



BOARD OF SUPERVISORS AGENDA

John Peschong *Chairperson, District One*

Bruce Gibson *District Two*

Adam Hill *District Three*

Lynn Compton *District Four*

Debbie Arnold *Vice-Chairperson, District Five*

Wade Horton County Administrator

AGENDA

March 6, 2018

County Government Center

Board of Supervisors Chambers

1055 Monterey Street | San Luis Obispo, CA 93408

Tuesday, March 6, 2018

CONSENT AGENDA	9:00 AM
REVIEW AND APPROVAL	
PUBLIC COMMENT PERIOD	
HEARINGS	
BOARD BUSINESS	
CLOSED SESSION	
RECESS	
AFTERNOON SESSION	1:30 PM
REPORT ON CLOSED SESSION	
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 Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Bid Opening:

1. Letter transmitting plans and specifications (Clerk's File) for Oceano Beach Lagoon Bridge at Air Park Drive, in Oceano, for Board approval and advertisement of construction bids. Bid opening date set for Thursday, April 5, 2018. District 4.

Consent Agenda - Administrative Office Items:

2. Submittal of a notice to re-initiate negotiations for the exchange of property tax revenue and annual tax increment for Annexation No. 80 to the City of San Luis Obispo (San Luis Ranch). District 3.

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

3. Submittal of a follow-up cash procedures and internal controls audit of the Department of Social Services for FY 2017-18. All Districts.
4. Submittal of a follow-up cash procedures and internal controls audit of Animal Services conducted on November 28, 2017. All Districts.

Consent Agenda - Board of Supervisors Items:

5. Request to approve an agreement with the VFW Post 10978 Nipomo allocating a total of \$2,000 from District Four Community Project Funds – Fund Center #106 to be used for expenses associated with the 4th of July parade in Nipomo. District 4.
6. Request to approve an agreement with the Templeton Chamber of Commerce allocating a total of \$2,800 from Districts One and Five Community Project Funds – Fund Center #106 to be used for expenses associated with various community events being held in 2018. District 1 and 5.

Consent Agenda - Clerk-Recorder Items:

7. Submittal of a resolution approving the Conflict of Interest Codes of the Paso Basin Cooperative Committee and the Atascadero Basin Groundwater Sustainability Agency. All Districts.

Consent Agenda - District Attorney Items:

8. Request to authorize the San Luis Obispo County District Attorney's Office to (1) accept and distribute funds for the FY 2017-18, FY 2018-19, and FY 2019-20 California Governor's Office of Emergency Services (Cal OES) Victim Services (XC) Program grant totaling \$726,968; and (2) 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. All Districts.

Consent Agenda - Health Agency Items:

9. Request for authorization to apply for a FY 2018-19 through FY 2022-23 Substance Abuse and Mental Health Services Administration (SAMHSA) grant in the amount up to \$330,000 per year, for up to five years, to divert adults with serious mental illness (SMI) or co-occurring disorders (COD) from the criminal justice system to community based services prior to arrest and booking. All Districts.

Consent Agenda - Human Resources Items:

10. Submittal of a resolution approving the January 1, 2017 – December 31, 2018 Memoranda of Understanding, and included side letter agreements, between the County of San Luis Obispo and the Sworn Deputy Sheriffs' Association, Sworn Law Enforcement Unit, Bargaining Unit 27, and Sworn Law Enforcement Supervisory Unit, Bargaining Unit 28. The item was continued from February 20, 2018. All Districts.

Consent Agenda - Parks & Recreation Items:

11. Request, continued from February 20, 2018, to 1) approve an Operating Agreement with Cal Poly State University for the implementation of Phase One of the El Chorro Regional Park Programming Plan and 2) approve associated budget adjustments of \$662,205 for additional improvements, by 4/5 vote. District 2.

Consent Agenda - Planning & Building Items:

12. Request to approve a contract with TRC Engineers Inc. in an amount not to exceed \$236,000 to provide technical support for the California Energy Commission grant funded Zero Net Energy Neighborhood Feasibility, Design, and Implementation Study. District 4.

Consent Agenda - Public Works Items:

13. Request to approve Amendment No. 12 to the Cooperative Funding Agreement with San Luis Obispo Council of Governments; authorize a budget adjustment to increase appropriation and associated funding for various projects, in the amount of \$334,000 from Public Works Fund Center 24503, by 4/5 vote. This item was continued from February 20, 2018. Districts 2, 3 and 4.

14. Submittal of bid opening report for 2017-18 Asphalt Overlay, O'Donovan Road and Bennett Way, San Luis Obispo County, to award the subject contract to Souza Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$1,533,626. Districts 1 and 5.
15. Request to approve an agreement with GHD Inc., in the amount not to exceed \$262,223, for professional consulting services for the Tefft Street at US 101 Interchange Operational Improvement Project. District 4.
16. Request to approve Amendment No. 2 to Cooperative Agreement 05-0300 with California Department of Transportation, in the amount of \$30,000, to complete a project study report for the Main Street at US 101 Interchange, Templeton. District 1.
17. Submittal of right of way documents accepting conveyance to the County of San Luis Obispo from the Diane G. Rochelle Family Trust for the Geneseo Road at Huer Huero Creek Bridge Project, Paso Robles. District 5.
18. Request to approve the exploration of a basin boundary modification for the Santa Maria River Valley Groundwater Basin; and preparation and submittal to the California Department of Water Resources of an initial notification of intent pursuant to 23 California Code of Regulations Section 343.9. Districts 3 and 4.
19. Request to approve the exploration of a basin boundary modification for the Los Osos Valley Groundwater Basin; and preparation and submittal to the California Department of Water Resources of an initial notification of intent pursuant to 23 California Code of Regulations Section 343.9. District 2.
20. Request approval of Tract Map 2451, a proposed subdivision resulting in 16 lots, by Fallingstar Homes, Inc. and Creekside Estates II, LLC, community of Shandon. District 1.

Consent Agenda - Sheriff - Coroner Items:

21. Request to approve an Employment Agreement with Dr. Christy Mulkerin to serve as the Chief Medical Officer for the Sheriff's Office. All Districts.

Public Comment Period:

22. 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.

Hearings:

23. Hearing to consider a resolution to set an election to impose a general tax on commercial cannabis businesses and adopt an ordinance amending Title 3 (Revenue and Finance) of the County Code. All Districts.
24. Continued hearing to consider an appeal by Craig Merrill and Neighbors of the Planning Commission's approval of the Monarch Dunes, LLC Conditional Use Permit (DRC2016-00132) to develop Phase 2B of the Woodlands Village (Tract 2341), located in the southwestern quadrant of the Woodlands Village approximately 1,000 feet east of Highway One, south of Via Concha and Kingston Place, approximately 2 miles west of the community of Nipomo, in the South County planning area; consistent with previously certified 1998 Woodlands Specific Plan Final Environmental Impact Report (FEIR) and previously certified 2001 Woodlands Specific Plan Final Supplemental Environmental Impact Report (FSEIR). District 4.
25. Hearing to consider a request by the Cayucos Sanitary District to waive application fees in an amount not to exceed \$93,000 for the Cayucos Sustainable Water Facility. District 2.

Board Business:

26. Submittal of the FY 2017-18 Second Quarter Financial Report and request to approve various financial actions as detailed in Section 4 (one or more actions require 4/5 votes). All Districts.
27. Presentation of the San Luis Obispo County Tourism Marketing District's (TMD) FY 2016-17 Annual Report (Clerk's File) presented by Visit SLO CAL. All Districts.

Closed Session Items:

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

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) PG&E's 2017 General Rate Case A: 15-09-001; (4) Application Filed by PG&E for Retirement of Diablo Canyon Power Plant A: 16-08-006; (5) PG&E's 2015 Nuclear Decommissioning Cost Triennial Proceeding, A.16-03-006; (6) Friends of Oceano Dunes, et al. v. California Coastal Commission, et al.: 2:17-CV-8733; (7) Friends of Oceano Dunes, et al. v. California Coastal Commission, et al.: 17CV-0576; (8) Mesa Community Alliance v. California Department of Parks and Recreation, et al.: 14CV-0096.

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section

County of San Luis Obispo Government Center

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: (9) San Luis Obispo Government Attorney's Union (SLOGAU); (10) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (11) Deputy County Counsels' Association (DCCA); (12) Sheriffs' Management; (13) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (14) Deputy Sheriff's Association (DSA); (15) District Attorney Investigators' Association (DAIA); (16) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (17) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (18) Unrepresented Management and Confidential Employees; and (19) Sworn Deputy Sheriffs' Association (SDSA); (20) United Domestic Workers of America (UDWA).

PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (21) Consider Public Employee Appointment for the Position of County Health Agency Director; (22) Consider Public Employee Appointment for the Position of Director of the Department of Planning and Building; (23) Consider Public Employee Appointment for the Position of Director of Public Works.

RECESS

1:30 REPORT ON CLOSED SESSION

Hearings:

29. Hearing to consider adoption of a resolution 1) withdrawing from serving as the Groundwater Sustainability Agency (GSA) within the Estrella-El Pomar-Creston Water District (EPCWD) service area; 2) acceptance and approval of the "Addition of Party to Memorandum of Agreement regarding Preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin" signed by the EPCWD; 3) authorizing the Director of Public Works to take actions to effectuate the Paso Basin – County GSA boundary modification; 4) and find the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Districts 1 and 5.