

Tuesday, June 19, 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:

1-49. This is the time set for consideration of the Consent Agenda.

Chairperson Patterson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 49 on the following vote is indicated for each item.

Motion by: Bruce S. Gibson

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			

Bid Opening:

1. Letter transmitting Plans and Specifications (Clerk’s File) for the Rodriguez Bridge Waterline Crossing Fish Passage Improvements Project, Contract No. 300369, for Board approval and advertisement for construction bids. Bid opening date set for July 19, 2012 at 3:00 PM. District 4.

The Board approves as recommended by the County Administrative Officer.

2. Adopt Contract Documents (Clerk's File) and authorize public bidding for construction services for the CB&I septic field expansion project.

The Board approves as recommended by the County Administrative Officer.

Items Set for Hearing:

3. Setting of a public hearing to consider a resolution to collect delinquent service charges on property tax bills for County Service Area 10A (Cayucos), County Service Areas No. 16 (Shandon - Water Service), and County Service Area 23 (Santa Margarita Water Service) to the 2012-13 County property tax bills. Hearing set for July 24, 2012. District 1, 2, & 5.

This item is amended by correcting the government code section referenced in recommendation No. 4 to read 54354.5(b) not 6066 and by adding the proposed resolution verifying the delinquent service charges and confirming report for CSA 10A (Cayucos), 16 (Shandon) and 23 (Santa Margarita) as an attachment to the notice of public hearing. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

4. Submittal of a resolution directing amended assessments for the San Luis Obispo County Wastewater Assessment District No. 1 (Los Osos Sewer), San Miguel/San Lawrence Terrace Assessment District (Water), and Sherwood Drive Utility Assessment District (Utilities) and setting of a public hearing to consider assessment apportionments. Hearing set for July 10, 2012. Districts 1 & 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-141,

adopted.

5. Introduction of proposed ordinance change amending Chapter 8.22 of the County Code to prohibit smoking on County property. Hearing date set for July 17, 2012.

Dr. Steve Hanson: speaks.

This item is amended by replacing Attachments 3 and 4 to correct errors in the proposed ordinance language regarding the publication and to include sections that were inadvertently omitted. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda - Administrative Items:

6. Receive and file the Sheriff's response to the Grand Jury's 2011-12 report "The County Jail, Juvenile Hall, and Holding Cells: Inspection and Information Report."

The Board approves as recommended by the County Administrative Officer.

7. Request to approve the Probation Department's recommended responses to the Grand Jury's 2011-12 report "The County Jail, Juvenile Hall, and Holding Cells: Inspection and Information Report."

The Board approves as recommended by the County Administrative Officer.

8. Request to approve Amendment 1 to the existing contracts with the County's three Public Defender services providers, Maguire and Ashbaugh, J. Barry Schiavo, and Jere N. Sullivan, Jr., to represent indigent persons subject to a Post-Release Community Supervision (PRCS) revocation hearing, as required under AB 109.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Agricultural Commissioner Items:

9. Submittal of a resolution to update the current authority of the Agricultural Commissioner/Sealer to enter into enforcement and service agreements with other government agencies and the California Agricultural Commissioners and Sealers Association.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-142, adopted.

Consent Agenda - Auditor - Controller Items:

10. Submittal of a resolution accepting the 2012-2013 Appropriation Limitation calculation for San Luis Obispo County.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-143, adopted.

Consent Agenda - Board of Supervisors Items:

11. Submittal of a resolution and contract appointing Rita L. Neal as County Counsel.

Ms. Gwynn Taylor and Ms. Linde Owen: speak.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-144, adopted.

12. Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d).

The Board approves as recommended by the County Administrative Officer.

13. Submittal of a resolution recognizing Neil Havlik for over 40 years of Natural Resources

Conservation and Stewardship.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-145, adopted.

14. Submittal of a resolution commending Father Michael Cicinato upon his retirement for nearly 30 years of service to San Luis Obispo County.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-146, adopted.

Consent Agenda - County Fire Items:

15. Request to approve a contract with First Solar, under which County Fire would provide Advanced Life Saving-level Emergency Medical Services to California Valley for approximately \$500,000 annually, for three years. District 5.

Chief Robert Lewin: amends the recommended action for this item.

This item is amended by revising the recommended action to approve the agreement, subject to the County's timely receipt of the agreement signed by corporate officers authorized to sign on behalf of First Solar and direct the Chairperson to sign the contract with First Solar. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda - District Attorney Items:

16. Request to approve a renewal contract (Clerk's Filed) for FY 2012-13 for a criminal restitution compact (CRC) with the Victim Compensation and Government Claims Board and approve a resolution authorizing the District Attorney to sign the State agreement and other grant related documents.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-147, adopted.

17. Request to approve an amended resolution to approve an agreement between the State Victim Compensation and Government Claims Board (VCGCB), previously approved by the Board on May 15, 2012, adding the maximum amount of the contract agreement of \$645,588 for the contract period of July 1, 2012 through June 30, 2015, with all other provisions remaining the same.

This item is amended by correcting the dollar amount referenced in the recommended action of the staff report to read \$645,588 not \$545,588. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2012-148, adopted.

Consent Agenda - General Services Agency Items:

18. Request to adopt a resolution, approve a Ground Lease Agreement (Clerk's File), Right of Entry Agreement (Clerk's File), Utility Easement Agreement (Clerk's File), and authorize a budget adjustment in the amount of \$1,432,117 to enable the continued development of the Women's Jail Expansion project.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-149, adopted.

Consent Agenda - Health Agency Items:

19. Request to approve a renewal two-year employment contract (Clerk's File) with Nisha Abdul Cader M.D. for the period July 1, 2012 through June 30, 2014 for an amount not to exceed \$58,785 for the first year of the contract to provide medical services for Martha's Place-Children's Assessment Center, the Suspected Abuse Response Team (SART), and Juvenile Hall.

The Board approves as recommended by the County Administrative Officer.

20. Request to approve a renewal contract (Clerk's File) for FY 2012-13 with Davis Guest Home, Inc. in the amount of \$95,813, and a new contract (Clerk's File) for FY 2012-13 with C & D's Guest Homes, Inc. in the amount of \$42,500 to provide residential board and care and social support services to adults with serious mental illness.

The Board approves as recommended by the County Administrative Officer.

21. Request to approve the renewal contracts for FY 2012-13 with Medical Doctor Associates, Inc., LocumTenens.com, Psychiatrists Only, and Jackson & Coker (Clerk's File) to provide locum tenens (temporary) licensed psychiatrist services in the aggregate amount not to exceed \$792,000.

The Board approves as recommended by the County Administrative Officer.

22. Request to approve the amended Multi-Year FY 2010-2013 Negotiated Net Amount and Drug Medical Contract (Clerk's File) for \$5,172,311 with the State Department of Alcohol and Drug Programs to modify the terms of the agreement to reflect changes based on the FY 2011-12 State Budget and accompanying law.

The Board approves as recommended by the County Administrative Officer.**Consent Agenda - Human Resources Items:**

23. Request to approve a three-year extension to a contract with Sedgwick, CMS, for Workers' Compensation third party administration services in the amount of \$545,000 for FY 2012-13.

The Board approves as recommended by the County Administrative Officer.

24. Submittal of two resolutions approving: 1) amendments to the 2010-2011 Memorandums of Understanding (MOU) with the Association of San Luis Obispo County Deputy Sheriffs (ASLOCDs), Sworn Law Enforcement unit (bargaining unit 27) and Supervisory Sworn Law Enforcement unit (bargaining unit 28), and 2) an amendment to the San Luis Obispo County Employees' Retirement Plan, Article 28: Tier Two – Safety, establishing a new second tier pension benefit plan for ASLOCDs represented employees hired on or after June 24, 2012.

Ms. Tami Douglas-Schatz – Human Resources Director: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2012-150 and 2012-151, adopted.

Consent Agenda - Planning & Building Items:

25. Submittal of a resolution approving a new land conservation contract for Catapult Vineyard, L.P.; pursuant to the California Land Conservation Act of 1965. District 1.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-152, adopted.

Consent Agenda - Probation:

26. Request to approve a project to purchase and install a refurbished 24' x 60' modular office building to replace the existing 12' x 53' modular office building at the Probation Department's Juvenile Services Center totaling \$108,400; and to amend the Probation Department's fixed asset list to include the new modular office building.

The Board approves as recommended by the County Administrative Officer.**Consent Agenda - Public Works Items:**

27. Request to declare surplus equipment and authorize disposal through public auction.

Mr. Dave Flynn – Public Works: presents an amendment to this item.

This item is amended by correcting the number of vehicles listed for disposal from nine to six as three vehicles have previously been auctioned and by replacing Attachment A. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

28. Request to approve an agreement with the State to exchange Federal Highway Funds for State Highway Account Funds.

The Board approves as recommended by the County Administrative Officer.

29. Request to approve a modification to the existing contract with Souza Construction, Inc., for the Bridge Widening on Price Canyon Road near Edna, CA, Contract Nos. 300126, 300360, 300361; Federal Project Nos. HP21L-5949(126), BHL-5949(092) & BHL-5949(063). District 3.

The Board approves as recommended by the County Administrative Officer.

30. Submittal of a resolution providing for a service charge credit/rebate for the Landscape Maintenance Project in County Service Area No. 1A (Galaxy Park, Tract 1898, Nipomo). District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-153, adopted.

31. Submittal of a resolution establishing the 2012-13 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Bradford Road Improvement Zone. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-154, adopted.

32. The following map has been received and has satisfied all the conditions of approval that were established in the public hearings on the tentative map: Parcel Map CO 08-0054, a proposed subdivision resulting in 4 lots, by Arpad and Adela Soo, Peter and Suzanne Nelson, and Lois A. Osler; adopt the attached resolutions approving an Open Space Easement Agreement and accepting a public trail easement. District 4.

Mr. Mike Winn: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2012-155 and 2012-156, adopted.

33. Request to approve an agreement for professional engineering services with MNS Engineers, Inc. in the amount of \$59,855 for the preparation of the County Service Area 7A Interceptor Sewer Risk Assessment Study; and authorize the Director of Public Works to sign amendments in an amount not to exceed \$10,000. District 1.

The Board approves as recommended by the County Administrative Officer.

34. Submittal of a contract authorizing the San Luis Obispo Regional Transit Authority to provide management, administrative, financial and transit vehicle services for the County. All Districts.

Dr. C. Hite and Mr. Eric Greening: speak.

The Board approves as recommended by the County Administrative Officer.

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

35. Submittal of resolutions authorizing the Director of Public Works to apply for loans and grants from the United States Department of Agriculture for eligible projects.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2012-157 and 2012-158, adopted.

36. Submittal of a resolution to designate the Director of Public Works as the authorized representative to file application and execute agreements for a Local Groundwater Assistance Grant for the Paso Robles Groundwater Basin. Districts 1 & 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-159, adopted.

Consent Agenda - Sheriff - Coroner Items:

37. Request to approve a capital project to construct a new evidence and property storage area; approve the use of \$370,000 from Law Enforcement Public Facility Fees and \$50,000 from Asset Forfeitures to fund the project; approve a resolution to amend the Public Facility Fees Financing Plan to include the project; approve an amendment to the fixed asset list; and approve a corresponding budget adjustment of \$420,000.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-160, adopted.

38. Request to approve a transfer from the Sheriff's Federal Asset Forfeiture Trust Account in the amount of \$26,800 for K-9 protective vests and Coroner's Office equipment and authorize a corresponding budget adjustment in Fund Center 136 – Sheriff-Coroner.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

39. Request to approve a renewal service contract (Clerk's File) for child care services with Community Action Partnership of San Luis Obispo County, Inc., for Fiscal Year 2012-2013 in the amount of \$1,550,049.

The Board approves as recommended by the County Administrative Officer.

40. Request to approve a renewal service contract (Clerk's File) for Cal-Learn Case Management Services with Community Action Partnership of San Luis Obispo County, Inc., for Fiscal Year 2012-2013 in the amount of \$60,000.

The Board approves as recommended by the County Administrative Officer.

41. Request to approve two renewal service contracts (Clerk's File) for Domestic Violence Services with 1) North County Women's Shelter and Resource Center (NCWS) and 2) Women's Shelter Program of San Luis Obispo County (WSP) for Fiscal year 2012-2013 in the amounts of \$100,000 and \$75,000 respectively.

The Board approves as recommended by the County Administrative Officer.

42. Request to approve a renewal service contract (Clerk's File) for Housing Assistance Services with the Housing Authority of the City of San Luis Obispo (HASLO) for Fiscal Year 2012-2013 in the amount of \$100,000.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

43. Request to approve a renewal service contract (Clerk's File) for Direct Family Services and Parent Education with Community Action Partnership of San Luis Obispo County, Inc., for Fiscal Year 2012-2013 in the amount of \$392,967.

The Board approves as recommended by the County Administrative Officer.

44. Request to approve a renewal service contract (Clerk's File) for Services Affirming Family Empowerment (SAFE) Family Advocates with Community Action Partnership of San Luis Obispo

County, Inc. (CAPSLO) in the amount of \$65,340 for Fiscal Year 2012-2013.

The Board approves as recommended by the County Administrative Officer.

45. Request to approve a new service contract (Clerk's File) for Services Affirming Family Empowerment (SAFE) Family Advocates with Central Coast LINK (The LINK) in the amount of \$65,340 for Fiscal Year 2012-2013.

The Board approves as recommended by the County Administrative Officer.

46. Request to approve three renewal service contracts (Clerk's File) for CalWORKs Work-study, Bridge to Success, and the Independent Living Program (ILP)/Extended Foster Care (EFC) with San Luis Obispo County Community College District (Cuesta) for Fiscal Year 2012-2013 in the amounts of \$75,000, \$65,000 and \$372,594 respectively.

The Board approves as recommended by the County Administrative Officer.

47. Request to approve the renewal service contract (Clerk's File) for the Family Ties Relative Caregiver Program between the County of San Luis Obispo Department of Social Services and Seneca Family of Services (previously Kinship Center), in the amount of \$170,170 for Fiscal Year 2012-2013.

The Board approves as recommended by the County Administrative Officer.

48. Request to approve a renewal service contract (Clerk's File) for Emergency Shelter, Crisis-Stabilization Foster Care (CFC), and Wraparound Foster Care (WFC) with Family Care Network, Inc. (FCNI), a foster family agency for Fiscal Year 2012-2013 in the amount of \$4,482,168.

The Board approves as recommended by the County Administrative Officer.

49. Request to approve a renewal service contract (Clerk's File) with Eskel Porter Consulting, Inc. (EPC), for the State-funded Case Management Information and Payrolling System (CMIPS) II system conversion in the total amount of \$168,000 for Fiscal Years 2012-2013 and 2013-2014.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

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

Mr. Bruce Gibson: speaks to the May 15, 2012 Excelaron Appeal Hearing.

Dr. C. Hite: comments on the financial hardships to Los Osos residents.

Ms. Linde Owen, Mr. Alan Martyn and Ms. Julie Tacker: address various issues relating to the Los Osos Wastewater Project (LOWWP).

Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB): addresses concerns regarding consultant contracts approved on June 5, 2012 involving habitat conservation plans.

Mr. Jeff Edwards: discusses the June 8, 2012 article by Cal Coast News titled Sanitation District and Regulators at Impasse pertaining to a sewage spill at the Oceano Sanitation District in 2010.

Mr. Eric Greening: announces the next Diablo Canyon Independent Safety Committee meeting will be held at the Avila Light House Suites on June 19 through 20, 2012 and states Mothers for Peace will be hosting a dinner to meet with Chieko Shiina, a Fukushima survivor, at Café Roma in San Luis Obispo on July 10, 2012.

Mr. Richard Margetson: comments on the statements made from Gary Freiberg and Supervisor Gibson during last week's public comment period.

Ms. Gwynn Taylor: addresses the importance of the democratic process during Board of Supervisor meetings.

Mr. Bill Pelfrey: speaks to the notification of Board of Supervisor meetings in the Government Watch section of the Tribune. **No action taken.**

Hearings:

51. Hearing to consider adoption of the FY 2012-13 Proposed Budget including: 1) a resolution adopting budgets for the County and Board governed Special Districts; and 2) a resolution adopting the FY 2012-13 position allocation list (Clerk's File).

(This item is amended by replacing the original staff report to update the FY2012-13 budget per the actions taken during budget hearings held on June 11, 2012 and June 13, 2012.)

Chairperson Patterson: opens the floor to public comment.

Mr. Mike Brown – Coalition of Labor, Agricultural and Business (COLAB) and Dr. C. Hite: speak.

The Board closes the Fiscal Year 2012-13 budget hearings; RESOLUTION NO. 2012-161, a resolution adopting the County budget and budgets for Board Governed Districts for Fiscal Year 2012 – 2013 and RESOLUTION NO. 2012-162, a resolution allocating positions for Fiscal Year 2012-2013, adopted.

Motion by: Frank R. Mecham

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			

52. Hearing to consider a resolution of necessity for the acquisition of real property interests required from John Giacomazzi, et al for the Los Osos Wastewater Project (WBS# 300448). District 2.

(SUPERVISOR TEIXEIRA: STATES HE WILL BE RECUSING HIMSELF FROM THIS HEARING DUE TO A CONFLICT OF INTEREST AND IS NOW ABSENT.)

Chairperson Patterson: opens the floor to public comment.

Ms. Julie Tacker, Mr. Jeff Edwards, Ms. Linde Owen, Mr. Richard Margetson and Dr. C. Hite: speak.

RESOLUTION NO. 2012-163, a resolution of necessity for the real property interests required from John Giacomazzi and Janet Kline for the San Luis Obispo County Los Osos Wastewater Project, Supervisorial District No. 2, adopted.

Motion by: Bruce S. Gibson

Second by: Adam Hill

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

Closed Session Items:

53. 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-Existing Litigation (Government Code, section 54956.9(a).)

(Formally initiated) 1. Dubbink v. County of San Luis Obispo, et al.; 2. Teichert, A. & Son, Inc. v. San Luis Obispo County Flood Control & Water Conservation District.

B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 3. 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. 4. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

II. PERSONNEL (Gov. Code, § 54954.5.) It is the intention of the Board to meet in closed session to:
5. Consider Public Employee Appointment for the Position of County Administrator.

III. 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: 6. 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. 7. 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.

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) 8. County of San Luis Obispo v. Cavazos, et al.; 9. Sunny Acres, Inc., et al. v. County of San Luis Obispo, et al. (CV090360).

Chairperson Patterson: opens the floor to public comment.

Dr. C. Hite: speaks.

(SUPERVISOR TEIXIERA IS NOW PRESENT.)

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.

Presentations:

54. Submittal of a resolution commending the businesses, residents and staff for the extremely successful clean-up day held in Shandon on May 19, 2012.

RESOLUTION NO. 2012-164, a resolution commending the businesses, residents and staff for the extremely successful clean-up day held in Shandon on May 19, 2012, adopted.

Motion by: Bruce S. Gibson

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			

55. Submittal of a resolution commending Cathy Marvier for her 26 years of dedicated service to San Luis Obispo County.

Ms. Cathy Marvier and Mr. Brian Reynolds – Library Director: speak.

RESOLUTION NO. 2012-165, a resolution commending Cathy Marvier for her 26 years of dedicated service to San Luis Obispo County, adopted.

Motion by: Bruce S. Gibson

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			

56. Submittal of resolutions recognizing employees for 30 and 35 years of service.

Ms. Gayla Beck – Assessor’s Department and Ms. Roberta Sharpe – Public Health Department, receive their service awards, with each department representative highlighting their history with the County.

RESOLUTION NO. 2012-166, a resolution commending Gayla Beck in recognition of thirty years of service with San Luis Obispo County and RESOLUTION NO. 2012-167, a resolution commending Roberta (Bert) Sharpe in recognition of thirty five years of service with San Luis Obispo County, adopted.

Motion by: Bruce S. Gibson

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			

Board Business:

57. Submittal of Bid Opening Report for the Los Osos Wastewater Project, Collection System Areas A & D, Los Osos, CA, Contract No. 300448.08.01.AD. District 2.

Mr. John Waddell – Public Works: announces a public forum tonight at the Los Osos Middle School from 7:00 to 9:00 PM; and provides an update on the Los Osos Wastewater Project pertaining to the construction of the MidTown Restoration project; the Low Impact Development (LID) Drainage Improvements and project costs estimates.

Chairperson Patterson: opens the floor to public comment.

Mr. Mike Budd – UNKS Construction, Inc., Ms. Julie Tacker, Mr. Al Barrow, Mr. Richard Margetson, Mr. Marshall Ochylski - Los Osos Community Service District (CSD) and Ms. Susan Morrow – Los Osos CSD General Manager: speak.

The Board rejects the bid submitted by UNKS Construction, Inc. on the grounds of non-responsiveness due to the following: a. failure to fully complete the bid proposal form, b. failure to complete and sign the Good Faith Effort Documentation Summary Form, and c. failure to submit a bid bond obtained from a surety company meeting the requirements of the bid documents; finds that the error by ARB, Inc. in using the incorrect bid schedule does not constitute a material error and is a waiveable irregularity; accepts the bid of ARB, Inc., with the correction of eliminating the duplicate bid item No. 29 “HMA Price Index Fluctuation Adjustment”; awards the subject contract to ARB, Inc., the lowest responsive, responsible bidder, with a bid of \$26,223,855.00; and authorizes a construction contingency amount up to \$2,622,385, to be utilized for change orders subject to and in accordance with the Project Construction Change Order Policy (Resolution No. 2012-82), approved by your Board on April 3, 2012, for a final total construction amount of \$28,846,240.

Motion by: Bruce S. Gibson

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			

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 19, 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 22, 2012