

Tuesday, November 5, 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 .

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 ITEMS:

01-36 This is a time set for consideration of the consent agenda.

Chairperson Arnold: opens the floor to public comment.

The actions taken for consent agenda items 01-36 on the following vote as indicated in each item.

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			

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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-290.

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.

Ms. Cheryl Journey: amends attachments 2 to correct redline version table 903.1 and 903.2 for automatic fire sprinkler systems, and attachment 3 to the staff report to amend the clean version to include table 903.1.

The Board approves as recommended by the County Administrative Officer and as amended by this Board and adopts RESOLUTION NO. 2019-291.

- 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.

The Board approves as recommended by the County Administrative Officer.

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.

The Board approves as recommended by the County Administrative Officer.

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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-292.

- 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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-293.

- 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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board pulls this item is for separate vote at the end of consent.

CONSENT AGENDA - AGRICULTURAL COMMISSIONER ITEMS:

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

The Board approves as recommended by the County Administrative Officer.

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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-294.

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.

The Board approves as recommended by the County Administrative Officer.

- 15** Submittal of a resolution recognizing the 10th Anniversary of the Atascadero Kiwanis Aktion Club in San Luis Obispo County. All Districts.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-295.

- 16** Submittal of a resolution proclaiming November 2019 as "National Hospice and Palliative Care Month" in San Luis Obispo County. All Districts

The Board approves as recommended by the County Administrative Officer and adopts

RESOLUTION NO. 2019-296.

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.

The Board approves as recommended by the County Administrative Officer.

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.

The Board approves as recommended by the County Administrative Officer.

- 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.

(This item was amended, per the addendum to the agenda, by replacing attachment 2 PAL resolution with an amended copy. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirements.)

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-297.

- 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.

(This item is withdrawn, per the addendum to the agenda. Staff is withdrawing this item to bring back at a later date. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirements).

The Board withdraws this item, per the addendum to the agenda.

- 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.

(This item is withdrawn, per the addendum to the agenda. Staff is withdrawing this item to bring back at a later date. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirements).

The Board withdraws this item, per the addendum to the agenda.

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.

(This item is being amended, per the addendum to the agenda, by replacing the staff report and resolution to request up to \$15 million of No Place Like Home funds rather than up to \$9 million. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirements).

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-298.

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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-299.

- 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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-300.

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.

Mr. E Greening: speaks.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-301.

- 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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-302.

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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-303.

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.

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer.

CONSENT AGENDA - SOCIAL SERVICES ITEMS:

- 33** Request to approve the appointment of Bettina Swigger to the Homeless Services Oversight Council (HSOC). All Districts.

The Board approves as recommended by the County Administrative Officer.

- 34** Request to reappoint Tony R. Hoffman to the San Luis Obispo County Workforce Development Board. All Districts

The Board approves as recommended by the County Administrative Officer.

- 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.

The Board approves as recommended by the County Administrative Officer and adopts RESOLUTION NO. 2019-304.

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.

The Board approves as recommended by the County Administrative Officer.

- 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.

(This item was pulled for separate vote by the Board)

E Greening, M Brown, E Beraud, J Reaugh, G Grewal: speak.

Supervisor Peschong: Makes a motion to approve staff recommendations support the letter and send.

Supervisor Compton: amends the motion to include to additionally send the letter to those CC'd in the original letter from the state.

On amended motion by Supervisor Peschong, seconded by Supervisor Compton Amends the motion to approve staff recommendations supporting and include sending the letter to those names identified on the left side of the letterhead in the original letter from the state.

Supervisors Gibson and Hill: outlines their reasons for not supporting

Supervisor Peschong, Compton and Arnold: outline thier reasons for supporting

The Board approves as recommended by the County Administrative Officer and as amended by this Board.

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			

PRESENTATIONS:

- 37** Submittal of a resolution recognizing November as "National Adoption Month" in San Luis Obispo County. All Districts.

Ms. Linda Belch: is presented with a resolution ready by Supervisor Gibson.

Ms. Linda Belch: plays a video (link)

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

The Board adopts RESOLUTION NO. 2019-305, a resolution recognizing November as National Adoption Month.

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			

38 Submittal of a resolution recognizing the San Luis Obispo Botanical Gardens on its 30th Anniversary. All Districts.

Ms. Eve Vigil: is presented with a resolution read by Supervisor Peschong.

Ms. Vigil: speaks.

Chairperson Arnold: opens the floor to additional public comment.

Mr. N Franco: speaks.

The Board adopts RESOLUTION NO. 2019-306, a resolution recognizing SLO Botanical Gardens on its 30th Anniversary.

Motion By: Peschong, John
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			

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.

Chairperson Arnold: call Ms. Whitney Szentesi to the podium

Ms. W Szentesi: speaks and introduces CSAC representative J Devencenzi to the podium.

Ms. J Devencenzi: presents the 2019 CSAC Challenge Award to Chief Jim Salio for innovative Coastal Valley Academy program.

Mr. J Salio and Mr. W Horton: Speak.

The Board calls for a voice vote, all in favor.

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			

PUBLIC COMMENT PERIOD:

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

Mr. M Brown: discusses re-examining county’s land use, Climate change concerns. Requests objective discussion regarding warming.

Ms. Wendy Wendt: We are the Care Initiative – options for families. Cuesta College has just stepped up to provide evening after hours care for children. Honor military families and child care professionals in our own community.

Mr. Greg Grewal: speaks regarding letter consent Item #11. Speaks regarding Supervisors Gibson’s past decisions. Unincorporated areas get no benefits and pay 50% of County budget.

Mr. B Difatta: speaks on taxes, never ending rise of utilities. Los Osos Golden State water costs are out of sight. Overspending by counties has to stop. Does not support time changes twice a year.

Ms. Jamie Jones: representing cannabis clients approved to operate under abeyance resolution. Abeyance resolution is set to expire at the end of the year, still trying to get applications approved to operate. Request the Board before the end of the year agendize extending advance resolution.

Mr. Eric Greening: PG&E huge liabilities. New CPUC claim, plunging value of PG&E shares; PG&E at fault for Kincaid fire. Who will replace PG&E? Protect the public interest?

Mr. Gary Kirkland: last meeting spoke on civility, saw examples of uncivility today. Urge to stick to issues. Roberts Rules of Orders, use point of order. Supports Mr. Mike Brown on global warming.

Ms. Linde Owen: Library expansion meeting in Los Osos went well last night. Spent \$100K on feasibility study, request feasibility study on Camp San Luis for homeless housing. Hemp growing on LOVR, both basins are in water crisis and does not make sense to put a crop in those basins.

No action taken.

BOARD BUSINESS:

41 Review of the FY 2020-21 Budget Goals and Policies, Budget Balancing Strategies and Approaches, and Board Priorities. All Districts.

Ms Emily Jackson – County Budget Director and Mr. Wade Horton – County Administrative Officer: present the staff PowerPoint.

Chairperson Arnold: opens the floor to public comment.

Mr. Gary Kirkland, Mr. Jim Roberts, Mr. Joe Rouleax, and Mr. Mike Brown: speak.

On motion by Supervisor Compton, seconded by Supervisors Peschong the Board approves staff recommendations and amends the Budget Goals and Policies document to include GSP in the short term goals and to change the language in item #18 regarding privatization.

Mr. Wade Horton requests that the motion be amended to include modifying the homeless priority to include detox and rehab.

Supervisor Compton amends the motion, seconded by Supervisor Peschong.

Supervisors Gibson: addresses his concerns for not adding GSP to short term, but long term, and interested if motion maker and second would amend the motion. Note that budgeting will be more challenging due to overloading our short term priorities.

Motion By: Compton, Lynn

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			

42 Consideration of a five-year financial planning outlook for the County of San Luis Obispo. All Districts.

Mr. Guy Savage – Assistant County Administrative Officer: presents staff PowerPoint.

Chairperson Arnold: opens the floor to public comment.

Mr. Mike Brown: speaks.

The Board receives and files the five-year financial planning outlook for the County of SLO.

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.

(The Board requests this item is trailed to the afternoon session).

CLOSED SESSION ITEMS:

44 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 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.) 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 items discussed during closed session as follows: By unanimous vote, the Board authorized initiation of litigation against three individuals who have administrative fines pending for violation of the County’s cannabis ordinance and/or other county code sections and have failed to pay said fines. Through a collection agency on behalf of the County, litigation will be filed against the following individuals:

- 1. Carols Beltran**

- 2. Dylan Thao
- 3. Felix Araujo

The Board also unanimously voted to authorize further litigation through a collection agency for unpaid administrative fines related to violation of County Ordinances. The Board goes into Open Public Session.

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.

Mr. Rob Fitzroy, Mr. Airlin Singewald, and Mr. Trevor Keith – presents staff PowerPoint.

Chairperson Arnold: opens the floor to public comment.

Mr. Eric Greening, Ms. Jamie Jones: speak.

The Board through Voice Vote unanimously receives and files the report on Department of Planning and Building priorities and gives staff direction and receives and files the Annual General Plan Progress report.

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.

Wes Drysdale: amends attachment 1 to be labeled as Exhibit C for the record and provides the Clerk new copies.

Wes Drysdale: presents staff PowerPoint.

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

On motion by Supervisor Gibson, seconded by Supervisor Hill the board approves staff recommendations to receive and file the FY 2018-19 Annual report for the Public Facilities Fees program; Adopts RESOLUTION NO. 2019-307 approving amendments to the Public Facility Financing Plan for Unincorporated Area facilities, covering the period from 2019 to 2040, imposing changes in fees as determined by the Public Facilities Financing Plan, and amendments to Title 18 of the County Code; Adopts ORDINANCE NO. 3397 amendments to the Public Facilities Fees Ordinance, Title 18 of the County Code; and waived the reading of the ordinance.

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			

- 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.

(This item is amended, per the addendum to the agenda, staff is amending attachment #7, removing a reference to amending the fee schedule, which is not related to this item, and combining separate references to adopt ordinances amending Title 22 and Title 19 individually into one reference to adopt amendments to Title 19 and Title 22 together. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour deadline.)

Kip Morias – Planning & Building: presents staffs PowerPoint

Chairperson Arnold: opens the floor to public comment.

Ms. Susan Johnson, Ms. Jamie Jones, Mr. Eric Greening, Mr. Greg Grewal, Mr. Robert Galbraith, Ms. Robin Chapman, Mr. Jerry Reaugh, Mr. Larry Ravera, Mr. John Walter, Ms. Patricia Wilmore, Mr. Garrett Philbin-absent when called: speak.

On motion by Supervisor Arnold, to accept staff recommendations with these changes, recording notice of deed restriction against property, and change look back date to 8/14/2014.

Discussion between planning, Board and County Counsel about changing look back date.

Supervisor Arnold amends the motion to recording notice, 1/30/22 another look and eliminating offsite offsets. Supervisors Peschong seconds the motion with these things noted for a Phase II discussion:

Looking at offsite offsets

Noticing deed restriction

foulowing registration

Housing projects – revisit requirements in ordinance that aren't allowing general plan amendments for subdivisions.

Reevaluate the Red Zone

Water duty factor for small grains

Supervisor Compton as the motion maker asks if she is excluding anything that was on staff recommendations, Supervisor Peschong states no. Supervisor Arnold restates the additions: recording notice, 1/30/22 another look, eliminating offsite offsets. Supervisors Gibson clarifies the motion to approve the planning commission recommended draft with those modifications and recommendations to staff for phase II, replace deed restriction with recording of notice and extension of 2 years rather than 5, elimination of offsite offsets. Supervisor Gibson asks motion maker to consider going back to 5 years instead of 2. Supervisor Arnold keeps motion exactly as stated. A straw vote is taken all in favor and break is taken for Planning & Building to amend ordinance and bring back to the Board. Supervisor Gibson calls the question for final vote. Under discussion Supervisors Gibson states that 2years is too short and that offsites are appropriate.

The Board adopts staff recommendations as amended by the Board to approve the addendum to the previously certified EIR as complete and adequate in accordance with the

applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. Seq.; adopt RESOLUTION NO. 2019-308 (attachment 7) amending Title 22 and Title 19 for the Water Neutral New Development programs in the Paso Robles Groundwater Basin; Adopts amendments to ORDINANCE 3398 to Title 22 and Title 19; waives the reading of the ordinance, and adopts RESOLUTION NO. 2019-309 amending the Position Allocation Listing for Fund Center 142 Planning and Building to extend the sunset date for a 1.00 FTE limited term Planner I/II/III position to December 31, 2024.

Motion By: Arnold, Debbie
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			

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, November 5, 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/ Tessa Cornejo, Deputy Clerk-Recorder