



BOARD OF SUPERVISORS AGENDA

John Peschong *District One*

Bruce Gibson *District Two*

Adam Hill *Chairperson, District Three*

Lynn Compton *Vice-Chairperson, District Four*

Debbie Arnold *District Five*

Wade Horton County Administrator

AGENDA

Tuesday, January 14, 2020

County Government Center

Board of Supervisors Chambers

1055 Monterey Street | San Luis Obispo, CA 93408

Tuesday, January 14, 2020

CONSENT AGENDA	9:00 AM
REVIEW AND APPROVAL	
PRESENTATIONS	
PUBLIC COMMENT PERIOD	
BOARD BUSINESS	
HEARINGS	
CLOSED SESSION	
RECESS	
AFTERNOON SESSION	1:30 PM
REPORT ON CLOSED SESSION	
BOARD BUSINESS	
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 Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.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 Request to set a hearing to consider an appeal of a denial for a county business license for “Golden Hands Massage”, by Weizhen Zhang. Hearing date set for February 4, 2020. District 2.

Consent Agenda - Administrative Office Items:

- 2 Request to approve the employment agreement with Christopher Lopez as the Central Services Director. All Districts.
- 3 Submittal of a resolution proclaiming January 18 - February 29, 2020 as a time for "Coastal Discovery and Stewardship Celebration" in San Luis Obispo County. All Districts.
- 4 Request to approve six Cannabis Hearing Officer contract extensions and appointments for one year in a combined amount not to exceed \$50,000 and delegate to the County Administrative Officer the authority to sign future extensions. All Districts.
- 5 Submittal of a resolution amending the Position Allocation List (PAL) for Fund Center 138 – Emergency Services to add 1.00 FTE Limited Term Emergency Services Coordinator I/II/III position and authorize a budget adjustment in the amount of \$55,371 from SB 1090 proceeds, by 4/5 vote. All Districts.
- 6 Request to authorize a budget adjustment in the amount of \$48,000 from Department of Homeland Security (DHS) federal grant funds to Fund Center (FC) 138 – Emergency Services, by 4/5 vote. All Districts.

Consent Agenda - Airports Items:

- 7 Request to approve an amendment for a three (3) year lease extension between West Coast Air Service, LLC. and the County of San Luis Obispo for Lease Site J at the San Luis Obispo County Regional Airport by 4/5 vote. District 3.
- 8 Request to approve an amendment for a three (3) year lease extension between Robert and Cheryl Baker Trust and the County of San Luis Obispo for Lease Site K at the San Luis Obispo County Regional Airport, by 4/5 vote. District 3.
- 9 Request to approve a capital improvement project for Fund Center (FC) 425 -

Airports to acid wash and seal the floor of the rental car wash facility and authorize a corresponding budget adjustment in the amount of \$38,970 of Capital Outlay to Airports Enterprise Fund FC 425 - Airports, by 4/5 vote. All Districts.

Consent Agenda - Board of Supervisors Items:

- 10 Submittal of a resolution recognizing January 26 - February 1, 2020 as School Choice Week in San Luis Obispo County. All Districts.
- 11 Request to reappoint Paulla Ufferheide as the District 2 representative to the Commission on the Status of Women. All Districts
- 12 Request to reappoint Chris I. Ivey as the District 1 representative to the Pleasant Valley Estrella Cemetery District. District 1.
- 13 Request to reappoint David Wierenga as the District 2 representative to the Cambria Cemetery District. District 2.
- 14 Request to approve an agreement with the Jewish Community Center Federation of San Luis Obispo allocating a total of \$2,000 from District Three Community Project Funds - Fund Center #106 to be used for expenses associated with three free family-friendly film screenings on dates in January 2020. District 3.
- 15 Submittal of Supervisors' expense report on meetings attended pursuant to Government Code Section 53232.3(d). District 2.

Consent Agenda - Central Services Items:

- 16 Request to approve a sublease between County of San Luis Obispo and County of Santa Barbara for 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 - County Fire Items:

- 17 Request to declare seventeen (17) vehicles surplus, authorize removal from the County fleet and sale through auction or negotiated sales to other interested governmental organizations to recover salvage value. All Districts.

Consent Agenda - Health Agency Items:

- 18 Submittal of a resolution recognizing Gregory Vickery upon his retirement after 14 years of service to the County of San Luis Obispo. All Districts.
- 19 Request to: 1) approve the purchase of two "i-STAT" handheld blood analyzer machines using Homeless Mentally Ill Outreach and Treatment (HMIOT) funds in an amount up to \$30,000 to provide accurate, real-time, lab-quality results within minutes to accelerate the patient care decision-making process; 2) approve a corresponding budget adjustment in the amount of \$30,000 in Fund Center (FC) 166-Behavioral Health, by 4/5 vote; 3) amend the fixed asset list for FC 166- Behavioral Health to include two "i-STAT" machines in the amount of \$30,000; and 4) authorize the Health Agency Director or his designee to sign the standard agreement and all other

documents required for purchase of the “i-STAT” machines. All Districts.

- 20 Request to hire Kaitlin Cruse-Poe, Licensed Clinical Social Worker, to a Behavioral Health Clinician III position at Step 4 of the salary range. All Districts.

Consent Agenda - Human Resources Items:

- 21 Submittal of a resolution approving the July 1, 2019 through June 30, 2022 Memorandum of Understanding between the County of San Luis Obispo and the San Luis Obispo County Employees’ Association, Bargaining Unit 02 – Trades, Crafts, and Services Unit. All Districts.
- 22 Submittal of a resolution approving the July 1, 2019 through June 30, 2022 Memoranda of Understanding between the County of San Luis Obispo and the San Luis Obispo County Employees’ Association, Bargaining Unit 01 – Public Services Unit, Bargaining Unit 05 – Supervisory Unit, and Bargaining Unit 13 – Clerical Unit. All Districts.
- 23 Submittal of a resolution approving wage increases for certain classifications within the unrepresented Confidential employees’ Bargaining Unit 11 to maintain salary parity with their non-confidential counterparts represented by the San Luis Obispo County Employees’ Association. All Districts.
- 24 Request to approve an updated County Social Media Policy. All Districts.

Consent Agenda - Planning & Building Items:

- 25 Submittal of a resolution to approve a request by the applicant and landowner, Nouel Riel Cellars, Inc., to vacate, set aside, and rescind: 1) approval of Environmental Determination (ED18-061) for a CEQA Exemption and 2) approval of Minor Use Permit DRC2018-00018 (APPL2019-00005) for an indoor cannabis cultivation operation located at 7755 Airport Road in the Salinas River Sub-Area of the North County Planning Area. District 1.
- 26 Request to authorize the use of alternative publication procedures for amendments to Title 22 and Title 23 of the County Code and Coastal Framework for Planning Table “O” to replace the Secondary Dwelling Ordinance with a new ordinance for Accessory Dwelling Units (ADUs) that reduces regulatory barriers and streamlines the permitting of ADUs as required by State law. Hearing set for January 28, 2020. All Districts.

Consent Agenda - Public Works Items:

- 27 Request to authorize use of the Design-Build project delivery method for the delivery of a new County Probation Building in San Luis Obispo; authorize the release of the Request for Proposals for Construction Manager/Master Architect services for Phase 1 of the design-build project; and submittal of a resolution to allow the reimbursement of previously incurred New Probation Building project expenditures from the proceeds of a future debt issuance. All Districts.
- 28 Request to approve Amendment No. 1 to the Water Treatment Agreement with Morro

Rock Mutual Water Company and Cayucos Beach Mutual Water Company, as successor in interest to the Paso Robles Beach Water Association. District 2.

Consent Agenda - Social Services Items:

- 29 Submittal of a resolution amending the Position Allocation List (PAL) for Fund Center (FC) 180 – Social Services Administration to add 1.00 FTE Supervising Administrative Clerk II position and delete 1.00 FTE Supervising Administrative Clerk I position in the Administrative Division and to add 1.00 FTE Information Technology Supervisor and delete 1.00 FTE Department Automation Specialist I-II-III in the Information Technology Division. All Districts.

Consent Agenda - Sheriff - Coroner Items:

- 30 Request to: 1) approve a resolution authorizing submittal of a grant in the amount of \$32,398 from the State of California Department of Parks and Recreation to purchase an Off Highway Vehicle (Polaris) and Enclosed Cargo Trailer to be utilized by the Sheriff's Office Off Highway Vehicle Team, 2) accept the grant; 3) authorize a budget adjustment from the California Department of Parks and Recreation for FC 136-Sheriff-Coroner in the amount of \$32,398 to purchase the Off Highway Vehicle and Cargo Trailer, by 4/5 vote; 4) amend the fixed asset list for FC 136-Sheriff-Coroner to include one Off-Highway Vehicle (Polaris) in the amount of \$29,795; and 5) authorize the Sheriff-Coroner to be the authorized representative to sign documents related to this grant. All Districts.

Presentations:

- 31 Submittal of a resolution recognizing Rita "Elaine" Jordison for 30 years of County service. All Districts.
- 32 Submittal of a resolution recognizing Jorge Rodriguez, Emergency Services Coordinator, who assisted Sonoma County in response to the Kincade Fire. All Districts.

Public Comment Period:

- 33 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:

- 34 Submittal of a resolution to Purchase Real Property located in the unincorporated area of the County situated between Morro Bay and Cayucos, a resolution to authorize a grant agreement with the California Coastal Conservancy to provide acquisition funding, and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). District 2.

Hearings:

- 35 Hearing to consider a resolution declaring the results of majority protest proceedings, renewing the San Luis Obispo County Tourism Marketing District (TMD) within the County of San Luis Obispo and levy of assessments. All Districts.
- 36 Hearing to consider an appeal of the South County Area 2 Road Improvement Fee by Mr. Jim Marderosian and adopt a resolution waiving the road improvement fee. District 4.
- 37 Hearing to consider adoption of the attached ordinance amending Title 22 and 23 of the San Luis Obispo County Code pertaining to flood hazard area permit and processing requirements. All Districts.

Closed Session Items:

- 38 (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; and (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 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) County of San Luis Obispo v. Purdue Pharma L.P., et al. (US District Court 2:18-CV-09516-PSG-FFMx); and (7) In re Insys Therapeutics, Inc., et at, (US Bankruptcy Court, District of Delaware, 1:19-bk-11292-KG, Chapter 11).

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: (8) SLO Government Attorney's Union (SLOGAU); (9) SLO County Employees Association—Trades and Crafts (SLOCEA-T&C); (10) Deputy County Counsels' Association (DCCA); (11) Sheriffs' Management; (12) SLO County Probation Managers' Peace Officers' Association (SLOCPPOA); (13) Deputy Sheriff's Association (DSA); (14) District Attorney Investigators' Association (DAIA); (15) SLO County Probation Managers' Peace Officers' Association (SLOCPMPOA); and (16) SLO County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC). (17) Unrepresented Management and Confidential Employees; (18) Sworn Deputy Sheriffs' Association (SDSA); and (19) United Domestic Workers

of America (UDWA).

RECESS

1:30 REPORT ON CLOSED SESSION

Board Business - Afternoon Session:

- 39 Public meeting to consider an Ordinance amending Chapter 8.22 of the County Code to expand prohibition of smoking to all public areas within the unincorporated areas of the County, with certain allowable exceptions. Item introduced on December 10, 2019. All Districts.
- 40 Public meeting to consider an Ordinance amending Chapter 8.23 of the County Code to prohibit the sale of electronic smoking devices in the unincorporated areas of the County. Item introduced on December 10, 2019. All Districts.

Hearings - Afternoon Session:

- 41 Submittal of a resolution extending the limited abeyance of enforcement policy for existing cooperative or collective cannabis cultivation operations; exempt from CEQA. All Districts.

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>