

AGENDA

Board of Supervisors Chambers
1055 Monterey Street
San Luis Obispo, CA



BOARD OF SUPERVISORS

Frank R. Mecham, 1st District
Bruce Gibson, 2nd District
Adam Hill, Vice-Chairperson 3rd District
Lynn Compton, Chairperson, 4th District
Debbie Arnold, 5th District

Dan Buckshi, County Administrator

Tuesday, August 23, 2016

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

HEARINGS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Bid Opening:

1. Letter transmitting plans and specifications (Clerk's File) for Widening of L Street Between 13th Street and 14th Street and Expansion of San Miguel Community Park in San Miguel, CA, for Board approval and advertisement for construction bids. Bid opening date set for Thursday, September 22, 2016. District 1.

Consent Agenda - Administrative Office Items:

2. Request to approve the FY 2016-17 agreement with the Food Bank Coalition of San Luis Obispo County in the amount of \$100,000 for the food distribution program from Fund Center 106 – Contributions to Other Agencies. All Districts.

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

3. Submittal of a cash procedures and internal control review of the Health Agency conducted February and March 2016. All Districts.

Consent Agenda - Board of Supervisors Items:

4. Submittal of a resolution reappointing Rita L. Neal as County Counsel. All Districts.
5. Request to approve the appointment of Raymond Feeser as the District 3 Alternate to the Water Resources Advisory Committee. All Districts.
6. Request to amend the Fixed Asset List for Fund Center 100-Board of Supervisors to include one printer/color copier/scanner machine in the amount of \$6,911. All Districts.
7. Request to approve an agreement with the Los Osos Community Advisory Council allocating \$1,790 from District Two Community Grant Funds – Fund Center #106 to be used for expenses associated with holding monthly public advisory council meetings. District 2.

Consent Agenda - District Attorney Items:

8. Submittal of the FY 2015-16 Annual Report of the Real Estate Fraud Prosecution Program as required per Government Code Section 27388(d). All Districts.

Consent Agenda - Health Agency Items:

9. Request to approve Amendment No. 1 to the FY 2014-15 through 2016-17 contract with the State Department of Rehabilitation to convert the current administrative only contract to a case services contract, allowing more services to be provided directly to clients, with all other provisions remaining the same. All Districts.
10. Request to approve seven FY 2016-17 renewal contracts and one new contract, with the option to renew for two additional years, in the cumulative amount not to exceed \$533,540, with various Recovery Residence facility providers for short term sober living beds throughout the County. All Districts.

Consent Agenda - Planning & Building Items:

11. Submittal of resolutions accepting two Avigation Easements from Ernest E. Jones and Julia S. Jones; and Righetti Ranch LP, a Delaware Limited Partnership, for the San Luis Obispo County Regional Airport. District 3.

Consent Agenda - Public Works Items:

12. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the FY 2015-16 Asphalt Overlay Various South County Roads, San Luis Obispo County. District 4.
13. Request to approve Contract Change Order No. 3 to the agreement with Corner Keystone Construction, in the amount of \$3,263, for the "GSA-GS-Replace Windows at Various Locations Project." Districts 3 and 4.
14. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the 2015-16 ADA Upgrades on Tefft Street and North Frontage Road in Nipomo. District 4.
15. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of Buckley Road Two Way Left Turn Lane near San Luis Obispo. District 3.

Consent Agenda - Public Works Sitting as Flood Control District:

16. Request to approve a reimbursement agreement between the San Luis Obispo County Flood Control and Water Conservation District (District) and County of San Luis Obispo on behalf of the Los Osos Wastewater System (County) for a loan of funds for cash flow and debt reserve requirement. District 3.

Consent Agenda - Sheriff - Coroner Items:

17. Request to approve a grant agreement in the amount of \$95,000 from the California State Office of Traffic Safety (OTS); approve a corresponding budget adjustment; amend the fixed asset list to add a gas chromatographer and autosampler for the Sheriff's Forensic Alcohol Lab; and authorize the Sheriff – Coroner to sign documents related to the approval of the OTS grant. All Districts.

Public Comment Period:

18. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Hearings:

19. Hearing to consider an appeal by Eileen Roach of the Planning Commission's approval of a request by Campbell-Sheppard/Dan Lloyd to allow for a Vesting Tentative Tract Map and Conditional Use Permit/Coastal Development Permit to subdivide a 0.68 parcel into seven residential parcels and one open space parcel. Staff is recommending to continue this item to October 4, 2016. District 2.
20. Continued Hearing to consider an appeal by Michael Peachey for a waiver of construction permit processing fees for various permits associated with the construction of six 700 square foot single family rental units located at 164 South Mallagh Street in the community of Nipomo. This item was continued from the July 19th Board meeting. Staff is recommending to continue this item to September 27, 2016. District 4.
21. Continued hearing to consider an appeal by Janneck Limited and RRM Design Group of the Planning Commission's denial of a request for a Vesting Tentative Tract Map and Conditional Use Permit to allow an agricultural cluster subdivision of twenty-one parcels (totaling 1,910 acres) into one hundred and two (102) residential lots and four (4) open space lots, located approximately two miles south of the City of Arroyo Grande and two miles north of the community of Nipomo, on both the eastern and western sides of Highway 101. District 4.

Closed Session Items:

22. 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) PG&E's 2017 General Rate Case A: 15-09-001; (4) Application Filed by PG&E for Retirement of Diablo Canyon Power Plant A: 16-08-006; (5) Edmond Paul Price v. County of San Luis Obispo, et al.; (6) Mesa Community Alliance v. State of California Department of Parks and Recreation, et al.; (7) ARB, Inc. v. County of San Luis Obispo; (8) California Water Impact Network 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: (9) San Luis Obispo Government Attorney's Union (SLOGAU); (10) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (11) Deputy County Counsel's Association (DCCA); (12) Sheriffs' Management; (13) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (14) Deputy Sheriff's Association (DSA); (15) District Attorney Investigators' Association (DAIA); (16) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (17) San Luis Obispo County Employees Association – Public

Services, Supervisors, Clerical (SLOCEA – PSSC); (18) Unrepresented Management and Confidential Employees; and (19) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

RECESS

1:30 REPORT ON CLOSED SESSION

Hearings:

23. Hearing to consider an interim zoning/urgency ordinance prohibiting the cultivation of cannabis (marijuana) with certain exceptions in the unincorporated portions of San Luis Obispo County; exempt from CEQA. All Districts.

ND. WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by the County, so that environmental considerations become a part of the decision making process. The following is a summary of the most recent determinations made by the County's Environmental Coordinator. The purpose of this listing is to notify the public of pending actions, which may affect the environment of San Luis Obispo County.

You are invited to participate in this process by reviewing and providing comments on the recommendations of the Environmental Coordinator. Your comments should be in writing and should be delivered to: Ellen Carroll, Environmental Coordinator, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, Ca 93408-2040. For more information about the environmental review process, please write to the address above, call the Department of Planning and Building at (805) 781-5600, or review the environmental determination and other information on our website located at www.sloplanning.org.

Proposed Negative Declarations

A Negative Declaration is issued for projects that would not result in significant effects on the environment. In many cases, the project applicant has added mitigation measures to the project to reduce environmental impacts in order to qualify for a Negative Declaration. If you disagree with the issuance of a proposed Negative Declaration, you may provide comments or file a Request for Review (appeal) of the Negative Declaration. Requests for Review must be filed within two weeks of the date that the proposed Negative Declaration is posted and must address only environmental issues. There is a fee for the request. If you would like more information about this process, please contact the Environmental Coordinator.

For Week of August 18th, 2016

San Miguel Area

A request by DAVID FRIEDBERG for a Minor Use Permit to allow for the construction of a 9,100 square-foot (sf) general retail store and related site infrastructure, including associated parking, landscaping, lighting, and storm drainage. Construction of the

project will necessitate demolition of one unoccupied single family dwelling currently located on-site. The project will result in the disturbance of approximately 34,560 square feet on a 0.79 acre parcel. The proposed project is within the Commercial Retail land use category, within the Salinas River sub-area of the North County planning area, at 972 K St., on the northeast corner of the intersection at 9th St., within the community of San Miguel.

DRC2015-00109 (ED15-259)