

Quarterly Issues Report Q4, 2013

KSBO-CA, KDFS-CA, KASC-CA, KLDF-CA, KPAO-CA

PROGRAM NAME	SLO MEETING DATE	AIR TIMES	AIR DATE
SLO Country Board of Supervisors	August 6, 2013	08:00AM to 10:00AM	Oct 06, 2013
San Luis Obispo Country Planning Commission	August 22, 2013	10:00AM to 12:00PM	October 6, 2013
SLO Country Board of Supervisors	August 6, 2013	08:00AM to 12:00PM	October 11, 2013
San Luis Obispo Country Planning Commission	August 29, 2013	08:00AM to 10:00AM	October 18, 2013
SLO Country Board of Supervisors	September 10, 2013	10:00AM to 12:00PM	October 18, 2013
SLO Country Board of Supervisors	August 27, 2013	08:00AM to 12:00PM	October 25, 2013
San Luis Obispo Country Planning Commission	August 8, 2013	08:00AM to 10:00AM	October 31, 2013
San Luis Obispo Country Planning Commission	September 26, 2013	10:00AM to 12:00PM	October 31, 2013
SLO Country Board of Supervisors	August 27, 2013	10:00AM to 11:00AM	November 8, 2013
SLO Country Board of Supervisors	September 17, 2013	08:00AM to 10:00AM	November 15, 2013
SLO Country Board of Supervisors	September 24, 2013	10:00AM to 12:00PM	November 15, 2013
San Luis Obispo Country Planning Commission	October 10, 2013	08:00AM to 10:00AM	November 22, 2013
SLO Country Board of Supervisors	October 1, 2013	10:00AM to 12:00PM	November 22, 2013
SLO Country Board of Supervisors	October 22, 2013	08:00AM to 10:00AM	December 7, 2013
San Luis Obispo Country Planning Commission	October 24, 2013	10:00AM to 12:00PM	December 7, 2013
SLO Country Board of Supervisors	November 5, 2013	08:00AM to 12:00PM	December 14, 2013
SLO Country Board of Supervisors	November 5, 2013	08:00AM to 10:00AM	December 21, 2013

SLO Regional Transit Authority

November 6, 2013 10:00AM to 12:00PM December 21, 2013

SLO Country Board of Supervisors

November 5, 2013 08:00AM to 10:00M December 29, 2013

SLO Regional Transit Authority

November 6, 2013 10:00AM to 12:00PM December 29, 2013

Tuesday, August 06, 2013

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: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Consent Agenda – Review and Approval:

1-24. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 24 on the following vote is indicated for each item.

Motion by: Frank Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

1. Request to approve a 12-month agreement in an amount not to exceed \$116,600 with TJA Advertising and Public Relations to provide marketing services on behalf of the Avila Beach Local Area of the San Luis Obispo County Tourism Business Improvement District (CBID).

The Board approves as recommended by the County Administrative Officer.

2. Submittal of resolutions to amend the Position Allocation Lists for Fund Center (FC) 107 - Auditor-Controller and FC 108 - Treasurer-Tax Collector-Public Administrator and set the salary range for the new position of Auditor-Controller-Treasurer-Tax Collector-Public Administrator as a result of the consolidation of the offices.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-186 and 2013-187, adopted.

3. Request by the San Luis Obispo Business Improvement District (CBID) to approve the re-appointment of Alex Benson and the appointment of Pandora Nash-Karner to the Los Osos/Morro Bay (unincorporated) Local Area Advisory Board for four year terms.

The Board approves as recommended by the County Administrative Officer.

4. Request for approval to apply for federal fiscal year 2013 Emergency Management Performance Grant and approval of related grant documents.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-188, adopted.

Consent Agenda - Auditor - Controller Items:

5. Submittal of the cash procedures review of the Assessor's Office Conducted on October 11, 2012.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

6. Request to appoint Monica A. Chudgar as a regular member of the Assessment Appeals Board.

The Board approves as recommended by the County Administrative Officer.

7. Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d).

The Board approves as recommended by the County Administrative Officer.

8. Submittal of resolutions honoring the 2013 Wine Industry Person of the Year, the 2013 Wine Grape Grower of the Year, the 2013 Winemaker of the Year, the 2013 Agriculturist of the Year, the 2013 Cattleman of the Year, and the 2013 Cattlewoman of the Year at the California Mid-State Fair.

Ms. Elsa Dawson and Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB): speak.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-189, 2013-190, 2013-191, 2013-192, 2013-193 and 2013-194, adopted.

Consent Agenda - General Services Agency Items:

9. Request to approve the surplus and sale of a County-owned 3,000 square foot vacant lot at 3074 Gilbert Avenue in Cayucos to an adjacent property owner, with lot merger required. District 2.

This item is amended by adding clarifying language to the subject line that a resolution is being submitted and reads as follows: "Submittal of a resolution approving the surplus and sale of a County-owned 3,000 square foot vacant lot at 3074 Gilbert Avenue in Cayucos to an adjacent property owner, with lot merger required. District 2." Further the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-195, adopted.

Consent Agenda - Health Agency Items:

10. Request to approve a renewal agreement (Clerk's File) with the State Department of Health Care Services (DHCS) for a three (3) year period from July 1, 2013 through June 30, 2016 in the amount not to exceed \$108,264 to provide AIDS and HIV case surveillance services in the community.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve a new contract with Bryan's House for Fiscal Year (FY) 2013-14 in the amount not to exceed \$245,041 to provide alcohol and drug free housing to pregnant and parenting women, and their children.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve: 1) a contract (Clerk's File) with the County Office of Education and for FY 2013-14 in an amount not to exceed \$134,274 for the County to provide Day Treatment Program Intensive services located at the District's Chris Jespersion school; 2) a budget adjustment in the amount of \$378,617 from unanticipated revenue to Fund Center 166-Behavioral Health; and 3) a related resolution amending the Position Allocation List for Fund Center 166-Behavioral Health to add 2.0 FTE Mental Health Therapist IV and 1.0 FTE Mental Health Therapist III.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-196, adopted.

13. Request to approve a renewal agreement (Clerk's File) with Kathleen Long, M.D., for a three (3) year period from August 1, 2013 through July 31, 2016 in the amount not to exceed \$210,000 to provide Medical Director services for the California Children's Services (CCS) program.

The Board approves as recommended by the County Administrative Officer.

14. Request to approve renewal contracts with Medical Doctor Associates, Inc., LocumTenens.com, and Jackson & Coker (Clerk's File) for Fiscal Year 2013-14 in the aggregate amount not to exceed \$693,000 to provide locum tenens (temporary) licensed psychiatrist services.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

15. Request to approve annual agreement with Economic Vitality Corporation in the amount of \$98,775 to implement the San Luis Obispo County Clusters of Opportunity Economic Strategy. All Districts.

The Board approves as recommended by the County Administrative Officer.

16. Request to approve an amended contract (Clerk's File) with SWCA Environmental Consultants to provide additional cultural resources work in the amount of \$27,522 for the Environmental Impact Report (EIR), for the Dana Adobe Nipomo Amigos Land Use Ordinance Amendment and Conditional Use Permit. District 4.

The Board approves as recommended by the County Administrative Officer.

17. Submittal of a contract with SWCA Consultants, in an amount not to exceed \$119,631 for special services associated with the proposed Phillips 66 Rail Spur Project Development Plan/Coastal Development Permit. District 4.

Mr. Jeff Edwards and Ms. Julie Tacker: speak.

The Board approves as recommended by the County Administrative Officer.

18. Submittal of a contract with Marine Research Specialist in an amount not to exceed \$428,938 to prepare an Environmental Impact Report for the proposed Phillips 66 Rail Spur Project Development Plan /Coastal Development Permit. District 4.

Mr. Jeff Edwards and Ms. Julie Tacker: speak.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

19. Submittal of a resolution establishing the 2013-14 special tax rate, and confirming the per parcel special tax amount to be placed on the 2013-14 tax roll for County Service Area No. 9, Zone I (East of Los Osos Creek). District 2.

Ms. Ann Wilson – representing Fred and Betty Campbell: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-197, adopted.

20. Submittal of a resolution adopting the Pre-Qualification Program for general contractors and electrical subcontractors interested in bidding on the Los Osos Water Recycling Facility, pursuant to Public Contract Code Section 20101, for the Los Osos Wastewater Project, Los Osos. District 2.

Ms. Julie Tacker: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-

198, adopted.

21. Request to declare selected Public Works vehicles surplus and authorize disposal through public auction. All Districts.

The Board approves as recommended by the County Administrative Officer.

22. The following maps have been received and have satisfied all their conditions of approval that were established in their public hearings on their tentative maps: A. Parcel Map CO 02-0240 a proposed subdivision resulting in 3 lots, by Frank W. Caron Trust, Nipomo Mesa. District 4. 1. Act on the attached resolution to accept the relinquishment of ingress and egress along State Highway 1; and B. Parcel Map CO 06-0046, a proposed subdivision resulting in 2 lots by Kenneth Raymond Hord, on La Panza Road, Creston. District 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-199, adopted.

Consent Agenda - Sheriff - Coroner Items:

23. Request to authorize an application for the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program totaling \$16,443, and if awarded, accept the grant, authorize a corresponding budget adjustment in Fund Center 136 – Sheriff-Coroner, amend the fixed asset list, and authorize the Sheriff-Coroner to sign all 2013 JAG grant documents.

The Board approves as recommended by the County Administrative Officer.

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

24. Submittal of a resolution to levy assessment for Flood Control Zone 16 (Nipomo, San Miguel, and Shandon Areas). Districts 1 and 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-200, adopted.

Public Comment Period:

25. This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Mr. Eric Greening: comments on the possibility of a special Air Pollution Control District (APCD) meeting in September; informs the Board on the Bureau of Land Management's moratorium on hydraulic fracking in the Monterey Shale area; and speaks to the deadline to submit comments to the State Lands Commission on the low energy seismic testing.

Ms. Terri Stricklin: thanks Supervisor Hill and Acting Chairperson Gibson for their expeditious efforts to place important issues on the agenda.

Mr. Ben DiFatta; Ms. Linde Owen (photographs); Ms. Julie Tacker; Mr. Jeff Edwards; and Mr. Richard Margetson: speak to the Los Osos Wastewater Project (LOWWP). Additionally, Mr. DiFatta and Ms. Owen, comment on the two minute time limit to speak during public comment. Further, Julie Tacker, speaks to the conduct of meeting held on August 5, 2013 by Mayor Peterson in the Grover Beach Chambers of Commerce, and Mr. Margetson, comments on the recent Los Osos Community Advisory Council Meeting.

Dr. C. Hite: addresses concern regarding the County's financial position and its impacts to the community; and the two minute time limit to speak during public comment.

Mr. Jeff Wade - Slow Money SLO: speaks to their organization and announces a free event called "Gather in the Grove" on August 12, 2013 from 5:30 PM to 7:00 PM at the San Luis Obispo Grange

Hall.

Mr. Jeff Graeber: expresses concerns regarding his drying well, the number of vacant homes near his property and need for restrictions on water use.

Ms. April Dury: speaks to the two minute time limit during public comment and importance of public discourse during meetings. **No action taken.**

Board Business:

26. Presentation of the grant-funded Oceano Revitalization Plan and approval of a resolution accepting the final plan. District 4.

Ms. Lisa Wise – Lisa Wise Consulting Inc. President: presents a powerpoint.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Jessica Berry – San Luis Obispo Council of Governments (SLOCOG); Ms. Julie Tacker; Ms. April Dury; and Mr. Jeff Edwards: speak.

The Board receives the presentation on the Oceano Revitalization Plan and RESOLUTION NO. 2013-201, a resolution accepting the Oceano Revitalization Plan, adopted.

Motion by: Adam Hill

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

27. Presentation of potential options for an Urgency Ordinance covering the Paso Robles Groundwater Basin. Districts 1 and 5.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Wayne Montgomery; Mr. James Nailor; Mr. Mike Ryan; Mr. Fred Burbank (map); Ms. Mary Galvin; Mr. Gary Kirkland; Ms. Betty Winholtz (handout); Mr. Randy Record; Mr. Michael Baugh; Mr. Charlie Kleemann; Mr. Ryan Newkirk; Mr. Robert Hartzell; Mr. Randy Diffenbaugh; Mr. Fritz Helzer; Mr. Klaus Schumann; Ms. Linda Hardy; Mr. Richard Lauchland; Ms. Laura Mordaunt; Ms. Anna Rapp; Mr. Fred Frank; Ms. Mindy Martinez; Mr. Bob Harrison; Mr. Marshall Wilkinson; Ms. Sheila Healy; Ms. Claudia Engel – Blue Ribbon Committee, Solutions Committee, and Outreach & Education Chairperson; Mr. Greg Stolin; Mr. Patrick McGibney; Ms. Holly Sletteland; Ms. Jeanne Aird; Ms. Carol Rowland; Ms. Kris Beal – Central Coast Vineyard Team (handout); Ms. Jennifer Porter - Paso Robles Wine Country Alliance Executive Director; Mr. C.R Lara; Ms. Claire Wineman – Grower Shipper Association of Santa Barbara and San Luis Obispo Counties; Mr. Eric Greening; Ms. Julie McCloskey; Mr. John Neil – Atascadero Mutual Water Company General Manager, Water Resources Advisory Committee (WRAC) Member and Blue Ribbon Committee; Mr. William Frost; Ms. Patty King; Mr. Matt Merrill; Ms. Joy Fitzhugh – Farm Bureau; Ms. Jackie Crabb – Farm Bureau; Mr. John Crossland; Mr. Mike Winn; Ms. Kathy Lambeth; Mr. Andrew Christie – Sierra Club Santa Lucia Chapter; Mr. Chris Bausch; Ms. Carol DeHart; Mr. Charlie Whitney; Mr. Ted Gilbert; Mr. Joe Plummer; Ms. Kathryn Sweet; Mr. Kevin Buffett; Mr. Matt Hagen; Mr. John Hollenbeck; Mr. Steve Crouch; Mr. Matt Turrentine; Mr. Don Campbell; Mr. Dana Merrill; Ms. Daniella Sapriel (photographs); and Mr. David Broadwater (photograph): speak.

Acting Chairperson Gibson: continues this item to the afternoon calendar following Closed Session.

Closed Session Items:

28. The Board announces they will be going into Closed Session regarding:
- I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
 - A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a.)) (Formally initiated) 1. North County Watch v. County of San Luis Obispo (SMR Subd., CV 098031).
 - B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 2. Significant exposure to litigation (Government Code, section 54956.9(b.)) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 3. Initiation of litigation (Government Code, section 54956.9(c.)) No. of cases 2.
 - II. PERSONNEL (Gov. Code, § 54957.)
It is the intention of the Board to meet in closed session to: 4. Consider Public Employee Appointment for the Position of Director of Building/Planning.
 - III. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)
 - A. 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: Name of employee organizations are: 5. Sheriffs' Management.

(This item is amended, per the Addendum to the Agenda, by deleting the following Closed Session item from the agenda: I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a.)) (Formally initiated) 1. North County Watch v. County of San Luis Obispo (SMR Subd., CV 098031). Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Acting Chairperson Gibson: 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.

Board Business Continued:

27. Presentation of potential options for an Urgency Ordinance covering the Paso Robles Groundwater Basin. Districts 1 and 5, is brought back.

Acting Chairperson Gibson: opens the floor to continue public comment.

Mr. Erick Gobler; Mr. Aaron Johnson – representing Javadi Farms and Ray Francioni; Monterey County Ag Water Advisory Committee; and Monterey County Cattleman's Association Past President; Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Mr. Tim Cleath - Cleath-Harris Geologists; Ms. Gwen Pelfrey; Mr. Bill Pelfrey (photographs and handouts); Ms. Della Barrett; Ms. Sue Luft - PRO Water Equity (graph); Ms. Jan Seals - PRO Water Equity Treasurer (graphs); Ms. Denise Smith; Ms. Stephanie Smith; Mr. Leo Rosales; Ms. C.C. Coats (photographs); Ms. Elaine Hagen (petitions); Ms. Dianne Jackson; Ms. Lindsay Pera; Mr. Chris Ivey; Mr. Steve Sinton; Dr. Lowell Zelinski (handout); Ms. Sheila Lyons – Creston Advisory Committee (CAB) Chairperson (handout); Ms. Milagro Velasco; Mr. Doug Filipponi; Ms. Jeanne Moraga; Mr. Jerry Lohr and Mr. Steve Lohr – J. Johr Vineyards; Mr. Daniel Sinton; Ms. Susan Harvey – North County Watch; Mr. John Ashbaugh; and Mr. Edward Veek: speak.

Board Members: discuss concerns with enacting an urgency ordinance in an attempt to resolve the Paso Robles Groundwater Basin issues, including areas to be covered, potential solutions, and the need to develop long term solutions; provide questions on items for staff to investigate, with information to be included in future hearings and to be used in the development of an ordinance.

On motion of Supervisor Frank S. Mecham, seconded by Supervisor Adam Hill, the Board

unanimously agrees to continue the meeting passed 5:00 P.M.

Acting Chairperson Gibson: highlights four parallel paths that need to be worked on: demand management; supply enhancement in the basin; establishment of a self-organized and self-governing governance conduct for the basin; and the need to continue to develop technical capabilities to allow for informed decisions. **Further, proposes to direct staff to bring back an urgency ordinance for action as soon as possible; that any new land use, including the planting or expansion of any irrigated agriculture and any new development that requires a new source of water, is prohibited unless it offsets its water use on a 2 to 1 basis; that the ordinance applies to entirety of the Paso Robles Groundwater Basin; applies to housing; new and expanded planting of irrigated crops; and that no new wells are allowed except for replacement wells. Furthermore, directs staff to agendize this matter to be acted on August 20, 2013 or August 27, 2013, with Supervisor Hill seconding and proposing an amendment to include Supervisor Mecham's focus to also look at an urgency ordinance that pertains to a specific area that is indentified as the area of greatest concern, is discussed.**

Mr. Dan Buckshi – County Administrative Officer: clarifies where the Board is headed and restates the motion as he understands it; recommends August 27, 2013 as the date to return to the Board; and questions if the Board wants staff to notice this as a formal hearing, with the Board agreeing to notice the hearing for August 27, 2013.

Acting Chairperson Gibson: clarifies the motion, with further discussion by Board Members.

Ms. Kami Griffin – Assistant Planning and Building Director: asks for further direction regarding the definition of the sub-part area of greatest concern, with Board Members responding.

The Board reviews the potential options for an Urgency Ordinance within the Paso Robles Groundwater Basin as contained in the staff report and directs staff to notice and prepare two potential urgency ordinances for action on Tuesday, August 27, 2013. One ordinance would apply to the entirety of the Paso Robles Groundwater Basin, as defined in the Resource Management System that carries a level of severity III; and the second ordinance will apply to a sub-part area of the basin. The nature of the urgency ordinances would be that any new land use or structural development that requires an increased water source must offset its total water use by a 2 to 1 reduction elsewhere in the basin that applies to both structural development (housing and commercial development) as well as land uses that include new or expanded planting of irrigated crops and the required water source. The ordinances would include no new wells taking water from the basin except as part of an offset or replacement well; any new or replacement well would be metered and monitored; Ag ponds are to be limited to the size of less or equal to one acre foot; and outdoor water use is to be included in the offset requirement.

Motion by: Bruce S. Gibson

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Members: request Public Works staff participate at the August 27, 2013 hearing to provide information regarding State water.

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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, August 06, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of
the Board of Supervisors

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

DATED: August 19, 2013

THURSDAY, AUGUST 22, 2013

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of August 22, 2013 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.

ROLL CALL (09:04 AM)

PRESENT: Commissioner(s) Tim Murphy, Ken Topping, Don Campbell, Eric Meyer, and Jim Irving.

ABSENT:

FLAG SALUTE (09:05 AM)

PUBLIC COMMENT PERIOD (09:05 AM)

Jim Irving: opens Public Comment with no one coming forward.

PLANNING STAFF UPDATES (09:05 AM)

Nancy Orton, staff: updates commissioners on their near term schedule. Reports August 29, and September 12, 2013 Planning Commission meetings have been cancelled.

Tim Murphy: reports on October 24, 2013 he will only be available until the noon hour.

Don Campbell: reports he will be absent on October 31, 2013 if there is a meeting.

Jim Irving: requests information regarding the appeal of the Dana Adobe with Ms. Orton responding. Asks about the Laticia development and when it may be coming to the commission with Ms. Orton responding. Discusses the San Miguel Community Plan update in terms of community participation with Ms. Orton responding.

CONSENT AGENDA: None (09:09 AM)

HEARINGS: (09:10 AM)

1. **Hearing to consider a request by ARPAD SOO for a Conditional Use Permit to allow for amendments to the conditions of approval for Conditional Use Permit DRC2007-00069. The amendments include changing the total number of residents allowed in the existing residential care facility from 18 to 24. The project will not involve any new construction as the existing care facility contains 17 resident rooms. The proposed project is within the Residential Rural land use category and is located at 2171 Halcyon Road, approximately three miles north of the community of Nipomo. The site is in the South County (Inland) planning area. This project is exempt under CEQA. County File No: DRC2012-00120 Assessor Parcel Number: 092-232-051 Supervisorial District: 4 Date Accepted: July**

12, 2013 Stephanie Fuhs, Project Manager Recommend approval (09:10 AM)

Stephanie Fuhs, Project Manager: presents staff report via a Power Point presentation. Reads new Condition 6 into the record.

John Mack, agent: is available for questions. Briefly describes proposed expansion and changes.

Tim Murphy: confirms the nature of the facility with Mr. Mack responding.

John Mack: further reports they are not hiring additional staff becauseg this is regulated by the State and at this time they will not be hiring additional staff.

Jim Irving: opens public Comment.

Lorene VanderVeen: speaks.

Jim Irving: asks for ex-parte contacts with no one coming forward.

Stephanie Fuhs, Project Manager: addresses Public Comment issues brought forth.

Commissioners: begin their deliberations.

Arpod Soo, owner: explains approximately how many emergency service vehicles come to the facility. Further explains reasoning for expansion request.

Tim Murphy: would like a correction to Finding E. to delete "up to 24" as it is redundant.

Stephanie Fuhs, Project Manager: explains a condition to address water usage in terms of severity levels has been prepared should it be needed.

Thereafter, on motion of Tim Murphy, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Don Campbell, Ken Topping, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission approves Conditional Use Permit DRC2012-00120 based on the findings listed in Exhibit A, deleting the reference "up to 24" in Finding e., and subject to the conditions listed in Exhibit B, adding new Condition 6 to read "Within 30 days of permit approval, the applicant shall pay South County Road Impact Area 2 Road Impact Fees to the Department of Public Works for the proposed additional residential beds in accordance with the latest adopted fee schedule."; adopted.

COMMISSION BUSINESS (09:48 AM)

2. [Study session on the 2013 draft San Luis Obispo County Local Hazard Mitigation Plan \(LHMP\)](#). (09:48 AM)

Mike Wulkan, staff: introduces subject matter and Ron Alsop from the Office of Emergency Services.

Ron Alsop, County Office of Emergency Services: provides background about the Local Hazard Mitigation Program (LHMP) and shows a Power Point presentation. Provides a quick link to the County Office of Emergency Services: slocountyoes.com. Final adoption of the Plan is expected in October. September is National Preparedness month.

Jim Irving: opens Public Comment. Martin Melts and David Dubink: speak.

Commissioners: begin with questions about the program.

Ken Topping: encourages the Office of Emergency Services to rank the Tsunami higher than it currently is.

Ron Alsop: suggest looking at www.caloes to look at GIS mapping for a variety of scenarios.

ADJOURNMENT: 12:00 PM

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission
MINUTES APPROVED AT THE 9/26/13 PC

THURSDAY, AUGUST 29, 2013

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of August 29, 2013 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.

ROLL CALL

FLAG SALUTE

PUBLIC COMMENT PERIOD

PLANNING STAFF UPDATES

CONSENT AGENDA:

HEARINGS:

1. CANCELLED PLANNING COMMISSION MEETING - AUGUST 29, 2013 Next Scheduled Meeting: Thursday, SEPTEMBER 12, 2013 @ 9:00 a.m. in the County Board of Supervisors Chambers, (new) County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, CA. For additional information, please contact Ramona Hedges, Planning Commission Secretary, at (805)781-5612 or at E-mail address: rhedges@co.slo.ca.us

ADJOURNMENT: 9:00 am

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission

MINUTES APPROVED AT THE 9/26/13 PC

Tuesday, September 10, 2013

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: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Consent Agenda – Review and Approval:

1-9. & 11-18. This is the time set for consideration of the Consent Agenda.

Supervisor Arnold: states she will recuse herself from voting on Item No. 10 and requests this item be pulled from the Consent Agenda for separate action.

The action taken for Consent Agenda items 1 through 9 and 11 through 18 on the following vote is indicated for each item.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

1. Submittal of a resolution proclaiming September 2013 as "Emergency Preparedness Month" in San Luis Obispo County.

Dr. C. Hite (video); Ms. Linde Owen; and Mr. Eric Greening: speak.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-211A, adopted.

Consent Agenda - Auditor - Controller Items:

2. Submittal of a report of the Annual Fiscal and Compliance Review of establishments subject to the County Transient Occupancy Tax Ordinance and San Luis Obispo County Tourism Business Improvement District assessment for calendar year 2012.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

3. Submittal of a resolution proclaiming September 2013 as "Childhood Cancer Awareness Month" in San Luis Obispo County.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-212, adopted.

Consent Agenda - District Attorney Items:

4. Submittal of the FY 2012-13 Annual Report of the Real Estate Fraud Prosecution Program as required per Government Code Section 27388.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

5. Request to approve the renewal contract (Clerk's File) with Coast Unified School District for FY 2013-14 in an amount not to exceed \$49,284 to provide drug and alcohol prevention counseling services.

The Board approves as recommended by the County Administrative Officer.

6. Request to approve a renewal contract (Clerk's File) with San Luis Obispo Child Development Center, Inc. for FY 2013-14 in an amount not to exceed \$50,000 to provide mental health services to Medi-Cal eligible children.

The Board approves as recommended by the County Administrative Officer.

7. Request to approve: 1) renewal contract (Clerk's File) with Lucia Mar Unified School District for FY 2013-14 in an amount not to exceed \$54,195 under which the County will provide on-site support in addition to educationally related mental health services in the District's special education classes; 2) a budget adjustment in the amount of \$116,421 from unanticipated revenue to Fund Center 166-Behavioral Health and 3) a related resolution amending the Position Allocation List for Fund Center 166-Behavioral Health to add one 1.0 FTE Mental Health Therapist IV.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-213, adopted.

8. Request to approve a new contract (Clerk's File) with J. Eduardo Guzman, M.D. for calendar year 2013 at a cost of \$121 per hour for regular shifts and a cost of \$163 per hour for on call shifts to provide psychiatric services for Mental Health patients.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve an amendment to the contract with Woods Humane Society, Inc., to update the service fees for spay and neuter services provided to Animal Services, with all other provisions remaining the same.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve a renewal contract (Clerk's File) with Sanford L. Friedlander, M.A., L.P.T., L.M.F.T. for FY 2013-14 in the amount not to exceed \$491,886 to provide mental health crisis intervention services.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

12. Submittal of two resolutions approving a replacement Land Conservation contract and a Solar-Use Easement agreement granting a Solar-Use easement to the County pursuant to the California Land Conservation Act of 1965 and consideration of the previously-adopted Negative Declaration prepared for the project. District 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-214 and 2013-215, adopted.

Consent Agenda - Public Works Items:

13. Submittal of bid opening report for the Klau Mine Road and the Huasna Road Slip Out Repair Contract and to award the subject contract to Whitaker Construction Group, Inc., the lowest responsible bidder, in the amount of \$175,625. Districts 1 and 4.

The Board approves as recommended by the County Administrative Officer.

- 14. Submittal of bid opening report for 2013 Micro-Surfacing, various county roads and to award the subject contract to Intermountain Slurry Seal, the lowest responsible bidder, in the amount of \$688,120. Districts 1, 2 and 3.

The Board approves as recommended by the County Administrative Officer.

- 15. The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on the tentative map, Tract 2766, a proposed subdivision for condominium purposes resulting in 6 units by Gary C. Wells, Trustee of the Gary C. Wells 1996 Revocable Trust, Oceano. District 4.

The Board approves as recommended by the County Administrative Officer.

- 16. Request to approve an agreement for engineering consulting services with Drake Haglan and Associates, Inc. in an amount not to exceed \$393,804.77, for the Air Park Drive at Oceano Beach Lagoon Bridge Replacement Project, Oceano. District 4.

The Board approves as recommended by the County Administrative Officer.

- 17. Request to approve an agreement for engineering consulting services with Quincy Engineering, Inc., in an amount not to exceed \$539,093.71, for the El Camino Real over Santa Margarita Creek Bridge Replacement Project, Atascadero. District 5.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer.

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

- 18. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the Nacimiento Water Project’s Intake Pipe Repair. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-216, adopted.

Health Agency Item - pulled from the Consent Agenda:

- 10. Request to approve a renewal contract (Clerk’s File) with Community Action Partnership of San Luis Obispo for FY 2013-14 in the amount not to exceed \$361,347 to provide mental health services in accordance with the Mental Health Services Act and services in support of the 2011 Public Safety Realignment Implementation Plan.

Supervisor Arnold: states she is recusing herself from voting on this item.

The Board approves and directs the Acting Chairperson to sign a renewal contract with Community Action Partnership of San Luis Obispo for FY 2013-14 in the amount not to exceed \$361,347 to provide mental health services in accordance with the Mental Health Services Act and services in support of the 2011 Public Safety Realignment Implementation Plan.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)				x

Public Comment Period:

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

Ms. Jane Swanson; Ms. Linda Seeley; Ms. Sherry Lewis (flyer); Ms. Elizabeth Brousse - San Luis Obispo Mothers for Peace; Mr. Klaus Schumann (handout); Mr. Fred Frank; Mr. Jay Adams (handout); Ms. Carole Hisasue; and Ms. Henriette Groot: address concerns regarding overcrowded spent nuclear fuel pools at the Nuclear Diablo Canyon Power Plant; and request the Board write a letter to the Nuclear Regulatory Commission (NRC) regarding this matter.

Ms. Julie Tacker (letter); Dr. C. Hite (video); Mr. Richard Margetson (document); and Ms. Linde Owen (document and photographs): comment on various issues concerning the Los Osos Wastewater Project (LOWWP).

Ms. Andrea Seastrand and Mr. Edward Veek: speaks to the Resilient Communities agreement and requests the Board agendaize a hearing regarding this matter.

Mr. Ben DiFatta: discusses his recent dream with the President and the Board's actions to various community concerns.

Mr. Eric Greening: addresses the upcoming Sustainable Communities Strategy meeting; and comments on Senate Bills 4, 743 and 731.

Mr. Gary Kirkland: speaks to global warming.

The Board directs staff to schedule a presentation with PG&E regarding the spent fuel pool concerns at the Diablo Canyon Power Plant; and to work with Supervisor Hill on what he wants to bring forward (potential letter to the NRC).

Hearings:

20. Hearing to announce Proposition 218 results for the proposed Tract 1747 Streetlight Assessment District and submittal of a resolution ordering the improvements for the Tract 1747 Streetlight Assessment District. District 4.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board ratifies the results of the Proposition 218 Assessment proceedings, which were conducted by the Clerk; and RESOLUTION NO. 2013-217, a resolution overruling protests, approving engineer's report, levying assessments, and ordering the improvements for the Tract 1747 Streetlight Assessment District, adopted.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

21. Hearing to consider a request by Robert and Melanie Tucker for a variance granting modification of special construction standards in a flood hazard zone and submittal of a resolution denying the requested variance. District 5.

Ms. Margaret Holstine – representing Melanie and Richard Tucker (map): speaks.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Melanie Tucker: speaks.

Ms. Holstine: provides closing statements.

Board Members: discuss the need to review the new information presented today; and get feedback from Federal Emergency Management Agency (FEMA).

The Boards continues the hearing off-calendar; directs staff to work with the applicant; and return at the earliest possible date.

Motion by: Debbie Arnold

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

- 22.** I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
- A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. North County Watch v. County of San Luis Obispo (Santa Margarita Ranch Subd., CV098031).
- B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 3. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 4. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.
- II. PERSONNEL (Gov. Code, § 54957.) It is the intention of the Board to meet in closed session to: 5. Consider Public Employee Appointment for the Position of Director of Building/Planning.
- III. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)
- A. 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: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff's Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs' Management; 13. SLOCPPOA.
- B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 14. United Domestic Workers.

Acting Chairperson Gibson: states Closed Session is cancelled.

Presentations:

- 23.** Submittal of a resolution proclaiming September 9, 2013 as "National Fetal Alcohol Spectrum Disorders Awareness Day."

Ms. Lisa Frazer – San Luis Obispo Child Abuse Prevention Council Executive Director (poster and flyer) and Ms. Jennifer Stone – Beginnings of San Luis Obispo County: speak.

RESOLUTION NO. 2013-218, a resolution proclaiming September 9, 2013 as National Fetal Alcohol Spectrum Disorders Awareness Day, adopted.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 24. Submittal of a resolution proclaiming September 2013 as "Cancer Awareness Month" in San Luis Obispo County.

Ms. Heather Hellman and Ms. Lynne Watkins: speak.

RESOLUTION NO. 2013-219, a resolution proclaiming September 2013 as "Cancer Awareness Month" in San Luis Obispo County, adopted.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 25. Submittal of a resolution recognizing the 7th annual Celebration of Mexican Independence from Spain, "El Grito de la Independencia", in San Luis Obispo County.

Ms. Jacqueline Frederick - Latino Outreach Council Chairperson: speaks.

RESOLUTION NO. 2013-220, a resolution recognizing the 7th annual celebration of Mexican Independence from Spain, "El Grito de la Independencia", in San Luis Obispo County, adopted.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Business:

- 26. Request to support the San Luis Obispo City's preferred alignment for the section of the Bob Jones Pathway connecting the Octagon Barn, 4595 South Higuera Street, San Luis Obispo, CA to Los Osos Valley Road, based on the City of San Luis Obispo's study. District 3.

(This item is withdrawn, per the addendum to the agenda. It has been determined that Board action on the Bob Jones Pathway Octagon Barn Connection Study is not needed at this time. With support from the County Parks and Recreation Commission, the next County action will occur at the project design phase.)

- 27. Consideration of a request to authorize a General Plan/Local Coastal Plan Amendment by Chevron Environmental Management Company to amend the Avila Beach Specific Plan and San Luis Bay Area Plan (Coastal) to change the land use category from Industrial to Recreation, and include development standards for the future redevelopment of the former Avila Tank Farm. District 3.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Debbie Rudd – RRM Design Group (powerpoint): speaks.

The Board reviews the proposal (LRP2012-00003 – Chevron Environmental Management Company) and determines to authorize the processing for a General Plan/Local Coastal Plan Amendment by Chevron Environmental Management Company to amend the Avila Beach Specific Plan and San Luis Bay Area Plan (Coastal) to change the land use category from Industrial to Recreation, and include development standards for the future redevelopment of the former Avila Tank Farm.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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 10, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: September 12, 2013

Tuesday, August 27, 2013

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: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Consent Agenda – Review and Approval:

1-11&15. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 11 and 15 on the following vote is indicated for each item.

Motion by: Adam Hill

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Auditor - Controller Items:

1. Submittal of a cash procedures review of the County Treasurer's Office conducted on June 28, 2013.

The Board approves as recommended by the County Administrative Officer.

2. Submittal of a resolution setting the FY 2013-14 tax rates for the Secured Property Tax Roll.

This item is amended by replacing Exhibit 1 due to a minor adjustment of rates. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-209, adopted as amended.

Consent Agenda - Board of Supervisors Items:

3. Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d).

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

4. Request to approve a Streambed Alteration agreement with the California Department of Fish and Wildlife for the Women's Jail Expansion located at 1585 Kansas Avenue. District 2.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

5. Request to approve a renewal contract (Clerk's File) with San Luis Obispo Community College District (Cuesta College) for FY 2013-24 [SIC] in an amount not to exceed \$173,619 to provide prevention and

early intervention mental health and wellness services for Transitional Aged Youth throughout San Luis Obispo County.

The Board approves as recommended by the County Administrative Officer.

6. Request to approve a renewal contract (Clerk's File) with Transitions – Mental Health Association for FY 2013-14 in the amount of \$4,186,614 to provide mental health services.

The Board approves as recommended by the County Administrative Officer.

7. Request to approve a renewal agreement (Clerk's File) with the State Office of Traffic Safety for a one year period from October 1, 2013 through September 30, 2014 in an amount not to exceed \$185,790 to fund an Injury Prevention Program.

Dr C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

8. Submittal of a resolution to ratify the existing Master Agreement with the State of California for Federal-Aid Projects and approve program supplemental agreements issued under the Master Agreement. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-210, adopted.

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

9. Request to authorize the Public Works Director to execute a reimbursement agreement and optional renewal period of five years with the City of San Luis Obispo for watershed maintenance and education for Flood Control Zone 9 (San Luis Obispo Creek Watershed). District 3.

The Board approves as recommended by the County Administrative Officer.

10. Request to approve committee appointments of Carlyn Christianson, representing City of San Luis Obispo, and Anthony Kalvans and David Bentz, representing San Miguel Community Services District, to the Water Resources Advisory Committee of the Flood Control and Water Conservation District. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

11. Request to approve: 1) the Workforce Investment Act (WIA) subgrant agreement with the State of California for the receipt of Youth funds in the amount of \$803,371; and 2) the plan for the Fiscal Year 2013-14 WIA formula funds budget totaling \$2,134,990.

This item is amended by replacing the subject line to read: "Request to approve the Workforce Investment Act (WIA) subgrant agreement with the State of California for the receipt of Youth funds in the amount of \$803,371 and approve the plan for the Fiscal Year 2013-14 WIA formula funds budget totaling \$2,134,990 and approve a resolution delegating signatory authority for all Workforce Investment Act (WIA) administrative documents to the Social Services Director." Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-211, adopted.

(Added Item, per the Addendum to the Agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Consent Agenda – Public Works Items:

15. Submittal of Contract Change Order No. 4 to the agreement with Souza Construction, Inc. for the Main Street Bridge over Santa Rosa Creek in Cambria, in the amount of \$250,000. District 2.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

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

Dr. C. Hite: presents a video regarding the recent sirens at the Diablo Canyon Power Plant; and comments on a public records request.

Ms. Elsa Dawson (documents), Ms. Andrea Seastrand; Ms. Laurie Alexiev (documents); Ms. Terri Strickland (documents); Ms. Jeannette Watson (map); Ms. Sheila Healy; and Mr. Tom Dawson (document): discuss various concerns relating to sustainable development; Agenda 21; ICLEI (International Council for Local Environmental Initiatives); and the recent Resilient Communities for America Symposium.

Mr. Eric Greening: addresses concerns regarding the California Environmental Quality Act (CEQA).

Mr. Ben DiFatta; Ms. Julie Tacker; Ms. Linde Owen; Mr. Richard Margetson; and Mr. Al Barrow (document): address various comments and concerns regarding the Los Osos Wastewater Project (LOWWP). **No action Taken.**

Hearings:

13. (1) Receive a Paso Robles Groundwater Basin Management Plan implementation update, (2) request to approve appointments to the Blue Ribbon Committee, (3) request to approve release of Request for Qualifications to prepare feasibility studies; and (4) hearing to consider an Urgency Ordinance pursuant to Sections 25123, 25131 and 65858 of the California Government Code that would (a) establish a moratorium on new or expanded irrigated crop production and new development dependent upon a well unless such uses offset their total projected water use, (b) establish certain exemptions, (c) require the installation of a meter on new wells and/or (d) establish a moratorium on approval of new ponds, reservoirs and dams other than those allowed by Section 22.52.070.C.2.b of Title 22 of the County Code for properties located within the unincorporated areas of San Luis Obispo County of the Paso Robles Groundwater Basin except those properties within the Atascadero Sub-Basin. Districts 1 and 5.

(This item is amended, per the Addendum to the Agenda, by replacing the draft map titled "Generalized Difference in Spring Elevations Between 1997 – 2013" in Attachment 1G – Basin Conditions and in Attachment 1J – Proposed Requests for Qualifications with a final map, and a memorandum from GEI Consultants regarding the finalization of the map; and by adding the Blue Ribbon Committee's "Top Ranked Solutions" dated August 21, 2013.)

Mr. Dan Buckshi - County Administrative Officer: provides an overview of today's hearing.

Ms. Courtney Howard - Public Works Department: presents a letter from the United States Department of Agriculture (USDA), dated April 10, 2013.

Mr. Larry Werner – Blue Ribbon Committee President: provides a presentation on the Blue Ribbon Committee's top priorities.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening; Ms. Jan Seals –PRO Water Equity Treasurer; Mr. Nat Sherrill; Ms. Susan Harvey – North County Watch; Mr. Gary Kirkland; Mr. Daniel Sinton; Mr. Brian Engleton; Mr. John Hollenbeck

(newspaper article); Mr. C.R. Lara; Mr. Bill Garfinkel – Water Resources Advisory Committee (WRAC) Member and Atascadero Mutual Water Company President; Mr. George Sullivan; Ms. Joy Fitzhugh - Farm Bureau (letter); Ms. Ann Myhre; Ms. Claudia Engel – Blue Ribbon Committee, Solutions Committee, and Outreach & Education Chairperson; Ms. Kris Beal – Central Coast Vineyard Team (letter); Mr. Paul Hoover; Ms. Sue Luft – PRO Water Equity President; Mr. Joe Plummer; Ms. Della Barrett; Ms. Patricia Wilmore – Paso Robles Wine Country Alliance; Mr. Tim Cleath - Cleath-Harris Geologists; Mr. Doug Kuentzel; Mr. Bill Pelfrey; Mr. James Patterson; Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Mr. Robin Chapman; Mr. Tom Dawson; Mr. Bill Mulcahy; Mr. Michael Winn – Water Resources Advisory Committee (WRAC) Chairperson; Mr. Mike Broadhurst - Upper Salinas - Las Tablas Resource Conservation District; Mr. Jerry Reaugh – Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS) Chairperson; Mr. Lowell Zelin ski - Paso Robles Independent Grape Growers; Mr. Joseph Zimmerman (handout); Mr. Fred Frank; Mr. Bill Hockey - Templeton Area Advisory Group Chairperson; and Ms. Laurie Gage: speak.

The Board approves the appointments to the Blue Ribbon Committee as shown in Attachment “1K.”

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

The Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (Flood Control District), approves the release of request for qualifications (RFQ's) (Attachment “1J”) to prepare feasibility studies.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

The Board approves Attachment 1C – Conditions to Waive Permit Fees, with an amendment to Condition No. 2 by replacing “the Paso Robles Groundwater Basin” with “from the areas of the County with a certified Level of Severity III.”

Motion by: Debbie Arnold

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

The Board directs staff to come back in 45 days with additional information regarding: governance structures, including involvement with stakeholders; refined short range goals; identification of objectives the County is seeking to accomplish; what structures should be in place; contact information for various options available to property owners; and application of resources, as priorities allow, towards development of an equitable allocation of water resources for the basin. Further, the Board directs staff to not pursue a legislative amendment to create a special District; and to not pursue Community Development Block Grant (CDBG) funds or low interest rate loans.

Board Members: discuss use of unused water for basin recharge; and the need to get contact information out to the public regarding water availability offered by the Paso Robles and Atascadero water purveyors for fire protection.

Furthermore, the Board directs staff to return with information regarding the potential future needs for additional staffing to address water issues, with Mr. Buckshi stating he will return with ideas regarding how to address staffing for all affected departments.

Acting Chairperson Gibson: continues the hearing following Closed Session.

Closed Session Items:

- 14.** The Board announces they will be going into Closed Session regarding:
- I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:
 - A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. Negranti & Sons v. San Luis Obispo County; 2. Los Osos Community Services District v. County of San Luis Obispo, et al. (Golden State Water), 3. Ruiz v. County of San Luis Obispo; 4. Concerned Landowners of the Paso Robles Groundwater Basin v. County of San Luis Obispo.
 - B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 5. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 6. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.
 - II. PERSONNEL (Gov. Code, § 54957.) It is the intention of the Board to meet in closed session to: 7. Consider Public Employee Appointment for the Position of Director of Building/Planning.
 - III. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)
 - A. 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: Name of employee organizations are: 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs' Management; 13. SLOCPPOA; 14. SLOCEA-Public Services, Supervisors, Clerical; 15. Deputy Sheriff's Association.

Acting Chairperson Gibson: 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.

Hearings Continued:

- 13.** (1) Receive a Paso Robles Groundwater Basin Management Plan implementation update, (2) request to approve appointments to the Blue Ribbon Committee, (3) request to approve release of Request for Qualifications to prepare feasibility studies; and (4) hearing to consider an Urgency Ordinance pursuant to Sections 25123, 25131 and 65858 of the California Government Code that would (a) establish a moratorium on new or expanded irrigated crop production and new development dependent upon a well unless such uses offset their total projected water use, (b) establish certain exemptions, (c) require the installation of a meter on new wells and/or (d) establish a moratorium on approval of new ponds, reservoirs and dams other than those allowed by Section 22.52.070.C.2.b of Title 22 of the County Code for properties located within the unincorporated areas of San Luis Obispo County of the Paso Robles Groundwater Basin except those properties within the Atascadero Sub-Basin. Districts 1 and 5, is brought back.

Acting Chairperson Gibson: clarifies that the Board receives and files the Paso Robles Groundwater

Basin Management Plan implementation update that was earlier presented; and states staff is directed to continue to provide quarterly updates.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Tasha Wilke; Mr. Fred Frank; Ms. Dale Tozzi; Ms. Joy Fitzhugh – Farm Bureau; Mr. Wayne Snowburger; Ms. Kathleen Lambeth; Ms. Jackie Crabb – Farm Bureau; Mr. Paul Hoover; Ms. Jan Seals – PRO Water Equity Treasurer (photographs); Ms. Susan Harvey – North County Watch; Mr. Muriel Clift; Ms. Joanna Murguia - speaking on behalf of Claire Wineman - Grower Shipper Association of Santa Barbara and San Luis Obispo Counties President; Ms. Sue Luft – PRO Water Equity President; Mr. John Hollenbeck; Mr. John Neil - Atascadero Mutual Water Company General Manager; Mr. Ryan Newkirk; Ms. Ann Myhre (map); Mr. Tom Dawson; Ms. Kathy Sweet; Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Mr. Eric Greening; Ms. Kathleen Maas – Pear Valley Vineyard and Winery; Ms. Lindsay Pera – PRO Water Equity; Mr. Lowell Zelinski; Ms. Lisen Bonnier; Mr. Bill Pelfrey (graph); Mr. Marshall Wilkinson – representing John and Blanche Comino; Ms. Laurie Gage; Mr. James Patterson; and Mr. Joe Plummer: speak.

On motion of Supervisor Adam Hill, seconded by Supervisor Frank S. Mecham, the Board unanimously agrees to continue the meeting passed 5:00 P.M.

Mr. Ty Safreno; Mr. Charlie Whitney; Mr. Gary Eberle; Ms. Jamie Kirk; Ms. Ellen Frost; Mr. Eric Gobler; Mr. Steve Sinton; Mr. William Frost (map); Mr. Matt Turrentine - Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS); Mr. Tom Adams – J. Lohr Vineyards; Mr. Andrew Christie – Santa Lucia Chapter Sierra Club Director (photograph); Ms. Elsa Dawson; Ms. Marilee Hyman - League of Women Voters President; Ms. Gwen Pelfrey; Ms. Carol Rowland (handout and maps); Mr. John Crossland; Dr. Serena Friedman (handout and letter); Mr. Ted Gilbert; Mr. Matt Hagen; Ms. Elaine Hagen (petitions); Ms. Robin Chapman; Mr. Aaron Kirby; Ms. Sheila Lyons; Mr. Chris Ivey; Ms. Julie McCloskey; Mr. Mike Neiggemann (handout); Ms. Cindy Steinbeck; Ms. Andrea Seastrand; Ms. Daniella Sapriel (drawing); Mr. Bill Stansbury; Ms. Della Barrett; Mr. Larry Werner – Blue Ribbon Committee Chairperson; Mr. George Sullivan; Ms. Joy Sprague; Ms. Sophie Treder; and Mr. Mike Winn: speak.

Supervisor Mecham: states if an ordinance is passed, he would like staff to return in 45 days with a clearly articulated flowchart describing the pipeline issues.

Board Members: review and discuss various provisions to ordinance (2A); and take straw-votes on the following issues: the offset ratio; carve outs; pipelines; limitations on water usage; permits not subject to the ordinance; exemptions; well replacements; and Ag ponds.

A motion by Debbie Arnold, seconded by Frank R. Mecham, to accept the urgency ordinance with the following changes: adding language regarding the 1:1 offset ratio under Exemptions in Section 6; removing offset radio language from Section 7; striking out Section 8, with the carve outs that were addressed during earlier discussions, is discussed.

Clarification on the motion regarding the changes is requested, with Ms. Kami Griffin - Acting Director of Planning and Building, outlining the language changes.

Acting Chairperson Gibson: outlines his reasons for not supporting the motion on the table.

The Board accepts the urgency ordinance with the amendments as follows: by deleting from the title to the ordinance “and establishing a moratorium on approval of new ponds, reservoirs and dams other than those allowed by Section 22.52.070.C.2.B of Title 22 of the County Code”; Section 1. Findings and Declarations: by removing the following reference in Finding E: “There has also been an increase in the number of applications for very large irrigation ponds which would draw large quantities of water from the Basin.”; and by adding a new Finding that reads: “This urgency and interim zoning ordinance does not apply to areas served by the San Miguel Community Services District (CSD) and County Service Area (CSA) 16 because urban water providers can closely manage water demand in their service area. CSDs and CSAs do this through rate structures that directly relate the cost of water to the consumer, differing from water provided from individual wells that are not metered and do not have a rate structure or separate billing. In addition, CSDs and CSAs offer various water conservation programs to benefit their users and deliver water from wells that are metered, monitored and maintained by a single entity allowing for best management practices

in the delivery of water. None of these mechanisms exist for rural water users in the Basin that are outside of water service areas or districts. Also water districts or areas such as within Shandon urban reserve line, have an allocation from a supplemental water source (i.e. State Water Project) and are not completely dependent on groundwater. The rural areas of the basin have no alternative water source making groundwater management that much more important in those areas.”; Section 2. Availability: by replacing the paragraph to read: “This Ordinance applies to all properties within the unincorporated areas of San Luis Obispo County that overlie the Paso Robles Groundwater Basin except those properties that overlie the Atascadero Sub-Basin and those properties served by County Service Area 16 or the San Miguel Community Services District (Exhibit 2A).”; Section 3. Definitions: by removing Subsection A.; by adding in Subsection G. “replacing a dry or otherwise non-producing well, or” in the first sentence between the words “of” and “rendering”; by deleting from Subsection G. “the existing well must be destroyed under permit and” in the last sentence between the words “permitted” and “the”; by adding in Subsection I.: “residential or agricultural accessory structures with no increase in number of restrooms,” in the second sentence between the words “bedrooms” and “whether”; by adding a new sentence in Subsection I.: “A minor modification can also mean an interior remodel or addition with no increase in floor area or number of restrooms or a remodel implementing an approved land use permit.” in between the second and third sentence; and by replacing the word “or” with “of” in last sentence in Subsection K.; Section 5. Activities that are not subject to the ordinance: by adding a new subsection A. 5. that reads: “Any construction permit necessary to implement a land use permit approved prior to the effective date of this Ordinance.”; the subsequent subsection is re-numbered as A. 6.; and by adding a new subsection A. 7. that reads: “New ponds, reservoirs and dams constructed to regulate or store a supply of water for frost protection, seasonal irrigation, or livestock purposes.”; Section 6. Exemptions: by replacing Subsection A. 4. to read: “Where satisfactory evidence can be provided that financing or other written contractual commitments were entered into or a vested right is established prior to the effective date of this ordinance, for site preparation, planting, or sale of product”; and by adding a new Subsection A. 6. to read: “Where evidence can be provided that the net new water demand (based on actual water data or by approved assumptions about the water demand for that use) has been offset at a ratio of 1:1 through verifiable evidence. The offset must occur before, or at the same time as, the new water use is developed.”; Section 7. Offset Clearance: by deleting Subsection A. Offset Clearance and A. 1. Application Content; and by renaming Section 7. to read “Meters”; by deleting Section 8. New Ponds, Reservoirs and Dams; and re-numbering subsequent Sections 8 through 10, motion fails.

Motion by: Debbie Arnold

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)		x		
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)		x		
Arnold, Debbie (Board Member)	x			

A motion by Supervisor Frank R. Mecham, seconded by Supervisor Adam Hill, to approve the urgency ordinance as constructed by the Board’s straw-votes, is discussed.

Ms. Kami Griffin - Acting Director of Planning and Building: outlines the amendments to the ordinance made during the straw- votes.

The Board amends the ordinance by deleting from the title of the ordinance “and establishing a moratorium on approval of new ponds, reservoirs and dams other than those allowed by Section 22.52.070.C.2.B of Title 22 of the County Code”; Section 1. Findings and Declarations: by removing from Finding F. “There has also been an increase in the number of applications for very large irrigation ponds which would draw large quantities of water from the Basin.”; and by adding a new Finding J. [SIC] that reads: “This urgency and interim zoning ordinance does not apply to areas served by the San Miguel Community Services District (CSD) and County Service Area (CSA) 16 because urban water providers can closely manage water demand in their service area. CSDs and CSAs do this through rate structures that directly relate the cost of water to the consumer, differing from water provided from individual wells that are not metered and do not have a rate structure or separate billing. In addition, CSDs and CSAs offer various water conservation programs to benefit their users and deliver water from wells that are metered, monitored and maintained by a single

entity allowing for best management practices in the delivery of water. None of these mechanisms exist for rural water users in the Basin that are outside of water service areas or districts. Also water districts or areas such as within Shandon urban reserve line, have an allocation from a supplemental water source (i.e. State Water Project) and are not completely dependent on groundwater. The rural areas of the basin have no alternative water source making groundwater management that much more important in those areas.”; Section 2. Availability: by replacing the paragraph to read: “This Ordinance applies to all properties within the unincorporated areas of San Luis Obispo County that overlie the Paso Robles Groundwater Basin except those properties that overlie the Atascadero Sub-Basin and those properties served by County Service Area 16 or the San Miguel Community Services District (Exhibit 2A).; Section 3. Definitions: by adding in Subsection G. “replacing a dry or otherwise non-producing well, or” in the first sentence between the words “of” and “rendering”; by deleting from Subsection G. “the existing well must be destroyed under permit and” in the last sentence between the words “permitted” and “the”; by adding in Subsection I.: “residential or agricultural accessory structures with no increase in number of restrooms,” in the second sentence between the words “bedrooms” and “whether”; by adding a new sentence in Subsection I. between the second and third sentence to read: “A minor modification can also mean an interior remodel or addition with no increase in floor area or number of restrooms or a remodel implementing an approved land use permit.” and by replacing the word “or” with “of” in last sentence in Subsection K.; Section 5. Activities that are not subject to the ordinance: by adding in subsection A. 4. “and accepted as complete” between the words “County” and “including”; by adding a new Subsection A. 5. that reads: “Any construction permit necessary to implement a land use permit approved prior to the effective date of this Ordinance.”; the subsequent Subsection is re-numbered as A. 6.; by replacing Subsection A. 6. (previously A. 5.) to read: “New irrigated crop production where the crop was planted as of August 27, 2013.”; and by adding a new subsection A. 7. that reads: “New ponds, reservoirs and dams constructed to regulate or store a supply of water for frost protection, seasonal irrigation, or livestock purposes.”; Section 6. Exemptions: by replacing Subsection A. 4. to read: “Where satisfactory evidence can be provided that, prior to the effective date of this Ordinance, an applicant has secured a vested right to complete site preparation, planting, or sale of product.”; Section 7. Offset Clearance: by replacing Subsection A. 1. a. to read: “Evidence that the net new water demand (based on actual water data or by approved assumptions about the water demand for that use) has been offset (based on actual water data or by approved assumptions about the water demand for that use) at a ratio of at least 1:1 through verifiable evidence or participation in an Approved County Water Conservation Program. The offset must occur before, or at the same time as, the new water use is developed.”; by replacing the ratio of “2:1” with “at least 1:1” in Subsection A. 3.; by deleting Section 8. New Ponds, Reservoirs and Dams; and re-numbering subsequent Sections 8 through 10. Furthermore, ORDINANCE NO. 3246, an urgency ordinance of the County of San Luis Obispo, State of California establishing a moratorium on new or expanded irrigated crop production, conversion of dry farm or grazing land to new or expanded irrigated crop production and new development dependent upon a well in the Paso Robles Groundwater Basin unless such uses offset their total projected water use, including certain exemptions, adopted as amended.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

(Clerk’s note: upon preparing the amended ordinance after the meeting, staff realized there were two (2) Finding B’s. Staff has corrected the sequential order in the findings pursuant to Government Code Section 25131. Finding J adopted by the Board is now Finding K in the adopted ordinance.)

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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, August 27, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: September 5, 2013

THURSDAY, AUGUST 8, 2013

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of August 8, 2013 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.
(09:04 AM)

ROLL CALL (09:05 AM)

PRESENT: Commissioner(s) Tim Murphy, Don Campbell, Eric Meyer, and Jim Irving.
ABSENT: Commissioner(s) Ken Topping.

FLAG SALUTE (09:05 AM)

PUBLIC COMMENT PERIOD (09:05 AM)

Chief Reeder: presents award to Battalion Chief Fire Marshall Laurie Donnelly.

PLANNING STAFF UPDATES (09:12 AM)

Nancy Orton, staff: updates Commissioners on their near term schedule.

CONSENT AGENDA: (09:14 AM)

- a. June 27, 2013 CANCELLED Planning Commission minutes (09:14 AM)
- b. July 11, 2013 DRAFT Planning Commission minutes (09:14 AM)

Thereafter, on motion of Tim Murphy, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Don Campbell, Jim Irving.
NOES: None.
ABSENT: Commissioner(s) Ken Topping.

The Commission approves Consent items a. and b.

HEARINGS: (09:15 AM)

1. Hearing to consider a request by EPOCH WINE ESTATES for a Conditional Use Permit to allow for the phased construction and expansion of winery facilities including: expansion of

the existing Stephen's Cellars' winery facility (D010280P), the rehabilitation of the condemned York Mountain Winery to restore the historic winery and tasting room uses, the construction of a new wine processing building, and the conversion of the existing tasting room to administrative uses and commercial kitchen. The applicant is requesting 25 special events with no more than 200 attendees and modifications of ordinance requirements involving setbacks, signage, and amplified music (noise). Winery build-out (includes existing winery structures) will total 49,351 square feet on two parcels. The project will result in the total site disturbance of 6.9 acres on two parcels totaling 165 acres including 12,000 cubic yards of cut, and 12,000 cubic yards of fill. The project is located within the Agriculture land use category, at 7505 / 7520 / 7575 York Mountain Road), approximately 6 miles west of the community of Templeton. The site is located within the Adelaide planning area. The site is located within the Adelaide planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 5, 2013 for this project. Mitigation measures are proposed to address: Agricultural Resources, Cultural Resources, Water, Biological Resources, and Noise and are included as conditions of approval. County File No: DRC2011-00061 Assessor Parcel Number: 014-221-027 and 025 Supervisorial District: 1 Date Accepted: May 4, 2013 Holly Phipps, Project Manager Recommend approval (09:15 AM)

Commissioners: disclose ex-parte contacts.

Holly Phipps, Project Manager: presents staff report and last minute changes to staff report.

Jamie Kirk, agent; makes a Powerpoint presentation and requests condition changes.

Kami Griffin, Assistant Director: addresses agent's requests for Condition 3. b. referencing a phasing schedule and discusses meetings with County Counsel regarding this subject.

Whitney McDonald, County Counsel: explains Counsel's interpretation of the phasing schedule.

Commissioners: comment on approval of projects.

Frank Honeycutt, Public Works: discusses agent's request for driveway access and recommends the Commission close that access at the existing tasting room. Would like that access be closed and an alternate access provided before any public events are held.

Jamie Kirk, agent: would like to address Public Works' concern through conditioning.

Frank Honeycutt, Public Works: reiterates that no public access should be given as per Public Works standards.

Commissioners: deliberate current access road and alternatives.

Commissioners and Ms. Kirk: discuss signage measurements.

Jim Irving: suggests down lighting for signage and would like this added in the conditions.

Steve George, owner's representative. West facing sign does not serve well and explaining reasoning for asking for the larger monument sign.

Jamie Kirk, agent: discusses a condition to add exclude any vehicular access during special events

Eric Meyer: begins formulating his motion and discusses signage waiver modification reduced to 200 square feet and 48' remain directional signage as proposed and incorporate existing at 4x29'. Further comments public access to existing driveway be eliminated but private access be maintained. Condition 1 b to begin within 20 years, and C. phase 3 to begin within 25 years instead of 20 years. adding the words "completion". Signage that trucks exit the property to the west.....signage to include directional indications to the west.

Don Campbell: states he does not agree with the phasing increase in years.

Tim Murphy: would like some restrictions in the phasing years. Signage opinion leaning towards reduction of the 120 foot sign to 200' limitation.

Jim Irving: supports signage change and phasing changes.

Thereafter, on motion of Eric Meyer, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Eric Meyer, Don Campbell, Tim Murphy, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Ken Topping.

The Commission adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq and approves Conditional Use Permit DRC2011-00061 based on the findings listed in Exhibit A, adding a paragraph to Finding G. to read "The height , bulk, location, structural materials, landscaping and other aspects of the proposed use will not obstruct the public view of this historic structure. The rehabilitation and remodel of the historic winery proposed will ensure historic building materials and character-defining features are maintained." and changing finding J. to indicate 200 square and deleting the measurement of 252 square feet; -and subject to the Conditions listed in Exhibit B, changing Condition 1. a. iv. to correct the hours to read 10:00 instead of 11:00; changing Condition 1. b. to read "b. Phase II "to begin within 20 years after completion of Phase I (at York Mountain Winery site, APN: 014-221-027).; changing Condition 1. c. to read: c. Phase III to begin within 25 years after completion of Phase II (at York Mountain Winery site, APN: 014-221-027; changing Condition 1. f. to deleted measurement of 252 and replacing it with "...200 sf..." and changing the table to reflect same; changing Condition 3. a. to read: a. The project shall be limited to three "new and one existing" driveway approaches...."; Changing Condition 3. a. i. to read: "i. Phase I construct one driveway approach to Building F per B-1a"; Changing Condition 3. a. ii. Phase II construct one new driveway approach to the wine tasting room and existing barn (Buildings D & E) per B-1a; and reconstruct one driveway approach to the existing residence per B-1a"; and adding

the word "Phase III" to Condition 3. a. iii.; adding the word "public" to Condition 3. b.; deleting the word "not" from the second sentence in Condition 19.; changing Condition 43. b. to correct the time to 10 a.m. or after 10 p.m."; changing Condition 45 to add the paragraph: "As an alternative to providing the annual listing of the events in a letter, a website may be used. If a web-site is used, notification shall first be provided by mail and contain the website address, the 24 hour local contact information and the approved number of events and attendee numbers. The website shall be maintained and kept current at all times."; Adopted.

DON CAMPBELL IS NOW ABSENT.

2. Hearing to consider a request by BKS CAMBRIA, LLC and PG&E for a Development Plan/Coastal Development Permit to allow the construction and operation of an unmanned telecommunications facility consisting of two (2) 30" UHF omni antennas and two (2) 36" diameter microwave dishes mounted on an existing 274' lattice radio tower. In addition, one (1) 30 square-foot fuel cell pad, and equipment will racks installed to an existing building. The project will result in the disturbance of approximately 1,000 square feet on a 34-acre property. The proposed project is within the Recreation land use category and is located at 202 Monte Cristo Road (former Cambria Air Force Station site), approximately 1 mile west of Highway 1 and 1.5 miles south of the community of Cambria. The site is in the rural North Coast planning area. This project is exempt under CEQA. County File No: DRC2012-00097 Assessor Parcel Number: 013-181-005 Supervisorial District: 2 Date Accepted: June 3, 2013 Airlin Singewald, Project Manager Recommend approval (10:50 AM)

Airlin Singewald, Project Manager: presents staff report via a Power Point presentation.

Kris Vardas, agent: thanks staff and briefly discusses proposal.

Jim Irving: opens Public Comment with no one coming forward.

Commissioners: begin deliberating proposal.

Thereafter, on motion of Tim Murphy, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Ken Topping, Don Campbell.

the Commission approves Development Plan/Coastal Development Permit DRC2012-00097 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

3. Continued hearing to consider a request by the County of San Luis Obispo to amend the inland Land Use and Circulation Elements of the County General Plan and the Land Use Ordinance, Title 22 of the County Code. The proposal is a reorganization only and does not involve changes or updates to general plan goals, policies, programs, data, or statistics or changes in the effect of standards for development (planning area standards).

This project consists of the following major parts: 1) The 11 existing inland planning areas are consolidated and reorganized into four new inland planning areas, based largely on watershed boundaries. 2) The plans for the four new inland planning areas are combined into a single document called The Area Plans. 3) Community plans are proposed for urban areas and villages. 4) Planning area standards in the Land Use Ordinance (LUO) are reorganized into rural and urban/village standards according to the new planning areas. This project is not subject to the California Environmental Quality Act (CEQA) under Section 15061(b)(3), General Rule Exemption. CONTINUED FROM 5/30/13 & 7/25/13 County File Number: LRP2008-00002 Assessor Parcel Number: N/A Supervisorial Districts: 1, 2, 3, 4, & 5 Date Authorized: July 15, 2008, modified March 29, 2011 Karen Nall, Project Manager Recommend Board of Supervisors approval (11:05 AM)

Jim Irving: opens Public Comment with no one coming forward.

Commissioners: begin their deliberations.

Eric Meyer: reports he reviewed the video from prior meetings and is up to date in order to vote on this subject.

Commissioners and Staff: finalize changes requested and amendments.

Thereafter, on motion of Eric Meyer, seconded by Jim Irving, and on the following vote:

AYES: Commissioner(s) Eric Meyer, Jim Irving, Tim Murphy.

NOES: None.

ABSENT: Commissioner(s) Ken Topping, Don Campbell.

The Commission recommends the Board of Supervisors adopt the resolution to approve the proposed General Rule Exemption in accordance with the applicable provisions of the California Environmental Quality Act (Public Resources Code 21000 et seq.); and adopt the following amendments: a) Inland Framework for Planning, Part I of the Land Use Element as set forth in Exhibit LRP2008-00002:B; b) The Inland Area Plans, Part II of the Land Use Element, as set forth in Exhibit LRP2008-00002:C; c) Community/Village Plans, Part III of the Land Use Element, as set forth in Exhibit LRP2008-00002:D; Amendments to the Official Maps, Part IV of the Land Use Element as set forth in Exhibit LRP2008-00002:E; e) The County General Plan Documents as set forth in Exhibit LRP2008-00002:F; and f) Amendments to Title 22, Land Use Ordinance (Inland) as set forth in Exhibits LRP2008-00002: G-1, G-2, G-3, and G-4, subject to the findings as set forth in Exhibit A; and g). Inland Framework for Planning Page 1-1, the beginning of Paragraph 1-1 changing from "The Land Use and Circulation Elements (LUCE) is..." To: "The LUCE (Land Use and Circulation Elements) is..."; h) Inland Framework for Planning Page 1-10, Figure 1-4 "Summary of County Planning Areas", Sub Areas, and Community/Village Plans as proposed by staff in the new figure 1-4 handed out this morning and as further discussed by the commission today; i) Inland Framework for Planning, Page 1-5, Paragraph: "The Area Plans (LUCE Part II)" as described in the memo from staff today clarifying "Areas and Area Plans"; j) Inland Framework for Planning, Page 2-10, Paragraph 5 as suggested by staff in the memo today; and k) All maps should include Sub Area i.e. (North), (South) designation clearly rather than simply stating the name without the North, South area designations.

ADJOURNMENT: 2:00 PM

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission
MINUTES APPROVED AT THE 9/26/13 PC

THURSDAY, SEPTEMBER 26, 2013

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of September 26, 2013 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.
(09:05 AM)

ROLL CALL (09:05 AM)

PRESENT: Commissioner(s) Don Campbell, Ken Topping, Tim Murphy, Eric Meyer, and Jim Irving.

ABSENT:

FLAG SALUTE (09:05 AM)

PUBLIC COMMENT PERIOD (09:05 AM)

Jim Irving: opens Public Comment with no one coming forward.

PLANNING STAFF UPDATES (09:06 AM)

Nancy Orton, staff: updates Commissioners on their near term schedule and status on Environmental Impact Report (EIR) projects coming forward to the Planning Commission and/or being heard by the Board of Supervisors.

CONSENT AGENDA: (09:10 AM)

- a. July 25, 2013 DRAFT Planning Commission Minutes (09:10 AM)
- b. August 8, 2013 DRAFT Planning Commission Minutes (09:10 AM)
- c. August 22, 2013 DRAFT Planning Commission Minutes (09:10 AM)
- d. August 29, 2013 CANCELLED Planning Commission Minutes (09:10 AM)
- e. September 12, 2013 CANCELLED Planning Commission minutes (09:10 AM)

Thereafter, on motion of Don Campbell, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Don Campbell, Eric Meyer, Tim Murphy, Jim Irving.

NOES: None.

ABSENT: None.

The Commission approves Consent items a. through e.

Ken Topping: abstains from voting on the consent agenda due to having been absent from the July 25th, and August 8, 2013 meetings.

HEARINGS: (09:12 AM)

1. Hearing to consider a request by 3/S RANCH INC. - JAMES SPREAFICO to reconsider Condition of Approval # 2 (associated with the previous use permit D020053D) to allow continued mining within the approved boundaries of the existing surface mine. The applicant is requesting twenty years of additional mining (unless the existing mine limits are reached prior to expiration) with a maximum extraction of 30,000 cubic yards annually. No changes to the mining plan are proposed and the existing reclamation plan would remain in effect. The proposed project is within the Agriculture land use category and is located at 7900 Orcutt Road approximately 5 ½ miles southeast of the City of San Luis Obispo. The site is in the San Luis Obispo planning area. The Planning Commission previously considered the Mitigated Negative Declaration on the basis of the Initial Study and comments received during the hearing process and found on the basis of the Initial Study and comments received during the hearing process that there was no substantial evidence that the project will have a significant effect on the environment. Therefore, the Environmental Coordinator found that the Mitigated Negative Declaration (pursuant to Public Resources Code Sections 21108, 21151 & 21167 and CA Code of Regulations Section 15000 et seq.) that was adopted on March 25, 2004 is adequate for the purpose of compliance with CEQA. No substantial changes are proposed that would require major revisions of the previous environmental determination or cause a substantial increase in the severity of previously identified effects. No substantial changes would occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted. The proposed reconsideration will rely on the previously adopted Mitigated Negative Declaration. Anyone interested in commenting on the Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). County File No: DRC2012-00083 Assessor Parcel Number: 044-071-023

Supervisorial District: 4 Date Accepted: June 13, 2013

Cody Scheel, Project Manager Recommend continuance to 10/10/13

POST HEARING DETERMINATION: CONTINUED TO 10/10/13 PC

(09:12 AM)

Nancy Orton, staff: presents reasoning for staff's recommendation to continue this item.

Thereafter, on motion of Tim Murphy, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Don Campbell, Ken Topping, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission continues this item to the October 10, 2013 Planning Commission.

2. Hearing to consider a request by PAM AND STEVE LOCK for a Conditional Use Permit to allow for a reconsideration of the project's previously approved use permit for a winery and tasting room (by appointment only). The following changes are proposed as part of the reconsideration: an increase in the number of days the tasting room is open from 3 to 4, and eliminate the appointment only limitation; to increase annual wine case production from 5,000 cases to 10,000 cases; and to remove the limitation of 15 tons allowed for processing of off-site grapes. The previously approved use permit approved a modification of the distance requirement of Land Use Ordinance to allow wine tasting to be located further than one mile from a designated collector road. The site is located approximately 1.8 miles from Highway 46 West the nearest designated arterial. The project will not result any additional site disturbance on the approximate 29 acre parcel. The proposed project is within the Agriculture land use category and is located 1520 Kiler Canyon Road on the north side of Kiler Canyon Road, approximately 1,000 feet northeast of Arbor Road approximately 2 miles west of the City of Paso Robles. The site is in the Salinas River planning area. The Environmental Coordinator found that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration has been identified. No new mitigation measures have been proposed.
County File No: DRC2012-00079 Assessor Parcel Number: 026-472-009
Supervisorial District: 1 Date Accepted: April 17, 2013
Holly Phipps, Project Manager Recommend approval
POST HEARING DETERMINATION: APPROVED
(09:12 AM)

Eric Meyer and Jim Irving: disclose ex-parte contacts.

Holly Phipps, Project Manager: presents staff report. Provides correction to Pg. 2-1 in the description to change 22 miles to 2 miles.

Jamie Kirk, agent: provides a Power Point presentation of the project proposal.

Commissioners: ask questions of the agent in regards to the proposal.

Jim Irving: opens Public Comment with no one coming forward.

Commissioners: begin deliberating proposal.

Frank Honeycutt, Public Works: comments on road safety in terms of collision patterns in the last 10 years and finds nothing which indicates concern.

Tim Murphy: discusses the initial CEQA study not having covered traffic, and a finding addressing modification that traffic would not create a significant impact should there be a tasting room. Would like to know if that finding suffices CEQA to address those impacts that were not considered in the initial study.

Whitney McDonald, County Counsel: clarifies the addendum to the previously adopted Negative Declaration suffices because it covers the changes that have occurred to this point. Directs Commissioners to findings in Exhibit A. States there could be a minor change to the findings to indicate the Commission is in agreement with the addendum.

Tim Murphy: feels this explanation is sufficient.

Commissioners: show no interest in creating a finding to address agreement to the addendum.

Thereafter, on motion of Don Campbell, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Don Campbell, Eric Meyer, Ken Topping, Tim Murphy, Jim Irving.

NOES: None.

ABSENT: None.

The Commission approves Conditional Use Permit DRC2012-00079 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

Thereafter, on motion of Tim Murphy, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Ken Topping, Don Campbell, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission accepts all correspondence entered into the record.

Thereafter, on motion of Don Campbell, seconded by Tim Murphy, and on the following vote:

AYES: Commissioner(s) Don Campbell, Tim Murphy, Ken Topping, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission adjourns to the next regularly scheduled Planning Commission meeting on October 10, 2013.

ADJOURNMENT: 12:00 PM

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission
MINUTES APPROVED AT THE 10/24/13 PC.

Tuesday, September 17, 2013

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: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Acting Chairperson Gibson: states the County building flags are half staff for those who lost their lives or were injured at the Washington D.C. Navy Yard and requests a moment of silence in memory of these people and the lives that have been touched by senseless violence at the hands of others.

Consent Agenda – Review and Approval:

1-11 & 18. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: clarifies that the added item, per the addendum to the agenda, should be added under Consent not Board Business, with Mr. Dan Buckshi – County Administrator concurring. Further, opens the floor to public comment.

The action taken for Consent Agenda items 1 through 11 and 18 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

1. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to appoint Lori Keller to replace John Fairweather on the CBID Advisory Board for the remaining year of his four (4) year term.

The Board approves as recommended by the County Administrative Officer.

2. Submittal of a resolution approving participation in the 2013-14 State-Local Partnership Program and designating the San Luis Obispo County Arts Council as the Local Arts Planning Agency.

Mr. Eric Greening: speaks and comments on Item No. 12.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-221, adopted.

3. Request to approve an agreement in the amount of \$325,854 with Visit San Luis County (formerly known as the San Luis Obispo County Visitors and Conference Bureau) to provide various tourism promotion activities for FY 2013-14 and to continue to carry out the Uniquely SLO Cluster of the Economic Strategy.

Ms. Nikki Schmidt – Administration Office: replaces page 9 of 17 to the agreement.

This item is amended by replacing page 9 of 17 to the agreement to properly title the page “Exhibit A.” Further the Board approves as recommended by the County Administrative Officer and as

amended by this Board.

Consent Agenda - Auditor - Controller Items:

4. Submittal of a resolution approving FY 2013-2014 Final Budget Actions.

Ms. Teresa Andrews-Hurliman - Auditor – Controller: replaces the resolution to correct the resolution number that is being amended.

This item is amended by replacing the resolution to correct the resolution number that is being amended. The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-222, adopted as amended.

Consent Agenda - Clerk-Recorder Items:

5. Request to approve the minutes of the Board of Supervisors meetings held during the months of February through July 2013.

The Board approves as recommended by the County Administrative Officer.

6. Request for disposition and re-approval of Parcel Map CO 06-0046. District 5.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - County Fire Items:

7. Request to approve a renewal agreement between Allan Hancock Joint Community College District and San Luis Obispo County Fire to provide instruction in firefighting and related subjects.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

8. Request to approve a renewal contract (Clerk's File) with Family Care Network for FY 2013-14 in the amount not to exceed \$4,630,000 to provide various mental health services.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve a resolution amending the Position Allocation List for Fund Center 166— Behavioral Health to delete two vacant positions totaling 1.50 FTE (one half-time Drug & Alcohol Specialist and one Mental Health Supervising Nurse) and add four positions totaling 3.50 FTE (one half time Mental Health Therapist, one Mental Health Nurse Practitioner and two Mental Health Program Supervisors).

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-223, adopted.

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

10. Request to approve an agreement for professional engineering services with Cannon in the amount of \$99,740 to design, install, integrate and program the Lopez Turnouts Supervisory Control and Data Acquisition (SCADA) System; and authorize the Director of Public Works to sign amendments in an amount not to exceed \$10,000. Districts 3 and 4.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve the appointment of Carlyn Christianson, member and John Ashbaugh, alternate,

for the San Luis Obispo City Council representative position on the Zone 9 Advisory Committee (San Luis Obispo Creek Watershed). Districts 2, 3, 4, and 5.

The Board approves as recommended by the County Administrative Officer.

Added Item:

- 18.** Request to approve SB81 State construction agreements and funding certificates for the Juvenile Hall Expansion Project, including the State Project Delivery and Construction Agreement (Clerk’s File), the Board of State and Community Corrections (BSCC) Construction Agreement (Clerk’s File), the Certificate for County Cash Match Funding (Clerk’s File), and the Certificate for Other County Funding (Clerk’s File) to allow the project to move through the State lease bond process.

(This item was added, per the addendum to the agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Acting Chairperson Gibson: clarifies that this item should be added under Consent not Board Business, with Mr. Dan Buckshi – County Administrator concurring.

This item is amended by adding it under Consent not Board Business. Further the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Presentations:

- 12.** Submittal of a resolution proclaiming Saturday, September 21, 2013 as “San Luis Obispo County Creek Day”.

Ms. Sarah Paddock: speaks.

RESOLUTION NO. 2013-224, a resolution proclaiming Saturday, September 21, 2013 as “San Luis Obispo County Creek Day”, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 13.** Submittal of a resolution proclaiming October 2013 as “Energy Awareness Month” in San Luis Obispo County.

Mr. Trevor Keith and Ms. Aeron Arlin-Genet: speak.

RESOLUTION NO. 2013-225, a resolution proclaiming October 2013 as “Energy Awareness Month” in San Luis Obispo County, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Public Comment Period:

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

Ms. Martha Goldin: speaks to the Affordable Care Act and presents a flyer announcing the 4th Annual Margaret Mehring Forum on September 22, 2013 at the Los Osos South Bay Community Center from 1:00 PM to 3:30 PM.

Ms. Laura Mourdant; Ms. Elsa Dawson; Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB); Mr. Edward Veek (document); and Mr. Bill Pelfrey: address issues regarding International Council for Local Environmental Initiatives (ICLEI) and the Resilient Communities for America agreement; and request this matter be placed on the agenda.

Mr. Eric Greening: comments on the Trans-Pacific Partnership and urges opposition on this matter; and discusses the upcoming State Lands Commission meeting regarding the certification of a mitigated negative declaration on low energy seismic studies.

Ms. Julie Tacker; Mr. Ben DiFatta; Ms. Linde Owen (photographs); and Mr. Richard Margetson: address various issues regarding the Los Osos Wastewater Project (LOWWP).

Supervisor Arnold: asks if the Board is willing to hold a public presentation to address the public's questions and concerns regarding ICLEI policy movement and the de-watering issues relative to the LOWWP, with Board Members responding. Further, Mr. Paavo Ogren, responds to various LOWWP concerns and presents and discusses a letter from the Los Osos Community Services District (LOCSO) to the Central Coast Regional Water Quality Control Board regarding surface water discharge and a photograph of the Los Osos Groundwater Basin cross-section.

Board Business:

15. Submittal of the Fiscal Year 2012-13 Year End Financial Status Report.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board: receives, reviews, and files the FY 2012-13 Year End Financial Status Report; accepts cash donations in the amount of \$6,100.35 for Animal Services to fund medical care costs and increased adoption of sheltered animals; accepts cash donations and approves a budget adjustment in the amount of \$54,256 from the Library's Gift Trust Fund to the Fund Center 377 - Library operating budget; accepts cash donations in the amount of \$221,797.50 and an appropriation transfer in the amount of \$31,797.50 from the Park's Gift Trust Fund to the Fund Center 305 - Parks operating budget; approves a budget adjustment in the amount of \$650 from the Social Services Gift Trust Fund to Fund Center 180 - Social Services Administrative operating budget to purchase special services for children and adults; accepts three (3) iPads valued at approximately \$532 each and two (2) gift cards valued at \$100 each, for a total value of \$1,796, to be used in therapy for special needs children in the Health Agency-California Children Services/Medical Therapy program; approves a budget adjustment in the amount of \$22,950 of funding from Library Atascadero Building Expansion Designation and the Library's trust fund to the Atascadero Library Expansion Project budget on behalf of the Atascadero Friends of the Library; approves a request from the Department of Social Services for relief from accountability for uncollectable debt in the amount of \$40,232.42; and approves the creation of a new designation, New Government Center Repairs, within Fund Center 230 - Capital Projects and approves a budget adjustment in the amount of \$2,500,000 from the Judgment Damages Settlement trust account to the New Government Center Repairs capital project in the amount of \$1,986,400 and to the General Government Building Replacement designation in the amount of \$513,600.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			

Arnold, Debbie (Board Member)	x			
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16. Request Board approval of findings to expend funds and enter into an agreement for the Inguito Nuisance Abatement - Resolution No. 2013-184. District 1.

Mr. Art Trinidad- Planning and Building Department: presents an addendum of proposals that staff has chosen to be the most cost effective.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board adopts the findings in Exhibit A and order approving the expenditure of funds for abatement costs by the Planning and Building Department in Exhibit B.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

17. The Board announces they will be going into Closed Session regarding:

I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. North County Watch v. County of San Luis Obispo (Santa Margarita Ranch Subd., CV098031); 3. In Re OSHA No.Y0393.

B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 4. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 5. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)

A. 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: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff’s Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs’ Management; 13. SLOCPPOA.

B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 14. United Domestic Workers.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Julie Tacker: speaks.

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.

On motion duly made and unanimously carried, 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,

does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: September 17, 2013

Tuesday, September 24, 2013

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: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

(Per the addendum to the agenda, the agenda is amended by switching consent items 12 and 13 in order to match the sequence in which they appear in the board packet and on-line. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Ms. Rita Neal – County Counsel: states there will not be Closed Session today.

Consent Agenda – Review and Approval:

1-15. & 23. This is the times set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 15 and 23 on the following vote is indicated for each item.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Administrative Office Items:

1. Request to approve an agreement in the amount of \$150,000 with the SLO Noor Foundation for grant funds through Fund Center 106 – Contributions to Other Agencies for Fiscal Year 2013-14.

Dr. Ahmad Nooristani – SLO Noor Foundation: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

2. Request to approve an agreement with the Oceano Advisory Council allocating \$2,000 from District Three (on behalf of District Four) Community Project Funds – Fund Center #106 to be used for expenses associated with holding monthly advisory council meetings.

Ms. Julie Tacker: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - District Attorney Items:

3. Submittal of a resolution amending Fund Center 132-District Attorney's Office Position Allocation List (PAL) by deleting a 1.00 FTE Supervising Legal Clerk II position and replacing it with a 1.00 FTE Paralegal position.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-226, adopted.

Consent Agenda - General Services Agency Items:

4. Request to authorize a budget adjustment in the amount of \$77,000 from the Public Works Operating Budget, Fund Center 405, to Capital Projects, Fund Center 230, for the Public Works Water Quality Lab Renovation project, located at 1355-C Kansas Avenue. District 2.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

5. Request to approve: 1) a renewal agreement (Clerk's File) with the California Department of Public Health for FY 2013-14 in the amount of \$773,451 for the Public Health Emergency Preparedness (PHEP) program; 2) a related budget adjustment in the amount of \$30,000 from unanticipated revenue for Fund Center 160 - Public Health; and 3) authorize the Health Agency Director or designee to sign any amendments to the recommended agreement that do not increase the level of General Fund support.

The Board approves as recommended by the County Administrative Officer.

6. Request to: 1) amend the fixed asset list to purchase a Geographic Information System (GIS) software application for Environmental Health; 2) approve a resolution amending the Position Allocation List for Fund Center (FC) 160 - Public Health to add a 0.75 FTE Mapping/Graphics System Specialist II position; and 3) approve a related budget adjustment in the amount of \$39,321 from unanticipated revenue for FC 160 - Public Health.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-227, adopted.

7. Submittal of a resolution commending Anita Rogers for her retirement after 36 years of service to the County of San Luis Obispo.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-228, adopted.

Consent Agenda - Human Resources Items:

8. Submittal of a resolution approving the July 1, 2013 - June 30, 2015 Memorandum of Understanding (MOU) between the County of San Luis Obispo and the San Luis Obispo County Sheriff's Managers Association (SLOCSMA).

Ms. Tami Douglas-Schatz – Human Resources Director: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-229, adopted.

Consent Agenda - Public Works Items:

9. Submittal of a resolution establishing changes to the Traffic Regulations Code east of Arroyo Grande, Cayucos, Los Osos, Nipomo, and south of the City of San Luis Obispo. Districts 2, 3 & 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-230, adopted.

10. Submittal of a resolution requesting a functional classification change for three County roads: Air Park Drive in Oceano; Buckley Road south of the City of San Luis Obispo; and River Road near San Miguel, by

the State of California, Department of Transportation. Districts 1, 3 and 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-231, adopted.

11. The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on the tentative map: Woodlands Tract 2341-Unit 6B, a proposed subdivision resulting in 65 lots by Monarch Dunes, LLC, near Willow Road at Via Concha Way, Nipomo Mesa; act on the attached resolutions to approve Open Space Easement Agreements. District 4.

Mr. Jim Harrison – Nipomo Community Services District (NCS) Board of Director: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-232 and 2013-233, adopted.

12. Submittal of a resolution to ratify the existing Master Agreement with the State of California for State Funded Projects and authorize the Director and Deputy Director of Public Works to accept program supplement agreements. All Districts.

The Board pulls this item from the Consent Agenda, per the addendum to the agenda, to allow time for staff to make a correction to the resolution.

13. Submittal of bid opening report for Los Osos Valley Road Widening between Doris Avenue and Pine Avenue in Los Osos, and to award the subject contract to R. Burke Corporation, the lowest responsible bidder, in the amount of \$203,698. District 2.

The Board approves as recommended by the County Administrative Officer.

14. Submittal of bid opening report for Oklahoma Avenue Sewer Line replacement at the County Operations Center, and to award the subject contract to Tierra Contracting, Inc., the lowest responsible bidder, in the amount of \$119,400. District 2.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Sheriff - Coroner Items:

15. Request to approve the use of Citizen's Options for Public Safety (COPS) Program funds, authorize a corresponding budget adjustment of \$82,000 in Fund Center (FC) 136 - Sheriff-Coroner and amend the fixed asset list to purchase two (2) replacement vehicles for the Rural Crime Unit.

The Board approves as recommended by the County Administrative Officer.

(This following item was added, per the addendum to the agenda. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Added Item – Consent Agenda – Public Works:

23. Request approval of Contract Change Order No. 1 to the agreement with Souza Construction, Inc. for the See Canyon Road Slip-Out Repair, Avila Beach, in the amount of \$195,000. District 3.

The Board approves as recommended by the County Administrative Officer.

Presentations:

16. Submittal of a resolution proclaiming October 2013 as "Rideshare Month" and Wednesday, October 9, 2013 as "International Walk to School Day" in San Luis Obispo County.

Ms. Mallory Jenkins – San Luis Obispo Regional Rideshare: speaks.

RESOLUTION NO. 2013-234, a resolution proclaiming October 2013 as “Rideshare Month” and October 9, 2013 as “International Walk to School Day” in San Luis Obispo County, adopted.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 17. Submittal of a resolution proclaiming September 27-28, 2013 as “SLO Green Apple Days of Service” in San Luis Obispo County.

Ms. Jennifer McIntyre and Ms. Victoria Carranza: speak.

RESOLUTION NO. 2013-235, a resolution proclaiming September 27-28, 2013 as “SLO Green Apple Days of Services” in San Luis Obispo County, adopted.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 18. Submittal of a resolution to proclaim October 2013 "San Luis Obispo County Domestic Violence Awareness Month."

Mr. Gerald Shea – District Attorney; Ms. Beth Rob – San Luis Obispo Women’s Shelter Program (brochure); and Ms. Cindy Marie Absey – District Attorney Victim/Witness Assistance Program Director: speak.

RESOLUTION NO. 2013-236, a resolution designating October 2013 as San Luis Obispo County Domestic Violence Awareness Month, adopted.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Public Comment Period:

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

Ms. Sherry Lewis - San Luis Obispo Mothers for Peace: speaks to the spent nuclear fuel pools at the Diablo Canyon Power plant and urges the Board to attend the Nuclear Regulatory Commission on October 7, 2013 following an agendized item on this matter.

Mr. Eric Greening: echoes the previous speaker’s request; comments on last week’s presentation by the Public Works Director; questions the timing regarding the release of the updated Paso Robles Groundwater model and the selection of the Planning and Building Director. Furthermore, speaks to the negative declaration that was certified at the recent State Lands Commission meeting.

Ms. Elsa Dawson; Mr. Tom Dawson; Ms. Jeanette Watson (flyer); Mr. Mike Brown - Coalition of Labor, Agricultural and Business (COLAB); Mr. Bill Pelfrey; and Mr. Edward Veek: addresses various concerns regarding International Council for Local Environmental Initiatives (ICLEI) and the last week's request to agendaize a discussion regarding the Resilient Communities for America agreement and its involvement with ICLEI. Additionally, Mr. Pelfrey and Mr. Veek, comment on the conduct of the Board during last week's meeting

Ms. Terri Stricklin and Mr. Keith Swanson: express concerns regarding the Board's recent conduct at meetings.

Dr. C. Hite: comments on the democratic process.

Ms. Julie Tacker (maps); Mr. Ben DiFatta; Ms. Linde Owen; Mr. Chuck Cesena; Mr. Richard Margetson; and Ms. Jerri Walsh: address various concerns regarding the Los Osos Wastewater Project (LOWWP) and the presentation by the Public Works Director during last week's public comment period. Additionally, Mr. Cesena, speaks to an article in the Los Angeles Times regarding groundwater overdraft.

Mr. Gary Kirkland: comments on the various issues brought before the Board at meetings.

Ms. April McLaughlin: announces a fundraiser for Oceano Farmers Market on September 28, 2013 at the Rock and Roll Diner. **No action taken.**

Board Business:

- 20.** Presentation of options for Agricultural Producers' Access to California Department of Food and Agriculture (CDFA) Labeled Diphacinone and Chlorophacinone Rodenticide Baits.

Mr. Marty Settevedemie – Ag Commissioner: amends the staff report as follows: on page 7 of 9, in the title of Option 3, by correcting the 66% cost recovery to 68%; by correcting the annual impact amount to the County's General Fund from \$31,317 to \$28,995; on page 8 of 9, under Option 3 of the table, by correcting the annual program cost from \$92,085 to \$89,763; by correcting annual impact amount to the County's General Fund from \$31,317 to \$28,995; by correcting the 66% cost recovery to 68%; and on page 9 of 9, under financial considerations, by correcting the budget augmentation amount of \$31,317 to \$28,995.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Jackie Crab – Farm Bureau: speaks.

The Board reviews the options for agricultural producers' access to CDFA labeled Diphacinone and Chlorophacinone rodenticide baits and approves Option 1, that users will continue to purchase bait directly from the Kings and Monterey County Agricultural Commissioners and the San Luis Obispo County Agricultural Commissioner will increase outreach and education to rodenticide users.

Motion by: Debbie Arnold

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 21.** Request to create a new capital project for development of final construction documents for the new terminal at the San Luis Obispo County Regional Airport and authorize a budget adjustment in the amount of \$584,250 from Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant and \$30,750 from the Passenger Facility Charge (PFC) fund.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board approves the creation of a capital improvement project to create final construction documents (CD) for the new terminal at the San Luis Obispo County Regional Airport, and authorizes a budget adjustment in the amount of \$584,250 from Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant and \$30,750 from the Passenger Facility Charge (PFC) fund to the Terminal Construction Design project.

Motion by: Adam Hill

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

22. I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

- A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a.)) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. North County Watch v. County of San Luis Obispo (Santa Margarita Ranch Subd., CV098031); 3. In Re OSHA No.Y0393.
- B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 4. Significant exposure to litigation (Government Code, section 54956.9(b.)) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 5. Initiation of litigation (Government Code, section 54956.9(c.)) No. of cases 2.

III. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.)

- A. 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: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff’s Association; 8. DAIA; 9. SLOCPMPOA; 10. DCCA; 11. SLOGAU; 12. Sheriffs’ Management; 13. SLOCPPOA.
- B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 14. United Domestic Workers.

(This item is amended, per the addendum to the agenda, by adding the Closed Session descriptions to the agenda which were inadvertently omitted when the agenda was printed. The items were available on the website for the public to review. Further, this item is amended by revising the descriptions removing reference to “SLOCPMPOA” and correcting numbering sequences. The revised descriptions are as follows: I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a.)) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy); 2. North County Watch v. County of San Luis Obispo (Santa Margarita Ranch Subd., CV098031); 3. In Re OSHA No. Y0393. B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 4. Significant exposure to litigation (Government Code, section 54956.9(b.)) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 5. Initiation of litigation (Government Code, section 54956.9(c.)) No. of cases 2. II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code ' 54957.6.) A. 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: Name of employee organizations are: 6. SLOCEA-Public Services, Supervisors, Clerical; 7. Deputy Sheriff’s Association; 8. DAIA; 9. DCCA; 10. SLOGAU; 11. Sheriffs’ Management; 12. SLOCPPOA. B. It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home

Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 13. United Domestic Workers.)

Ms. Rita Neal – County Counsel: cancels Closed Session today.

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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 24, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: September 26, 2013

AGENDA

Planning Commissioners

Jim Irving, 1st District
Ken Topping, 2nd District
Eric Meyer, 3rd District
Tim Murphy, 4th District
Don Campbell, 5th District

MEETING DATE: Thursday, October 10, 2013

MEETING LOCATION AND SCHEDULE

Regular Planning Commission meetings are held in the (new) Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, on the second and fourth Thursdays of each month. Regular Adjourned Meetings are held when deemed necessary. The Regular Meeting schedule is as follows:

Meeting Begins:		9:00 a.m.
Morning Recess	10:15 a.m.	10:30 a.m.
Noon Recess	12:00 p.m.	1:30 p.m.
Afternoon Recess	3:00 p.m.	3:15: p.m.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.

ROLL CALL

FLAG SALUTE

PUBLIC COMMENT PERIOD

PLANNING STAFF UPDATES

CONSENT AGENDA:

- a. September 12, 2013 CANCELLED MEETING Minutes

- b. FILE NUMBER: AGP2013-00001 - Proposal by the Marderosian Family Limited Partnership to alter the boundaries of an existing agricultural preserve to allow the applicant to enter into a land conservation contract. The subject property is an

approximately 131 acre open-space/agricultural parcel proposed as part of a minor agricultural cluster subdivision. The property is located within the Agriculture land use category at 4441 Cross Creek Way, approximately 2,000 feet south of the intersection of Orcutt Road and Biddle Ranch Road, 2.5 miles south east of the City of San Luis Obispo. The site is in the San Luis Obispo planning area. APN: 044-051-008; Supervisorial District No. 4. Terry Wahler, Project Manager. Recommend receive and file.

APPROVED

- c. FILE NUMBER: AGP2013-00002 - Proposal by Pete Clark to amend an agricultural preserve to decrease the minimum parcel size for conveyance of parcels from 640 acres to 320 acres. The property includes approximately 2,432 acres and is located in the Agriculture land use category at 2121 Shedd Canyon Road approximately 2.0 miles south west of the community of Shandon, in the Shandon-Carriso Planning Area. APNs: 019-171-011, 012, 024, 028, 029, 030 and 031; Supervisorial District No. 1. Terry Wahler, Project Manager. Recommend receive and file.

APPROVED

HEARINGS:

1. Continued hearing to consider a request by 3/S RANCH INC. - JAMES SPREAFICO to reconsider Condition of Approval # 2 (associated with the previous use permit D020053D) to allow continued mining within the approved boundaries of the existing surface mine. The applicant is requesting twenty years of additional mining (unless the existing mine limits are reached prior to expiration) with a maximum extraction of 30,000 cubic yards annually. No changes to the mining plan are proposed and the existing reclamation plan would remain in effect. The proposed project is within the Agriculture land use category and is located at 7900 Orcutt Road approximately 5 ½ miles southeast of the City of San Luis Obispo. The site is in the San Luis Obispo planning area. The Planning Commission previously considered the Mitigated Negative Declaration on the basis of the Initial Study and comments received during the hearing process and found on the basis of the Initial Study and comments received during the hearing process that there was no substantial evidence that the project will have a significant effect on the environment. Therefore, the Environmental Coordinator found that the Mitigated Negative Declaration (pursuant to Public Resources Code Sections 21108, 21151 & 21167 and CA Code of Regulations Section 15000 et seq.) that was adopted on March 25, 2004 is adequate for the purpose of compliance with CEQA. No substantial changes are proposed that would require major revisions of the previous environmental determination or cause a substantial increase in the severity of previously identified effects. No substantial changes would occur with respect to the circumstance under which the project is undertaken which will

require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted. The proposed reconsideration will rely on the previously adopted Mitigated Negative Declaration. Anyone interested in commenting on the Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). CONTINUED FROM 9/26/13 PC.

County File No: DRC2012-00083 Assessor Parcel Number: 044-071-023
Supervisorial District: 4 Date Accepted: June 13, 2013 Cody Scheel,
Project Manager Recommend approval

APPROVED

Staff report

Correspondence received

Speaker Slips

2. Hearing to consider a request by JOHN GOODRICH for a Development Plan/Coastal Development Permit for: construction of a two-story single-family residence with garage and underground rainwater cisterns; grading for a new driveway access with a creek crossing; conversion of an existing residence to farm support quarters; grading for a 4 acre foot irrigation reservoir; grading for several in-channel erosion and sediment control check dams; demolition of three dilapidated agricultural buildings (and replace with three new agricultural buildings); construction of a one-story storage/work shop; and remedial grading at an existing agricultural equipment yard to eliminate existing erosion patterns. The project will result in the disturbance of approximately 8 acres including approximately 17,000 cubic yards of cut and 9,000 cubic yards of fill, on a 637 acre parcel. The extra 8,000 cubic yards of fill will be used to construct the new driveway. The proposed project is within the Agriculture land use category and is located at 3515 Turri Road, approximately 0.32 miles north of Los Osos Valley Road, and approximately 2.0 miles east of the Community of Los Osos. The site is in the Estero planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on August 15, 2013 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, cultural resources, geology and soils, public services / utilities, and water / hydrology and are included as conditions of approval. County File No: DRC2012-00018 Assessor Parcel Number: 067-031-001

Staff report

Speaker Slips

ADJOURNMENT: 11:00 am

1. When you come to the podium, first identify yourself and please state your area of residence. Commission meetings are tape recorded and this information is needed for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Talk about the proposal and not about individuals involved. On occasion, the Chair may be required to place time limits on testimony; in those cases proposal description/clarification will be limited to 12 - 15 minutes, individual testimony to 3 minutes, and speakers representing organized groups to 5 minutes. Focus testimony on the most important parts of the proposal; do not repeat points made by others. And, please, no applauding during testimony.
4. Written testimony is acceptable. Letters are most effective when presented at least a week in advance of the hearing. Mail should be directed to the Planning Department, attention: Planning Commission Secretary. However, email correspondence is most effective when sent up to 24 hours in advance of the hearing. Email should be directed to RHedges@co.slo.ca.us. Do not include personal information such as address and telephone numbers. **APPEALS** If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

PUBLIC RECORDS ACT

Supplemental correspondence and other materials for open session agenda items that are distributed to the Planning Commission within 72 hours preceding the Planning Commission meetings are available for public viewing on our website at www.sloplanning.org, or in the Planning and Building Department located at 976 Osos Street, Room 200. With respect to documents submitted by members of the public to the Planning Commission during a meeting, the law requires only that those documents be copied by the Clerk after the meeting for members of the public who desire copies. However, as a courtesy to others, it is requested that members of the public bring at least 12 extra copies of documents that they intend to submit to the Planning Commission during a meeting so that those extra copies can be immediately distributed to all members of the Planning Commission, County staff and other members of the public who desire copies.

RULES FOR PRESENTING TESTIMONY

Planning Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony are requested to observe the following rules:

1. When you come to the podium, first identify yourself and please state your area of residence. Commission meetings are tape recorded and this information is needed for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Talk about the proposal and not about individuals involved. On occasion, the Chair may be required to place time limits on testimony; in those cases proposal description/clarification will be limited to 12 - 15 minutes, individual testimony to 3 minutes, and speakers representing organized groups to 5 minutes. Focus testimony on the most important parts of the proposal; do not repeat points made by others. And, please, no applauding during testimony.
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APPEALS

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is

required but not paid. There must be an original form and original signature, a FAX is not accepted.

Planning Commission decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Planning Commission Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

HEARING IMPAIRED: There are devices for the hearing impaired available upon request.

COPIES OF VIDEO, CD: You may obtain copies of the Video Recording through AGP Video at 805-772-2715, for a fee. Copies of the CD of the proceedings are available at the Department of Planning and Building, for a fee.

ON THE INTERNET

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Tuesday, October 01, 2013

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: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Acting Chairperson Gibson: states there will not be Closed Session today.

Consent Agenda – Review and Approval:

1-11. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment without response.

The action taken for Consent Agenda items 1 through 11 on the following vote is indicated for each item.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Consent Agenda - Auditor - Controller Items:

1. Consideration of a financial review of the 2012 concession contract with the Lopez Lake Marina Concessionaire.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

2. Request to appoint Myron H. "Skip" Amerine as a District 3 representative to the Bicycle Advisory Committee.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

3. Request to approve: (1) a three year agreement (Clerk's File) with the Food Bank Coalition of San Luis Obispo County from October 1, 2013 through September 30, 2016 in an amount not to exceed \$258,438 to educate low income families on healthy eating and proper exercise; and (2) a budget adjustment in the amount of \$30,000 from unanticipated revenue for FC 160 - Public Health.

This item is amended by replacing the transmittal and staff report to state the term of the agreement with the Food Bank Coalition is for one (1) year, from October 1, 2013 through September 30, 2014, in an amount not to exceed \$86,146, with the authority for the Health Agency Director to renew up to two additional years. Furthermore, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda - Human Resources Items:

4. Request to approve contracts with outside counsel firms, Coates and Coates, LLP, Smith Law Offices, APC and Porter Scott, to provide litigation support services to the County from February 1, 2013 through January 31, 2016.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

5. Request to authorize service of a partial notice of nonrenewal of a land conservation contract for the Landau Corporation pursuant to the California Land Conservation Act of 1965. District 4.

The Board approves as recommended by the County Administrative Officer.

6. Submittal of a resolution to approve an Avigation Easement from Thomas M. Maino, Joanna M. Whitcher, and Michaeline C. Maino, Trustee of the Survivor's Trust created under M.M. Maino Family Trust dated October 1, 1990, for the San Luis Obispo County Regional Airport. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-237, adopted.

7. Request to approve five year contracts (Clerk's File) for "on-call" environmental and planning consultant services with: 1) Aspen Environmental Group, Inc., 2) Padre Associates, Inc., 3) Rincon Consultants, Inc., and 4) SWCA, Inc. in an amount not to exceed \$200,000 per year over the five year term.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

8. Submittal of a resolution to approve Amendment No. 4 to the Development Traffic Fee Agreement with Woodlands Ventures, LLC, dated April 25, 2006, for accelerated payment of South County Road Improvement Area 1 and 2 Fees for the Woodlands Development Project in Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-238, adopted.

9. Request to approve Amendment No. 1 to the agreement for engineering consulting services with Quincy Engineering for Lopez Drive Bridge No. 2 Seismic Retrofit, Arroyo Grande, increasing the contract amount by \$452,719. District 4.

The Board approves as recommended by the County Administrative Officer.

10. Submittal of a resolution declaring certain County real property interests in the Willow Road Interchange as surplus property and authorizing conveyance to adjoining owner, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-239, adopted.

Consent Agenda - Veterans Services Items:

11. Request to approve Medi-Cal cost avoidance, County Subvention agreements and a special certificate of compliance for one-time subvention funding with the California Department of Veterans Affairs (CDVA) and authorize a budget adjustment in the amount of \$50,870.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

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

Mr. Tom Dawson; Ms. Elsa Dawson; Ms. Terri Stricklin; and Mr. Bill Pelfrey: discuss various concerns regarding International Council for Local Environmental Initiatives (ICLEI); the Resilient Communities for America meetings and agreement.

Mr. Dane Senser: speaks to a recent Tribune article regarding panga boats found in San Luis Obispo and Santa Barbara Counties; the money allocated for a 20 mile section of bike lanes; and comments on how public comment speakers are treated.

Mr. Muril Clift; Ms. Julie Tacker; Mr. Ben DiFatta; Mr. Richard Margetson; and Ms. Linde Owen (photographs): address various concerns relating to the community of Los Osos and the Los Osos Wastewater Project (LOWWP).

Dr. C. Hite: comments on Board meeting proceedings.

Mr. Mike Brown - Coalition of Labor, Agriculture and Business (COLAB): discusses his concerns regarding the structure of today's agenda, specifically Item No. 14.

Mr. Eric Greening; Ms. Sherry Lewis (brochure); Mr. Klaus Schumann; and Mr. Fred Frank: speak to the upcoming Nuclear Regulatory Commission (NRC) meeting concerning spent fuel at Diablo Canyon Power Plant. Additionally, Mr. Greening: comments on Arts month and announces an introductory art showing will be held this Friday at 6:00 PM in San Luis Obispo.

Ms. Rachelle Toti: presents and discusses a letter concerning air pollution on the Nipomo Mesa.

Mr. William Frost: addresses the difficulty obtaining information from the August 27, 2013 meeting pertaining to the Paso Robles Groundwater Basin.

Supervisor Hill: states he will be submitting a letter to NRC regarding the issues of spent fuel at the Diablo Canyon Power Plant since the Board hasn't had the opportunity to agendize this matter. **No action taken.**

Board Business - Public Works - Board Sitting as Flood Control District

13. Receive a Paso Robles Groundwater Basin Management Plan Implementation Update. Districts 1 and 5.

Mr. Larry Werner - Blue Ribbon Committee Chairperson: presents and discusses a handout of their recommendations.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Ellen Frost; Mr. Gary Kirkland; Mr. Eric Greening; Ms. Jan Seals – PRO Water Equity Treasurer; Ms. Joy Fitzhugh – Farm Bureau; Ms. Susan Harvey – North County Watch; Mr. Mike Winn; Mr. Randy Record; Mr. Dane Senser; Mr. Edward Veek; Mr. Jerry Reaugh – Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS) Chairperson; Ms. Kris Beal - Central Coast Vineyard Team (letter); Ms. Shirley Bianchi; Ms. Sue Luft – PRO Water Equity President; Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Ms. Sheila Lyons – Creston Advisory Body President (letter); Ms. Jeannette Watson; Mr. Tom Dawson; Mr. Bill Pelfrey; and Ms. Della Barrett: speak.

Board Members: discuss direction to staff; the Notice of Intention to circulate a petition with LAFCO to create a California Water District and the potential for a Proposition 218 election, with Mr. Tim McNulty – Assistant County Counsel and Mr. David Church – Local Agency Formation Commission (LAFCO) Executive Officer responding.

Mr. Paavo Ogren – Public Works Director: re-states the direction as he understands it.

The Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (Flood Control District) receives the Paso Robles Groundwater Basin Management Plan implementation update and directs staff to address how to develop a more robust AB 3030 plan and provide public outreach; explore the formation of quasi, fully independent and off the shelf districts; coordinate efforts with David Church from LAFCO on the on-going activities to establishing a California Water District; and continue moving forward with supplemental water efforts.

Hearings:

- 14. (1) Discussion of options for implementation of the Urgency Ordinance relative to the development of an Approved County Water Conservation Program; (2) Consideration of a resolution providing direction to staff regarding vested rights determinations described in Ordinance No. 3246; (3) Consider directing staff to explore possible amendments to the General Plan, Title 22 of the County Code, and Title 8 of the County Code to address water demand within the Paso Robles Groundwater Basin; and (4) Hearing to consider the extension of urgency Ordinance No. 3246 pursuant to Sections 25123, 25131 and 65858 of the California Government Code for a period of up to 22 months and 15 days. Districts 1 and 5.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Joy Fitzhugh – Farm Bureau; Mr. Tom Dawson; Ms. Beth McCown; Ms. Jan Seals – PRO Water Equity Treasurer; Mr. Eric Greening; Mr. Matt Turrentine; Ms. Claire Wineman - Grower Shipper Association of Santa Barbara and San Luis Obispo Counties; Mr. David Parrish – Parrish Family Vineyards; Ms. Jan Bewley; Ms. Patricia Wilmore – Paso Robles Wine Country Alliance Government Affairs Coordinator; Ms. Kathleen Lambeth; Mr. Peter Sickinger; Mr. Larry Werner – Blue Ribbon Committee President; Ms. Jamie Kirk; Mr. Steve Adamski – Huero Huero Project Representative; Ms. Sheila Lyons (letter); Mr. Jerry Reaugh – Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS) Chairperson; Mr. Lowell Zelinski; Ms. Daniella Sapriel (photographs); Ms. Kathy Sweet (letter); Mr. Bill Pelfrey; Ms. Susan Harvey – North County Watch; Mr. Dana Merrill; Ms. Elsa Dawson; Ms. Tina Dickason; Ms. Della Barrett; Mr. Keith Gurnee (handout); Ms. Jennifer Soni (letter); Mr. Steve Lohr – J. Lohr Vineyards; Mr. Jerry Lohr - J. Lohr Vineyards; Mr. Terri Strickin; Mr. Chris Ivey; Ms. Sue Luft – PRO Water Equity President; Mr. Mike Brown – Coalition of Labor, Agriculture, and Business (COLAB); Mr. Robert Brown - San Antonio Winery; Ms. Elaine Hagen; Mr. Joe Plummer; and Ms. Courtney Taylor – Duggan, Smith, and Heath representative: speak.

On motion of Supervisor Frank R. Mecham, seconded by Supervisor Adam Hill, the Board unanimously agrees to continue the meeting past 5:00 P.M.

The Board directs staff to move forward with the development of a residential conservation and bank program; and engage a consultant on the development of an agricultural offset program.

Motion by: Frank S. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Members: discuss issues regarding determination of vesting rights; and direction to staff.

Supervisor Arnold: states she is prepared to extend the ordinance but not without the changing the definition of vesting back to staff's original language.

A motion by Supervisor Arnold, to accept staff's original language to define vesting as follows; "Where evidence that can be provided that financing or other written contractual commitments were entered into prior to the effective date of this ordinance for site preparation, planting or sale of product," motion fails for a lack of a second.

The Board continues the determination of a vesting right to mid-November for the opportunity to

conduct outreach to stakeholders and gather more input.

Motion by: Frank S. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)		x		

The Board directs staff to explore possible amendments to the General Plan, the Land Use Ordinance (Title 22 of the County Code), and Title 8 of the County Code that would provide for permanent approaches to address water demand in the Basin. Further, staff is directed to explore comparable ordinances from other counties that are addressing similar issues; and identify areas of the basin that do not have the ability to irrigate crops for a potential new general plan designation.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

A motion by, Supervisor Frank R. Mecham, seconded by Supervisor Adam Hill, to extend the urgency ordinance for a period of 22 months and 15 days, is discussed.

Board Members: discuss vesting right determinations; and next steps if this ordinance doesn't pass today, with Mr. Tim McNulty - Assistant County Counsel responding.

Supervisor Arnold: outlines why she will not support the extension of the ordinance.

Motion to extend the urgency ordinance for a period of 22 months and 15 days, fails.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)		x		

The Board continues the extension of the urgency ordinance to Tuesday, October 8, 2013 and sets a special meeting on Friday, October 11, 2013 at 9:00 AM in the event that a 4/5th vote is not made on Tuesday, October 8, 2013.

Motion by: Adam Hill

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

15. I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet

in closed session concerning the following items:

A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. In re Los Osos Community Services District (Bankruptcy.

B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 2. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation.

II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. 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: Name of employee organizations are: 3. SLOCEA-Public Services, Supervisors, Clerical; 4. Deputy Sheriff’s Association; 5. DAIA; 6. DCCA; 7. SLOGAU; 8. Sheriffs’ Management; 9. SLOCPPOA.

Acting Chairperson Gibson: states there will not be closed session today.

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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, October 01, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: October 10, 2013

Tuesday, October 22, 2013

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: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

(The Agenda is amended, per the addendum to the agenda, to set time for the Introduction of the Cattleman of the Year by the Cattlemen’s Association. This will take place following Item No. 21, just prior to adjournment. Following adjournment, the Board will proceed to the Madonna Inn for the Cattlemen’s Association luncheon, (Government Code, section 54952.2(c)(4)). Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Consent Agenda – Review and Approval:

1-15. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 15 on the following vote is indicated for each item.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Bid Opening:

- Request to adopt plans and specifications (Clerk’s File), and authorize public bidding for construction improvements for the Animal Services Addition and renovation located at 885 Oklahoma Avenue, San Luis Obispo, CA. Set bid opening date for Thursday November 21, 2013, and approve the incorporation of specified materials, products and control systems.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

- Request to appoint Tracy Schiro to replace Don Dennison on the Children and Families Commission for the remainder of his four (4) year term.

This item is amended by replacing the attachment to add pages that were left out in error. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

- Request to re-appoint Terry Fibich and Steve Flood to the Arroyo Grande Cemetery District.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

4. Submittal of a resolution approving the Conflict of Interest Code for the Consolidated Office of Auditor-Controller-Treasurer- Tax Collector-Public Administrator.

Ms. Julie Rodewald – County Clerk-Recorder: replaces Exhibits A and B to correct minor clerical errors.

This item is amended by replacing Exhibits A and B to correct minor clerical errors. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-251, adopted as amended.

Consent Agenda - District Attorney Items:

5. Request to authorize the District Attorney to sign a grant renewal agreement (Clerk's File) in the amount of \$125,000, on the Board's behalf, with the California Office of Emergency Services (Cal OES) for the continuing administration of an Underserved Victim Advocacy and Outreach (UV) Program serving elder victims of crime for FY 2013-14.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

6. Submittal of a resolution amending the Position Allocation List for Fund Center 113 – General Services Agency by deleting a 1.00 FTE Buyer I or II and adding a 1.00 FTE Senior Buyer, approving the new classification of Senior Buyer and setting salary range.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-252, adopted.

7. Request to create a new capital project to update the Airport Layout Plan for the San Luis Obispo County Regional Airport and authorize a budget adjustment in the amount of \$333,325 from a Federal Aviation Administration (FAA) grant and \$34,340 from the Airport Enterprise. District 3.

This item is amended by correcting the subject line and recommendation on the agenda transmittal and staff report to include reference to a Runway Protection Zone study as part of the creation of the Airport Layout Plan capital improvement project. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

8. Request to approve a budget adjustment from Fund Center 305 Parks Contingencies in the amount of \$264,000 and Designated Park Project Reserves in the amount of \$246,000, to Fund Center 230 Capital Projects, for the project to Restore Cayucos Pier in the total amount of \$510,000. District 2.

Ms. Pandora Nash-Karner – District 2 Parks and Recreation Commissioner; and Mr. Greg Bettencourt: speak.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve documents that will allow the Juvenile Hall Expansion project to move through the State Public Works Board process, including: adoption of a resolution confirming the legal right and power of the Board to enter into a ground lease agreement, approval of the SB81 State Ground Lease Agreement (Clerk's File), approval of the Right of Entry Agreement (Clerk's File), and approval a Grant of Easement (Clerk's File) for State access to the leased site through County properties; and a request to delegate approval authority to the General Services Agency Director for all future minor and incidental agreements of documents for this project.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-253, adopted.

Consent Agenda - Health Agency Items:

- 10. Request to approve renewal contracts (Clerk's File) with the incorporated communities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Pismo Beach, Paso Robles, and San Luis Obispo for a three year term to provide animal care and control services within these communities.

The Board approves as recommended by the County Administrative Officer.

- 11. Submittal of a resolution commending Lisa Willis for her retirement after 13 years of service to the County of San Luis Obispo.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-254, adopted.

Consent Agenda - Public Works Items:

- 12. The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on the tentative map, Tract 2791, a proposed subdivision resulting in 5 lots by Linda Louise Shephard, Trustee of the Larry and Linda Shephard Trust, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer.

- 13. Submittal of a resolution authorizing execution of notice of completion and acceptance for the Vineyard Drive Bike Lanes from Bethel Road to Ashton Way in Templeton. District 1.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-255, adopted.

- 14. Submittal of a resolution authorizing the Director of Public Works to enter into environmental processing agreements with other public agencies. All Districts.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-256, adopted.

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

- 15. Submittal of a resolution adopting a policy governing bid protests and other challenges to construction contracts of the San Luis Obispo County Flood Control and Water Conservation District. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-257, adopted.

Presentations:

- 16. Submittal of a resolution recognizing William Castellanos for being selected by The Community Foundation San Luis Obispo County to receive the Isabel P. Ruiz Humanitarian Award for 2013.

Ms. Janice Fong Wolf - The Community Foundation San Luis Obispo County Grants & Programs Director; Mr. David Ruiz - son of Isabel Ruiz; and Mr. William Castellanos: speak.

RESOLUTION NO. 2013-258, a resolution recognizing William Castellanos for being selected by The Community Foundation San Luis Obispo County to receive the Isabel P. Ruiz Humanitarian Award for 2013, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			

Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Public Comment Period:

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

Mr. Eric Greening: discusses the matter of spent fuel at the Diablo Canyon Power Plant; states the Nuclear Regulatory Commission (NRC) meeting has been rescheduled to November 20, 2013.

Dr. C. Hite - World Community Workshop: speaks to a citizen's complaint and a public records request she filed with the County.

Ms. Jeannette Watson: presents and discusses a handout regarding the impacts the Diablo Canyon Power Plant has on the County's economy.

Mr. Ben DiFatta; Ms. Julie Tacker; Mr. Richard Margetson; and Ms. Linde Owen (photographs): address various concerns relating to the Los Osos Wastewater Project (LOWWP). Additionally, Ms. Tacker, comments on the recent Healthy Communities Workshop.

Ms. Gretchen Clark; Mr. Lou Tornatzky; and Ms. Lynette Tornatzky: thanks the Board and staff for their ongoing efforts with the LOWWP. **No action taken.**

Board Business:

18. An update on State Legislative activities by Paul Yoder and Karen Lange, Shaw/Yoder/Antwih, Inc. and Peterson Consulting, Inc. All Districts.

Mr. Paul Yoder - Shaw/Yoder/Antwih, Inc. and Peterson Consulting, Inc.: provides an update on State Legislative activities.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening: speaks. **No action taken.**

19. Request for an authorization to process a Land Use Ordinance Amendment application (LRP2011-00017 – Green Canyon LLC) to amend Section 22.112.040 of the South County (Inland) Planning Area Standards to eliminate a restriction on grazing animals on a 22-acre site located at the southern terminus of Woodhaven Way along Sunnybrook Lane, approximately 2 miles southwest of the community of Nipomo. District 4.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Christopher Helenius - Applicant: speaks.

The Board authorizes the application for processing as requested to amend Section 22.112.040.G.11 of the Land Use Ordinance to allow grazing animals on the project site.

Motion by: Caren Ray

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearings:

20. Hearings to consider two proposals to amend existing agricultural preserves. Districts 1 and 4.

Ms. Nancy Orton – Planning and Building: states the Marderosian proposal (AGP2013-0001) has been withdrawn at the request of the applicant.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-259, a resolution establishing an agricultural preserve pursuant to the California Land Conservation Act of 1965, adopted.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

21. Hearing to consider a resolution amending the 2009, 2010, 2011, 2012 and 2013 Action Plans for HUD grants, allocations of General Fund Support and Social Services funds for Homeless Services.

SUPERVISOR HILL RECUSES HIMSELF ON THIS ITEM AND IS NOW ABSENT.

Mr. Dana Lilley – Planning and Building: replaces Attachment 2 – Exhibit A Program Year 2013 Action Plan Funding Recommendations.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Pearl Munak – Transitional Food & Shelter, Inc. President; Ms. Susan Warren - North County Connection; Mr. James Patterson; Mr. Steve Tanaka; Wallace Group and San Miguel Community Services District (CSD) District Engineer; Mr. David Bentz; Mr. Bill Watt – El Camino Homeless Organization (ECHO) Executive Director; Mr. Till Moen - ECHO President (powerpoint); and Ms. Tina Salter - ECHO: speak.

The Board approves the final funding levels under the Community Development Block Grant program (CDBG), HOME Investment Partnerships program (HOME) and the Emergency Solutions Grant program (ESG) as shown Attachment 2- Exhibit “A”; approves the allocations of \$180,000 of FY2013-14 General Fund Support for Homeless Services as shown in Table 3; approves the allocations of \$21,028 of Realignment Trust Funds from the Department of Social Services for Homeless Services as shown in Table 5; approves the reallocations of CDBG funds for the City of Atascadero and the City of Paso Robles; approves the allocation of CDBG funds for the ECHO’s rehabilitation project as shown in Table 6; approves the allocation of CDBG program income to the 16th Street Sewer Line project by the San Miguel Community Services District as shown in Table 7; and approves the budget adjustment request to: (1) amend Fund Center 290 by including \$21,028 in Realignment Trust Funds and (2) approve transfer from Fund Center 180 (Department of Social Services) to Fund Center 290. Furthermore, RESOLUTION NO. 2013-260, a resolution approving and authorizing submittal of proposed amendments to the 2009, 2010, 2011, 2012, and 2013 Action Plans of the Urban County of San Luis Obispo’s 2010 Consolidated Plan for the Community Development Block Grant (CDBG) Homes Investment Partnerships (HOME) and Emergency Solutions Grants (ESGP) Programs, adopted as amended.

Motion by: Debbie Arnold

Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			

Mecham, Frank R. (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Introduction of Cattleman of the Year:

22. This is the time set to Introduce the Cattleman of the Year by the Cattlemen's Association.

(This item is added to agenda, per the addendum to the agenda.)

SUPERVISOR HILL IS NOW PRESENT.

Mr. Steve Johns - Cattleman’s Association: introduces Kevin Kester as the 2013 Cattleman of the Year.

Mr. Kester: speaks. **No action taken.**

THE BOARD ADJOURNS FOR LUNCHEON AT THE MADONNA INN.

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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, October 22, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: October 22, 2013

THURSDAY, OCTOBER 24, 2013

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of October 24, 2013 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.
(09:05 AM)

ROLL CALL (09:05 AM)

PRESENT: Commissioner(s) Don Campbell, Ken Topping, Tim Murphy, Eric Meyer, and Jim Irving.

ABSENT:

FLAG SALUTE (09:05 AM)

PUBLIC COMMENT PERIOD (09:06 AM)

Jim Irving: opens Public Comment with no one coming forward.

PLANNING STAFF UPDATES (09:06 AM)

Nancy Orton: updates commissioners on their near term schedule.

CONSENT AGENDA: (09:07 AM)

- a. September 26, 2013 DRAFT Planning Commission minutes (09:07 AM)
- b. GENERAL PLAN CONFORMITY REPORT - the Planning Director has issued the following General Plan conformity report. This is a notice of a completed conformity report to the Planning Commission as required by Section B, Chapter 7 of Framework for Planning, Part 1 of the county Land Use Element, and is being provided for public information only. No action need be taken by the Planning Commission except to Receive and File the report. The decision to issue a General Plan conformity report is solely at the discretion of the Planning Director, although appeals of the Planning Director's determination may be made in accordance with the provisions of the Land Use Ordinance.
(09:07 AM)
1. Notice of determination of conformity with the General Plan for the proposed surplus and sale of County-owned real property (1 parcel) by the County of San Luis Obispo, General Services Agency. The project is in the Public Facilities Land Use Category and located at 900 Main Street (soon-to-be former Cambria Library) in the community of Cambria. Assessor Parcel Number(s), APN(s): 022-251-019, in the North Coast Planning area, Supervisorial District No. 2. County File Number: DTM2013-00001. Holly Phipps, Project

Manager.
APPROVED
(09:07 AM)

2. Notice of determination of conformity with the General Plan for the proposed surplus and sale of County-owned real property (2 parcels) by the County of San Luis Obispo, General Services Agency. The project is in the Commercial Retail Land Use Category and located at the intersection of Cornwall Street and Bedford Street in the community of Cambria. Assessor Parcel Number(s), APN(s): 022-123-003 and -022, in the North Coast Planning area. Supervisorial District No. 2. County File Number: DTM2013-00002. Holly Phipps, Project Manager.
APPROVED
(09:07 AM)

Thereafter, on motion of Eric Meyer, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Eric Meyer, Don Campbell, Ken Topping, Tim Murphy, Jim Irving.
NOES: None.
ABSENT: None.

The Commission approves Consent Items a., b. 1. and b. 2.

HEARINGS: (09:08 AM)

1. Continued hearing to consider a request by RICHARD PHILLIPS for a Third Time Extension of Minor Use Permit / Coastal Development Permit DRC2005-00142; a request to allow a new 3,500 square foot single family residence. The project will result in the disturbance of approximately 6,600 square feet of a one acre parcel. The proposed project is within the Residential Suburban land use category and is located at 2049 Andre Avenue, approximately 700 feet south of Nipomo Avenue, in the community of Los Osos. The site is in the Estero planning area. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Mitigated Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted. CONTINUED FROM 5/9/13 & 7/25/13. County File No: DRC2005-00142 Assessor Parcel Numbers: 074-413-017

Supervisorial District 2 Date Accepted: October 13, 2006
Kerry Brown, Project Manager Recommend continue off calendar

POST HEARING DETERMINATION: CONT'D OFF CALENDAR
(09:08 AM)

Kerry Brown, Project Manager: provides reasoning for continuance request.

Thereafter, on motion of Ken Topping, seconded by Tim Muprhy, and on the following vote:

AYES: Commissioner(s) Ken Topping, Tim Muprhy, Don Campbell, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission continues this item off calendar.

2. [Hearing to consider a request by MICHAEL FOSTER for a third time extension to Minor Use Permit/Coastal Development Permit \(DRC2008-00116\), which allows the construction of a new 1,400 square-foot two-story single-family residence with a 246 square-foot attached garage on a vacant lot. The project will result in the disturbance of approximately 3,000 square feet on the 3,000 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located on 18th Street, approximately 50 feet to the southwest of Cass Avenue, in the Community of Cayucos. The site is in the Estero Planning Area. This project is exempt under CEQA. County File No: DRC2008-00116 Assessor Parcel Number: 064-231-023
Supervisorial District: 2 Date Accepted: Not Applicable
Schani Siong, Project Manager Recommend: approval
POST HEARING DETERMINATION: APPROVED
\(09:10 AM\)](#)

Schani Siong, Project Manager: presents staff report.

Commissioners: begin deliberating proposal.

John McDonald, Architect: is available for questions and provides reasoning for extension request.

Thereafter, on motion of Ken Topping, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Ken Topping, Eric Meyer, Don Campbell, Tim Muprhy, Jim Irving.

NOES: None.

ABSENT: None.

The Commission conditionally approves the third time extension to be valid until October 24, 2014 for Minor Use Permit/Coastal Development Permit DRC2008-00116 based on the findings in Exhibit A that carry over the original findings and conditions outlined in the attached staff report.

3. Hearing to consider a request by PICACHO RANCH, LLC AND PG&E for a Conditional Use Permit to allow for a 120-foot tall radio tower (20-foot x 20-foot foundation), one communications trailer/building and foundation, fuel cell pad, with perimeter fence with gate. The project will result in the disturbance of approximately 2,000 square feet on a previously disturbed hilltop adjacent to existing communication facilities within a 398 acre parcel. The proposed project is within the Agriculture land use category and is located at 2130 US Highway 101, approximately 1.5 miles southeast of the City of Arroyo Grande. The site is in the South County Inland planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 26, 2013 for this project. Mitigation measures are proposed to address geology and soils and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). County File Number: DRC2012-00096 Assessor Parcel Number: 047-071-026 Supervisorial District: 4 Date Accepted: May 23, 2013
Ryan Foster, Project Manager Recommend: approval
POST HEARING DETERMINATION: APPROVED
(09:19 AM)

Ryan Foster, Project Manager: presents staff report.

John Shoals, Agent: accompanied by Gary Long. Asks about Condition 5 in regards to a requirement for a bond and would like further clarification on what type of financial instrument would be acceptable.

Airlin Singewald, staff: states the ordinance does not require a bond which the commission may consider.

Commissioners: begin their deliberations.

Whitney McDonald, County Counsel: explains the county's performance bond agreement in terms of instruments of finance for security.

Jim Irving: opens Public Comment with no one coming forward.

Tim Murphy: comments on leaving performance bond Condition 6 as is with Ms. Orton stating it is not unusual to change timing of when the bond is issued. Asks the agent if there is a time penalty levied by the public utilities commission with Mr. Gary Long responding.

Tim Murphy: asks the agent if there is a time penalty levied by the public utilities commission with Mr. Gary Long responding.

Thereafter, on motion of Tim Muprhy, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Tim Muprhy, Ken Topping, Don Campbell, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission adopts the Mitigated Negative Declaration (ED12-194) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq; and approves conditional use permit DRC2012-00096 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, deleting Condition 6 and re-numbering conditions, adding new Condition 11. to read: "Site Restoration" 11. Prior to issuance of a construction permit, the applicant shall post a performance agreement and financial instrument with the County in an amount commensurate with the cost of facility removal and site restoration. The financial instrument shall be released by the County at the time the facility is removed and the site is restored." adopted.

4. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend the Safety Element of the County General Plan to incorporate by reference the adopted San Luis Obispo County Local Hazard Mitigation Plan. State legislation requires the County to adopt a local hazard mitigation plan in accordance with the federal Disaster Mitigation Act of 2000 as part of the General Plan Safety Element in order to qualify for the maximum amount of disaster aid through the California Disaster Assistance Act. This proposal does not involve any substantive changes to the goals, policies, programs, or maps of the Safety Element. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption] County File No: LRP2012-00005
Supervisory District: All
Mike Wulkan, Project Manager Recommend Board of Supervisors approval
POST HEARING DETERMINATION: RECOMMEND BOARD OF SUPERVISORS APPROVAL
(10:00 AM)

Mike Wulkan, Project Manager: presents staff report. Introduces Ron Alsop from the County Emergency Operations Center. Explains that there will be no substantive changes to goals, policies, programs, standards, or maps of the Safety Element. This request is to amend the Safety Element by incorporating, by reference, the San Luis Obispo Local Hazard Mitigation Plan (LHMP).

Jim Irving: would like an estimate of when the Safety Element will be adopted with Mr. Wulkan estimating sometime next year.

Tim Murphy: confirms no changes are being made.

Commissioners: begin discussions.

Mike Wulkan, Project Manager: discusses questions posed by Commissioner Topping and puts them on the screen for the viewing audience. Begins clarifying and explaining the questions posed.

Jim Irving: comments on coordination with city entities in the event of a disaster with Mr. Alsop responding this was covered as far as emergency response plans, which are consistent throughout the county.

Ron Alsop, Office of Emergency Services: explains the Local Hazard Mitigation Plan (LHMP) is a County and Flood Control District document only. The LHMP does not cover special districts, however it would not be difficult to take the LHMP and add specific jurisdictions and those districts could also adopt the LHMP as theirs. Explains the LHMP is designed to be easily updated to include other jurisdictions if they choose to participate.

Ken Topping: Explains taking advantage of the provisions of the state law enables the county to receive additional disaster recovery funds. States this is a FEMA approved LHMP which are all prepared on a five year cycle. Confirms any changes with the board adoption will be within the framework of the FEMA approval. Feels it is important to establish consistency with the General Plan in terms of AB162 and SB1241.

Thereafter, on motion of Eric Meyer, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Eric Meyer, Ken Topping, Don Campbell, Tim Muprhy, Jim Irving.

NOES: None.

ABSENT: None.

The Commission adopts the resolution to recommend that the Board of Supervisors approve the proposed General Rule Exemption in accordance with the applicable provisions of the California Environmental Quality Act (Public Resources Code 21000 et seq.); and adopts the amendment to the Safety Element of the County General Plan as set forth in Exhibit LRP2012-00005:A.

Thereafter, on motion of Ken Topping, seconded by Tim Muprhy, and on the following vote:

AYES: Commissioner(s) Ken Topping, Tim Muprhy, Don Campbell, Eric Meyer, Jim Irving.

NOES: None.

ABSENT: None.

The Commission accepts all correspondence entered into the record.

Thereafter, on motion of Ken Topping, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Ken Topping, Eric Meyer, Don Campbell, Tim Muprhy, Jim Irving.

NOES: None.

ABSENT: None.

The Commission adjourns to the next regularly scheduled Planning Commission on November 7, 2013.

ADJOURNMENT: 10:08 PM

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission
MINUTES APPROVED AT THE 12/12/13 PC.

Tuesday, November 05, 2013

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: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Acting Chairperson Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Consent Agenda – Review and Approval:

1-22. This is the set time for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 22 on the following vote is indicated for each item.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Items Set for Hearing:

1. Submittal of resolutions setting a public hearing to consider establishing a zone within County Service Area 21 for road improvements; and proposing the adoption of a special tax for Leonard Place in the community of Cambria. District 2. Hearing date set for December 3, 2013.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-261 and 2013-262, adopted.

2. Introduction of an ordinance implementing the County fee schedule "A" for Calendar Year 2014 and fee schedule "B" for Fiscal Year 2014-15 and to hold a public hearing on December 3, 2013.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

3. Request to approve and accept the Federal Fiscal Year 2013 Emergency Management Performance Grant and authorize a corresponding budget adjustment in the amount of \$95,024.

The Board approves as recommended by the County Administrative Officer.

4. Submittal of a notice to commence negotiations for the exchange of property tax revenue and annual tax increment for Annexation No. 89 to the City of Paso Robles (Ernst). District 1.

The Board approves as recommended by the County Administrative Officer.

5. Request to approve the Board of Supervisors meeting calendar for 2014.

The Board approves as recommended by the County Administrative Officer.

6. Request to approve the revised San Luis Obispo County Hazardous Materials Emergency Response Plan. (Clerks File).

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

7. Submittal of a letter to the California State Parks Office of Historic Preservation in support of Nomination of the Pereira Octagon Barn to the National Register of Historic Places.

The Board approves as recommended by the County Administrative Officer.

8. Request to approve an agreement with the City of Paso Robles allocating \$2,000 from District One Community Project Funds – Fund Center 106 to be used for expenses associated with holding free public events during the City's year long 125th anniversary celebration beginning December 2013.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

9. Request to approve Lease Amendment No. 3 to the ground lease with the Child Development Resource Center of the Central Coast at 1720 Bishop Street in San Luis Obispo. District 3.

The Board approves as recommended by the County Administrative Officer.

10. Request to: 1) approve the use of Countywide Automation Replacement funding to purchase two blade servers to support the County's Enterprise Financial System; 2) authorize a budget adjustment in the amount of \$24,751 in Fund Center 266 Countywide Automation Replacement and 3) amend the fixed asset list for the purchase of two blade servers to support the County's Enterprise Financial System.

The Board approves as recommended by the County Administrative Officer.

11. Request to provide funding to Reynolds, Smith and Hills to develop a Pavement Maintenance and Management System Plan at the San Luis Obispo County Regional Airport and authorize a budget adjustment in the amount of \$144,421 from a Federal Aviation Administration grant and \$7,279 from the Airport Enterprise Fund. District 3.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve a First Amendment to Memorandum of Understanding with the Nipomo Community Services District to change the location of the proposed Jim O. Miller Park to County-owned property on the southeast corner of Tefft Street and Carillo Street in Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

13. Request to approve a FY 2013-14 contract with Front St., Inc. in an amount not to exceed \$61,320 to provide residential board and care and social support services to adults with serious mental illness.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Human Resources Items:

14. Submittal of resolutions approving amendments to: 1) the January 1, 2011 – June 30, 2013 Memorandum of Understanding (MOU) between the County of San Luis Obispo and the San Luis

Obispo County Deputy Sheriffs' Association (DSA) Law Enforcement Unit (BU03), Non-Safety Law Enforcement Unit (BU21), and Dispatcher Unit (BU22); and 2) the January 1, 2011- June 30, 2013 MOU between the County and DSA Supervisory Law Enforcement Unit (BU14) and approve amendments to the San Luis Obispo County Employees Retirement Plan Appendices.

Ms. Tami Douglas-Schatz – Human Resources Director: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-263 and 2013-264, adopted.

Consent Agenda - Planning & Building Items:

15. Submittal of a resolution to approve an Avigation Easement from Pacific Gas and Electric Company for the San Luis Obispo County Regional Airport. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-265, adopted.

Consent Agenda - Probation:

16. Request to authorize budget adjustments to the 2011 SLO County Public Safety Realignment Plan for FY 2013-14 totaling \$901,684 and adopt resolutions amending the Position Allocation List for Fund Center (FC) 166-Behavioral Health to add a 1.00 FTE Mental Health Therapist position and increase an existing position from 0.50 FTE to 0.75 FTE, and for FC 184 - Law Enforcement Medical Care to add a 1.00 FTE Administrative Assistant position.

This item is amended to replace recommendation #7 to request the Board adopt the resolutions amending the Position Allocation List for Fund Center 184 - Law Enforcement Medical Care (LEMC) to add a 1.00 FTE Administrative Assistant III position, and Fund Center 166 - Behavioral Health to add a 1.00 FTE Mental Health Therapist position and increase an existing Mental Health Nurse Practitioner position from .050 FTE to 0.75 FTE. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NOS. 2013-266 and 2013-267, adopted.

Consent Agenda - Public Works Items:

17. Submittal of a resolution to correct and supersede Resolution No. 2013-239 and authorizing conveyance to the adjoining property owner and amending the name of said adjoining property owner; and approve the Quitclaim Deed and Maintenance Covenant as corrected, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-268, adopted.

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

18. Request to approve funding agreements advancing reimbursements anticipated pursuant to a California Department of Water Resources Integrated Regional Water Management Planning Grant to participating agencies. All Districts.

The Board approves as recommended by the County Administrative Officer.

19. Submittal of a resolution authorizing the Director of Public Works as the authorized representative to 1) submit the application for pre-planning funding under the safe drinking water state revolving fund, 2) sign the funding agreement, 3) authorize representative to approve claims for reimbursement and 4) sign the final release form; and authorize an associated budget adjustment, in an amount not to exceed \$250,000. Districts 1 and 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-

269, adopted.

Consent Agenda - Sheriff - Coroner Items:

20. Request to approve receipt of a California State Office of Traffic Safety (OTS) Grant in the amount of \$226,309, approve a corresponding budget adjustment, approve a temporary overfill of the Position Allocation List (PAL) to increase an existing 0.50 FTE Laboratory Assistant II position to 1.00 FTE for the duration of the grant (November 1, 2013 through September 30, 2014), and authorize the Sheriff – Coroner to sign any related documents for the OTS grant.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

21. Request to approve the appointment of Kristin Flynn to the San Luis Obispo County Workforce Investment Board.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Veterans Services Items:

22. Submittal of a resolution proclaiming November 2013 as "Thank a Veteran Month".

Mr. Greg Shearer – Ride-On and Veteran’s Express: speaks.

Supervisor Ray: requests the Board adjourn today’s meeting in honor of the Veterans.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-270, adopted.

Public Comment Period:

23. This is the time set for members of the public to comment on matters that are not scheduled on the agenda.

Mr. Mike Manchek - Economic Vitality Corporation (EVC): speaks to the Solarize Program.

Mr. Ben DiFatta; Ms. Julie Tacker; and Ms. Linde Owen (photographs): address various concerns relating to the Los Osos Wastewater Project (LOWWP).

Mr. Eric Greening: presents and discusses a flyer regarding a presentation on innovative transportation by Nathan Koren on Saturday, November 9, 2013 at the Unitarian Universalist Fellowship in San Luis Obispo.

Mr. Greg Kirkland: comments on saving species and how humans have an effect on the environment.

Mr. Jim Famalette - Community Action Partnership of San Luis Obispo Chief Operations Officer: speaks to CAPSLO’s funding request to keep essential support services at the Maxine Lewis Homeless Shelter and the Prado Day Center. **No action taken.**

Board Business

24. Request that the Board: 1) support the Airline Revenue Guarantee Program for San Luis Obispo County Regional Airport; 2) acknowledge the over \$1 million of non-binding pledges received from the business community during the fund raising campaign for air service to Denver from September 17, 2013 through October 11, 2013 and 3) authorize a budget adjustment in the amount of \$212,500 from FC 268- Tax Reduction Reserve to provide the remaining cash match required for the \$500,000 U.S. Department of Transportation Small Community Air Service Development Program Grant received by

San Luis Obispo County Regional Airport in February 2010.

Mr. Jack Penning - Sixel Consulting Group, Inc.: provides a powerpoint presentation.

Mr. Mike Manchek - Economic Vitality Corporation; Mr. Ty Safreno - Trust Automation Co-Founder; and Mr. Bill Boardsmiller - Aviation Consultants Inc. (ACI): speak.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Ms. Elsa Dawson; and Ms. Charlene Rosales – San Luis Obispo Chamber of Commerce Government Affairs Officer: speak.

The Board approves the Airline Revenue Guarantee Program; acknowledges the over \$1 million of non-binding pledges received from the business community during the fund raising campaign for air service to Denver from September 17, 2013 through October 11, 2013; and authorizes a budget adjustment from FC 268 Tax Reduction Reserves in the amount of \$212,500 to FC 425 Airport Operations, to cover the remaining cash match required by the U.S. Department of Transportation Small Community Air Service Development Program Grant.

Motion by: Adam Hill

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 25. Request for approval and acceptance of Phase 3 Design Development results of Terminal Development Project for the San Luis Obispo County Regional Airport.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board approves and accepts the Phase 3 Design Development results of Passenger Terminal Design Development project at San Luis Obispo County Regional Airport (SBP).

Motion by: Adam Hill

Second by: Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

- 26. Discussion of Continuum of Care requirements related to the allocation of Federal homeless funding, and overview of plans related to implementation of the 100,000 Homes Campaign and other goals contained in the 10 Year Plan to End Homelessness.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. John Ashbaugh - San Luis Obispo City Council Member (magazine); Mr. Steve Gessell - San Luis Obispo City Police Chief; Mr. Aaron Lewis; Ms. Shawn Ison; Ms. Debbie Beckett; Ms. Heather Hiramatsu; Ms. Mary Lou Zivna; Mr. H. Calvin Thompson; Mr. Anthony Wilshusen; Mr. Stephan Michel; Mr. Larry Feldt; Mr. Roy Rawlings; Mr. Jeremy Dickinson; Ms. Della Wagner; Ms. Andrea Herrera; and Ms. Dee Torres (documentation): speak.

The Boards receives the report on homeless activities and directs staff to seek out a hybrid Request for Proposal (RFP) model which includes an internal RFP; a financial analysis; and an RFP for administration.

Motion by: Caren Ray
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Acting Chairperson Gibson: tables Item No. 27 to the afternoon session and Closed Session to the end of the day.

Presentations:

29. Submittal of a resolution recognizing the 15th anniversary of the California Children and Families Act.

Dr. Julian Crocker and Ms. Vicki Janssen – representing Assemblyman ‘Katcho’ Achadjian: speak.

RESOLUTION NO. 2013-271, a resolution recognizing the 15th anniversary of the California Children and Families Act, adopted.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

30. Submittal of a resolution proclaiming November as "National Adoption Month" in San Luis Obispo County.

Ms. Tracy Shiro – Social Services Department Assistant Director (calendar): speaks.

RESOLUTION NO. 2013-272, a resolution proclaiming November as “National Adoption Month” in San Luis Obispo County, adopted.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Board Business:

27. Submittal of: 1) a resolution to amend the Position Allocation List for Fund Center (FC) 166 – Behavioral Health, to add 7.5 FTEs in various classifications to support implementation of the Katie A settlement agreement and Healthy Families transition to Medi-Cal; 2) a request to approve an amendment to an existing agreement with Family Care Network for FY 2013-14 in the amount of \$205,000 to provide various mental health services and 3) a request to authorize a corresponding budget adjustment in the amount of \$988,093 from unanticipated revenue to FC 166—Behavioral Health.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-273, a resolution amending the Position Allocation List resolution for Fiscal Year 2013-14, adopted. Furthermore, the Board approves an amendment with Family Care Network for FY 2013-14 in the amount of \$205,000 and directs the Acting Chairperson to sign; and approves a corresponding budget adjustment in the amount of \$988,093 from unanticipated revenue to Fund Center 166 – Behavioral Health.

Motion by: Adam Hill

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

31. Discussion regarding spent fuel at Diablo Canyon Power Plant.

Mr. Ed Halpin – PG&E Senior Vice President and Chief Nuclear Officer: provides a powerpoint presentation.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Andrea Seastrand; Mr. Eric Greening; Mr. Walt French - Plumbers and Steamfitters Manager; Mr. Ray Johnson; Dr. C. Hite; Ms. Elsa Dawson; Mr. Ron Yukerlson; Ms. Jeannette Watson; Ms. Linda Seeley (powerpoint); Ms. Sherry Lewis (powerpoint); Ms. Evy Justensen (powerpoint); Ms. Elizabeth Brousse (powerpoint); Ms. Jane Swanson (powerpoint); Ms. Lee Andrea Caulfield; Mr. Grigger Jones – Atascadero Chamber of Commerce Chairperson; Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Ms. Laurie Alexiev; Ms. Marty Brown; Mr. Klaus Schumann (handout); and Mr. Fred Frank: speak.

Supervisor Hill: states he will be attending the upcoming Nuclear Regulatory Commission (NRC) meeting; has submitted a letter to the NRC but is also willing to send a letter on behalf of the Board.

The Board receives the discussion regarding spent fuel at Diablo Canyon Power Plant and directs Acting Chairperson Gibson and Supervisor Hill to send letters to appropriate federal regulatory agencies and to our congressional delegation representatives federal legislative delegation to verify that PG&E is transferring fuel from the spent fuel pools to dry casks as expeditiously as possible and to urge the federal government to find a permanent storage facility for all spent fuel.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

32. Discussion of implementation of the San Luis Obispo County Whistleblower Hotline.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board receives and endorses the Whistleblower Hotline Procedures Manual relating to the management of a Whistleblower Hotline whereby employees or citizens can report potential financial fraud, waste or abuse of County resources.

Motion by: Adam Hill

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearings:

33. Hearing to consider resolutions on the annual adjustment of the in-lieu and housing impact fee schedules of Title 29, along with the Title 29 Annual Report and Action Plan. All Districts.

Mr. Ted Bench – Planning and Building: presents three documents they received from the Home Builders Association (HBA), Workforce Housing Coalition (WHC), and Peoples’ Self-Help Housing.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Mike Whiteford - Home Builder’s Association Government Affairs Director; Mr. Lenny Grant; Mr. Dan Lloyd - Landsite Consulting; Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); and Mr. Jerry Rioux – Housing Trust Fund Director and Workforce Housing Coalition Chairperson: speak.

Acting Chairperson Gibson: outlines why he will not support the motion.

The Board adjusts the fee schedule to reflect Option 2 - stay at year 1 and add the .07% construction cost adjustment, as outlined in the staff report and amends the resolution adopting adjustments to the in-lieu fee schedule to reflect those changes. Further, RESOLUTION NO. 2013-274, a resolution to adopt adjustments to the in-lieu fee schedule and housing impact fee schedule of Title 29 – Affordable Housing Fund, adopted as amended; and RESOLUTION NO. 2013-275, a resolution to approve the Annual Report and Action Plan for year 2014 pursuant to Title 29 – Affordable Housing Fund of the County of San Luis Obispo, adopted. Furthermore, the Board directs Supervisor Ray and Supervisor Mecham to work with staff and the building industry on policy issues.

Motion by: Frank R. Mecham

Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)		x		
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

A motion by Supervisor Hill, seconded by Supervisor Mecham, the Board unanimously agrees to continue the meeting past 5:00 P.M.

34. Hearing to consider a resolution to waive permit processing fees for construction permits associated with a new community park focusing on universal accessibility proposed by Jack’s Helping Hand for property at the south end of Illinois Way along the Nipomo Mesa bluff in Nipomo. District 4.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Paul Ready: speaks

RESOLUTION NO. 2013-276, a resolution approving the request by Jack’s Helping Hand for a waiver of permit processing fees for various construction permits associated with a new community park focusing on universal accessibility proposed for the property at the south end of Illinois Way along the Nipomo Mesa Bluff, southwest of the community of Nipomo, adopted.

Motion by: Caren Ray
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearings:

35. Hearing to consider appeals by Sean Shealy and Brian LoConte of the Planning Commission’s approval of: 1) a Development Plan/Coastal Development Permit/Variance for the County Parks’ Pirates Cove parking lot and trail project located at the end of Cave Landing Road, east of the intersection of Avila Beach Drive and Cave Landing Road in the community of Avila Beach; and 2) adoption of the Mitigated Negative Declaration prepared for this project pursuant to the California Environmental Quality Act. District 3.

Mr. Sean Shealy (document) and Mr. Brian LoConte (powerpoint) – Appellants and Mr. Curtis Black - Parks Deputy Director, Project Applicant: speak.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Susan Walker and Mr. Patrick O’Daniels (photographs): speak.

Mr. Shealy; Mr. LoConte; and Mr. Black: provide closing statements.

A motion by Supervisor Hill, second by Supervisor Ray, to deny both of the appeals and uphold the decision of the Planning Commission; conditionally approve the request by the San Luis Obispo County Department of General Services, Parks Division for a Development Plan/Variance/Coastal Development Permit to improve the parking lot and trails, install drainage improvements, and install a vault restroom and other amenities at the Pirates Cove beach parking area; and to approve the Mitigated Negative Declaration prepared for this project pursuant of the California Environmental Quality Act, is discussed.

Mr. Steve McMasters - Planning and Building: recommends a minor change to the conditions of approval by adding a new condition 1. J. to read: "Hours of operation shall be between 6 a.m. and 10 p.m.", with the motion maker amending the motion to add the change, with the second agreeing.

The Board amends Exhibit B – Conditions of Approval, by adding a new 1. J. to read: "Hours of operation shall be between 6 a.m. and 10 p.m." Furthermore, the Board denies the appeals by Sean Shealy and Brian LoConte and RESOLUTION NO. 2013-277, a resolution upholding the decision of the Planning Commission and conditionally approving the application of the County of San Luis Obispo Department of General Services, Parks Division for Development Plan/Variance/Coastal Development Permit DRC2011-00069, adopted as amended.

Motion by: Adam Hill
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Closed Session Items:

28. The Board announces they will be going into Closed Session regarding:

I. CONFERENCE WITH LABOR NEGOTIATOR (Gov. 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: Name of employee organizations are: 1. DCCA; 2. SLOGAU; 3. SLOCPPOA; 4. SLOCEA-Public Services, Supervisors, Clerical; 5. SLOCEA-Trades and Crafts.

(Added, per Addendum to the Agenda. I. CONFERENCE WITH LABOR NEGOTIATOR (Gov. 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: Name of employee organizations are: 6. Unrepresented Management and Confidential Employees. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Acting Chairperson Gibson: opens the floor to public comment without response.

(SUPERVISOR RAY IS NOW ABSENT.)

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.

The Board adjourns the meeting in honor of the Veterans.

On motion duly made and unanimously carried, 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, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and 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 05, 2013, 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.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

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

DATED: November 12, 2013



RTA BOARD AGENDA

Wednesday, November 6, 2013
BOARD OF SUPERVISORS' CHAMBER
COUNTY GOVERNMENT CENTER
1055 Monterey Street, San Luis Obispo, California 93401
RTA starts at 8:30 am

The *AGENDA* is available/posted at: <http://www.slorta.org>

President: Frank Mecham

Vice President: Shelly Higginbotham

Board Members:

Frank Mecham (First District – SLO County)
Bruce Gibson (Second District – SLO County)
Adam Hill (Third District – SLO County)
Caren Ray (Fourth District – SLO County)
Debbie Arnold (Fifth District – SLO County)
Tony Ferrara (Arroyo Grande)

Tom O'Malley (Atascadero)
Debbie Peterson (Grover Beach)
Jamie Irons (Morro Bay)
Fred Strong (Paso Robles)
Shelly Higginbotham (Pismo Beach)
Jan Howell Marx (San Luis Obispo)

Individuals wishing accessibility accommodations at this meeting under the Americans with Disabilities Act (ADA) may request such accommodations to aid hearing, visual, or mobility impairment by contacting the SLORTA offices at 781-4472. Please note that 48 hours advance notice will be necessary to honor a request.

CALL TO ORDER AND ROLL CALL

PUBLIC COMMENTS: This portion of the agenda is reserved for any members of the public to directly address the San Luis Obispo Regional Transit Authority (RTA) Board on any items not on the agenda and within the jurisdiction of the Board. Comments are limited to three minutes per speaker. The Board will listen to all communication, but in compliance with the Brown Act, will not take any action on items that are not on the agenda.

A. INFORMATION AGENDA

- A-1 Executive Director's Report (Receive)
- A-2 Planning and Programming of FTA-Funded Projects (Information; table to be handed out at meeting)
- A-3 North County Transit Consolidation Update (Information)

B. ACTION AGENDA

- B-1 RTA Summer Special Services (Action)

C. CONSENT AGENDA: (Roll Call Vote) the following items are considered routine and non-controversial by staff and will be approved by one motion if no member of the RTA or public wishes an item be removed. If discussion is desired by anyone, the item will be removed from the consent agenda and will be considered separately. Questions of clarification may be made by RTA Board members, without the removal of the item from the Consent Agenda. Staff recommendations for each item are noted following the item.

C-1 Executive Committee Meeting Minutes of August 7, 2013 (Approve)

C-2 RTA Board Meeting Minutes of September 4, 2013 (Approve)

C-3 Amend CBA with Teamsters Local 986 to Recognize "Part-Time/Health-Benefited" Employees (Approve)

C-4 Authorize Executive Director to Conduct a Multi-Year Joint Procurement for Paratransit Vehicles (Approve)

D. CLOSED SESSION ITEMS

D-1-1 Conference with Labor Negotiator Geoff Straw concerning the following labor organization: Teamsters Local Union No. 986

D-1-2 It is the intention of the Board to meet in closed session concerning the following items:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code Sec. 54956.8):

Agency Negotiators:

Geoff Straw

**Under Negotiation/Discussion:
Properties:**

Price and Terms of Payment

179 Cross Street, San Luis Obispo, CA
Negotiating Party:

(APN: 053-257-032)
LTC of SLO, Ltd.

40 Prado Road, San Luis Obispo, CA
Negotiating Party:

(APN: 053-022-014)
Rescal SLO193 LLC

E. BOARD MEMBER COMMENTS

ADJOURNMENT

Next RTA meeting:

- Possible joint meeting with SLOCOG on December 4, 2013.
- Next regularly-scheduled meeting on January 8, 2014

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

November 6, 2013

STAFF REPORT

AGENDA ITEM: A-1

TOPIC: Executive Director's Report

PRESENTED BY: Geoff Straw

STAFF RECOMMENDATION: Receive as Information

BACKGROUND/DISCUSSION:

Operations:

RTA conducted its quarterly Employee of the Quarter barbecue lunch on October 31, and the winner will join us at our November 6th Board meeting. A total of 30 nominations were submitted by fellow RTA team members and by riders.

The Regional Transportation Advisory Committee met on October 16, although a quorum was not achieved. Items discussed by RTAC included an initial discussion on updating the RTA Strategic Business Plan, as well as a review of RTA special summer services performance. RTAC members seemed to support participation in the summer Youth Ride Free program in 2014, and to support elimination of the Summer Beach Shuttle due to low ridership. RTAC will further discuss the Strategic Business Plan at its quarterly meeting in January 2014.

On October 10th, all RTA staff members participated in "Nuclear 101" training conducted over two classes provided by the SLO County Office of Emergency Services. By all accounts this training was well-received and it provided a forum to discuss RTA employees' responsibilities in case of a nuclear release at Diablo Canyon. Per-person funding for the training was provided by OES.

All staff also participated in the second annual Verbal Judo training on November 2nd. This training builds upon the tools discussed at last year's program to assist employees in "disarming" agitated riders and in optimally dealing with other high-stress situations.

RTA is planning its Holiday Party for the late-afternoon/early-evening of December 15th in San Luis Obispo. Please mark your calendars now; staff will send out invitations in the coming weeks with details on the exact time and location.

RTA has determined holiday season service levels, and will begin to advertise the following dates on our website and on the buses that our administrative offices will be closed and a Sunday service level will be operated on November 29th, December 24th

and December 31st. In addition, the offices will be closed and no service will be provided on November 28th, December 25th and January 1st.

Maintenance:

At the May 1, 2013, meeting, the RTA Board authorized procurement of up to eight low-floor 40-foot buses. On October 23rd, RTA issued a Notice to Proceed for these eight buses, along with one 35-foot bus for South County Transit to the Gillig Corporation. This procurement was made possible by RTA and SCT's involvement in the 22-agency 5-year joint procurement led by the Central Costa County Transit Authority. We are currently negotiating final details, including delivery dates. Based on preliminary discussions with Gillig officials, the buses will be delivered in 16 to 18 months.

Also at its May 1, 2013 meeting, the RTA Board authorized staff to procure four Runabout cutaway minibuses through a joint procurement managed by the CalACT. However, recent FTA joint procurement restrictions have deemed that 2011 program invalid. As such, Agenda Item C-4 requests authorization for staff to develop and manage its own RFP process to procure these types of vehicles and possible future options over the next five years.

The RTA fleet is in good shape – especially with the arrival of the seven new 2013 buses. However, our oldest Runabout cutaway minibuses have caused some reliability challenges in past few months. In particular, four of our six 2007 and 2008 cutaway vehicles have required major engine and/or transmission repairs in the last month. These gasoline-powered engines require either a full engine replacement (~\$4,000 for parts) or installation of rebuilt heads (\$2,800) at 100,000 to 130,000-mile intervals. Since these older minibuses have close to 300,000 miles on them and are due for replacement, the maintenance staff is doing a good job limping them along until the replacement buses arrive. This has required RTA to occasionally use non-accessible vehicles to serve ambulatory Runabout riders, which is less than ideal from a productivity and flexibility standpoint.

Service Planning & Marketing:

RTA staff is working closely with officials from the cities of Atascadero and Paso Robles to implement the recommendations in the North County Transit Plan. A further discussion of this topic is provided in Agenda Item A-3.

Agenda Item B-1 includes a discussion of recent performance measures and recommendation for possible continuation/elimination for two seasonal summer services: the Summer Youth Ride Free program, and the Summer Beach Shuttle program.

Staff has completed its on-site bus stop assessment project, and is currently developing a prioritized list of bus stop improvements that we will first share with SLO County staff, and then with each city's public works department. We anticipate forwarding the study report to each jurisdiction by the end of the calendar year.

During the month of October and early part of November, RTA wrapped up its first comprehensive RTA Customer Perception Survey. This effort included an employee survey, a Rider Survey for RTA, Runabout and South County Transit customers, and an Internet-based stakeholder/Non-Rider survey. We will provide a summary of this effort at the January 2014 RTA Board meeting, focusing on how it can assist us in implementing performance measures and service improvements identified in our Strategic Business Plan.

RTA is working with the City of San Luis Obispo to sell RTA passes at City Hall. That would permit riders to buy RTA and/or SLO Transit passes from one single outlet, and the City would accept credit cards; SLO County, which currently sells passes downtown, does not accept credit cards. Our goal is have this agreement in place in January, which means the City would need to bring the draft agreement before the City Council by November or December so that the RTA Board could possibly consider it at its January 8, 2014 meeting.

Finance and Administration:

During the preceding quarter, staff worked closely with our auditors to complete the RTA Annual Fiscal and Compliance Audit report for FY12-13, which is attached to this report. Overall, financial results were positive, and the auditors affirmed the information reported is fairly stated in all material respects in relation to the financial statements as a whole. It should be noted that this is the second consecutive year that the audit was completed relatively early in the calendar year. Kudos to Tania Arnold, who led the audit effort, as well as Omar McPherson and Trena Wilson, both of whom assisted in completing the process quickly and efficiently.

Preliminary financial data for the first two months of FY13-14 are included in the attached report. In summary, this report covers 16.7% of the budget year, and overall non-capital expenditures equaled 14.6% of the annual budgeted amount. While it is too early to draw any conclusions or determine any trends, it is important to note a couple of issues presented in the financial and operating tables:

1. Similar to the July results presented at the September RTA Board meeting, total fixed route farebox revenues of \$280,649 include a “slug-load” of bulk institutional pass sales that tend to occur at the beginning of each fiscal year. As such, the 42.4% farebox recovery ratio (FRR) reported for fixed route is somewhat misleading and will decline as the year progresses.
2. RTA paid for its seven new buses in September, so that capital expenditure will be presented when the September financial statements are completed. All other capital projects in the budget are subject to the availability of funding, as well as available staff resources to implement each project.

Fixed route ridership remains strong, with 129,482 boardings through August 31, in comparison to 118,230 in the prior year. This represents a year-over-year increase of 9.5%, and both July and August represent record ridership months in comparison to

previous monthly totals. Runabout ridership set a new single-month record in August – surpassing the previous record in July – totaling 7,496 boardings year to date, and equating to a year over year increase of 20.2% over YTD August 2012 Runabout boardings.

Fixed route productivity of 22.2 passenger-boardings per service hour through August 2013 exceeded RTA’s goal of 21.

Runabout productivity actually declined in August 2013 in comparison to previous August monthly figures, despite record passenger boardings. That is due to the additional daily Runabout hours added in July as part of the budget-making process to meet burgeoning demand. Staff will continue to monitor this important metric to ensure Runabout is operated as efficiently as possible while still meeting ADA service requirements.

In summary, all objective/measurable year to date Performance Measure Standards identified in the 2011 RTA Strategic Business Plan were met or exceeded through August 2013.

RTA Facility Planning

Staff met with the property owner at 179 Cross Street to propose a possible purchase, and we are awaiting an answer. Because no answer was received in time, the originally-scheduled October 21, 2013 RTA Facility Subcommittee was cancelled. Further developments on this topic will be discussed in Closed Session on November 6th.

Labor Relations

Agenda Item C-3 includes a formal amendment to the Collective Bargaining Agreement (CBA) with Teamsters Local 986 to incorporate the new Part-Time/Health-Benefited employee designation.

RTA’s current CBA expires on January 31, 2014. As permitted under the CBA, staff began negotiations with Teamsters officials on November 4, 2013. Preliminary findings from that meeting will be discussed in Closed Session on November 6th.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

		Adopted Budget FY 2013-14	July Actual	August Budget	August Actual	August Variance	Year to Date FY 2013-14	Percent of Total Budget FY 2013-14
	Hours	60,118	5,496	5,010	5,621	(611)	11,117	18.49%
	Miles	1,594,232	140,513	132,853	143,189	(10,336)	283,702	17.80%
Administration:								
	Labor	731,454	50,270	60,954	59,462	1,492	109,732	15.00%
	Labor - Administration Workers Comp	35,690	2,066	2,974	2,066	908	4,133	11.58%
	Office Space Rental	416,190	32,127	34,683	31,785	2,898	63,912	15.36%
	Property Insurance	16,186	15,820	-	-	-	15,820	97.74%
	Professional Technical Services	90,725	15,000	-	-	-	15,000	16.53%
	Professional Development	16,250	200	1,354	871	483	1,071	6.59%
	Operating Expense	183,670	16,550	15,306	13,783	1,523	30,333	16.52%
	Marketing and Reproduction	92,300	3,921	7,692	8,900	(1,208)	12,821	13.89%
	North County Management Contract	(6,620)	-	-	-	-	-	0.00%
	County Management Contract	(87,500)	(7,292)	(7,292)	(7,292)	-	(14,583)	16.67%
	SCAT Management Contract	(77,500)	(6,458)	(6,458)	(6,458)	-	(12,917)	16.67%
	Total Administration	1,410,846	122,204	109,213	103,118	6,095	225,322	15.97%
Service Delivery:								
	Labor - Operations	2,869,163	212,402	239,097	219,396	239,097	431,798	15.05%
	Labor - Operations Workers Comp	206,962	11,982	17,247	11,982	5,265	23,965	11.58%
	Labor - Maintenance	760,398	54,554	63,366	52,238	11,129	106,792	14.04%
	Labor - Maintenance Workers Comp	63,811	3,681	5,318	3,694	1,623	7,375	11.56%
	Fuel	1,490,155	108,265	124,180	119,692	4,488	227,957	15.30%
	Insurance	352,037	28,598	29,336	29,158	179	57,756	16.41%
	Special Transportation (includes Senior Vans, Lucky Bucks, etc)	81,700	6,321	6,808	6,168	641	12,489	15.29%
	Avila Trolley	66,100	8,250	5,508	8,756	(3,248)	17,006	25.73%
	Maintenance (parts, supplies, materials)	536,934	18,661	44,744	28,368	16,377	47,029	8.76%
	Maintenance Contract Costs	127,202	-	10,600	8,525	2,075	8,525	6.70%
	Total Operations	6,554,461	452,715	546,205	487,976	58,229	940,691	14.35%
Capital/Studies:								
	Computer System Maintenance/Upgrades	13,310	-	-	-	-	-	0.00%
	Miscellaneous Capital							
	Facility Improvements	187,820	-	-	-	-	-	0.00%
	Maintenance Software and Maintenance Equipment	60,000	-	-	-	-	-	0.00%
	Tire Lease Buyout	37,170	-	-	-	-	-	0.00%
	Marking and Tethering Program	5,500	-	-	-	-	-	0.00%
	Rotary Lift	18,700	-	-	-	-	-	0.00%
	Specialized Maintenance Tools	12,650	-	-	-	-	-	0.00%
	Maintenance Staff Office/Additional Desks	34,100	-	-	-	-	-	0.00%
	Backup Generator	17,250	-	-	-	-	-	0.00%
	Vehicle ITS/Camera System	461,787	-	-	-	-	-	0.00%
	Bus Stop Improvements	61,750	-	-	-	-	-	0.00%
	Bus Rehabilitation	125,000	-	-	-	-	-	0.00%
	Bus Procurement Reserve/Large Capital Repairs	44,779	-	-	-	-	-	0.00%
	Vehicles							
	Support Vehicles	102,500	-	-	-	-	-	0.00%
	40' Coaches	3,336,000	-	-	-	-	-	0.00%
	Runabout Vehicles	360,000	-	-	-	-	-	0.00%
	Total Capital Outlay	4,878,316	-	-	-	-	-	0.00%
	Contingency	101,915	-	8,333	-	8,333	-	0.00%
	Interest Expense	133,954	13,269	11,163	13,269	(2,106)	26,538	19.81%
	Loan Paydown	1,108,262	-	-	-	-	-	0.00%
	Management Contracts	171,620	13,750	13,750	13,750	-	27,500	16.02%
	TOTAL FUNDING USES	14,359,373	601,938	688,664	618,113	70,551	1,220,051	8.50%
	TOTAL NON-CAPITAL EXPENDITURES	8,372,795	601,938	688,664	618,113	70,551	1,220,051	14.57%

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
YEAR TO DATE THRU AUGUST 31, 2013 - WEEKDAYS ONLY
CURRENT FISCAL YEAR - 2013/2014**

	RT 9 P.R., TEMP., ATAS., S.M., CAL POLY, S.L.O.	RT 10 S.M., NIPOMO, A.G., S.L.O.	RT 80 NORTH COUNTY BEACH SHUTTLE	RT 12 MORRO BAY, CUESTA, SAN LUIS	RT 14 CUESTA, SAN LUIS TRIPPER	RT 15 SAN SIM., CAMBRIA, CAYUCOS, M.B.	RT 83 FORT HUNTER LIGGETT	TOTAL WEEKDAY
REVENUES:								
FARES	85,232	93,900	1,278	54,577	1,029	5,917	17,003	258,936
TOTAL ROUTE REVENUES	85,232	93,900	1,278	54,577	1,029	5,917	17,003	258,936
EXPENDITURES:								
ADMINISTRATION	35,549	35,815	5,341	23,464	980	8,415	3,946	113,510
MARKETING	3,705	3,733	536	2,446	133	877	0	11,430
OPERATIONS/CONTINGENCY	88,582	89,924	13,225	57,972	2,694	21,276	10,490	284,165
FUEL	45,992	49,622	7,102	27,947	1,585	12,372	8,299	152,920
INSURANCE	9,601	10,358	1,492	5,834	315	2,583	1,732	31,916
TOTAL EXPENDITURES	183,429	189,453	27,696	117,663	5,707	45,524	24,468	593,940
FAREBOX RATIO	46.47%	49.56%	4.61%	46.38%	18.04%	13.00%	69.49%	43.60%
RIDERSHIP	38,247	42,649	1,617	29,672	1,667	3,291	1,382	118,525
SERVICE MILES	50,230.40	54,194.80	7,792.20	30,522.80	1,672.92	13,512.40	9,064.00	166,989.52
SERVICE HOURS	1,641.20	1,653.52	244.53	1,083.28	48.28	388.52	182.16	5,241.49
RIDERS PER MILE	0.76	0.79	0.21	0.97	1.00	0.24	0.15	0.71
RIDERS PER HOUR	23.30	25.79	6.61	27.39	34.53	8.47	7.59	22.61
COST PER PASSENGER	4.80	4.44	17.13	3.97	3.42	13.83	17.70	5.01
SUBSIDY PER PASSENGER	2.57	2.24	16.34	2.13	2.81	12.03	5.40	2.83

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
YEAR TO DATE THRU AUGUST 31, 2013
CURRENT FISCAL YEAR - 2013/2014**

	RT 9 SAT P.R., TEMP., ATAS., S.M., CAL POLY, S.L.O.	RT 9 SUN P.R., TEMP., ATAS., S.M., CAL POLY, S.L.O.	RT 10 SAT S.M., NIPOMO, A.G., S.L.O.	RT 10 SUN S.M., NIPOMO, A.G., S.L.O.	RT 12 SAT MORRO BAY, CUESTA, SAN LUIS	RT 12 SUN MORRO BAY, CUESTA, SAN LUIS	RT 15 SAT SAN SIM., MORRO BAY, SAN LUIS	RT 15 SUN SAN SIM., MORRO BAY, SAN LUIS	TOTAL WEEKEND	TOTAL FIXED ROUTE	RUNABOUT	SYSTEM TOTAL
REVENUES:												
FARES	5,431	2,432	4,425	2,723	3,257	2,062	884	500	21,713	280,649	20,341	300,989
TOTAL ROUTE REVENUES	5,431	2,432	4,425	2,723	3,257	2,062	884	500	21,713	280,649	20,341	300,989
EXPENDITURES:												
ADMINISTRATION	2,421	1,404	2,263	1,222	1,652	1,395	1,656	892	12,904	126,414	113,588	240,002
MARKETING	266	146	249	127	182	145	182	93	1,391	12,821	0	12,821
OPERATIONS/CONTINGENCY	6,116	3,502	5,762	3,063	4,126	3,438	4,255	2,256	32,518	316,683	270,178	586,861
FUEL	3,147	1,839	3,152	1,670	1,916	1,622	2,483	1,310	17,139	170,059	50,188	220,247
INSURANCE	651	384	652	349	396	339	513	273	3,557	35,472	18,540	54,012
TOTAL EXPENDITURES	12,601	7,275	12,078	6,430	8,273	6,939	9,089	4,824	67,510	661,450	452,494	1,113,944
FAREBOX RATIO	43.10%	33.42%	36.64%	42.34%	39.37%	29.72%	9.72%	10.36%	32.16%	42.43%	4.50%	27.02%
RIDERSHIP	2,663	1,225	2,413	1,345	1,749	1,036	321	205	10,957	129,482	7,496	136,978
SERVICE MILES	3,413.70	2,008.80	3,420.00	1,824.00	2,079.00	1,771.20	2,693.70	1,430.40	18,640.80	185,630.32	97,356.00	282,986.32
SERVICE HOURS	113.13	64.80	105.75	56.40	77.22	64.40	77.40	41.20	600.30	5,841.79	5,249.42	11,091.21
RIDERS PER MILE	0.78	0.61	0.71	0.74	0.84	0.58	0.12	0.14	0.59	0.70	0.08	0.48
RIDERS PER HOUR	23.54	18.90	22.82	23.85	22.65	16.09	4.15	4.98	18.25	22.16	1.43	12.35
COST PER PASSENGER	4.73	5.94	5.01	4.78	4.73	6.70	28.32	23.53	6.16	5.11	60.36	8.13
SUBSIDY PER PASSENGER	2.69	3.95	3.17	2.76	2.87	4.71	25.56	21.09	4.18	2.94	57.65	5.93

**SAN LUIS OBISPO REGIONAL
TRANSIT AUTHORITY
FINANCIAL STATEMENTS
June 30, 2013**

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
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June 30, 2013

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INDEPENDENT AUDITORS' REPORT

Board of Directors
San Luis Obispo Regional Transit Authority
San Luis Obispo, California

Report on the Financial Statements

We have audited the accompanying basic financial statements of the of San Luis Obispo Regional Transit Authority (Agency) as of and for the fiscal year ended June 30, 2013, and the related notes to the financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the San Luis Obispo Regional Transit Authority, as of June 30, 2013, and the respective changes in financial position and cash flows thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Change in Accounting Principles

As discussed in note 2 to the basic financial statements effective July 1, 2012, the San Luis Obispo Regional Transit Authority adopted Governmental Accounting Standards Board (GASB) Statement No. 60, *Accounting and Financial Reporting for Service Concession Arrangements*, Statement No. 61, *The Financial Reporting Entity: Omnibus*, Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, and Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*.

Other Matters

Required Supplementary Information

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the San Luis Obispo Regional Transit Authority's basic financial statements. The budgetary comparison schedule is presented for purposes of additional analysis and is not a required part of the basic financial statements. The budgetary comparison schedule is the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the budgetary comparison schedule is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated October 4, 2013, on our consideration of the San Luis Obispo Regional Transit Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control over financial reporting and compliance.

Moss, Renz & Hartgrain LLP

October 4, 2013
Santa Maria, California

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
STATEMENT OF NET POSITION
JUNE 30, 2013
WITH COMPARATIVE TOTALS FOR JUNE 30, 2012

	<u>2013</u>	<u>2012</u>
ASSETS		
Current assets:		
Cash and investments	\$ 4,860,229	\$ 2,738,955
Accounts receivable	5,784	188,575
Intergovernmental receivables	228,005	198,609
Grants receivable	1,031,733	953,955
Prepaid items	73,603	72,208
Inventory at cost	146,132	138,629
Total current assets	<u>6,345,486</u>	<u>4,290,931</u>
Capital assets:		
Depreciable:		
Buildings and improvements	4,604,670	4,604,670
Equipment and vehicles	10,516,684	9,911,236
Less accumulated depreciation	<u>(7,499,685)</u>	<u>(6,456,147)</u>
Total net capital assets	<u>7,621,669</u>	<u>8,059,759</u>
 Total assets	 <u>13,967,155</u>	 <u>12,350,690</u>
LIABILITIES		
Current liabilities:		
Accounts payable	364,734	364,892
Accrued payroll	65,945	190,027
Unearned revenue	4,379,016	2,927,457
Customer deposits	27,703	27,703
Loan payable	308,262	308,262
Total current liabilities	<u>5,145,660</u>	<u>3,818,341</u>
Noncurrent liabilities:		
Compensated absences	124,081	125,901
Loan payable	2,157,835	2,466,097
Total noncurrent liabilities	<u>2,281,916</u>	<u>2,591,998</u>
 Total liabilities	 <u>7,427,576</u>	 <u>6,410,339</u>
NET POSITION		
Net investment in capital assets	5,155,572	5,285,400
Unrestricted	1,384,007	654,951
 Total net position	 <u>\$ 6,539,579</u>	 <u>\$ 5,940,351</u>

The notes to basic financial statements are an integral part of this statement.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
FOR THE FISCAL YEAR ENDED JUNE 30, 2013
WITH COMPARATIVE TOTALS FOR THE FISCAL YEAR ENDED JUNE 30, 2012

	<u>2013</u>	<u>2012</u>
Operating Revenues:		
Passenger fares	\$ 1,375,807	\$ 1,386,691
Other operating revenue	183,251	183,931
Total operating revenues	<u>1,559,058</u>	<u>1,570,622</u>
Operating Expenses:		
Transit operating expenses	5,775,197	5,409,782
Administration and financial services	1,436,997	1,414,048
Depreciation	1,296,313	1,293,269
Total operating expenses	<u>8,508,507</u>	<u>8,117,099</u>
Operating loss	<u>(6,949,449)</u>	<u>(6,546,477)</u>
Non-Operating Revenues (Expenses):		
Transportation Development Act funds	4,065,309	3,203,382
Federal and State operating grants	2,706,578	1,646,481
Interest income	5,635	2,896
Fees and reimbursements from other governmental agencies	66,532	629,967
Loss on disposal of capital assets	(1,000)	(1,663)
Settlement expense		(334,698)
Interest expense	(167,257)	(188,664)
Total non-operating revenues (expenses)	<u>6,675,797</u>	<u>4,957,701</u>
Capital Contributions:		
Federal capital grants	567,440	183,160
State capital grants	239,325	389,118
Local capital grants	52,458	236,733
Total capital contributions	<u>859,223</u>	<u>809,011</u>
Other Financing Sources (Uses):		
Transfers from the former SLOCAT	75,758	
Total other financing sources (uses)	<u>75,758</u>	
Change in net position	<u>661,329</u>	<u>(779,765)</u>
Net position, beginning of fiscal year	5,940,351	6,732,866
Prior period adjustment	<u>(62,101)</u>	<u>(12,750)</u>
Net position, beginning of fiscal year, restated	<u>5,878,250</u>	<u>6,720,116</u>
Net position, end of fiscal year	<u>\$ 6,539,579</u>	<u>\$ 5,940,351</u>

The notes to basic financial statements are an integral part of this statement.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
STATEMENT OF CASH FLOWS
FOR THE FISCAL YEAR ENDED JUNE 30, 2013
WITH COMPARATIVE TOTALS FOR THE FISCAL YEAR ENDED JUNE 30, 2012

	<u>2013</u>	<u>2012</u>
Cash Flows From Operating Activities:		
Receipts from customers	\$ 1,741,849	\$ 1,570,622
Payments to suppliers and wages	<u>(5,957,694)</u>	<u>(4,571,172)</u>
Net cash used by operating activities	<u>(4,215,845)</u>	<u>(3,000,550)</u>
 Cash Flows From Capital and Related Financing Activities:		
Acquisition and construction of property, plant, and equipment	(859,223)	(788,762)
Principal paid - loan payable	(308,262)	(308,262)
Interest expense	(167,257)	(188,664)
Proceeds from sale of capital assets		379,319
Capital grants received	<u>859,223</u>	<u>731,811</u>
Net cash (used) by capital and related financing activities	<u>(475,519)</u>	<u>(174,558)</u>
 Cash Flows from Noncapital Financing Activities:		
Grants received	6,694,109	4,399,837
Fees and reimbursements	37,136	629,967
Transfers from the former SLOCAT	<u>75,758</u>	
Net cash provided by noncapital financing activities	<u>6,807,003</u>	<u>5,029,804</u>
 Cash Flows From Investing Activities:		
Interest income	<u>5,635</u>	<u>2,896</u>
Net cash provided by investing activities	<u>5,635</u>	<u>2,896</u>
 Net increase in cash and cash equivalents cash and cash equivalents	2,121,274	1,857,592
Cash and cash equivalents, beginning of fiscal year	<u>2,738,955</u>	<u>881,363</u>
Cash and cash equivalents, end of fiscal year	<u>\$ 4,860,229</u>	<u>\$ 2,738,955</u>

The notes to basic financial statements are an integral part of this statement.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
STATEMENT OF CASH FLOWS
FOR THE FISCAL YEAR ENDED JUNE 30, 2013
WITH COMPARATIVE TOTALS FOR THE FISCAL YEAR ENDED JUNE 30, 2012

	<u>2013</u>	<u>2012</u>
Reconciliation of operating loss to net cash used by operating activities:		
Operating loss	\$ (6,949,449)	\$ (6,546,477)
Adjustments to reconcile operating income (loss) to net cash used by operating activities		
Depreciation expense	1,296,313	1,293,269
Change in operating assets and liabilities:		
Accounts receivable	182,791	
Prepaid items	(1,395)	(12,170)
Inventory	(7,503)	(37,997)
Accounts payable	(158)	(224,601)
Accrued payroll	(124,082)	75,065
Unearned revenue	1,389,458	2,435,402
Compensated absences	(1,820)	16,959
Net cash used by operating activities	<u>\$ (4,215,845)</u>	<u>\$ (3,000,550)</u>

The notes to basic financial statements are an integral part of this statement.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 1 – REPORTING ENTITY

San Luis Obispo Regional Transit Authority (the Agency) is a Joint Powers Agency created by a joint powers agreement among the Cities of San Luis Obispo, Morro Bay, Atascadero, Arroyo Grande, El Paso de Robles, Grover Beach, Pismo Beach, and the County of San Luis Obispo.

The purpose of the Agency is to operate a fixed route public transportation system linking San Luis Obispo to the outlying communities of Morro Bay, Los Osos, Arroyo Grande, El Paso de Robles, Grover Beach, Pismo Beach, Atascadero, Cambria, San Simeon, Nipomo, Santa Maria, Templeton, Santa Margarita, and San Miguel, along with Cuesta College and California Men's Colony. The Agency also owns, operates, and administers a countywide public demand responsive transportation system that is fully accessible for disabled riders. On August 1, 2009, the Agency began in-house vehicle operations and maintenance. Prior to August 1, 2009, a private transportation company provided these services.

The Agency is governed by a Board of Directors comprised of twelve members representing each of the seven cities, in addition to the five members of the County Board of Supervisors.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

- A. Accounting Policies - The accounting policies of the Agency conform to accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board and the American Institute of Certified Public Accountants (AICPA).
- B. Accounting Method - The Agency follows the accrual method of accounting, whereby revenues are recorded as earned, and expenses are recorded when incurred regardless of the timing of related cash flows.
- C. Cash and Cash Equivalents - For purposes of the statement of cash flows, cash and cash equivalents include restricted and unrestricted cash and restricted and unrestricted certificates of deposit with original maturities of three months or less.
- D. Accounts Receivable – The Agency did not experience any significant bad debt losses; accordingly, no provision has been made for doubtful accounts, and accounts receivable are shown at full value.
- E. Inventory – Inventories are valued at the lower of cost or market. Cost is determined using the first-in, first-out method.
- F. Property, Plant, and Equipment – Capital assets purchased by the Agency are recorded at cost. Contributed or donated capital assets are recorded at fair value when acquired. Capital assets are defined by the Agency as assets with initial, individual costs of more than \$5,000 and estimated useful life in excess of two years.
- G. Depreciation – Capital assets purchased by the Agency are depreciated over their estimated useful lives (ranging from 5-15 years) under the straight-line method of depreciation.
- H. Compensated Absences – Accumulated unpaid employee vacation and sick leave benefits are recognized as liabilities of the Agency.
- I. Revenue Recognition - The Agency's primary source of revenues include passenger fares, State Transit Assistance funds, and Local Transportation Fund/Transportation Development Act (TDA) allocations made to the participating members, but assigned by the members to this Agency for its sole use. The San Luis Obispo Council of Governments administers the State Transit Assistance and Transportation Development Act funds, approves claims for such funds submitted by this Agency, and makes payments to the Agency based upon such claims.

Generally, amounts due from other governments are recorded as revenues when earned. However, when the expenditure of funds is the prime factor for determining eligibility for grants, revenue is accrued when the related expenditures have been made on an approved grant. The Agency recognizes as revenues the amounts allocated and approved to it by San Luis Obispo Council of Governments.

- J. Net Position - GASB Statement No. 63 requires that the difference between assets added to the deferred outflows of resources and liabilities added to the deferred inflows of resources be reported as net position. Net position is classified as either net investment in capital assets, restricted, or unrestricted.

Net position that is net investment in capital assets consist of capital assets, net of accumulated depreciation, and reduced by the outstanding principal of related debt. Restricted net position is the portion of net position that has external constraints placed on it by creditors, grantors, contributors, laws, or regulations of other governments, or through constitutional provisions or enabling legislation. Unrestricted net position consists of net position that does not meet the definition of net investment in capital assets or restricted net position.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

K. Use of Estimates -The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America, as prescribed by the GASB and the AICPA, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reported period. Actual results could differ from those estimates.

L. New Accounting Pronouncements

Governmental Accounting Standards Board Statement No. 60

For the fiscal year ended June 30, 2013, the Agency implemented Governmental Accounting Standards Board (GASB) Statement No. 60, "Accounting and Financial Reporting for Service Concession Arrangements." This Statement is effective for periods beginning after December 15, 2011. The objective of this Statement is to improve financial reporting by addressing issues related to Service Concession Arrangements. This Statement improves consistency in reporting and enhances the comparability of the accounting and financial reporting of Service Concession Arrangements among state and local governments. Implementation of the GASB Statement No. 60, did not have an impact on the Agency's financial statements for the fiscal year ended June 30, 2013.

Governmental Accounting Standards Board Statement No. 61

For the fiscal year ended June 30, 2013, the Agency implemented Governmental Accounting Standards Board (GASB) Statement No. 61 "The Financial Reporting Entity: Omnibus." This statement is effective for periods beginning after June 15, 2012. The objective of this Statement is to improve financial reporting for component units. The Statement modifies certain requirements for inclusion of component units in the financial reporting entity and clarifies the reporting of equity interests in legally separate organizations. Implementation of the GASB Statement No. 61, did not have an impact on the Agency's financial statements for the fiscal year ended June 30, 2013.

Governmental Accounting Standards Board Statement No. 62

For the fiscal year ended June 30, 2013, the Agency implemented Governmental Accounting Standards Board (GASB) Statement No. 62 "Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements." This Statement is effective for periods beginning after December 15, 2011. The objective of this Statement is to incorporate into the GASB's authoritative literature certain accounting and financial reporting guidance that is included in the FASB and AICPA pronouncements issued on or before November 30, 1989. This Statement specifically identifies and consolidates the accounting and financial reporting provisions that apply to state and local governments. Implementation of the GASB Statement No. 62, did not have an impact on the Agency's financial statements for the fiscal year ended June 30, 2013.

Governmental Accounting Standards Board Statement No. 63

For the fiscal year ended June 30, 2013, the Agency implemented Governmental Accounting Standards Board (GASB) Statement No. 63, "Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position." This Statement is effective for periods beginning after December 15, 2011. The objective of this Statement is to establish guidance for reporting deferred outflows of resources, deferred inflows of resources, and net position in a statement of financial position. This Statement sets forth framework that specifies where deferred outflows of resources and deferred inflows of resources, as well as assets and liabilities should be displayed. This Statement also specifies how net position, no longer referred to as net assets, should be displayed. Implementation of the Statement and the impact of the Agency's financial statements are explained in Note 2 – J. Net Position.

M. Comparative Data/Totals Only – Comparative total data for the prior fiscal year has been presented in certain accompanying financial statements in order to provide an understanding of the changes in the Agency's financial position, operations, and cash flows. Also, certain prior fiscal amounts have been reclassified to conform to the current fiscal year financial statements presentation.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 3 - CASH AND INVESTMENTS

On June 30, 2013 the Agency had the following cash and investments on hand:

Cash on hand and in banks	\$ 521,110
Investments	<u>4,339,119</u>
Total cash and investments	<u><u>\$ 4,860,229</u></u>

Cash and investments listed above are presented on the accompanying basic financial statements as follows:

Cash and investments, statement of net assets	<u><u>\$ 4,860,229</u></u>
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Investments Authorized by the California Government Code

The table below identifies the investment types that are authorized for the Agency by the California Government Code. The table also identifies certain provisions of the California Government Code that address interest rate risk, credit risk, and concentration of credit risk.

<u>Authorized Investment Type</u>	<u>Maximum Maturity</u>	<u>Maximum Percentage of Portfolio</u>	<u>Maximum Investment in One Issuer</u>
U.S. Treasury Obligations	5 years	None	None
U.S. Agency Securities	5 years	10%	5%
Bankers' Acceptances	180 days	40%	30%
Commercial Paper	270 days	25%	10%
Negotiable Certificates of Deposit	5 years	30%	None
Repurchase Agreements	1 year	None	None

Investments Authorized by the California Government Code (Continued)

Reverse Repurchase Agreements	92 days	20% of base value	None
Medium-Term Notes	5 years	30%	None
Mutual Funds	N/A	20%	10%
Money Market Mutual Funds	N/A	20%	10%
Mortgage Pass-Through Securities	5 years	20%	None
Local Agency Investment Fund (LAIF)	N/A	None	None
County Investment Pool	N/A	None	None

Disclosures Relating to Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the Agency manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

Information about the sensitivity of the fair values of the Agency's investments (including investments held by bond trustees) to market interest rate fluctuations is provided by the following table, that shows the distribution of the Agency's investments by maturity:

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 3 - CASH AND INVESTMENTS (Continued)

Investment Type	Carrying Amount	Remaining Maturity (in Months)			
		12 Months or Less	13-24 Months	25-60 Months	More than 60 Months
San Luis Obispo County Investment Pool	\$ 4,339,119	\$ 4,339,119	\$ -	\$ -	\$ -
Total	\$ 4,339,119	\$ 4,339,119	\$ -	\$ -	\$ -

Disclosures Relating to Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of rating by a nationally recognized statistical rating organization. Presented on the following page is the minimum rating required by the California Government Code, the Agency's investment policy, or debt agreements, and the actual rating as of fiscal year end for each investment type.

Investment Type	Carrying Amount	Minimum Legal Rating	Exempt from Disclosure	Rating as of Fiscal Year End		
				AAA	AA	Not Rated
San Luis Obispo County Investment Pool	\$ 4,339,119	N/A	\$ -	\$ -	\$ -	\$ 4,339,119
Total	\$ 4,339,119		\$ -	\$ -	\$ -	\$ 4,339,119

Concentration of Credit Risk

The investment policy of the Agency contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code.

Custodial Credit Risk

Custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, the Agency will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The California Government Code and the Agency's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The fair value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure the Agency's deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

The Agency may waive collateral requirements for deposits which are fully insured up to \$250,000 by the Federal Deposit Insurance Corporation.

The custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the Agency's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 4 – CAPITAL ASSETS

Capital assets activity for the fiscal year ended June 30, 2013, was as follows:

	<u>Balance July 1, 2012</u>	<u>Increases</u>	<u>Decreases</u>	<u>Balance June 30, 2013</u>
Capital assets, not being depreciated				
Land	\$ -	\$ -	\$ -	\$ -
Total capital assets, not being depreciated	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Capital assets, being depreciated				
Building and improvements	\$ 4,604,670	\$ -	\$ -	\$ 4,604,670
Vehicles and Equipment	9,911,236	859,223	253,775	10,516,684
Total capital assets, being depreciated	<u>14,515,906</u>	<u>859,223</u>	<u>253,775</u>	<u>15,121,354</u>
Less accumulated depreciation for:				
Building and improvements	6,456,147	1,296,313	252,775	7,499,685
Total accumulated depreciation	<u>6,456,147</u>	<u>1,296,313</u>	<u>252,775</u>	<u>7,499,685</u>
Total capital assets, being depreciated, net	<u>\$ 8,059,759</u>	<u>\$ (437,090)</u>	<u>\$ 1,000</u>	<u>\$ 7,621,669</u>
Governmental activities, capital assets, net	<u>\$ 8,059,759</u>	<u>\$ (437,090)</u>	<u>\$ 1,000</u>	<u>\$ 7,621,669</u>

Depreciation expense for the fiscal year ended June 30, 2013, was \$1,296,313. The depreciation expense for the fiscal year ended June 30, 2012, was \$1,293,269.

NOTE 5 – UNEARNED REVENUE

Unearned revenue at June 30, 2013 and 2012 consisted of the following:

	<u>2013</u>	<u>2012</u>
TDA Local Transportation Funds	\$ 2,008,775	\$ 614,830
The Agency received an advance from developers for construction of bus stops as a condition imposed by the County Board of Supervisors. These funds are deferred until the bus stops have been constructed	30,855	30,855
The Agency distributes Universal bus passes to Social Services and the general public as part of a "Welfare to Work Program." These funds are deferred revenue until they are tendered or redeemed.		29,547
Prop 1B funding	<u>2,339,386</u>	<u>2,252,225</u>
Total unearned revenues	<u>\$ 4,379,016</u>	<u>\$ 2,927,457</u>

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 6 – OPERATING SUBSIDIES FROM LOCAL TRANSPORTATION AND STATE TRANSIT ASSISTANCE FUNDS

The County was allocated the following funds from the Local Transportation Funds (LTF) and State Transit Assistance the fiscal years ended June 30, 2013 and 2012:

Allocation Assigned By/Claimant	Article/ Section	Amount	
		2013	2012
Local Transportation Fund:			
City of Arroyo Grande	4 / 99260(a)	\$ 149,702	\$ 135,219
City of San Luis Obispo	4 / 99260(a)	504,700	452,612
County of San Luis Obispo	4 / 99260(a)	2,083,472	1,232,111
City of Grover Beach	4 / 99260(a)	114,175	102,796
City of Morro Bay	4 / 99260(a)	89,045	79,519
City of Atascadero	4 / 99260(a)	247,093	221,216
City of El Paso de Robles	4 / 99260(a)	258,817	232,778
City of Pismo Beach	4 / 99260(a)	66,450	58,259
Total LTF		3,513,454	2,514,510
State Transit Fund:			
Regional Transit Authority	6.5 / 99313	975,396	638,350
Regional Transit Authority	6.5 / 99314	87,634	50,522
Total STF		1,063,030	688,872
Add: Recognition of prior fiscal year unearned revenues (from SLOCAT)		951,494	
Less: Current fiscal year unearned revenues		(1,402,383)	
Total TDA Revenue		\$ 4,125,595	\$ 3,203,382

Transit system operating subsidies are earned by the County to the extent that it has incurred eligible operating expenses. Eligible expenses compared to the subsidies received and accrued were as followed:

	2013	2012
Operating and interest expenses	\$ 8,675,764	\$ 8,305,763
Add:		
Capital purchases with LTF and STF	60,286	
Less:		
Depreciation	(1,296,313)	(1,293,269)
Fare revenues	(1,375,807)	(1,386,691)
Special events and other revenues	(183,251)	(183,931)
Federal and state operating grants	(2,706,578)	(1,646,481)
Maximum total allocation amount	3,174,101	3,795,391
TDA allocations received and accrued	4,576,484	3,203,382
Change in TDA transit allocations in unearned revenues	(1,402,383)	
Allocation over/(under) maximum	\$ -	\$ (592,009)

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 7 – FARE REVENUE RATIO

The Agency had fare revenue ratios for the fiscal year ended June 30, 2013 as computed as follows:

	<u>Fixed Route</u>	<u>Runabout</u>		
(a) Operating fare revenues	\$ 1,242,921	\$ 103,982		
(b) Operating expenses, net of depreciation	<u>4,032,935</u>	<u>2,577,977</u>		
(c) Fare revenue ratio [(a) / (b)]	30.82%	4.03%		
Minimum ratio required	<u>16.10%</u>	<u>N/A</u>		
Under minimum ratio requirement	<u>N/A</u>	<u>N/A</u>		
	<u>Nipomo</u>	<u>South Bay Dial a Ride/ Los Osos Flex Route 15 weekend Extended Service</u>	<u>Cambria Trolley</u>	<u>Avila Trolley</u>
(a) Operating fare revenues	\$ 19,114	\$ 581	\$ 4,663	\$ 4,147
(b) Operating expenses, net of depreciation	<u>330,022</u>	<u>12,393</u>	<u>44,030</u>	<u>65,616</u>
(c) Fare revenue ratio [(a) / (b)]	5.79%	4.69%	10.59%	6.32%
Minimum ratio required	<u>10.00%</u>	<u>10.00%</u>	<u>10.00%</u>	<u>10.00%</u>
Under minimum ratio requirement	<u>4.21%</u>	<u>5.31%</u>	<u>N/A</u>	<u>3.68%</u>

The Agency had fare revenue ratios for the fiscal year ended June 30, 2012 as computed as follows:

	<u>Fixed Route</u>	<u>Runabout</u>
(a) Operating fare revenues	\$ 1,160,880	\$ 97,795
(b) Operating expenses, net of depreciation	<u>4,028,914</u>	<u>2,328,598</u>
(c) Fare revenue ratio [(a) / (b)]	28.81%	4.20%
Minimum ratio required	<u>15.74%</u>	<u>N/A</u>
Under minimum ratio requirement	<u>N/A</u>	<u>N/A</u>

The County had fare revenue ratios for the fiscal year ended June 30, 2012, computed as follows:

	<u>Nipomo</u>	<u>South Bay Dial a Ride/ Los Osos Flex Route 15 weekend Extended Service</u>	<u>Cambria Trolley</u>	<u>Avila Trolley</u>
(a) Operating fare revenues	\$ 15,356	\$ 32,396	\$ 2,621	\$ 7,659
(b) Operating expenses, net of depreciation	<u>303,841</u>	<u>232,358</u>	<u>18,284</u>	<u>69,635</u>
(c) Fare revenue ratio [(a) / (b)]	5.05%	13.94%	14.33%	11.00%
Minimum ratio required	<u>10.00%</u>	<u>10.00%</u>	<u>10.00%</u>	<u>10.00%</u>
Under minimum ratio requirement	<u>4.95%</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 7 – FARE REVENUE RATIO (Continued)

The Agency was in compliance with applicable TDA regulations pertaining to acceptable fare revenue ratios for routes encompassing both urbanized and non-urbanized areas which require a minimum ratio of 16.10% blended rate as approved by San Luis Obispo Council of Governments. When the fare revenue ratio is under the minimum requirement for two consecutive years, there is a potential for a reduction in future TDA eligibility for the difference between the required minimum and actual fares in accordance with Public Utilities Code Section 99268.9 and CCR Section 6633.9, unless waived by the San Luis Obispo Council of Governments.

NOTE 8 – LONG TERM DEBT

	Balance	Increases	Decreases	Balance at June 30, 2013		
	July 1, 2012			Total	Current	Long Term
Vacation	\$ 102,482	\$ 117,153	\$ 124,609	\$ 95,026	\$ -	\$ 95,026
Sick leave	23,419	35,690	30,054	29,055		29,055
Loan payable	2,774,359		308,262	2,466,097	308,262	2,157,835
Total	\$ 2,900,260	\$ 152,843	\$ 462,925	\$ 2,590,178	\$ 308,262	\$ 2,281,916

NOTE 9 – LOAN PAYABLE

The Agency entered into loan with Rabobank on June 1, 2011. The original balance of the loan was \$3,082,621. The loan has a fixed interest rate of 6.25% until July 1, 2016, when the interest rate becomes variable based on the Rabobank Prime Rate (Index) plus 3.0 percentage points. Payment on the loan is due in variable monthly interest payments beginning on July 1, 2011 and semi-annual principal payments of \$154,131 beginning October 31, 2011, with all outstanding principal plus accrued unpaid interest due on April 30, 2021. The outstanding principal balance at June 30, 2013, was \$2,466,097.

NOTE 10 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS

As of June 30, 2013, the Agency does not offer any significant post-employment benefits.

NOTE 11 – INSURANCE

The Agency is exposed to various risks of loss related to torts, theft, damage to, or destruction of an asset and errors or omissions. The Agency maintains comprehensive general liability including automobile insurance of \$20 million for buses, vans, equipment, and facilities. The Agency also purchases commercial Special Liability Insurance and Special Agency Property Insurance with limits of \$20 million per occurrence and \$100 million annual aggregate.

NOTE 12 - EMPLOYEES’ RETIREMENT PLAN/DEFINED BENEFIT PENSION PLAN (FULL TIME EMPLOYEES)

California Public Employees’ Retirement System (CalPERS)

Plan Description

The Agency contributes to the California Public Employees’ Retirement System (CalPERS), a cost-sharing multiple-employer public employee retirement system defined benefit pension plan administered by CalPERS. The Plan provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provisions are established by State statutes, as legislatively amended, within the Public Employees’ Retirement Law. CalPERS issues a separate comprehensive annual financial report that includes financial statements and required supplementary information. Copies of the CalPERS’ annual financial report may be obtained from the CalPERS Executive Office, 400 P Street, Sacramento, California 95814.

Funding Policy

Active plan members are required to contribute 7.0% of their salary and the Agency makes the required contributions for all employees. The actuarial methods and assumptions used for determining the rate are those adopted by the CalPERS Board of Administration. The required employer contribution rate for the fiscal year 2012-2013, was 14.466% for miscellaneous employees annual payroll. The contribution requirements of Plan members are established by State statutes. The Agency’s contributions to CalPERS for the fiscal years ending June 30, 2013, 2012, and 2011, were \$48,498, \$40,618, and \$59,146, respectively, and equal 100% of the required contributions for each fiscal year.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
NOTES TO BASIC FINANCIAL STATEMENTS
JUNE 30, 2013

NOTE 13 – OPERATING LEASE

The Agency has entered into an operating lease for office facilities and bus yard with lease terms in excess of one year. Future minimum lease payments under this agreement are as follows:

<u>Year Ended June 30</u>	
2014	\$ 360,826
2015	369,846
2016	379,093
2017	<u>192,282</u>
	<u>\$ 1,302,047</u>

NOTE 14 – PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICE ENHANCEMENT ACCOUNT

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in November 2006, included a program of funding in the amount of \$4 billion to be deposited in the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA). Of this amount, \$3.6 billion in the PTMISEA was made available to project sponsors in California for allocation to eligible public transportation projects for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or rolling stock procurement, rehabilitation, expansion, or replacement. PTMISEA eligibility is based on STA allocations to each project sponsor during the fiscal years 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10 and 2010-11, and were made available during these 2011-12 fiscal years. Qualifying expenditures must be encumbered within three years from the date of allocation and expended within three years from the date of the encumbrance.

Interest earned on funds to date is \$10,907. The Agency had qualifying expenditures incurred under this program from previous allocation totaling \$982,626, of which \$803,719 was used to reimburse local funds used in prior years and the remaining amount is included in state capital grants in the accompanying financial statements.

NOTE 15 – TRANSFER FROM SLOCAT

As of July 1, 2012 SLORTA assumed full operation and administration of county transit services, with SLORTA acting as the direct TDA recipient. Fund balance transferred to SLORTA were \$75,758. Cash and investments of \$1,226,316, accounts payable of \$198,609, and Unearned revenue of \$951,949 were also transferred.

NOTE 16 – PRIOR PERIOD ADJUSTMENT

A prior period adjustment of (\$62,101) was made to the financial statements. The prior period adjustment represents Proposition 1B funding that was improperly recorded as revenue in the previous fiscal year instead of classification as unearned revenue.

SUPPLEMENTARY INFORMATION SECTION

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
 SCHEDULE OF EXPENSES
 BUDGET AND ACTUAL
 FOR THE FISCAL YEAR ENDED JUNE 30, 2013

	Adopted Budget	Actual	County Services Actual	Variance with Budget
Administration:				
Labor	\$ 736,692	\$ 654,090	\$ 21,911	\$ 82,602
Labor - Administration Workers Comp	33,081	29,835	-	3,246
Office Space Rental	401,278	402,332	-	(1,054)
Property Insurance	13,000	15,255	-	(2,255)
Professional Technical Services	127,520	59,108	-	68,412
Professional Development	10,000	11,162	-	(1,162)
Operating Expense	190,685	180,340	-	10,345
Marketing and Reproduction	80,000	84,875	458	(4,875)
County Management Contract	(175,000)	(175,000)	175,000	-
SCAT Management Contract	(77,500)	(77,500)	-	-
Total Administration	1,339,756	1,184,497	197,369	155,259
Service Delivery:				
Labor - Operations	2,606,717	2,537,706	154,865	69,011
Labor - Operations Worker Comp	185,537	167,417	10,302	18,120
Labor - Maintenance	654,862	669,076	40,624	(14,214)
Labor - Maintenance Workers Comp	58,336	52,612	3,237	5,724
Fuel	1,434,884	1,263,454	33,086	171,430
Insurance	276,335	264,641	8,972	11,694
Special Transportation (includes Senior Vans, Lucky Bucks, etc)	79,925	75,950	75,513	3,975
Avila Trolley	66,100	46,444	48,018	19,656
Senior Shuttle	80,000	73,633	-	6,367
Maintenance (parts, supplies, materials)	486,355	494,176	13,764	(7,821)
Maintenance Contract Costs	124,283	130,088	3,683	(5,805)
Total Operations	6,053,334	5,775,197	392,064	278,137
Capital/Studies:				
Computer System Maintenance/Upgrades	6,678	13,493	-	(6,815)
Miscellaneous Capital	-	-	-	-
Automatic Ticket Machine	69,000	-	-	69,000
Transmission Jack	7,480	7,021	-	459
Wheel Alignment Tool	1,430	-	-	1,430
Opacity Tester	6,820	5,896	-	924
Coolant Flush	4,290	7,203	-	(2,913)
Camera System	61,787	-	-	61,787
Bus Rehabilitation	100,000	24,824	-	75,176
Vehicles	3,645,510	800,786	88,255	2,844,724
Total Capital Outlay	3,902,995	859,223	88,255	3,043,772
Contingency	100,000	-	-	100,000
Interest Expense	168,585	167,257	-	1,328
Loan Paydown	308,262	308,262	-	-
Management Contracts	252,500	252,500	-	-
TOTAL FUNDING USES	\$ 12,125,432	\$ 8,546,936	\$ 677,688	\$ 3,578,496
TOTAL EXPENSES, BUDGETARY BASIS		\$ 8,546,936		
ADD:				
DEPRECIATION		1,296,313		
LESS:				
CAPITALIZED EXPENSES		(859,223)		
LOAN PRINCIPAL PAYMENTS		(308,262)		
NON-OPERATING EXPENSES		(167,257)		
TOTAL OPERATING EXPENSES PER FINANCIAL STATEMENTS		\$ 8,508,507		

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

November 6, 2013

STAFF REPORT

AGENDA ITEM: A-2

TOPIC: Planning and Programming of FTA-Funded Projects

PRESENTED BY: Geoff Straw

STAFF RECOMMENDATION: Receive as Information

BACKGROUND/DISCUSSION:

SLOCOG staff assists the three urbanized areas in the County in planning and programming Federal Transit Administration funds on an annual basis. On September 17, 2013 SLOCOG distributed a letter to all transit operators in the urbanized portions of the county (RTA/SCT, SLO Transit, Paso Express and Atascadero Transit) that detailed the process that would be used this year, with the goal of bringing a recommended final Program of Projects to the SLOCOG Board at its December 4, 2013 meeting. Of particular interest is a longer planning horizon that would be used this year; each transit agency was required to propose projects in the next five years.

It should be noted that the current two-year federal transportation bill (known as *Moving Ahead for Progress in the 21st Century*, or MAP-21) no longer includes discretionary funds for transit capital projects that the region has traditionally used to fund costly bus replacement and/or facility projects. As an example, RTA was successful in recent years in attaining over \$4 million in FTA State of Good Repair funds to replace eleven full-size buses. Instead, MAP-21 provides increased formula funds that small urbanized areas can use for capital projects. As mentioned in earlier RTA and SLOCOG meetings, it is clear that the total amount of FTA funds available to the region has been drastically reduced in comparison to previous years.

RTA used this opportunity to develop a long-range vehicle replacement plan that would identify needs for at least two replacements of each bus, based on the planned life for each vehicle type and an assumption of status quo service (i.e., no growth over the next 25 years) in the future. While this is not a realistic assumption – certainly RTA services will need to increase over time to meet increasing transit demand – staff wanted to help define the problem using baseline assumptions. In total, RTA identified the need for 62 fixed route / trolley bus replacements and 88 Runabout/Dial-A-Ride minibus replacements through 2036. Assuming 5% annual inflation in the cost of vehicles, this equates to over \$48 million for RTA alone. Other potential projects include federally-assisted operating costs, planning projects, bus stop improvements, facility and equipment purchases/upgrades, and support vehicle purchases.

SLOCOG conducted meetings in each of the three urbanized areas in late-September and October to review proposed projects, and to determine if unanimity could be achieved, despite the scarcity of FTA funds and needs in the region that far outstrip anticipated revenues. All participants agreed that maximizing FTA funds for operating/planning needs is the highest priority, followed by bus replacement / bus rehabilitation projects. RTA staff's next highest priority is solving our long-term operations/maintenance facility needs, followed by a consolidated downtown SLO transit center. The lowest-priority projects – while still important – include bus stop improvement projects, and support vehicles. Since SLOCOG is still working with urbanized transit operators to finalize the financially constrained list of projects in each urbanized area, RTA staff will provide an updated table at the RTA Board meeting on November 6th.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

November 6, 2013

STAFF REPORT

AGENDA ITEM: A-3

TOPIC: North County Transit Consolidation Update

PRESENTED BY: Geoff Straw

STAFF RECOMMENDATION: Receive as Information

BACKGROUND/DISCUSSION:

This report is intended to provide a summary of recent developments in efforts to reduce essentially duplicate transit service in the North County area by consolidating some locally-provided services into RTA. SLOCOG and RTA are working with staff and elected officials at the Cities of Atascadero and Paso Robles to build upon the Term Sheet ratified by RTA, SLOCOG and the two Cities in May 2013, with the hope of bringing an Agreement to the SLOCOG Board at its December meeting.

The SLOCOG Board adopted the North County Transit Plan in June 2012, following similar actions by the Paso Robles and Atascadero City Councils. The key Plan service recommendations are:

1. Consolidate the entire Paso Express Routes A, B and C into the RTA, with the local Route C (North Cuesta-downtown Paso Robles-Twin Cities) service replaced by an extended RTA Route 9.
2. Eliminate the El Camino Shuttle (Twin Cities-downtown Atascadero-Paloma Park) and related Saturday Traveler Shuttle as a municipal service, and replace it with an extended RTA Route 9 in north Atascadero.
3. Maintain the Atascadero Dial-A-Ride solely within the City of Atascadero control.
4. Resume some transit service in downtown Templeton (County request), as well as RTA Route 9 service to the Twin Cities Hospital.
5. Increase weekday express service frequencies along RTA Route 9.

The direct benefits of North County Transit Consolidation as recommended by the 2012 North County Transit Plan are:

1. Savings in Local Transportation Funds (LTF) (state monies eligible for transit, bicycle projects, streets and roads), and

2. Reduced demands by municipal systems on Federal Transit Administration Section 5307 program funds.

Between September 2012 and early 2013, SLOCOG retained the North County Transit Plan consultant team to review several items needing more analysis. Those items included:

1. An outline for a recommended Memorandum of Understanding for the two Cities, SLOCOG and RTA.
2. A range of options to distribute projected operating savings between the two Cities.
3. A more detailed implementation plan and schedule.
4. Updated operating and maintenance cost models, as the ones used by the Plan dated back to FY10-11.

In May 2013, RTA adopted a two-year budget that included “North County Transit” as an off-JPA program. The FY13-14 budget included costs and revenues only for the months of May and June 2014, while the second year (FY14-15) included the costs and revenues for the entire fiscal year.

A missing piece from the original North County Transit Plan was how the LTF and FTA revenues would be treated. In short, the original Plan focused only on expenses at the local level and not how revenues should be budgeted by each City. As a result, the decision was made to proceed using in-house SLOCOG and RTA staff resources to develop itemized financial tables for each City that included new assumptions on cost inflation rates by mode and growth factors by revenue source.

This effort began in mid-summer 2013, and included several meetings held in August and September with staff from each City, including Transit and Finance Managers. Several iterations of tables were developed that projected the net savings in local LTF and FTA Section 5307 funds over a five-year period. The team also projected Transportation Development Act (TDA) penalties levied by SLOCOG for not meeting State-mandated farebox recovery ratios (FRRs) over the five-year Plan period. While the projections suggest neither City can reach the mandated FRR for their local Dial-A-Ride programs, the financial impact to each City would be lower under the Consolidation scenario. Compliance with FRRs under the No-Consolidation scenario was found to be much more problematic, leading to large penalties as the Dial-A-Ride FRR would be 20% under No-Consolidation instead of 15% under Consolidation. RTA staff also developed a Milestone Schedule with input from SLOCOG, Atascadero and Paso Robles officials to help guide important action items necessary to consolidate services.

RTA and SLOCOG staff updated the financial estimates in September 2013 following additional input from City staff. In FY14-15, the first full year savings in the North County will be roughly \$292,700 – equating to more than 25% of the recent transit LTF claims of both Cities combined. Specifically, it is estimated that Paso Robles would save approximately \$202,400 and Atascadero would save \$90,300 under the Consolidation scenario in the first full year. Over the five-year Plan period, total LTF savings – which include TDA penalties for failure to achieve mandated FRRs – equate to almost \$1.8 million. Furthermore, the Consolidation scenario will save approximately \$520,500 in Federal Transit Administration funds that could be used elsewhere in the County over the five-year Plan period.

It should be noted that the original 2012 North County Transit Plan suggested some of the net LTF savings could be used to implement additional RTA Route 9 Express runs. However, at this time, there does not appear to be support from City officials to pursue using local LTF cost-savings realized under Consolidation to pay for increased Route 9 Express runs, as they have stated those regional need costs should be the responsibility of the entire region as identified in the RTA JPA.

RTA staff is currently working closely with City of Paso Robles officials to consolidate Paso Express fixed route and Paso Dial-A-Ride services into RTA before June 1, 2014. A draft operating agreement – modeled closely on the one between RTA and SLO County – has been circulated for comments. If the RTA Board is amenable and sufficient progress is made in negotiations with the City of Paso Robles, staff proposes to bring the final agreement to a special RTA Board meeting on December 4, 2013, directly following the normally-scheduled SLOCOG Board meeting, for consideration of the operating agreement.

RTA and SLOCOG staff also continue to work with Atascadero officials to determine if the Atascadero El Camino Shuttle services should be consolidated into RTA as identified in the North County Transit Plan. However, there currently appears to be areas of discomfort. RTA staff has indicated to City officials a need to finalize a decision on whether to consolidate or not by the end of November 2013 (originally October 2013) in order to ensure a smooth transition for the proposed consolidation prior to June 2014. A new issue that has arisen in the past few weeks is if Paso Robles moves forward with Consolidation without Atascadero joining in, it is likely that Atascadero might face difficulties attracting a third-party contractor interested in managing the relatively small, stand-alone Dial-A-Ride / El Camino Shuttle program at an economical price, which would impact the cost-savings estimated in the September 2013 projections. Staff will continue to work with Atascadero officials to determine the likely impact.

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
November 6, 2013
STAFF REPORT

AGENDA ITEM: **B-1**

TOPIC: **Analysis of Summer Special Services**

ACTION: **Adopt Staff’s recommendation that Summer Youth Ride Free Program be provided in Summer 2014, and that the Summer Beach Shuttle Program not be operated in Summer 2014**

PRESENTED BY: **Geoff Straw**

BACKGROUND/DISCUSSION:

This report will provide a summary of the successes and challenges of RTA’s participation in two special programs operated during the summer months in 2013:

1. The countywide summer Youth Ride Free program.
2. The Summer Beach Shuttle.

In summary, RTA is recommending that RTA should fully participate in the Summer Youth Ride Free program again next year, but that the Summer Beach Shuttle service should be eliminated due to lack of ridership support.

Summer Youth Ride Free

RTA participated in the countywide Summer Youth Ride Free program for the second straight year. Under this program, K-12 students can board without having to purchase a pass or pay a cash fare – the youth rider merely needed to provide proof (school identification card or other identification) that he or she is eligible for the program. The 2013 Summer Youth Ride Free program was operated from June 1 through August 31.

Youth boardings on RTA routes increased dramatically from 30,820 in 2012 to 39,058 in 2013 – representing a 26.7% annual increase. Overall ridership on RTA routes (including youth riders) increased from 170,794 in summer 2012 to 184,066 in summer 2013, a 7.8% increase. RTA’s overall fare revenues increased from \$301,770 in summer 2012 to \$396,625 in summer 2013, an increase of 31.4%. The overall average fare per passenger-trip (including all riders, whether fare-paying or not) increased slightly from \$1.77 in summer 2012 to \$2.15 in summer 2013 – representing a 21.5% overall increase. The proportion of youth riders to all riders on RTA services increased from 18.0% in summer 2012 to 21.2% in summer 2013. While RTA Bus Operators and Supervisors had to occasionally cope with overcrowding on some bus trips in summer

2013, increased outreach by RTA staff to the YMCA and other youth group agencies seems to have stemmed the majority of the behavior and overcrowding issues that were experienced in summer 2012. In addition, staff received positive feedback from many riders and their parents via telephone and written messages supporting the Youth Ride Free program throughout the county. For these reasons, staff is recommending that the Summer Youth Ride Free program be considered again in summer 2014.

Summer Beach Shuttle

Based on public input that a connector service between the North County and North Coast communities should be operated, RTA worked with SLOCOG to set aside \$40,000 in discretionary STA funds to operate an experimental service during summer 2013. At the March 6, 2013 RTA Board meeting, two performance standards (discussed below) were proposed by staff against which operating and financial statistics could be compared to help evaluate the success of the Summer Beach Shuttle.

Following input from RTAC, local officials and interested members of the public, RTA developed the final Highway 41 Summer Beach Shuttle service plan. This experimental service operated three daily roundtrips Tuesday through Saturday, connecting the communities of Paso Robles and Atascadero with Morro Bay and Cayucos. It operated from Friday, June 7, 2013, through Saturday, August 24, 2013. The service was originally operated using a 40-foot bus, but a smaller cutaway minibus was instead operated after it became clear the additional capacity of a full-size bus was not necessary (and to save fuel costs).

Unfortunately, ridership and farebox revenues results did not approach the levels identified in the standards adopted by the RTA Board at its March 2013 meeting. Specifically, two standards were adopted:

1. Ridership Standard – 9.5 passengers per service hour / 60 passengers per day, which equates to 3,450 trips for the summer 2013 season.
2. Farebox Revenues Standard – a total of \$2,588 in revenue (equating to ~6% in farebox recovery ratio) for the first summer of service.

Ridership on the Beach Shuttle totaled only 2,085 (or 60% of the standard), equating to a productivity of only 6.2 passenger-boardings per hour of service. Farebox receipts only totaled \$562 (21.7% of the standard), equating to a farebox recovery ratio of approximately 1%. It should be noted that almost 80% of riders were youth that did not pay a cash fare. While this fare-free program surely helped the ridership number approach the standard, it was not enough to ensure the program's success. On the positive side, we received some positive input from riders – particularly about the friendliness of the Bus Operator who drove this shift throughout the summer – and well over 10% of Beach Shuttle riders used the bus bike rack.

Based on the poor performance of the Beach Shuttle, staff is recommending that the Beach Shuttle program not be re-implemented next summer.

STAFF RECOMMENDATION:

Adopt Staff's Recommendation that Summer Youth Ride Free be Provided in Summer 2014, and that the Summer Beach Shuttle Program Not be Operated in Summer 2014



San Luis Obispo Regional Transit Authority
Executive Committee Meeting
Minutes 8/7/2013
C-1

Members Present: Frank Mecham, President
Shelly Higginbotham, Vice President
Fred Strong, Past President

Members Absent: None

Staff Present: Geoff Straw, Executive Director
Tania Arnold, CFO and Director of Administration
Anna Mafort-Lacy, Administrative Assistant
Tim McNulty, County Counsel

Also Present: Ron DeCarli, SLOCOG
Pete Rodgers, SLOCOG

1. Call to Order and Roll Call:

President Frank Mecham called the meeting to order at 1:26 p.m. Silent Roll Call was taken and a quorum was present.

2. Public Comments:

None

3. Information Items

A. Information Items:

A-1 Executive Director's Report

Mr. Straw said all six of the remaining seven RTA and South County Transit replacement buses are currently on the Gillig production line. He presented a picture that was provided by the online inspection contractor who is helping to manage the process. RTA/SCT has taken possession of three out of the 10 total and expects to receive the fourth bus of the 10 total today. Staff is planning a September 4th ribbon cutting ceremony beginning at 8 a.m., just before the RTA Board meeting.

Staff continues to monitor and plan for Route 9 service disruptions at Highway 58/101. **Mr. Straw** announced the new Employee of the Quarter, **Mr. Rey Gonzalez**, who will attend the September 4 Board meeting.

The Regional Transportation Advisory Committee of July 17 was cancelled due to a lack of pending issues.

Maintenance has been sending all technicians, two at a time, to the Gillig factory in Hayward. Here, they see how the buses are assembled and have the ability to ask questions of the engineers and assembly line employees to better understand how and why certain components are assembled the way they are.

The North County Transit Plan is progressing. Staff intends to bring back to the Board a Memorandum of Understanding at the November meeting. **Past President Fred Strong** questioned why the ratio was changing again. **Mr. Straw** said it must. The consultants looked solely on cost. When revenue was factored in, it was clear the City of Paso Robles will realize substantially more savings than the City of Atascadero. **Mr. Ron DeCarli**, San Luis Obispo Council of Governments, said this is a real sticking point. It's better for Paso Robles. The key issue is that the savings under the current agreement are likely not substantial enough for Atascadero compared with Paso Robles. **Past President Strong** said the City of Paso Robles City Council members think their shares are going down. First Transit is making a pitch to continue service. **Mr. DeCarli** said there is a potential that Atascadero may not continue with the consolidation. If this happens, Atascadero will very likely see significant farebox recovery ratio problems in 1-2 years. The savings are substantial enough that Paso Robles will likely proceed.

The North County Summer Beach Shuttle ridership is improving a bit, but it is not meeting the goal. We carry many bikes, disabled and age 80+ VIP riders.

RTA set a new ridership record last year with more than 700,000 fixed route passenger boardings. We celebrated our four-year anniversary of bringing operations and maintenance in-house on August 1. To celebrate, staff members launched a safety program that is based upon bus operators having no preventable vehicle collisions or workers comp injuries. This program began at 4:30 a.m. and continued well into the afternoon and included staff

members going out to meet bus drivers while in-route. They announced to riders the safety awards achieved by their driver. They also provided the drivers with lunch, a certificate, safety pin and gift certificate.

Mr. Straw concluded the Executive Directors report.

4. Action Items

None

5. Consent Agenda Items

C-1 Executive Committee Meeting Minutes of June 12, 2013

Past President Strong moved to approve Item C-1 and **Vice President Higginbotham** seconded. The motion passed on a voice vote.

6. Agenda Review:

Mr. Straw reviewed the Board agenda, stating staff will probably add two Action Items – the MOU that was just approved at the SLOCOG Board meeting, as well as support for the Congestion Mitigation Air Quality facility project grant application. **Mr. DeCarli** suggested moving the MOU under Consent.

7. Closed Session Items:

D-1 It is the intention of the Board to meet in closed session concerning the following items:

D-1-1 Conference with Labor Negotiator Geoff Straw concerning the following labor organization: **Teamsters Local Union No. 986**

D-1-2 **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code Sec. 54956.8):**

Agency Negotiators: Geoff Straw (RTA), Ronald De Carli (SLOCOG), Peter Rodgers (SLOCOG)

Under Negotiation/Discussion: Price and Terms of Payment

Properties:

179 Cross Street, San Luis Obispo, CA (APN: 053-257-032)

Negotiating Party:

LTC of SLO, Ltd.

40 Prado Road, San Luis Obispo, CA (APN: 053-022-014)

Negotiating Party:

Rescal SLO193 LLC

The committee went to closed session at 1:38 p.m. and returned to open session at 2:15 p.m.

8. **Open Session:** Mr. McNulty reported out of closed session. No final action was taken and therefore, nothing to report.

9. **Adjournment:** President Mecham adjourned the meeting at 2:16 p.m.

Respectfully Submitted,

Acknowledged by,



Anna Mafort-Lacy
Administrative Assistant



Frank Mecham
RTA President

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
MINUTES OF SEPTEMBER 4, 2013**

C-2

BOARD MEMBERS PRESENT:

DEBBIE ARNOLD, FIFTH DISTRICT, COUNTY OF SAN LUIS OBISPO
TONY FERRARA, CITY OF ARROYO GRANDE
BRUCE GIBSON, SECOND DISTRICT, COUNTY OF SAN LUIS OBISPO
SHELLY HIGGINBOTHAM, CITY OF PISMO BEACH (*Vice President*)
ADAM HILL, THIRD DISTRICT, COUNTY OF SAN LUIS OBISPO
JAMIE IRONS, CITY OF MORRO BAY
JOHN ASHBAUGH, CITY OF SAN LUIS OBISPO
FRANK MECHAM, FIRST DISTRICT, COUNTY OF SAN LUIS OBISPO (*President*)
TOM O'MALLEY, CITY OF ATASCADERO
DEBBIE PETERSON, CITY OF GROVER BEACH
FRED STRONG, CITY OF PASO ROBLES (*Past President*)

BOARD MEMBERS ABSENT:

NONE (*Vacant* – FOURTH DISTRICT, COUNTY OF SAN LUIS OBISPO)

STAFF PRESENT:

GEOFF STRAW, EXECUTIVE DIRECTOR
TANIA ARNOLD, CFO DIRECTOR OF ADMINISTRATION
PHIL MOORES, OPERATIONS MANAGER
TIM MCNULTY, SAN LUIS OBISPO COUNTY COUNSEL
REY GONZALEZ, RTA BUS OPERATOR

CALL TO ORDER AND ROLL CALL: **President Frank Mecham** called the meeting to order at 8:30 a.m. A roll call was taken and a quorum was present.

Public Comments: **Mr. Eric Greening**, Atascadero, said it was nice to see the new buses and honor the operators with the green shirts. They are definitely the cream of the cream of the crop. I appreciate the nice things that were said about them at this morning's ribbon-cutting ceremony as we go into labor negotiations. I am particularly happy about one component of the new buses—the swift wheelchair loading. The older buses take quite a bit of time, and I know it is actually a cause of emotional distress for people in the chairs when the mechanics for

their loading and unloading holds everyone up. The safe, swift wheelchair loading is liberating and something to look forward to with future buses as well. The buses are becoming a little more crowded thanks to Cuesta. Cal Poly is also about to begin and will add more passengers. Our heroic drivers have done very well in managing the crowds. Sometimes there are standees and I am amazed at how many polite young people we have on the buses. There is a community on the bus. I encourage everyone who doesn't use the bus to get in the habit of using it. On the bus, you are face-to-face with people you would not otherwise meet. You hear stories you would not otherwise hear. I appreciate the RTA not only for the practical purpose of getting where we need to go, but for being such a wonderful and convivial way to getting there. The drivers and the people on the bus are a community worth knowing.

A. INFORMATION AGENDA:

A-1 Mr. Straw said all 10 new buses are in service—seven for RTA and three for South County Transit (SCT). The Highway 58 ramp closures went off pretty well. Operators Supervisor **Mr. James Shaffer** did a great job of getting the word out.

The new Employee of Quarter is **Mr. Rey Gonzalez**. He was selected by his peers and Route 10 riders. He has been with us four years and epitomizes what it is to be an RTA team member.

Mr. Phil Moores, Operations Manager, announced Mr. Gonzalez was accident-free during his tenure with RTA. He comes to work every day and does a great job. He's been married 35 years. We are honored to have him with us.

Mr. Gonzalez thanked the Board. I am happy to serve RTA and the public. Sometimes people have good moods and bad. I try to smile at everyone and say, "good morning" or "good afternoon", and it helps brighten their day. I love to serve the public and am happy with what RTA does for me and the community.

Mr. Straw announced the July Regional Transportation Advisory Committee (RTAC) was cancelled due to a lack of pending items so there was nothing to report to the Board. The next meeting will be in October. The RTA maintenance team went up to visit Gillig in Hayward for training and to see the buses on the assembly line. We will also host on-site training from the subcomponent manufacturers in the coming months. Staff contracted with Easy Fuel to provide on-site fueling and Diesel Exhaust Fluid (DEF). DEF reduces emissions on our 2011 and newer buses, but is toxic to handle without extensive training and expensive equipment. Easy Fuel is now also fueling buses at the Paso Robles satellite lot and at South County Transit.

RTA participated in a consortium of 22 agencies for buying buses. It was led by the Central Contra Costa Transit Agency and helps us negotiate much better prices. Gillig was the

successful bidder on this project. Staff is moving forward with the purchase of nine (9) additional vehicles per previous Board approval.

We are moving forward with the planned North County consolidation and plan on bringing to the Board a draft agreement at the November meeting.

RTA wrapped up three seasonal services—The Cambria Trolley, Summer Beach Shuttle and Youth Ride Free. We will present performance results to the Board at the next meeting.

Staff was unsuccessful in getting the grant for the joint Short Range Transit Plan. We did a teleconference with CalTrans to determine areas for improvement and received some good input for next year. However, we were selected to receive a \$17,000 Marketing and Service Planning Internship grant. Staff is working with County Public Works to conduct bus stop assessments. We are ramping up to do several customer perception surveys, which will be in full swing in October.

Mr. Straw reviewed ridership for fiscal year 2012-13 by route. He noted RTA achieved all measurable performance standards except workers compensation. Staff will bring back to the Board some ideas on how to approach this at a future meeting.

July was the highest month ever for both fixed route and Runabout. He discussed Page A-1-11, weekend and total productivity, paying close attention to riders per hour (productivity). Fixed route productivity was 21.36 and Runabout was at 1.42. Farebox recovery ratio is 53.8% for July due to large purchases by various agencies for the new fiscal year. This number will go down as the year progresses. He next discussed the subsidy per passenger trip—the public's investment after the fare is deducted—and current trends.

Staff just completed our benefits open enrollment process. The next Employee of the Quarter BBQ will be on Saturday, October 19 (this date was subsequently changed to October 31; Mr. Straw sent an email on the afternoon of September 4th to each Board member explaining the change).

Mr. Straw concluded his Executive Director's report.

President Mecham opened to Board comment.

Board Member Tony Ferrara inquired about the bus stop enhancements and wondered if there will be coordination in regards to park and ride locations around the county. Mr. Straw said the first step is to perform assessments and identify and rank deficiencies. There will be coordination with each jurisdiction throughout this process.

Board Member Fred Strong asked if the old buses RTA keeps as spares will have any impact on the axle requirements. Mr. Straw said the requirement was only relevant to vehicles ordered after January 1 and the older buses are grandfathered in.

Vice President Shelly Higginbotham appreciated the change in fueling the buses but wondered if using Easy Fuel at all locations will incur an additional cost. Mr. Straw answered that RTA buys fuel in bulk through them and therefore the additional cost is pennies. When looking just at labor costs to have drivers fuel the buses, the long-term expense is lower to have Easy Fuel do it.

Board Member Debbie Arnold expressed concerns about the \$60 per passenger trip subsidy for Runabout and thanked Mr. Straw for working to raise awareness of this expense and trying to get people over to fixed route.

President Mecham pointed out that in the next 15 years, the population aged 65 and over will be 60%. That translates to more seniors looking for more efficient ways to travel. This is something to consider when looking at bus stops and strategic transit plans.

President Mecham opened public comment.

President Mecham closed public comment.

President Mecham closed Board comment.

B. ACTION AGENDA:

B-1 Appoint New Facility Committee Member: **Mr. Straw** reminded the Board that RTA established a subcommittee to review the current and possible new facilities. The committee is comprised of **Board Members Jan Marx, Fred Strong**, and the late **Paul Teixeira**. It is his understanding the committee was created this way so that all regions of the county had representation. We now have a vacancy and are asking the Board to either appoint a new committee member, agree to keep the two current members or seek three new members.

Mr. Straw concluded his Report.

President Mecham asked Ms. Marx and Mr. Strong if they would like to continue serving on this committee. Both agreed to do so. He opened Board comment.

Board Member Marx asked if the Board would like to have a mix of County Supervisors and city representatives. **President Mecham** said it was not necessary as long as all regions were represented.

President Mecham closed public comment.

President Mecham closed Board comment.

Board Member Ferrara moved to nominate **Vice President Higginbotham** to the Facility Committee. **Board Member Jamie Irons** seconded, and the motion carried on a voice vote.

B-2 Authorize RTA Facility Project CMAQ Application: **Mr. Straw** distributed a copy of the original staff report. Staff received a call for projects on August 18 and had to get a packet out in 13 days. This did not give us enough time to properly vet the Congestion Mitigation Air Quality (CMAQ) grant. About \$9.2 million will be available for fiscal years 2013-14 through 2015-16.

We originally thought this would be a great opportunity to address long term facility needs. However, we since learned that project would not be eligible for this funding. We are broadening the application process to find projects that will work. For example, adding more express service to ease bus overcrowding, access improvements or bus stop improvements.

He asked the Board to direct staff to submit a CMAQ application or applications totaling up to \$5 million to meet RTA's needs. He estimated RTA would actually need about \$1.5 million.

Mr. Straw concluded his report.

President Mecham opened Board comment.

Board Member Strong asked if new or additional equipment would qualify. If we are looking at congestion reduction that requires smaller buses to assist with the aging population, is this a possible alternative. Mr. Straw said it was.

Board Member Marx suggested staff look at improving the downtown bus stop. When it's hot, people are looking for shade. When it rains, everyone is crowding into the shelter to stay dry. The long term goal is to have a transit center in San Luis Obispo, but in the interim, I hope that hub can be improved for riders.

President Mecham opened public comment.

Mr. Greening suggested looking at the possibility of using CMAQ funds to help increase labor wages. It appears we are now moving toward bus stop amenities and service improvements. I agree with Mayor Marx that improving the existing downtown bus stop is a worthwhile use of funds. In terms of service, I am often surrounded by standees and sometimes am one of them and see the virtues of added service. We should not expect to come out of labor negotiations with our starting position. Negotiating requires give and take and we must be ready to give some. We need to identify some source of funding besides service cuts, which would pit passengers against drivers and drivers against drivers, since it means driver layoffs.

If we lose service due to labor negotiations, could we identify and start new service that is similar to the service being cut and get it on the road immediately? Can JARC money be identified as a possible operating funding source that can be used to pay drivers what they are worth?

Mr. Ron DeCarli, SLOCOG, voiced his support of the amended staff report and recommendation. It's important to have that flexibility. We had some concerns after meeting with area system operators and cities, including RTA, about various CMAQ projects. We had some eligibility concerns and have been meeting consistently and checking with the state. As a result, SLOCOG supports the modification of the staff report as identified. We expect the total cost of RTA projects to be around \$1.5 to \$1.7 million in terms of purchasing buses, implementing services and bus stop improvements. These are all viable and very competitive. SLOCOG staff would look at these applications compared with all other proposed projects that are submitted.

President Mecham closed public comment.

President Mecham closed Board comment.

Board Member Ferrara moved to approve Resolution to RTA Board of Directors to authorize staff for submittal of the grant application to SLOCOG for CMAQ funds. **Board Member Strong** seconded, and the motion carried on a roll call vote.

C. CONSENT AGENDA:

- C-1 Memorandum of Understanding for 40 Prado (Approve)
- C-2 RTA Board Meeting Minutes of July 10, 2013 (Approve)
- C-3 RTA Executive Committee Minutes of June 12, 2013 (Approve)

President Mecham opened public comment.

President Mecham opened Board comment.

Board Member Arnold

Past President Strong closed public comment.

Past President Strong closed Board comment.

Vice President Higginbotham moved to approve Consent Agenda Items. **Board Member Hill** seconded, and the motion carried on a roll call vote.

D. CLOSED SESSION:

PUBLIC COMMENTS: Mr. Greening said we need to be prepared to budget for something other than our starting position during negotiations so we do not insult drivers by offering them too little for being public safety professionals. They have our lives in their hands. I would urge the Board to enter negotiations in good faith. Do not enter them with the expectation of coming out with the starting position.

JOINT RTA AND SLOCOG CLOSED SESSION

D-1-1 Conference with Labor Negotiator Geoff Straw concerning the following labor organization: Teamsters Local Union No. 986

D-1-2 It is the intention of the Board to meet in closed session concerning the following items:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code Sec. 54956.8):

Agency Negotiators:
(SLOCOG),

Geoff Straw (RTA), Ronald De Carli
Peter Rodgers (SLOCOG)

Under Negotiation/Discussion:

Price and Terms of Payment

Properties:

179 Cross Street, San Luis Obispo, CA
Negotiating Party:

(APN: 053-257-032)
LTC of SLO, Ltd.

40 Prado Road, San Luis Obispo, CA
Negotiating Party:

(APN: 053-022-014)
Rescal SLO193 LLC

RTA and SLOCOG went into *Closed Session* at 9:11 a.m. and returned to *Open Session* at 9:32 a.m.

Open Session: Mr. Tim McNulty, Legal Counsel, reported that the Board met in closed session, no reportable action was taken.

BOARD MEMBER COMMENTS: There were no comments.

ADJOURNMENT: President Mecham adjourned the RTA meeting at **9:33 a.m.**

Respectfully Submitted,

Anna Mafort-Lacy
RTA, Administrative Assistant

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

November 6, 2013

STAFF REPORT

AGENDA ITEM: C-3

TOPIC: Amend CBA with Teamsters Local 986 to Recognize “Part-Time/Health-Benefited” Employees

PRESENTED BY: Geoff Straw

STAFF RECOMMENDATION: Authorize the RTA Executive Director to Execute the CBA Amendment

BACKGROUND/DISCUSSION:

The Patient Protection and Affordable Care Act (ACA) was signed into law on March 23, 2010. The ACA is aimed at increasing the affordability and rate of health insurance coverage for Americans, and reducing the overall costs of health care (for individuals and the government). It provides a number of mechanisms – including mandates, subsidies, and tax credits – to employers and individuals to increase the coverage rate and health insurance affordability.

Following preliminary negotiations with Teamsters Local 986 officials, RTA staff presented a recommendation to the RTA Board at its July 10, 2013 meeting to move forward with health benefits for employees who regularly work greater than 30 hours per week, effective September 1, 2013. After finalizing good faith negotiations with Teamsters officials over the past two months, the attached Resolution and accompanying Collective Bargaining Agreement (CBA) amendment letter will serve as formal adoption of the recommended changes.

Staff Recommendation

Adopt the Resolution authorizing the RTA Executive Director to execute the CBA amendment.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY
RESOLUTION NO. _____**

**A RESOLUTION OF THE SAN LUIS OBISPO REGIONAL TRANSIT
AUTHORITY BOARD OF DIRECTORS, AUTHORIZING THE AMENDMENT TO
THE COLLECTIVE BARGAINING AGREEMENT BETWEEN RTA AND
TEAMSTERS LOCAL 986**

WHEREAS, the San Luis Obispo Regional Transit Authority (RTA) entered into a Collective Bargaining Agreement (CBA) with Teamsters Local 986 on October 10, 2010; and,

WHEREAS, the CBA with Teamsters Local 986 (formerly Local 381) covers Bus Operators and Mechanics; and

WHEREAS, the current CBA expires on January 31, 2014; and

WHEREAS, the Patient Protection and Affordable Care Act (ACA) was signed into law on March 23, 2010; and

WHEREAS, large companies would have to pay the Internal Revenue Service \$2,000 for each full-time employee who regularly works more than 30 hours per week and is not provided mandatory health benefits; and

WHEREAS, RTA negotiated in good faith with Teamsters Local 986 to designate a new category of employees as "Part-Time/Health-Benefited" and provide those employees with health benefits as required under the ACA; and

WHEREAS, the RTA Board elected at its July 10, 2013 meeting to provide health benefits to Part-Time/Health-Benefited employees effective September 1, 2013.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the RTA Board of Directors authorizes the Executive Director or his designee to execute an amendment to the CBA to recognize Part-Time/Health-Benefited employees and other related matters.

Upon motion of Director _____, seconded by Director _____, and on the following roll call, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted this 6th day of November 2013.

Frank Mecham, President
San Luis Obispo Regional Transit Authority

ATTEST:

Geoff Straw, Executive Director
San Luis Obispo Regional Transit Authority

APPROVED AS TO FORM AND LEGAL EFFECT:

By: _____
Tim McNulty, Counsel
San Luis Obispo Regional Transit Authority

Date: _____



November 6, 2013

David Latimer
President / Business Agent
Teamsters Local 986
115 West Bunny Avenue
Santa Maria, CA 93458

Re: **CBA Amendment to Recognize “Part-Time/Health-Benefited Employee” Designation**

Dear Mr. Latimer:

Please let this letter serve as an understanding that RTA will partially cover the health-related benefits for Part-Time/Health-Benefited employees covered by the CBA. Based on our previous conversations, this change took effect on September 1, 2013. Specifically, RTA will pay up to \$390.70 toward providing health benefits for employees that work greater than 30 hours per week, but do not quite work enough hours per week to be considered a full-time employee as identified in Articles 24, 30 and 32 of the CBA with Teamsters Local 986. This will affect the following Articles of the existing CBA:

1. **Correct** Article 24 Health, Dental, Vision and Life Insurance, Section 2 Premiums, Subsection A – at the end of the last sentence in this subsection, change “~~...Article 31, Section 1.~~” to “...Article 30, Section 1.”
2. **Add** Article 24 Health, Dental, Vision and Life Insurance, Section 2 Premiums – add Subsection E, which states:

“E. As identified in the Affordable Care Act, RTA agrees to pay for a portion of the provision of health insurance for Part-Time/Health-Benefited employees beginning on September 1,

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2013 and continuing through the last effective date of this Agreement. RTA shall pay up to \$390.70 per month toward the employee's monthly premium for health insurance for each Part-Time/Health-Benefited employee as defined in Article 30, Section 1 (as amended) beginning on September 1, 2013 through January 31, 2014. Thereafter, should the cost of the health insurance premium rise, RTA shall pay \$390.70 per month plus 50% of the marginal increase in the premium. The employee shall be responsible for the balance of said increase and this amount shall be deducted on a bi-weekly payroll basis."

3. **Amend** Article 30 Bus Operations and Operators, Section 1, as follows:

"Full Time Bus Operator: The Company shall have Full-Time, Part-Time/Health-Benefited, and Part-Time Positions as established upon ratification of the collective bargaining Agreement and as amended effective September 1, 2013. Positions shall be determined annually through the operating program (budget) adopted by the RTA Board. Full-Time Bus Operators shall be any employee who operates a fixed route bus, Runabout, Dial-A-Ride or Trolley who bids a scheduled run that regularly works thirty-five (35) hours per week or more. Part-Time/Health-Benefited Bus Operators shall be any employee who regularly works more than thirty (30) hours per week but less than thirty-five (35) hours per week.

When a Full-Time Bus Operator vacancy occurs, the Company shall post the position for ten (10) calendar days. The position shall be opened for application during this ten (10) day period only. Part-Time/Health-Benefited and Part-Time operators may apply for the position by completing an RTA Application for Promotion to Full-Time form and submit the application to the Company. Once the job posting is taken down, the position application process shall be considered closed. The RTA shall review all applications and notify all applicants of their status within fourteen (14) days of the closing process."

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4. **Amend** Article 32 Extra Board Operators and Part-Time Operators, Section 2 Part-Time Operators, as follows:

“SECTION 2. Part-Time and Part-Time/Health-Benefited Operators

- A. Part-Time Operators will be those operators that either regularly work a biddable part-time run, or who are casual Part-Time or Part-Time/Health-Benefited operators who work open assignments on an as needed basis. Part-Time and Part-Time/Health-Benefited Operators shall not regularly work more than thirty-four (34) hours per week.
- B. Part-Time and Part-Time/Health-Benefited Operators shall be eligible for any full-time operator position that may become available. Should a full time position become available and the Company is able to fill that position, it shall be filled by the most senior Part-Time or Part-Time/Health-Benefited operator.”

By signing below, RTA and Teamsters Local 986 agree to the language changes presented above, and the changes will be incorporated into the CBA dated October 10, 2010.

Geoff Straw, RTA Executive Director

Date

Tim McNulty, RTA Counsel

Date

David Latimer, Teamsters Local 986 Business Agent

Date

Debra Goldberg, Teamsters Local 986 Counsel

Date

The Regional Transit Authority is a Joint Powers Agency serving residents and visitors of:

Arroyo Grande Atascadero Grover Beach Morro Bay Paso Robles Pismo Beach San Luis Obispo and The County of San Luis Obispo

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

November 6, 2013

STAFF REPORT

AGENDA ITEM: C-4

TOPIC: Vehicle Procurement

PRESENTED BY: Geoff Straw

STAFF RECOMMENDATION: Authorize Executive Director to Conduct a Multi-Year Joint Procurement for Paratransit Vehicles

BACKGROUND/DISCUSSION:

As presented at the May 1, 2013 Board meeting, RTA secured \$324,000 in FTA Section 5307 funds to purchase four wheelchair-accessible Runabout cutaway vehicles. These FTA funds will be matched with \$36,000 in STA funds, equating to a total project budget of \$360,000. The Board authorized staff at that May 1 meeting to purchase these four vehicles through the CalACT joint procurement program previously approved by FTA and Caltrans. However, FTA recently determined that joint procurement program to be invalid.

As such, RTA is seeking Board approval to conduct a multi-year cutaway vehicle procurement to meet our current need for four vehicles, as well as other potential paratransit vehicles (cutaways, minivans and minibuses) in the future. In essence, the first year of the multi-year procurement will identify vehicles currently funded, while the remaining four years will identify optional purchases depending upon funding availability and Board approval for each subsequent vehicle order.

Officials from the Santa Maria Area Transit program have expressed an interest in participating in a joint procurement, as long as the procurement will meet the new and more stringent FTA joint procurement requirements. Staff will reach out to other transit providers in the region to determine if those agencies wish to join in the procurement, which will take approximately two to three months to finalize the procurement documents, award the contract, and place an order. Once a purchase order is issued by RTA for its vehicles, it will take approximately 4-6 months for delivery. It should be noted that under a joint procurement process, each agency identified in the procurement documents must issue purchase orders directly to the winning bidder; RTA would not be required to issue purchase orders on behalf of those other agencies.

Staff Recommendation

Staff requests the Board's concurrence to authorize the Executive Director to issue a Request for Proposal to purchase paratransit vehicles over a five-year period. No additional funds are being requested.