporation during upcoming budget hearings, with Mr. Buckshi requesting clarification on the motion, questions if there is a particular program, service, or organization that the Administration Office should target with additional General Fund support or leave it at staff's discretion, with the motion maker responding the Mission Community Services Corporation, the Tenant Based Rental Assistance Program, and any other program or service mentioned today, be mindful of on-going general funds going to programs; and is leaving it to those that are actively engaged in the programs to determine how they should be funded and where resources should be applied.

**RESOLUTION NO. 2016-101, a resolution approving and authorizing submittal of the urban County of San Luis Obispo 2016 Action Plan under the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grants (ESG) programs and an amendment to the 2014 Action Plan to allocate 2014 HOME funds to the Tenant Based Rental Assistance Program and approval of projects under the 2016 general fund support, adopted. Furthermore, the Board approves the 2016 Action Plan; approves the 2016 projects for funding under the CDBG, HOME and ESG programs; approves the projects and allocations of 2016 General Fund Support subject to Fiscal Year 2016-17 budget approval and adoption; and amends the 2014 Action Plan to allocate HOME funds to create a new project in 2014 called "Tenant Based Rental Assistance" by the Housing Authority of the City of San Luis Obispo. Furthermore, the Board directs staff to engage with the cities about shifting CDBG funding from sidewalk improvements towards housing; directs the Administration Office to work with appropriate staff and agencies on increasing General Fund support for programs through the upcoming budget process.**

**Motion by:** Bruce S. Gibson

**Second by:** Debbie Arnold

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			

**Board Business:**

- 16. Request to approve pilot design build project delivery method for the new Animal Services Facility and Co-located Dispatch Facility at the County Operations Center. All Districts.

**Mr. Will Clemens - Director of Central Services Director and Mr. Dave Flynn - Public Works Deputy Director:** provide the staff presentation (powerpoint).

**Board Members:** clarify that this item is to establish the criteria to move forward and no money is being spent at this time; address the participation from the cities; the condition of the existing of the animal shelter; educating the citizens in the community; question the legal acceptability regarding the County looking into private sector grants, accepting donations, and conducting fundraisers, with Mr. Flynn, Ms. Rita Neal – County Counsel, Mr. Dan Buckshi - County Administrative Officer, and Mr. Jeff Hamm – Health Agency Director responding.

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

**The Board: 1) adopts the Organizational Conflict of Interest Policy; 2) authorizes a pilot design build project delivery method for the new Animal Services Facility at the County Operations Center; and 3) authorizes a pilot design build project delivery method for the Co-located Dispatch Facility at the County Operations Center.**

**Motion by:** Lynn Compton

**Second by:** Frank R. Mecham

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:**

17. 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: 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) 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: (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).

**Chairperson Compton:** 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.

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 12, 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:** April 28, 2016