



BOARD OF SUPERVISORS AGENDA
John Peschong *District One*
Bruce Gibson *District Two*
Adam Hill *Vice-Chairperson, District Three*
Lynn Compton *District Four*
Debbie Arnold *Chairperson, District Five*

Wade Horton County Administrator

AGENDA
Tuesday, November 5, 2019
County Government Center
Board of Supervisors Chambers
1055 Monterey Street | San Luis Obispo, CA 93408

Tuesday, November 5, 2019

CONSENT AGENDA	9:00AM
REVIEW AND APPROVAL	
PRESENTATIONS	
PUBLIC COMMENT PERIOD	
BOARD BUSINESS	
CLOSED SESSION	
RECESS	
AFTERNOON SESSION	1:30 PM
REPORT ON CLOSED SESSION	
PRESENTATIONS	
HEARINGS	
ADJOURNMENT	5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE**CONSENT AGENDA – REVIEW AND APPROVAL**

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Items Set for Hearing:

- 1 Submittal of a resolution to amend provisions of the California Building Standards Code based on local climatic, geological, or topographical conditions and introduction of ordinances amending the Fire Code and the Cayucos Hazard Abatement, both contained in Title 16 of the San Luis Obispo County Code to be consistent with the most recently adopted State codes and general cleanup. Hearing set for November 19, 2019. All Districts.
- 2 1) Submittal of a resolution to amend provisions of the California Building Standards Code based on local climatic, geological, or topographical conditions and 2) introduction of an ordinance amending the Building and Construction Ordinance, Title 19 of the San Luis Obispo County Code, to be consistent with the most recently adopted State codes and to implement other non-substantive changes. Hearing set for November 19, 2019. All Districts.
- 3 Introduction of an ordinance implementing the County Fee Schedule "A" for Calendar Year 2020 and Fee Schedule "B" for Fiscal Year 2020-21. Hearing date set for November 19, 2019. All Districts.

Bid-Opening:

- 4 Submittal of bid opening report for the Groundwater Extraction and Treatment System, Los Osos Landfill Project, to award the subject contract (Clerk's File) to Jensen Drilling Company, the lowest responsive, responsible bidder, in the amount of \$777,000; and authorize a budget adjustment, in the amount of \$575,660, to increase appropriation and associated funding, by 4/5 vote. District 2.

Consent Agenda - Administrative Office Items:

- 5 Request to approve budget adjustments in the total amount of \$500,000 from General Fund contingencies to fund emergency expenses related to preparation for a Public Safety Power Shutoff event, by 4/5 vote. All Districts.
- 6 Submittal of a resolution authorizing the County Office of Emergency Services to apply for Federal Fiscal Year 2019 Homeland Security Grant in the amount of \$363,186. All Districts.
- 7 Submittal of a resolution authorizing the County Administrative Officer, or designee, as the authorized representative to file an application and execute agreements and any future amendments for up to \$310,000 of Senate Bill 2 Planning Grant Program funds from the State Department of Housing and Community Development to support

regional efforts to accelerate housing production for the anticipated grant term of March 28, 2019 through June 30, 2022. All Districts.

- 8 Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to reappoint Jena Wilson to the Arroyo Grande/San Luis Obispo (unincorporated) Local Area Advisory Board. Districts 3 and 4.
- 9 Request to approve a FY 2019-20 renewal agreement with the Cal Poly Corporation to support the SLO HotHouse - Center for Innovation and Entrepreneurship in the amount of \$200,000 to be paid out of FC 290 - Community Development to enhance economic development. All Districts.
- 10 Request to approve a FY 2019-20 agreement with the Economic Vitality Corporation in the amount of \$10,000 to implement economic development programs identified in the Economic Element of the County General Plan. All Districts.
- 11 Request to authorize the County Administrative Officer to send a response letter to the California State Board of Food and Agriculture regarding outreach and engagement to the irrigated agriculture community in the Paso Robles Groundwater Basin in regards to the Sustainable Groundwater Management Act (SGMA). All Districts.

Consent Agenda - Agricultural Commissioner Items:

- 12 Request to appoint Butch Yamashita to the Agricultural Liaison Advisory Board. All Districts.

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

- 13 Submittal of a resolution approving the substitution of property in connection with the County of San Luis Obispo's financing and space leases with the California Infrastructure and Economic Development Bank (IBank). All Districts.

Consent Agenda - Board of Supervisors Items:

- 14 Submittal of a Supervisor's expense report on meetings attended pursuant to Government Code Section 53232.3(d). District 2.
- 15 Submittal of a resolution recognizing the 10th Anniversary of the Atascadero Kiwanis Aktion Club in San Luis Obispo County. All Districts.
- 16 Submittal of a resolution proclaiming November 2019 as "National Hospice and Palliative Care Month" in San Luis Obispo County. All Districts

Consent Agenda - Central Services Items:

- 17 Request to approve a ground lease between County of San Luis Obispo and Casmalia 1, 2, 3 & 4, LLC, Casmalia Land and Cattle Company, et al., for maintaining a communications facility at San Antonio Peak in the County of Santa Barbara, for five (5) years, by 4/5 vote. All Districts.

Consent Agenda - District Attorney Items:

- 18 Submittal of the FY 2018-19 Annual Report of the Real Estate Fraud Prosecution Program as required per Government Code Section 27388(d). All Districts.
- 19 Submittal of a resolution amending Fund Center 132 – District Attorney’s Position Allocation List (PAL) to delete 1.00 FTE Legal Clerk, 1.00 FTE Supervising Legal Clerk I, and 1.00 FTE Deputy District Attorney IV; and, to add 1.00 FTE Business Systems Analyst, 1.00 FTE Accountant II, and 1.00 FTE Chief Deputy District Attorney. All Districts.
- 20 Request to authorize the San Luis Obispo County District Attorney’s Christopher G. Money Victim Witness Assistance Center to (1) apply, accept and to continue to distribute funds for the January 1, 2020 through December 31, 2020 grant period and California Governor’s Office of Emergency Services (Cal OES) Victim Services (XC) Program grant totaling \$192,219; and (2) authorize the District Attorney to sign, on behalf of the Board, all grant documents to include any extensions or amendments thereof; and, (3) authorize the District Attorney or Assistant District Attorney to execute operational agreements with implementing agencies that will receive a sub-award of the grant funds to streamline the process of connecting victims of crime with multiple, local resources and services; and (4) approve a budget adjustment in the amount of \$96,110 to increase appropriation in Fund Center 13202- District Attorney Victim Services, by 4/5 vote. All Districts.
- 21 Request to authorize the San Luis Obispo County District Attorney’s Christopher G. Money Victim Witness Assistance Center to apply, accept and continue two Unserved/Underserved Victim Advocacy and Outreach (XV) Program grants for a total of \$149,536 each, to serve both the elder and crime victims with disabilities populations for the grant period of January 1, 2020 to December 31, 2020; and delegate authority to the District Attorney to sign the two grant agreements between the County of San Luis Obispo and the California Office of Emergency Services (Cal OES) including any extension or amendment thereof. All Districts.

Consent Agenda - Health Agency Items:

- 22 Request to: 1) approve a resolution authorizing submittal of two applications to the California Department of Housing and Community Development (HCD) for No Place Like Home (NPLH) funding in the amount up to \$9,000,000, for a one-time payment aimed at providing permanent supportive housing for persons who are in need of mental health services and are experiencing homelessness or at risk of homelessness, 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 does not increase the level of General Fund support

required by the Health Agency. All Districts.

Consent Agenda - Human Resources Items:

- 23 Submittal of a resolution approving 1) the July 1, 2019 through June 30, 2022 Memorandum of Understanding between the County of San Luis Obispo and the San Luis Obispo County Sheriffs Managers' Association, and 2) amendments to the San Luis Obispo County Employees Retirement Plan Appendices. All Districts.
- 24 Request to 1) authorize the Human Resources Director to sign an agreement with First 5 San Luis Obispo County and Community Action Partnership of San Luis Obispo County in the amount of \$20,000 for completion of a child care study to increase access to high quality, affordable child care and 2) authorize a budget adjustment in the amount of \$20,000 from Fund 1000000000 - General Fund Contingencies to FC 11201 – Human Resources to fund the agreement, by 4/5 vote. All Districts.

Consent Agenda - Planning & Building Items:

- 25 Submittal of 1) a resolution to amend the Position Allocation List (PAL) for Fund Center (FC) 142 – Department of Planning and Building by adding the following positions: 1.00 FTE Assistant Director – Planning and Building, 1.00 FTE Department Administrator, 2.00 FTE Administrative Service Officer I-II, 1.00 FTE Division Manager – Planning, 2.00 FTE Land Use Technician, 1.00 FTE Information Technology Specialist I-II, 2.00 FTE Supervising Administrative Clerk II, and 1.00 FTE Accountant I-III; deleting the following positions: 1.00 FTE Deputy Director – Planning, 1.00 FTE Deputy Director – Building, 1.00 FTE Division Manager – Building, 1.00 FTE Supervising Planner, 2.00 FTE Senior Planners, 1.00 FTE Geographic Information Systems Analyst I-III, and 2.00 FTE Secretary II; and adding 1.00 FTE Division Manager – Planning to process the Diablo Canyon Power Plant (DCPP) Decommissioning & Reuse Project; and 2) a request to approve a budget adjustment in the amount of \$102,851 from Fund 120300000 – Account 3250566 – Designated Funds SB 1090 to FY 142 – Planning and Building for the Diablo Canyon Power Plant (DCPP) Decommissioning & Reuse Project, by 4/5 vote. All Districts.
- 26 Request to approve a Notice of Cancellation of Covenant and Agreement Restricting Use of Property by and between Ray A. Bognuda and Lisa Souza Bognuda and the County of San Luis Obispo; exempt from CEQA. District 4.
- 27 Submittal of a resolution accepting an Avigation Easement from Brian Scott Coates and Kimberly Ann Coates for a property located on the north side of McCarthy Avenue, approximately 60 feet east of the intersection of Strand Way and McCarthy Avenue, in the community of Oceano, for the Oceano County Airport; exempt from CEQA. District 4.

Consent Agenda - Public Works Items:

- 28 Submittal of right of way documents accepting conveyance of easements to the County of San Luis Obispo from Arthur Castellanos and Suzanne Castellanos et al., for the El Camino Real Bridge at Santa Margarita Creek Project, south of Atascadero. District 5.
- 29 Submittal of the amended Exhibit A to Resolution No. 2019-132, dated May 14, 2019, showing the special tax amount placed on the FY 2019-20 tax roll for County Service Area No. 9, Zone I (East of Los Osos Creek) after the annual Consumer Price Index adjustment. District 2.
- 30 Request to approve Tract Map 2162 Phase 2A, a proposed subdivision resulting in 3 open space lots, by The BU Houses, LLC; and adopt the attached resolution to accept the open space easement in the community of Oak Shores. District 1.

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

- 31 Request to appoint George Kendall as an Agriculture At-Large Member and Steve Carter as the Farm Bureau Member of the Water Resources Advisory Committee of the San Luis Obispo County Flood Control and Water Conservation District. All Districts.
- 32 Submittal of the amended Exhibit B to Resolution No. 2019-133, dated May 14, 2019, showing the assessment amount placed on the FY 2019-20 tax roll for San Luis Obispo County Flood Control and Water Conservation District, Zone 16 (Drainage Basins of various developments in Nipomo and San Miguel) after the annual Consumer Price Index adjustment. Districts 1 and 4.

Consent Agenda - Social Services Items:

- 33 Request to approve the appointment of Bettina Swigger to the Homeless Services Oversight Council (HSOC). All Districts.
- 34 Request to reappoint Tony R. Hoffman to the San Luis Obispo County Workforce Development Board. All Districts
- 35 Submittal of a resolution amending the Position Allocation List (PAL) for Fund Center 290 – Department of Social Services to add 1.00 Limited Term FTE Administrative Services Officer I-II and 0.50 Limited Term FTE Administrative Assistant I-III to administer the Homeless Emergency Aid Program grant and the California Emergency Solutions and Housing grant. All Districts.

Consent Agenda - Veterans Services Items:

- 36 Request to approve the Annual Subvention and Medi-Cal Cost Avoidance Program Certificates of Compliance/Agreements with the California Department of Veterans Affairs (CDVA) for FY 2019-20. All Districts.

Presentations:

- 37 Submittal of a resolution recognizing November as “National Adoption Month” in San Luis Obispo County. All Districts.
- 38 Submittal of a resolution recognizing the San Luis Obispo Botanical Gardens on its 30th Anniversary. All Districts.
- 39 Presentation from the California State Association of Counties recognizing the County of San Luis Obispo with a 2019 Challenge Award for its innovative Coastal Valley Academy program. All Districts.

Public Comment Period:

- 40 The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board’s purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Board Business:

- 41 Review of the FY 2020-21 Budget Goals and Policies, Budget Balancing Strategies and Approaches, and Board Priorities. All Districts.
- 42 Consideration of a five-year financial planning outlook for the County of San Luis Obispo. All Districts.
- 43 A request to receive and file 1) a report on Department of Planning and Building Priorities and provide staff direction as necessary and 2) the Annual General Plan Progress Report. All Districts.

Closed Session Items:

- 44 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 in the 2018 Nuclear Decommissioning Cost Triennial Proceeding (U 39 E) A: 18-12-008; (4) In re PG&E Corporation (19-19-30088) (5) In re PG&E Company (19-19-30089); (6) McLaughlin, Dorothy & Keith v. County of SLO, et al. (18CV-0275).

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.)

County of San Luis Obispo Government Center

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).

RECESS

1:30 REPORT ON CLOSED SESSION

Hearings - Afternoon Session:

- 45 Hearing to consider 1) receiving and filing the FY 2018-19 Annual Report for the Public Facilities Fees program and 2) submittal of a resolution to amend the Public Facilities Financing Plan and Title 18 (the Public Facilities Fees Ordinance) of the County Code to provide for future public facilities that will be needed from 2019 to 2040; exempt from CEQA. All Districts.
- 46 Hearing to consider 1) the submittal of a resolution amending Title 22 and Title 19 (LRP2019-00007) of the County Code extending the Water Neutral New Development programs in the Paso Robles Groundwater Basin to January 1, 2025, and formalizing procedures for managing the Agricultural Offset Ordinance regarding application review and establishment of water duty factors and 2) submittal of a resolution amending the Position Allocation List for FC 142 – Planning and Building extending the sunset date for 1.00 FTE Limited Term Planner I/II/III position to December 31, 2024. Districts 1 and 5.
- ND Report of Environmental Documents Available for Review (Courtesy Notice)

The San Luis Obispo County Department of Planning and Building compiles a report, referred to as a "[Courtesy Notice](#)", that summarizes the most recent determinations made by the County's Environmental Coordinator.

The purpose of this report is to notify the public of pending actions, which may affect the environment of San Luis Obispo County. You are invited to participate in this process by reviewing these reports and the documents referenced therein, and providing comments on the recommendations of the Environmental Coordinator.

Courtesy Notices and Environmental Documents can be accessed any of the following ways:

- Online at www.slocounty.ca.gov/EnvDocs.aspx
- In person at the Department of Planning and Building (address below)
- By direct request to Hilary Brown (805-788-2009 or hbrown@co.slo.ca.us)

Your comments/responses should be in writing and should be delivered to:

Environmental Coordinator, Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA
93408-2040

For more information about the environmental review process, please visit:
<http://www.slocounty.ca.gov/EnvironmentalReview.aspx>