

Tuesday, June 05, 2012

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 Mecham, Bruce S. Gibson, Adam Hill, Paul A. Teixeira and Chairperson James R. Patterson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON JAMES R. PATTERSON.

Consent Agenda – Review and Approval:

1-27. This is the time set for the consideration of the Consent Agenda.

Chairperson Patterson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 27 on the following vote is indicated for each item.

Motion by: Bruce S. Gibson

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Patterson, James R. (Chairperson)	x			
Teixeira, Paul (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Consent Agenda - Administrative Items:

1. Submittal of the Supplemental Document to the FY 2012-13 Proposed Budget.

Mr. Jim Grant – County Administrator: provides a brief overview of the Budget Hearing process starting on Monday, June 11, 2012.

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

2. Receive and file the Sheriff's response to the Grand Jury's 2011-12 report "Citizen Complaints and Internal Affairs Investigations."

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

3. Request to approve a contract with AGP Video Inc. to provide video production and cablecasting services for Board of Supervisor, Planning Commission and Health Commission meetings.

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

Consent Agenda - Auditor - Controller Items:

4. Submittal of the Annual Fiscal and Procurement Review Report of the Workforce Investment Act (WIA) contracts with Goodwill Industries and San Luis Obispo Community College District.

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

Consent Agenda - Board of Supervisors Items:

5. Request by Supervisor Bruce Gibson to appoint Bruce Jackson to the Cayucos-Morro Bay Public Cemetery District.

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

6. Submittal of a resolution recognizing Guy Rathbun for over 40 years of hosting Central Coast Radio.

Mr. Dave Congalton - KVEC Radio, Ms. Crissa Hewitt and Mr. Eric Greening: speak.

The Board approves the item as recommended by the County Administrative Officer. RESOLUTION NO. 2012-133, adopted.

7. Request by Supervisor Frank Mecham to reappoint Paula Campbell-Taylor to the Estrella-Pleasant Valley Cemetery District.

This item is amended by correcting the subject on the agenda to include the appointment of Teresa Hinrich to the Estrella-Pleasant Valley Cemetery District. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda - Clerk-Recorder Items:

8. Request to receive the County Clerk's Certificate regarding the results of the Pension Trust election and declare Matt Janssen elected as a Trustee for the Pension Trust Board.

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

Consent Agenda - District Attorney Items:

9. Request to authorize the District Attorney to sign a renewal grant agreement (Clerk's Filed), on the Board's behalf, with the California Emergency Management Agency (CalEMA) to receive \$180,950 for the continuing administration of Victim/Witness Assistance Program for FY 2012-2013.

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

General Services Agency Items:

10. Request to approve a "Local Food Purchase Policy" for use by the County of San Luis Obispo.

Mr. Eric Greening: speaks.

This item is withdrawn per staff request as further revisions to the policy are needed.

11. Request to approve an addendum to the Job Order Contract (PJOC12) bid documents changing the bid date from May 3, 2012 to July 5, 2012.

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

12. Submittal of a resolution proclaiming June 2012 as "Women's Golf Month" at all County owned and operated golf facilities.

The Board approves the item as recommended by the County Administrative Officer. RESOLUTION NO. 2012-134, adopted.

Consent Agenda - Health Agency Items:

13. Request to approve the FY 2012-13 renewal contract with Maxim Healthcare Services (Clerk's file) in the amount of \$33,000 to provide skilled nursing and psychiatric technician personnel to supplement county staff at the County's Psychiatric Health Facility and Jail Facility.

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

14. Request to approve the FY 2012-13 renewal contract (Clerk's File) with American Care Home in the amount of \$618,072 to provide residential board and care and social support services for Behavioral Health Department clients.

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

15. Request to approve a multi-year contract with Decade Software Company in the annual amount of \$70,475 for database services effective July 1, 2012 and continuing until June 30, 2015.

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

16. Request to approve Amendment No. 1 to the FY 2011-12 executed contract with Psynergy Programs, Inc. to increase the contract amount not to exceed \$1,248,035, an increase of \$162,000 for additional adult clients with serious mental illness who need residential board and care, social support, and outpatient mental health services.

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

Consent Agenda - Planning & Building Items:

17. Request to approve a contract with Jodi McGraw Consultants in the amount of \$189,814 to prepare a Habitat Conservation Plan for the Community of Los Osos. District 2.

Mr. Eric Greening, Ms. Julie Tacker, Dr. C. Hite and Ms. Linde Owen: speak.

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

18. Request to approve a contract amendment with People's Self Help Housing to reallocate Homelessness Prevention and Rapid Re-Housing Program (HPRP) grant funds.

Dr. C. Hite: speaks.

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

19. Submittal of the PG&E Innovator Pilot grant contract, a contract with Abraxas Energy Consultant for special subcontract services, and request to approve an associated budget adjustment in the amount of \$418,773. All Districts.

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

20. Request to approve a contract modification with Dudek Consultants in the amount of \$285,500 to prepare an Administrative Draft of the San Luis Obispo North-East Regional Habitat Conservation Plan/Natural Community Conservation Plan and authorize a corresponding budget adjustment of \$28,517 for additional funding from a federal grant for the project. Districts 1, 4 & 5.

Mr. Eric Greening, Mr. Mike Brown – Coalition of Labor and Agricultural and Business (COLAB) (Map) and Ms. Susan DeCarli: speak.

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

Consent Agenda - Public Works Items:

21. Submittal of a resolution authorizing the Public Works Director to sign Underground Utility Implementation Agreements with Pacific Gas & Electric and a request authorizing \$100,000 from the current year budget for District No. 28 (Los Osos Valley Road, Los Osos) and District No. 29 (El Camino Real, Santa Margarita). Districts 2 & 5.

The Board approves the item as recommended by the County Administrative Officer. RESOLUTION NO. 2012-135, adopted.

22. Request to approve the Mitigated Negative Declaration for the La Panza Road Widening Project (ED10-141; 300397) located east of the community of Creston in the El Pomar/Estrella Planning Area. District 5.

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

- 23. Request to approve a professional services agreement in the amount of \$60,939 with North Coast Engineering, Inc. for engineering services for the Vineyard Drive Bike Lanes Project, Templeton (WBS 300437; BTA1011-05-SLO-01). District 1.

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

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

- 24. Submittal of a resolution to levy assessments for Flood Control Zone 18 (Cambria West Village Area). District 2.

The Board approves the item as recommended by the County Administrative Officer. RESOLUTION NO. 2012-136, adopted.

- 25. Submittal of a resolution to levy assessments for Flood Control Zone 4 (Santa Maria River Levees).

The Board approves the item as recommended by the County Administrative Officer. RESOLUTION NO. 2012-137, adopted.

Consent Agenda - Sheriff - Coroner Items:

- 26. Request to approve a contract with Guardsmark, GP, in the amount of \$240,000 for trial court security screening service.

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

Consent Agenda - Social Services Items:

- 27. Request to approve the Child Care Planning Council’s priorities for the California Department of Education (CDE) Child Development Program and sign the attached State Report form.

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

Presentations:

- 28. Submittal of a resolution commending the volunteer efforts of Latter Day Saints Church members in completing significant maintenance projects in the Lopez Lake Recreation Area.

Mr. Curtis Black – Parks Deputy Director: speaks.

RESOLUTION NO. 2012-138, a resolution of the Board of Supervisors for the County of San Luis Obispo recognizing the significant efforts put forward by members of the Latter Day Saints Church in completing over 1,400 volunteer hours to complete numerous projects in the Lopez Lake Recreation Area, adopted.

Motion by: Frank R. Mecham

Second by: Paul Teixeira

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Patterson, James R. (Chairperson)	x			
Teixeira, Paul (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Public Comment Period:

- 29. This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Ms. Julie Rodewald - County Clerk-Recorder: speaks to the Presidential Primary Election today.

Chief Rick Swan – Cal Fire: announces "hands-only" C.P.R. training on June 7, 2012 in various locations around the County by Emergency Medical Services (EMS) Agencies on behalf of National C.P.R. Day.

Ms. Julie Tacker, Ms. Gwynn Taylor, Mr. Gary Freiberg, Mr. Ben DiFatta, Ms. Linde Owen (photographs), Ms. Elaine Watson (Video), Mr. Richard Margetson (Video) and Mr. Al Barrow (Map): addresses various comments and concerns regarding the Los Osos Wastewater Project (LOWWP).

Dr. C. Hite: addresses concerns regarding the Regional Transit Authority’s (RTA) upcoming service elimination and changes to route 10.

Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB): comments on the most recent third quarter financial report concerning debt.

Mr. Eric Greening: addresses the need for a temporary moratorium on hydraulic fracking until it is further researched.

Mr. Braun Skinner- Huasna Foundation Representative: speaks to the previous Excleron appeal hearing. **No action taken.**

Board Committee Reporting:

30. This is the time set for Board Members to report on various committee activities.

Board Members: comment on their committee activities with the First Five Commission, Adult Services Policy Council, Economic Vitality Corporation (EVC), CenCal Health Board and the Carrizo Plain National Monument Advisory Committee. **No action taken.**

Hearings:

31. Hearing to consider a resolution authorizing the collection of service charges within County Service Areas 1, 1-A, 1-F, 7-A, 18, and 21. Districts 1, 2, 3 & 4.

Chairperson Patterson: opens the floor to public comment without response.

RESOLUTION NO. 2012-139, a resolution of the Board of Supervisors acting as the governing Board of the San Luis Obispo County Service Area (CSA) Nos. 1 (Old Galaxy Park and Tract 1690 - Nipomo); 1-A (Galaxy Park And Tract 1898 - Nipomo); 1-F (New Galaxy - Nipomo); CSA 7-A (Oak Shores), CSA 18 (San Luis Country Club Estates; and 21 (Cambria, Road Improvements) confirming report and directing the collection of annual service charges on County tax roll, adopted. Furthermore, the Board directs the Clerk to file the approved resolution and Exhibit A with the County Auditor no later than August 10, 2012.

Motion by: Frank R. Mecham

Second by: Paul Teixeira

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Patterson, James R. (Chairperson)	x			
Teixeira, Paul (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Board Business:

32. Report on the Proposition 218 results for the proposed CSA 23 Drought Reliability Assessment District (2012) in the community of Santa Margarita. District 5.

Chairperson Patterson: opens the floor to public comment without response.

The Board ratifies the results of the Proposition 218 Assessment proceedings, which were certified by the Clerk on May 23, 2012 and RESOLUTION NO. 2012-140, a resolution of the San Luis Obispo County Board of Supervisors abandoning proceedings for proposed CSA 23 Drought Reliability Assessment District (2012), adopted.

Motion by: Paul Teixeira

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Patterson, James R. (Chairperson)	x			
Teixeira, Paul (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)			x	
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Closed Session Items:

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

I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

- A. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.)
 1. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases
 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation.
 2. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases

Added – Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.

I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

- A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated)
 3. Negranti & Sons, et al. v. County of San Luis Obispo.

II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code, § 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:

4. Property Description: 2198 Los Osos Valley Road, Los Osos (APNs 067-011-021/067-011-021); Parties with Whom Negotiating: John Giacomazzi and Janet Kline; Instructions to Negotiator: Terms and Conditions.
5. Property Description: 2350 Los Osos Valley Road, Los Osos (APNs 067-031-008/067-031-011); Parties with Whom Negotiating: Donald & Toni Andre and David & Donna Andre; Instructions to Negotiator: Terms and Conditions.)

Chairperson Patterson: 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, **JULIE L RODEWALD**, 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, June 05, 2012, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: June 8, 2012