

**Tuesday, November 06, 2018**

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: Bruce S. Gibson, Adam Hill, Lynn Compton, Debbie Arnold, and Chairperson John Peschong

**ABSENT:** None

**THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON JOHN PESCHONG.**

**Consent Agenda – Review and Approval:**

- 1- This is the time set for consideration of the Consent Agenda.
- 37.

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

The action taken for Consent Agenda items 1 through 37 on the following vote is indicated for each item. Item No. 33 is pulled from the Consent Agenda for separate action.

**Motion by:** Bruce S. Gibson  
**Second by:** Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Peschong, John (Chairperson)	x			
Arnold, Debbie (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			
Compton, Lynn (Board Member)	x			

**Items: Set for Hearing:**

- 1. Introduction of an ordinance implementing the County Fee Schedule "A" for Calendar Year 2019 and Fee Schedule "B" for Fiscal Year 2019-20. Hearing date set for December 4, 2018. All Districts.

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

**Consent Agenda - Administrative Office Items:**

- 2. Submittal of a resolution amending the Position Allocation List (PAL) for FC 142 – Planning and Building by deleting 1.00 FTE Planner Position and for FC 180 – Social Services by adding 1.00 FTE Program Manager and 1.00 FTE Accountant to move the Federal Continuum of Care Program administration from FC 142 to FC 180 and request to approve the corresponding budget adjustment by 4/5 vote. All Districts.

**Ms. Lisa Howe – Administration Office:** corrects a typographical error on page 6 of 7 of the staff report, Table 2, amending the Full-Time Employee (FTE) Net Change from "0.50" to "1.00".

**This item is amended by correcting a typographical error on page 6 of 7 of the staff report, Table 2, amending the Full-Time Employee (FTE) Net Change from "0.50" to "1.00". Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

- 3. Request to approve the Board of Supervisors Meeting Calendar for 2019. All Districts.

**Mr. Eric Greening:** speaks.

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

- 4. Request by the San Luis Obispo County Tourism Business Improvement District (CBID), to appoint Kenderick Kelly to the Avila Beach Local Area Advisory Board. District 3.

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

- 5. Request to approve the FY 2018-19 Fish and Game project listing as recommended by the Fish and Game Fines Committee. All Districts.

**Mr. Eric Greening:** speaks.

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

- 6. Request to approve submittal of the 2018 Emergency Management Performance Grant application in the amount of \$181,523. All Districts.

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

7. Submittal of a resolution authorizing the County Office of Emergency Services to apply for Federal Fiscal Year 2018 Homeland Security Grant in the amount of \$352,871. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-264.**

**Consent Agenda - Airports Items:**

8. Request to approve a Minimum Revenue Guarantee (MRG) Program to support solicitation of additional air service at San Luis Obispo County Regional Airport in the amount of \$1,000,000, funded by the Tax Reduction Reserve Fund in FY 2018-19, and to be considered for annual renewal through the County budget process and administered by Department of Airports, at the San Luis Obispo County Regional Airport, by 4/5 vote. District 3.

**Mr. Kevin Bumen – Airports Director:** replaces Attachment 1 to remove the word "daily" from the last sentence on page 2 of 2.

**Ms. Kathleen West; Ms. Del Smith and Mr. Michael Manchak:** speak.

**This item is amended by replacing Attachment 1 to remove the word "daily" from the last sentence on page 2 of 2. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

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

9. Submittal of a resolution to amend County Budget Resolution 2018-155 to account for final fund balances by 4/5 vote with the updated Schedule of Reserves and Designations (Exhibit 2) for the FY 2018-19 Final Budget. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-265.**

10. Submittal of a compliance audit report for the District Attorney's Office State of California Department of Insurance Workers' Compensation Insurance Fraud Program Grant for FY 2017-18. All Districts.

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

11. Submittal of a cash procedures and internal controls audit of the Law Library conducted on August 1, 2018. All Districts.

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

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

12. Request to approve a Resolution to increase number of trustees on the Pleasant Valley Estrella Cemetery District Board of Trustees from three (3) to five (5) members. District 1.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-266.**

13. Submittal of a resolution recognizing the Community Counseling Center on its Golden Anniversary. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-267.**

14. Request to appoint S. Keith Belmont to the Paso Robles District Cemetery Board. District 1.

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

15. Request to approve an agreement with HomeShare SLO allocating a total of \$6,000 from Districts 1 and 2 Community Project Funds - Fund Center 106 to be used for expenses associated with the outreach and training events given to county residents. Districts 1, 2.

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

16. Submittal of Supervisors' expense report on a meeting pursuant to Government Code section 53232.3(d). District 2.

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

17. Request to appoint Paul Garth as the District 2 representative to the Commission on Aging. All Districts.

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

**Consent Agenda - Central Services Items:**

18. Request to approve a First Amendment to a Lease Agreement with Walter Brothers Construction Company Inc. for the Sheriff's Office and Planning and Building to expand into an additional 3,630 square feet of improved office space at 3220 South Higuera Street, Ste. 201 and 225 in San Luis Obispo. District 3.

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

19. Submittal of a Resolution of Intention to Purchase Real Property in the City of Atascadero, the adoption of which, will allow for the public notice of the County's intention to purchase this property located at 3500 and 3502 El Camino Real, Atascadero which the Health Agency's Drug and Alcohol Services and Driving Under the Influence Program are currently renting. District 5.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-268.**

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

20. Request for the Board of Supervisors to make appointments in-lieu of elections to various Boards and Districts. All Districts.

**Mr. Tommy Gong – County Clerk-Recorder:** corrects the term listed for Cynthia Replogle on the Oceano Community Services District to read two years not four years, "2020" not "2022".

**This item is amended by correcting the term for Cynthia Replogle on the Oceano Community Services District from 2022 to 2020. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

**Consent Agenda - District Attorney Items:**

21. Submittal of a resolution to permit the destruction of certain District Attorney's Office records, by 4/5 vote. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-269.**

**Consent Agenda - Health Agency Items:**

22. Submittal of a resolution recognizing Randy Brachman and Terry Parry of Animal Shelter Adoption Partners (ASAP) for their dedication to the welfare of homeless animals. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-270.**

23. Submittal of a resolution recognizing Larry Kahn for his dedication to the welfare of homeless animals. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-271.**

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

24. Request to authorize service of a Notice of Partial Nonrenewal (AGP2017-00003) of a Land Conservation Contract for Erik Ustin pursuant to the California Land Conservation Act of 1965. Exempt from CEQA. District 5.

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

25. Submittal of a resolution accepting an Avigation Easement from MI San Luis Ranch, a Delaware Limited Liability Company, for a property located at 981 and 1035 Madonna Road, for the San Luis Obispo County Regional Airport. District 3.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-272.**

26. Submittal of a resolution accepting an Avigation Easement from The Villas at Fernwood, LLC, a California Limited Liability Company, for a property located at 1148 Fernwood Drive, for the San Luis Obispo County Regional Airport. District 3.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-273.**

27. Submittal of resolution approving and accepting a Perpetual Conservation Easement Grant to the County of San Luis Obispo for Minor Use Permit/Coastal Development Permit D010085D with James H. Kroll and Sharon L. Kroll, for a property located at 302 and 304 Madera Street, in the community of Los Osos. District 2.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-274.**

**Consent Agenda - Public Works Items:**

28. Request to approve Tract Map 2992 Phase 2, a proposed subdivision resulting in 8 lots, by the Filipponi Family Trust, the Ned and Connie Thompson Family Trust, and Rio Vista Ranch, LLC, a California limited liability company, Las Tablas Road, Templeton. District 1.

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

29. Request to approve Parcel Map CO 16-0122, a proposed subdivision resulting in 3 lots, by the Joanne A. Burke, Trustee of the Burke Family Trust; and adopt the attached resolution to accept the avigation easement, 1167 and 1197 Farmhouse Lane, near San Luis Obispo. District 3.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-275.**

30. Request to approve an Agreement Regarding Contribution of Funds for the FY 2017-18 Budget of the Cuyama Basin Groundwater Sustainability Agency and authorize similar agreements to contribute funds to subsequent Cuyama Basin Groundwater Sustainability Agency annual budgets, if the contribution is within the approved County budget. Districts 4 and 5.

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

31. Submittal of a resolution establishing a water fill station at the County Operations Center and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 2.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-276.**

32. Request to approve Parcel Map CO 05-0207, a proposed subdivision resulting in 3 lots, by David C. Anton, Joan B. Anton, and Blake T. Anton; and adopt the attached resolution to accept the avigation easement located at 1350 Sixteenth Street, community of Oceano. District 4.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-277.**

33. Request to appoint Lee Nesbitt as Member and Hilary Graves as Alternate Member to the Water Resources Advisory Committee of the San Luis Obispo County Flood Control and Water Conservation District representing the Estrella-El Pomar-Creston Water District. All Districts.

**The Board pulls this item from the Consent Agenda for separate action, per Supervisor Arnold's request.**

**Consent Agenda - Social Services Items:**

34. Request to amend the PAL for Fund Center 180 - Social Services Administration to delete one 0.50 FTE Social Worker position and add one 1.00 FTE Social Worker position in Child Welfare Services to meet increased demands and support implementation of changes to various programs as directed by State and Federal legislation. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-278.**

35. Submittal of a resolution declaring a shelter crisis pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code § 8698.2) and authorizing the County's participation in the Homeless Emergency Aid Program. All Districts.

**Ms. Laurel Weir:** speaks.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-279.**

**Consent Agenda - Sheriff - Coroner Items:**

- 36. Submittal of a resolution authorizing the Sheriff-Coroner to enter into contracts with local agencies for use of the Sheriff's Firearms Range. All Districts.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-280.**

- 37. Submittal of a resolution commending Chief Deputy Ron Hastie upon his retirement with over 31 years with the County of San Luis Obispo. All Districts.

**Chairperson Peschong:** reads and presents the resolution to Chief Deputy Ron Hastie.

**Mr. Ian Parkinson - Sheriff Coroner and Mr. Hastie:** speak.

**The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2018-281.**

**Pulled from the Consent Agenda for separate action - Public Works Sitting as Flood Control District:**

- 33. Request to appoint Lee Nesbitt as Member and Hilary Graves as Alternate Member to the Water Resources Advisory Committee of the San Luis Obispo County Flood Control and Water Conservation District representing the Estrella-El Pomar-Creston Water District. All Districts.

**Ms. Hilary Graves and Mr. Greg Grewal:** speak.

**Supervisor Arnold:** explains she is not comfortable voting on this item until it goes before the Local Agency Formation Commission (LAFCO) on November 15, 2018.

**The Board tables this item to Tuesday, November 20, 2018 as a Consent Agenda item.**

**Motion by:** Debbie Arnold

**Second by:** John Peschong

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Peschong, John (Chairperson)	x			
Arnold, Debbie (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			
Compton, Lynn (Board Member)	x			

**Public Comment Period:**

- 38. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

**Mr. Dan Dow - District Attorney:** commends Chief Deputy Ron Hastie on his retirement.

**Mr. Tommy Gong - County Clerk-Recorder:** discusses today's election; voter registration; and reminders to voters.

**Mr. Eric Greening:** commends the election department and poll workers; and suggests a study session relative to the Salinas Dam.

**Mr. Ben DiFatta:** speaks to manager and elected official salaries and benefits; and various cannabis smoke related health concerns. **No action taken.**

**Board Business:**

- 39. Presentation of the San Luis Obispo County Tourism Marketing District's (TMD) FY 2017-18 Annual Report (Clerk's File) presented by Visit SLO CAL. All Districts.

**Mr. Chuck Davision - Visit SLO CAL:** provides the powerpoint presentation.

**Chairperson Peschong:** opens the floor to public comment without response and receives and files the FY 2017-18 annual report of the County's Tourism Marketing District.

- 40. Review of the FY 2019-20 Budget Goals and Policies, Budget Balancing Strategies and Approaches, and Board Priorities. All Districts.

**Ms. Emily Jackson – Administration Office and Mr. Wade Horton - County Administrative Officer:** provide the staff powerpoint presentation.

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

**Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB):** speaks.

**Supervisor Gibson:** states he cannot support approval of this item; it doesn't mention homelessness and puts the roads system above human needs in the county.

**The Board reviews and approves: 1) the FY 2019-20 Budget Goals and Policies; and 2) the Budget Balancing Strategies and Approaches as presented by staff.**

**Motion by:** Debbie Arnold

**Second by:** John Peschong

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Peschong, John (Chairperson)	x			
Arnold, Debbie (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)		x		
Hill, Adam (Board Member)	x			
Compton, Lynn (Board Member)	x			

**Closed Session Items:**

**41.** 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: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

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) Application Filed by PG&E for Retirement of Diablo Canyon Power Plant A: 16-08-006; (4) Mesa Community Alliance v. California Department of Parks and Recreation, et al.: 14CV-0096.

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: (5) San Luis Obispo Government Attorney's Union (SLOGAU); (6) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (7) Deputy County Counsels' Association (DCCA); (8) Sheriffs' Management; (9) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (10) Deputy Sheriff's Association (DSA); (11) District Attorney Investigators' Association (DAIA); (12) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (13) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (14) Unrepresented Management and Confidential Employees; and (15) Sworn Deputy Sheriffs' Association (SDSA); (16) United Domestic Workers of America (UDWA).

**Chairperson Peschong:** 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.

**[Supervisor Hill is now absent.]**

**Introduction of Cattleman of the Year:**

This is the time set for the introduction of the Cattleman of the Year by the Cattleman's Association.

**Mr. Claude Loftus - Cattleman's Association President:** introduces the Cattleman of the Year Mr. Kurt Bollinger. **No action taken.**

**Presentations:**

**42.** Submittal of a resolution recognizing Chief District Attorney Investigator William M. Hanley upon his retirement after 33 years of service to the citizens of San Luis Obispo County. All Districts.

**Mr. Dan Dow – District Attorney** is presented with a resolution on behalf of Chief District Attorney Investigator William M. Hanley read by Supervisor Compton.

**Mr. Dow:** speaks.

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

**The Board adopts RESOLUTION NO. 2018-282, a resolution commending William M. Hanley in recognition of thirty-three years of service with the County of San Luis Obispo.**

**Motion by:** Lynn Compton  
**Second by:** John Peschong

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Peschong, John (Chairperson)	x			
Arnold, Debbie (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			

43. Submittal of a resolution proclaiming November 2018 as "Thank a Veteran Month" in San Luis Obispo County. All Districts.

**Mr. Christopher Lopez – Veteran’s Services Director** is presented with a resolution read by Supervisor Arnold.

**Mr. Lopez and Ms. Brandi Bowser - San Luis Obispo County Supportive Services for Veterans Families:** speak.

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

**The Board adopts RESOLUTION NO. 2018-283, a resolution proclaiming November 2018 as “Thank a Veteran Month” in San Luis Obispo County.**

**Motion by:** Debbie Arnold  
**Second by:** Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Peschong, John (Chairperson)	x			
Arnold, Debbie (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			

**Board Business:**

44. Submittal of a resolution outlining the County General Assistance program, an assistance program for those persons who are ineligible for aid under any other federal or state program, which will revoke and replace resolution No. 93-74. All Districts.

**Mr. Devin Drake – Department of Social Services Director and Ms. Linda Belsh – Department of Social Services:** provide the staff powerpoint presentation.

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

**The Board adopts RESOLUTION NO. 2018-284, a resolution revoking and replacing Resolution No. 1993-74 and adopting a policy for the relief and support of indigent and dependent residents of San Luis Obispo County.**

**Motion by:** Bruce S. Gibson  
**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Peschong, John (Chairperson)	x			
Arnold, Debbie (Vice Chairperson)	x			
Gibson, Bruce S. (Board Member)	x			
Compton, Lynn (Board Member)	x			

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, November 06, 2018, 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:** November 26, 2018