

Tuesday, September 17, 2019

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

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON ARNOLD.

CONSENT AGENDA – REVIEW AND APPROVAL:

01-14 This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: opens the floor to public comment.

The actions taken for Consent Agenda items 01 through 14 on the following vote are indicated in each item.

Motion By: Gibson, Bruce S.

Second By: Peschong, John

Board Members:	AYES:	NOES:	ABSTAIN:	RECUSE:
Debbie Arnold (Chairperson, District 5)	X			
Adam Hill (Vice-Chairperson, District 3)	X			
John Peschong (Board Member, District 1)	X			
Bruce S. Gibson (Board Member, District 2)	X			
Lynn Compton (Board Member, District 4)	X			

CONSENT AGENDA - ADMINISTRATIVE OFFICE ITEMS:

01 Request to 1) approve the FY 2019-20 Fish and Game project listing as recommended by the Fish and Game Fines Committee and 2) authorize a budget adjustment in the amount of \$10,000 from Fish and Game project reserves to Fund Center (FC) 331 – Fish and Game to fund more projects than in previous years, by 4/5 vote. All Districts.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - CENTRAL SERVICES ITEMS:

02 Submittal of a resolution authorizing the surplus and sale of County-owned real property known as Mojave Lane in the City of Paso Robles. This action is exempt from CEQA. District 1.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-258.

03 Request to approve: 1) the third amendment to lease between County of San Luis Obispo and Montoro Land Company, LLC for office space at 1200 Monterey Street in San Luis Obispo and 2) second amendment to lease between County of San Luis Obispo and Montoro Land Company, LLC for a parking lot at 970 Toro Street in San Luis Obispo. All Districts.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - CLERK-RECORDER ITEMS:

04 Request for the Board of Supervisors to make appointments in-lieu of an election to the Shandon San Juan Water District. Districts 1 and 5.

Mr. Tommy Gong - County Clerk-Recorder: speaks.

The Board approves as recommended by the County Administrative Officer.

05 Request for the Board of Supervisors to make appointments in-lieu of an election to the Estrella-El Pomar Water District. Districts 1 and 5.

Mr. Tommy Gong - County Clerk-Recorder: speaks.

The Board approves as recommended by the County Administrative Officer.

06 Request to declare the results of the August 27, 2019, Templeton Community Services District Special Election. Districts 1.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - HEALTH AGENCY ITEMS:

07 Request to: 1) approve a resolution authorizing Behavioral Health to accept a Community Services Infrastructure (CSI) grant in the amount of \$855,832 for a period of 36 months (July 25, 2019, through June 30, 2022), to provide renovation of office space for jail diversion programs at the Health Agency Campus in San Luis Obispo, and 2) authorize the Health Agency Director or his designee to sign the standard agreement and all other documents required for participation, acceptance, and application that do not increase the level of General Fund support required by Behavioral Health. All Districts.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-259.

08 Request to: 1) approve FY 2019-20 contract awards with Gryphon, Restorative Partners, The Discipleship Home, and The Next Step, in the cumulative amount not to exceed \$758,593 to provide safe and sober recovery-oriented housing in a recovery residence appropriate for individuals who have been identified as requiring housing in addition to treatment; and 2) delegate authority to the Health Agency Director or his designee to sign any amendments to the recovery residence contracts, including option to renew for two additional years (through June 30, 2022), that do not increase the level of General Fund Support required by the Health Agency. All Districts.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - LIBRARY ITEMS:

09 Request to authorize a budget adjustment in the amount of \$50,000 from Library Facilities Planning Reserves to FC 230 – Capital Projects WBS 320097 for the Los Osos Library Conceptual Plan, by 4/5 vote. District 2.

Ms. Linde Owen: speaks.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - PARKS & RECREATION ITEMS:

- 10** Request to approve an amendment to the fixed asset list for Fund Center (FC) 427 - Golf to substitute the purchase of a \$12,500 top-dresser with the purchase of a \$9,000 trailer, by 4/5 vote. All Districts.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - PLANNING & BUILDING ITEMS:

- 11** Submittal of a resolution authorizing: 1) County staff to submit the Local Coastal Planning (LCP) Planning Grant Round 6 Application to the California Coastal Commission (CCC) in the amount of \$130,000 to plan the relocation of the San Simeon Wastewater Treatment Plant; and 2) the Director of Planning and Building to execute all necessary applications, contracts and agreements and amendments to carry out the grant application package. District 2.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-260.

CONSENT AGENDA - PUBLIC WORKS ITEMS:

- 12** Request to approve Contract Change Order No. 1 to the agreement with David Crye General Engineering Contractor, Inc., in the amount of \$298,428; and authorize the Director of Public Works, or designee, to execute and process the change order; and increase the total construction contingency amount to \$396,428 for the Arroyo Grande Creek Waterway Management Program Phase I Project. District 4.

Mr. David Flynn - Public Works Department: clarifies this item should have been listed as a Consent Agenda Item under the Board Sitting as the Flood Control and Water Conservation District, not Public Works.

The Board approves as recommended by the County Administrative Officer.

- 13** Request to approve a base year rate adjustment for garbage hauling services provided by South County Sanitary Service, Inc. and San Luis Obispo Garbage Company, County of San Luis Obispo. Districts 3 and 4.

The Board approves as recommended by the County Administrative Officer.

- 14** Request to declare Public Works' vehicles surplus and authorize disposal through public auction. All Districts.

The Board approves as recommended by the County Administrative Officer.

PRESENTATIONS:

- 15** Submittal of a resolution recognizing September 21, 2019 as Museum Day throughout San Luis Obispo County. All Districts.

Mr. Gary McMaster is presented with a resolution read by Supervisor Peschong.

Mr. McMaster: speaks.

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

The Board adopts RESOLUTION NO. 2019-261, a resolution recognizing September 21, 2019 as Museum Day throughout the County of San Luis Obispo.

Motion By: Peschong, John
Second By: Gibson, Bruce S.

Board Members:	AYES:	NOES:	ABSTAIN:	RECUSE:
Debbie Arnold (Chairperson, District 5)	X			
Adam Hill (Vice-Chairperson, District 3)	X			
John Peschong (Board Member, District 1)	X			
Bruce S. Gibson (Board Member, District 2)	X			
Lynn Compton (Board Member, District 4)	X			

16 Presentation from SLO Regional Rideshare and acknowledgement of the pledge to make a smart commute choice during "Rideshare Week", October 7th through October 11th, 2019. All Districts.

Ms. Catalina Hubbard - SLO Regional Rideshare: presents the powerpoint.

Chairperson Arnold: opens the floor to public comment without response. **No action taken.**

PUBLIC COMMENT PERIOD:

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

Mr. Eric Greening: requests the upcoming Community Choice presentation be agendized as an action item; comments on a recent Planning Commission hearing regarding second units; and CEQA guideline changes.

Mr. Gene Nelson - California for Green Nuclear Power (CGMP): advocates for continuing safe operations at the Diablo Canyon Power Plant beyond 2025 (documents).

Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB): recommends the Board endorse Jordan Cunningham’s proposed Assembly Constitutional Amendment No. 18; and comments on community choice aggregation.

Ms. Celeste Goyer - Smart Share Housing: announces a event on October 11th through 13th regarding tiny homes on wheels (photographs).

Mr. Peter Bryne: speaks in support of Jordan Cunningham’s proposed ACA No. 18.

Ms. Linde Owen: comments on proposed homeless housing by Cuesta College. **No action taken.**

BOARD BUSINESS:

18 Submittal of the Fiscal Year 2018-19 Year-End Financial Status Report. All Districts.

Ms. Lisa Howe - Administrative Office: presents the staff powerpoint.

Supervisor Gibson: questions court security operations, with Mr. Ian Parkinson - Sheriff-Coroner responding.

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

The Board: 1) receives, reviews, and files the Fiscal Year 2018-19 Year-End Financial Status Report; 2) approves the request to accept donations in the amount of \$14,383 for FC 137- Animal Services for medical care, humane services, and to offset adoption

fees for selected sheltered animals to encourage re-homing; 3) approves a request to accept cash donations in the amount of \$9,056.69 on behalf of Social Services to purchase special services for children and adults; 4) approves a request to accept cash donations in the amount of \$739.24 on behalf of Parks and Recreation to continue expected services to the public; 5) approves a request for relief from accountability for FC 180 – Social Services for uncollectable debt in the amount of \$46,629.03 CALWORKS, CalFresh, and General Assistance debts; 6) receives and files the annual report of fees waived by the Planning and Building Department; 7) receives and files the quarterly report of right of way conveyances approved by the Director of Public Works pursuant to Resolution 2019-042; 8) receives and files the Fleet Selection Criteria Policy Annual Progress Report; and 9) adopts RESOLUTION NO. 2019-262, a resolution amending the Position Allocation List Resolution for Fiscal Year 2019-20 for FC 166 – Behavioral Health to delete 1.00 FTE Behavioral Health Worker and add 1.00 FTE Behavioral Health Specialist and for FC 160 – Public Health to delete 1.00 FTE Administrative Services Manager and add 1.00 FTE Department Administrator.

Motion By: Gibson, Bruce S.
Second By: Hill, Adam

Board Members:	AYES:	NOES:	ABSTAIN:	RECUSE:
Debbie Arnold (Chairperson, District 5)	X			
Adam Hill (Vice-Chairperson, District 3)	X			
John Peschong (Board Member, District 1)	X			
Bruce S. Gibson (Board Member, District 2)	X			
Lynn Compton (Board Member, District 4)	X			

19 Submittal of the County's 2018-19 Annual Report. All Districts.

Ms. Whitney Szentesi - Administrative Office: introduces the 2018-19 Annual Report.

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

The Board receives and files the report.

Motion By: Peschong, John
Second By: Gibson, Bruce S.

Board Members:	AYES:	NOES:	ABSTAIN:	RECUSE:
Debbie Arnold (Chairperson, District 5)	X			
Adam Hill (Vice-Chairperson, District 3)	X			
John Peschong (Board Member, District 1)	X			
Bruce S. Gibson (Board Member, District 2)	X			
Lynn Compton (Board Member, District 4)	X			

20 Request to 1) receive and file the Sheriff-Coroner's response to identified staffing needs and strategies for reducing overtime use; and 2) approve a pilot program to reduce overtime expenditures in the Sheriff-Coroner's office by overfilling 12.00 FTE new Deputy positions (6.00 FTE Deputy Sheriffs and 6.00 FTE Correctional Deputies). All Districts.

Mr. Ian Parkinson - Sheriff-Coroner: presents the staff powerpoint.

Chairperson Arnold: opens the floor to public comment.

Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB): speaks.

The Board: 1) receives and files the Sheriff-Coroner's response to identified staffing needs and strategies for reducing overtime use; and 2) approves a pilot program to

reduce overtime expenditures in the Sheriff-Coroner’s office by overfilling 12.00 FTE new Deputy positions (6.00 FTE Deputy Sheriffs and 6.00 FTE Correctional Deputies).

Motion By: Peschong, John
Second By: Compton, Lynn

Board Members:	AYES:	NOES:	ABSTAIN:	RECUSE:
Debbie Arnold (Chairperson, District 5)	X			
Adam Hill (Vice-Chairperson, District 3)	X			
John Peschong (Board Member, District 1)	X			
Bruce S. Gibson (Board Member, District 2)	X			
Lynn Compton (Board Member, District 4)	X			

HEARINGS:

21 Hearing to consider an amendment to Section 2.40.060 of the County Code to 1) remove the Assistant Assessor classification from the classified service and add it to the list of unclassified service positions and 2) update the title of Personnel Director to Human Resources Director. All Districts.

Ms. Tami Douglas-Schatz - Human Resources: presents the staff powerpoint.

Chairperson Arnold: opens the floor to public comment.

Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB): speaks.

The Board waives the reading of the proposed ordinance and said ordinance is read by title only and adopts ORDINANCE NO. 3396, an ordinance amending section 2.40.060 of the County Code and directs the Clerk to publish the amended ordinance in a newspaper of general circulation, in its entirety, within 15 days after adoption. Furthermore, the Board directs the Human Resources Department to maintain the job specification for the Assistant Assessor position.

Motion By: Gibson, Bruce S.
Second By: Hill, Adam

Board Members:	AYES:	NOES:	ABSTAIN:	RECUSE:
Debbie Arnold (Chairperson, District 5)	X			
Adam Hill (Vice-Chairperson, District 3)	X			
John Peschong (Board Member, District 1)	X			
Bruce S. Gibson (Board Member, District 2)	X			
Lynn Compton (Board Member, District 4)	X			

CLOSED SESSION ITEMS:

22 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: Four.

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) Application filed

by PG&E in the 2018 Nuclear Decommissioning Cost Triennial Proceeding (U 39 E) A: 18-12-008; (5) In re PG&E Corporation (19-19-30088) (6) In re PG&E Company (19-19-30089).

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: (7) San Luis Obispo Government Attorney’s Union (SLOGAU); (8) San Luis Obispo County Employees Association–Trades and Crafts (SLOCEA-T&C); (9) Deputy County Counsels’ Association (DCCA); (10) Sheriffs’ Management; (11) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (12) Deputy Sheriff’s Association (DSA); (13) District Attorney Investigators’ Association (DAIA); (14) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (15) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (16) Unrepresented Management and Confidential Employees; and (17) Sworn Deputy Sheriffs’ Association (SDSA); (18) United Domestic Workers of America (UDWA).

Chairperson Arnold: 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.

I, **WADE HORTON**, 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, September 17, 2019, 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.



WADE HORTON, Ex-Officio Clerk of the Board of Supervisors

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