

**Tuesday, July 10, 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 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:** Adam Hill

<b>SUPERVISORS</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>	<b>RECUSE</b>
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			

**Supervisor Mecham:** votes no on Item No. 20.

**Bid Opening:**

- Letter transmitting plans and specifications (Clerk’s File) for Asphalt Overlay 2012, Nacimiento Lake Drive, San Luis Obispo County, Contract No. 300467 for Board approval and advertisement for construction bids and submittal of a resolution adopting expenditure for Prop 1B Transportation Revenues for the 2012/13 Fiscal Year. District 1.

**Clerk:** amends the subject to this item.

**This item is amended by adding the recommended bid opening date of Thursday, July 30, 2012 to the subject. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

- Letter transmitting contract documents (Clerks File) for public bidding of construction services for improvements of the Runway Safety Area at San Luis Obispo County Regional Airport.

**Mr. Richard Howell – San Luis Obispo County Regional Airport General Manager:** amends the subject to this item.

**This item is amended by adding the recommended bid opening date of Thursday, August 9, 2012 to the subject. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

**Consent Agenda - Administrative Items:**

- Request to approve a two-year agreement with Inside/Outside Associates and Positive Futures to provide stewardship tourism development and implementation services to the San Luis Obispo County Tourism Business Improvement District (CBID) in the total amount of \$50,000.

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

4. Request to approve an agreement allocating \$11,500 from District Two Community Grant Funds – Fund Center 106 to the Friends of the Cambria Library which will be used towards expenses associated with the design of the interior of the new Cambria Library. District 2.

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

**Consent Agenda - Board of Supervisors Items:**

5. Submittal of a resolution proclaiming June 23, 2012 as "Relay for Life Day" in Paso Robles.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-169, adopted.**

6. 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.**

7. Submittal of a resolution recognizing the Pecho Ranch & Stock Company on their 100th Anniversary of incorporation.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-170, adopted.**

8. Request by Supervisor Frank Mecham to appoint Cynthia Steinbeck to the Ag Liaison Advisory Board.

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

**Consent Agenda - Clerk-Recorder Items:**

9. Request to declare the results of the June 5, 2012 Presidential Primary Election as presented on the Summary Report of Final Official Election Results and the Statement of Votes Cast (Clerk's File).

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

**Consent Agenda - General Services Agency Items:**

10. Request to authorize a budget adjustment to transfer \$180,000 in funds, received from the State of California, Administrative Office of the Courts for California Court Case Management work from Fund Center 114-Information Technology and approve a corresponding budget adjustment in Fund Center 266-Countywide Automation Replacement Reserve.

**This item is amended by correcting the subject on the agenda transmittal that shows an incorrect amount of \$180,00. The correct amount is \$180,000 as listed on the agenda and in the current year financial impact. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

11. Request authority to purchase a used 130 ton portable chiller in the amount of \$56,115, from American Chiller Services, Inc. to support the cooling needs of the Health Campus.

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

**Consent Agenda - Health Agency Items:**

12. Request to approve two renewal FY 2012-13 contracts (Clerk's File) with Lisa Moreno and Laura Cooper, licensed occupational therapists, for the combined amount of \$69,600, to provide specialized pediatric occupational therapy for children at Martha's Place.

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

13. Request to approve the appointment of Scott Smith-Cooke to the San Luis Obispo County Health Commission and to approve the reappointments of Lynn Enns, Tracy Del Rio and James Pope.

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

14. Request to approve a renewal contract (Clerk's File) for FY 2012-13 with San Luis Obispo Child Development Center, Inc. for \$50,000 to provide mental health services to Medi-Cal eligible children.

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

15. Request to approve a three-year contract (Clerk's File) with Templeton Unified School District in the amount not to exceed \$200,000 annually to access School-Based Medi-Cal Administrative Activities funding for Fiscal Years 2012-13 through 2015-16.

**This item is amended by replacing the staff report, agenda transmittal and Clerk's file statement to correct the contractual terms of the agreement, which is five years rather than two years as initially stated. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

16. Request to approve a renewal contract with Neptune and Company, Inc. (Clerk's File) to provide human health risk assessment (HHRA) review services not to exceed \$100,000 per year for Fiscal Years 2012-13, 2013-14 and 2014-15.

**This item is amended by replacing the staff report and agenda transmittal to correct the contractual terms of the agreement, which is four years rather than three years as initially stated. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

**Items Set for Hearing:**

17. Amend Title 19 of the San Luis Obispo County Code by adopting the 2010 edition of the California Building Standards Code including Annual Supplement, State and Local Amendments. All Districts.

**This item is amended by changing the subject to read "Introduction of a proposed ordinance amending Title 19 of the San Luis Obispo County Code by adopting the 2010 edition of the California Building Standards Code including Annual Supplement, State and Local Amendments and instruct the Clerk to give notice of hearing date set for July 24, 2012 at 9:00 A.M." Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2012-171, adopted.**

**Consent Agenda - Planning & Building Items:**

18. A request for the Board of Supervisors to authorize the use of alternative publication procedures for amendments to Title 19, the Building and Construction Ordinance to adopt the 2010 edition of the California Building Standards Code including Annual Supplement, State and Local Amendments (LRP 2011-00012 – County of San Luis Obispo). All Districts.

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

19. A request for the Board of Supervisors to authorize the use of alternative publication procedures for an amendment to Sections 22.112.030.B and 22.112.080.G of the Land Use Ordinance (LRP2011-00001 - Dana Adobe). Supervisorial District 4.

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

**Consent Agenda - Public Works Items:**

20. Submittal of bid opening report for Los Osos Wastewater Project, Collection System Areas B & C, Los Osos, CA, Contract No. 300448.08.01.BC. District 2.

**Mr. Al Barrow, Ms. Julie Tacker, Ms. Linde Owen and Mr. Richard Margetson: speak.**

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

- 21. Request to approve an agreement with the San Luis Obispo County Office of Education for a cable TV access grant and an associated budget adjustment, by a 4/5th’s vote, in the amount of \$47,999. All Districts.

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

- 22. Submittal of right of way documents accepting conveyance from the Hermreck Group, LLC and from Marsalek, LLC for the Willow Road Project, Nipomo (300142). District 4.

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

- 23. Request to approve an agreement for Engineering Consulting Services with Quincy Engineering, Inc. for Lopez Drive Bridge No. 2, Seismic Retrofit, Contract No. 300452, Federal Project No. BHLS-5949(135). District 4.

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

- 24. Submittal of right of way documents accepting conveyance from the Atascadero Mutual Water Company (AMWC) for the Templeton Road Widening Project, Atascadero (WBS 300386). District 5.

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

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

- 25. Submittal of resolutions to levy assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area). District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2012-172 and 2012-173, adopted.**

- 26. Submittal of a resolution to levy additional annual assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area). District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2012-174, adopted.**

**Consent Agenda - Social Services Items:**

- 27. Request approval of a renewal service contract (Clerk’s File) for Workforce Investment Act (WIA) One-Stop Operator and Youth Services with Goodwill Industries of Santa Cruz, Monterey & San Luis Obispo Counties for FY 2012-13 in the amount of \$1,580,109.

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

**Presentations:**

- 28. Submittal of a resolution recognizing Phyllis Madonna for receiving the Commission on the Status of Women 2011 "Woman of the Year" award.

**RESOLUTION NO. 2012-175, a resolution recognizing Phyllis Madonna for receiving the Commission on the Status of Women 2011 “Woman of the Year” award, adopted.**

**Motion by:** Adam Hill  
**Second by:** Bruce S. Gibson

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			
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**Chairperson Patterson:** tables this presentation to the afternoon session

29. Submittal of a resolution proclaiming July 2012 as "Parks Make Life Better Month."

**Mr. Rick Mathews – Parks and Recreation Commission Chairperson and Mr. Curtis Black – Parks and Recreation Deputy Director:** speak.

**RESOLUTION NO. 2012-176, a resolution of the Board of Supervisors of San Luis Obispo County proclaiming July 2012 as Parks Make Life Better Month, adopted.**

**Motion by:** Adam Hill

**Second by:** Bruce S. Gibson

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:**

30. 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:** provides a brief overview of the recent modifications to the Board of Supervisors agenda and minutes website.

**Ms. Gwynn Taylor, Mr. Ben DiFatta, Dr. C. Hite, Mr. Gary Freiberg, Ms. Julie Tacker, Ms. Linde Owen and Mr. Richard Margetson:** address various concerns relating to the Los Osos Wastewater Project (LOWWP).

**Mr. Al Barrow – Coalition of Low Income Housing:** announces on July 14, 2012 Acorn Founder, Wade Rathke, will be speaking about achieving wealth for low and moderate households at the Los Osos Community Park.

**Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB):** comments on a presentation on next week’s agenda regarding the County’s Land Use Economics Study by ECONorthwest.

**Mr. Jeff Edwards:** speaks to recent allegations regarding inappropriate use of computers at the Oceano Community Services District and urges the Board to further investigate this matter.

**Mr. Bob Blair:** addresses concerns regarding the impacts of postponing the Dale Avenue Project in Arroyo Grande and the need to obtain funding to resume the project.

**Mr. Eric Greening:** announces two upcoming workshops regarding Hydraulic Fracking on July 11, 2012 in Santa Maria by the California Division of Oil and Gas and Geothermal Resources (DOGGR) and on July 24, 2012 in Long Beach by the Groundwater Resources Association of California.

**Ms. Lyn Schultz:** addresses various issues regarding oil production in the county relative to the upcoming Excelaron appeal hearing. **No action taken.**

**Board Committee Reporting:**

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

**Board Members:** comment on their committee activities with the Independent Peer Review Panel (letter presented by Supervisor Gibson), Carrizo Plain National Monument Advisory Committee and Homeless Services Oversight Council (HSOC). **No action taken.**

**Hearings:**

- 32. Hearing to consider a resolution confirming amended assessments for the San Luis Obispo Wastewater Assessment District No. 1 (Los Osos), San Miguel Assessment District, and Sherwood Drive Utility Assessment District. Districts 1, 2 and 3.

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

**The Board places the fee for preparing the amended assessments on the 2012-13 tax roll; RESOLUTION NO. 2012-177, a resolution confirming and ordering amended assessments for San Luis Obispo County Wastewater Assessment District No. 1 (Los Osos), San Miguel/San Lawrence Terrace Assessment District, and Sherwood Drive Utility Assessment District, adopted and directs the Clerk to file the confirmed amended assessments 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			

**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-Existing Litigation (Government Code, section 54956.9(a.)) (Formally initiated) 1. Sunny Acres, Inc., et al. v. County of San Luis Obispo, et al. (CV090360); 2. Sanchez v. San Luis Obispo Civil Service Commission; 3. Edna Valley Watch v. County of San Luis Obispo, et al.
    - B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 4. 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. 5. Initiation of litigation (Government Code, section 54956.9(c.)) No. of cases 2.

**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.

**Presentation Continued:**

- 28. Submittal of a resolution recognizing Phyllis Madonna for receiving the Commission on the Status of Women 2011 "Woman of the Year" award, is brought back.

**Ms. Jan Harper – Commission on the Status of Women Chairperson, Ms. Phyllis Madonna and Ms. Vicki Janssen – representing Assemblyman Katcho Achadjian (presents a Certificate of Recognition to Ms. Madonna):** speak. **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, **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, July 10, 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: July 13, 2012