



BOARD OF SUPERVISORS AGENDA

John Peschong *Chairperson, District One*

Bruce Gibson *District Two*

Dawn Ortiz-Legg *District Three*

Jimmy Paulding *District Four*

Debbie Arnold *Vice-Chairperson, District Five*

Wade Horton County Administrator

AGENDA

Tuesday, April 4, 2023

County Government Center

Board of Supervisors Chambers

1055 Monterey Street | San Luis Obispo, CA 93408

Tuesday, April 4, 2023

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

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Person(s) who wish to submit written correspondence to the Board of Supervisors regarding an agenda item may send it to Boardofsups@co.slo.ca.us. Please indicate in the subject line the agenda item number (e.g. Item No. 9) on which you are commenting. All correspondence is distributed to each Board of Supervisor and will become part of the official record of the board meeting.
- In compliance with the Americans with Disabilities Act (ADA), the meeting room is equipped to accommodate persons with visual, audio or mobility impairments. Person(s) requiring accommodation should notify the Clerk of the Board's Office 72 hours prior to the meeting at (805) 781-5011.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

CONSENT AGENDA – REVIEW AND APPROVAL

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 Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Consent Agenda - Public Hearings

- 1 Hearing to adopt a resolution and approve a freeway agreement with the State of California for improvements along State Route 46, from 0.9 mile west of Cholame Creek to 1.6 miles east of Cholame Creek. District 1.

Items Set for Hearing:

- 2 Introduction of an Ordinance amending sewer/waste disposal service charges in San Luis Obispo County Service Area No. 1 (CSA 1), Nipomo. Hearing date set for June 6, 2023. District 4.
- 3 Introduction of an Ordinance amending sewer/waste disposal service charges in San Luis Obispo County Service Area No. 1 Zone A (CSA 1A), Nipomo. Hearing date set for June 6, 2023. District 4.
- 4 Introduction of an Ordinance amending sewer/waste disposal service charges in San Luis Obispo County Service Area No. 1 Zone F (CSA 1F), Nipomo. Hearing date set for June 6, 2023. District 4.
- 5 Introduction to a discussion related to the contracting out of non-medical inpatient psychiatric services at the County of San Luis Obispo Psychiatric Health Facility (PHF). Hearing date set for May 2, 2023. All Districts.
- 6 Consideration and introduction of three ordinances each of which repeal the Supervisorial District boundaries established by Ordinance No. 3467 which was adopted at the end of the County's 2021 redistricting process and each of which propose new boundaries based on three previously considered maps commonly referred to as Map A, Map B, and the Chamber Map. Hearing date set for April 18, 2023. All Districts.

Consent Agenda - Administrative Office Items:

- 7 Request to approve an agreement with Eroica USA Ride and Festival LLC on behalf of the San Luis Obispo County Business Improvement District (CBID) in the amount of \$50,000 to market the Eroica California 2023 Bike Ride. District 2.
- 8 Request to authorize a budget adjustment for Fund Center 138 – Emergency Services in the amount of \$68,476 from unanticipated revenues in State Aid for Nuclear Power Preparedness and increase appropriations for Emergency Services, by 4/5 vote. All Districts.

- 9 Submittal of two resolutions approving amendments to (1) the conflict of interest codes of certain local agencies wholly located within the County of San Luis Obispo and (2) the Conflict of Interest Code of the County of San Luis Obispo. All Districts.

Consent Agenda - Agricultural Commissioner Items:

- 10 Request to consider the adoption of a resolution to establish an Agricultural/Livestock Pass (AG Pass) Program, in accordance with applicable law and the authorizing resolution of the Board of Supervisors, for the purpose of issuing identification documents granting qualifying agricultural and livestock producers and managerial employees, at the discretion of emergency personnel, access to the qualifying agricultural and livestock producer's farm and ranch property during or following a natural disaster. Exempt from CEQA. All districts.

Consent Agenda - Board of Supervisors Items:

- 11 Request to appoint Anne R. Wyatt as the District 2 representative to the Planning Commission. All Districts.
- 12 Request to approve an agreement with the American Legion Post #432 Cambria allocating a total of \$3,500 from District Two Community Project Funds - Fund Center 106 - Contributions to Outside Agencies to be used for expenses associated with the 2023 4th of July Fireworks Celebration. District 2.
- 13 Request to reappoint Tom Ikeda as the District 3 representative to the Agricultural Liaison Advisory Board. All Districts.

Consent Agenda - Health Agency Items:

- 14 Request to 1) retroactively authorize the Health Agency Director to apply for a California Home Visiting Program allocation for Fiscal Year (FY) 2022-2023 through FY 2027-2028 in the total amount of \$447,091 for year one (July 1, 2022 – June 30, 2023), and \$2,640,535 for years two through six of (July 1, 2023 – June 30, 2028), for expansion, planning and/or special support activities to increase the number of families participating in the three evidence-based home visiting; and 2) authorize the Health Agency Director or designee to sign all further documents required for the allocation application. All Districts.
- 15 Request to 1) authorize the Health Agency Director to apply to the California Department of Health Care Services for the Behavioral Health Bridge Housing Program funding in the amount up to \$7,519,236, for the period of July 1, 2023 through June 30, 2027 to provide operational and supportive services funding for bridge housing to provide immediate support to persons with serious behavioral health conditions that are experiencing homelessness; and 2) authorize the Health Agency Director or designee to sign all other documents required for the Behavioral Health Bridge Housing application and participation. All Districts.
- 16 Request to approve four appointments to the Behavioral Health Board. All Districts.

Consent Agenda - Human Resources Items:

- 17 Submittal of a resolution to establish the salary range and bargaining unit for the new classification of Payroll Technician - Confidential. All Districts.

Consent Agenda - Information Technology Items:

- 18 Request to 1) approve the creation of a project (WBS 360036) in Fund Center (FC) 266 - Countywide Automation Replacement for the acquisition and implementation of a Public Defender Case Management System and 2) approve a corresponding budget adjustment in the amount of \$100,000 for FC 266 from the Automation Replacement Designation for project planning and oversight, by 4/5 vote. All Districts.

Consent Agenda - Public Works Items:

- 19 Submittal of a resolution amending the Position Allocation List (PAL) for Fund Center 405-Public Works, by deleting a 1.00 Full Time Equivalent (FTE) Civil Engineering Tech I/II/III; and adding a 1.00 FTE Program Manager I/II; and deleting 1.00 FTE Administrative Assistant I/II/III; and adding a 1.00 FTE Information Technology Specialist I/II; and deleting a 1.00 FTE Department Automation Specialist I/II/III; and adding a 1.00 FTE Information Technology Supervisor. All Districts.
- 20 Request to approve a freeway maintenance agreement for relocated or reconstructed County roads along Route 101 between Paso Robles and San Miguel in San Luis Obispo County. District 1.

Consent Agenda - Public Works Items: Board of Supervisors Sitting as the Board of the County and of the San Luis Obispo County Flood Control and Water Conservation District

- 21 Request to accept the fifth update regarding, and confirming the need to continue, the emergency actions to repair County of San Luis Obispo and San Luis Obispo County Flood Control and Water Conservation District Facilities in accordance with Public Contract Code Section 20134 and 22050, by a 4/5 vote. All Districts.

Consent Agenda - Social Services Items:

- 22 Request to 1) approve funding for implementation of Round 2 of the Homeless Housing, Assistance and Prevention Program in the amount of \$1,566,474; 2) authorize the Director of Social Services, or designee, to sign, execute, and amend all documents needed to administer the HHAP programs; and 3) authorize a corresponding budget adjustment in the amount of \$1,566,474 for Fund Center 180 – Social Services, by 4/5 vote. All Districts.
- 23 Request to approve the appointment of Luke Dunn to the At Large seat previously held by Jennifer Deutsch, for a term expiring on January 1, 2026, on the Homeless Services Oversight Council. All Districts.

Consent Agenda - Presentations

- 24 Submittal of a resolution proclaiming April 2023 as "Fair Housing Month" in San Luis Obispo County. All Districts.

- 25 Submittal of a resolution proclaiming the month of April 2023, "San Luis Obispo County Crime Victims' Rights Awareness Month." All Districts.
- 26 Submittal of a resolution proclaiming April 2023 as "Month of the Child" and "Child Abuse Prevention Month" in San Luis Obispo County. All Districts.
- 27 Submittal of a resolution by the Sheriff-Coroner to proclaim the week of April 9 through April 15, 2023 "San Luis Obispo County National Public Safety Telecommunicators Week." All Districts.

PRESENTATIONS: THIS SECTION OF THE AGENDA IS IN PLACE FOR FORMAL PRESENTATIONS PREVIOUSLY CONSIDERED UNDER THE CONSENT AGENDA – ITEMS 24-27.

Public Comment Period:

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

Hearings:

- 29 Hearing to: 1) consider a resolution acknowledging receipt of the California Coastal Commission's resolution of certification and accepting the California Coastal Commission's suggested modifications for the County's proposal to amend the Coastal Zone Land Use Ordinance (Title 23 of the San Luis Obispo County Code) as it relates to accessory dwelling units (ADUs); 2) receive and file a presentation on the County's Pre-Reviewed ADU Plans; and 3) receive and file a determination regarding the effect of State ADU Law on the County's ability to enforce conditions of approval and specific plan requirements that prohibit ADUs. All Districts.
- 30 Hearing to rescind Local Campaign Finance Contribution Limits, Ordinance No. 3429. All Districts.

Closed Session Items:

- 31 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Three; and (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Three.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning

the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.): (3) SLO County Citizens for Good Government, Inc., Gomez, Maruska, Villa v. County of Luis Obispo Board of Supervisors, San Luis Obispo County Superior Court, Case No. 22CVP-0007; and (4) Application Filed by PG&E in the 2021 Nuclear Cost Triennial Proceeding (U39E A.21-12-007).

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (5) SLO Prosecutors' Association (SLOPA); (6) SLO County Employees Association–Trades and Crafts (SLOCEA-T&C); (7) Deputy County Counsels' Association (DCCA); (8) Sheriffs' Management; (9) SLO County Probation Managers' Peace Officers' Association (SLOCPPOA); (10) Deputy Sheriff's Association (DSA); (11) District Attorney Investigators' Association (DAIA); (12) SLO County Probation Managers' Peace Officers' Association (SLOCPMPOA); (13) SLO County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (14) Unrepresented Management and Confidential Employees; (15) Sworn Deputy Sheriffs' Association (SDSA); and (16) United Domestic Workers of America (UDWA).

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code, § 54956.8.) It is the intention of the Board to meet in closed session to have a conference with its Real Property Negotiator, Trevor Brumm, concerning the following: (17) Property Description: Four contiguous unimproved, real property parcels totaling approximately 8.18 acres, identified as APN 053-412-023, APN 053-412-024, APN 053-412-025, and APN 053-412-026, located on the North side of Farmhouse Lane, City of San Luis Obispo. Parties with Whom Negotiating: Dynamic Real Estate Partners, LLC, Damon Porter, parcel 023, .98 acres; Farmhouse Development LLC, Clint, Connie, Audrey, and Dalton Pearce, Phyllis Madonna, and Bill Frost, parcel 024, 2.55 acres; IDB Holdings, LLC, Brian Pritt, Luis Sarmiento, and Jerry Jordano, parcels 025 and 026, 4.65 acres. Instructions to County Negotiator: Price, Terms and Conditions.

PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (18) Consider Public Employee Appointment for the Position of County Administrative Officer.

RECESS

1:30 REPORT ON CLOSED SESSION

Board Business - Afternoon Session:

- 32 Request to receive and file a presentation on impacts to the community and the Department of Social Services due to programmatic changes and the unwinding of the Public Health Emergency. All districts.

Hearings - Public Works - Board Sitting as Flood Control District **Hearings - Afternoon Session:**

- 33 Hearing to consider: 1) a resolution approving the 2023 affordable housing projects funded by the U.S. Department of Housing and Urban Development 2) a resolution approving the 2023 affordable housing projects funded by the Permanent Local

Housing Allocation by the California Department of Housing and Community Development; 3) a resolution approving the 2023 affordable housing projects utilizing FY 2023-24 County General Fund support of the County of San Luis Obispo. All Districts.

ND Report of Environmental Documents Available for Review (Courtesy Notice)

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

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

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

- <https://www.slocounty.ca.gov/CourtesyNotice.aspx>
- In person at the Department of Planning and Building (address below)
- By direct request at (805) 781-5600

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

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

For more information about the environmental review process, please visit:

<http://www.slocounty.ca.gov/EnvironmentalReview.aspx>