

**COLAB SAN LUIS OBISPO COUNTY**

**WEEK OF MAY 26-JUNE 1, 2013**

**3 ALERTS**

**LAS PILITAS AGGREGATE QUARRY MEETING  
THURSDAY MAY 30 2013, 6:00 PM  
SANTA MARGARITA ELEMENTARY SCHOOL  
YOUR SUPPORT AND COMMENT NEEDED**

**APCD BUDGET HEARING WEDNESDAY MAY 29, 2013  
9 AM: COUNTY BUILDING  
REDUCE THE BUDGET TO REDUCE THE PAIN**

**PLANNING COMMISSION HEARING  
THURSDAY MAY 30, 2013, 9 AM, COUNTY BUILDING  
INLAND ZONING ORDINANCE PLANNING AREAS  
AND REINFORCEMENT OF "SMART GROWTH"**

**NO BOARD OF SUPERVISORS MEETING  
TUESDAY, MAY 28, 2013**

**Board of Supervisors Meeting of Tuesday, May 21, 2013 (Completed)**

**Item 3 - Contract with SAP Government Services.** The Board unanimously approved this \$914,000 multi-year contract for consulting on the operation and maintenance of the County's central management IT system. Supervisors Arnold and Mecham questioned the costs to some extent but did not press the deeper analysis of what the consultants will

actually be doing. The report was full of jargon and vague tasks which needed to be explicated.

**Background:** SAP is the manufacturer and vendor of the application software that runs the County's financial, payroll, human resources, benefits administration, and business warehouse software systems.

**Item 21-FY 2012-13 Third Quarter Financial Report.** The Board accepted the Report without asking a single penetrating question.

**Background:** In addition to a status report on current year revenues and expenditures, the item contains a number of attachments dealing with a variety of subjects, including debt status, disposal of surplus or worn out vehicles, changes in staff position allocations, and the status (progress) on capital projects. Overall the budget is on schedule and there are no overwhelming problems in the near term.

**Item 30 - Presentation by The San Luis Obispo Council of Governments (SLOCOG) on the US Highway 101 Mobility Study.** A SLOCOG staffer presented a power point laying out a very expansive process to ask the public about the future of Highway 101. There was no substantive report on the published agenda and of course the power point was not included on the published agenda. Later that afternoon, there was a 5-car pileup on the 101 at Price Canyon which shut down the entire southbound side for hours during the evening commute. Do they really need an intricate, multi-faceted, complicated, interminable, endless, incessant, yearlong, never-ending planning process to figure out that the road is obsolete?

**Background:** The highway is considerably undersized in the Five Cities area. Fairly often the morning commute on this segment is like "Destruction Derby" with multiple pileups and rear-end collisions. Ultimately, SLOCOG will angle for a one-half cent sales tax vote. The planners will try to define your "mobility" as riding buses to and from your dense, walkable, socially equitable, low carbon footprint "smart growth."

**No Board of Supervisors Meeting on Tuesday, May 27, 2013 (Not Scheduled)**

There will be no meeting per the Board's normal policy of not holding meetings on Tuesdays following a Monday County-observed holiday – in this case Memorial Day.

However, remember to save Monday, June 10, 2013 at 9: AM for the 2013-14 Annual Budget Hearing.

**Las Pilitas Aggregate Quarry Town Hall Meeting, Thursday, May 30, 2013 6-8 PM  
Santa Margarita Elementary School**

Make every effort to attend this meeting. During the last workshop, the staff and consultants made a presentation and answered questions. The enviro-left was present and

tried to find reasons to deny the project. Former Supervisor Jim Patterson led the pack. Strong support from pro-private property and pro-economic survival groups and individuals is important.



**Planning Commission Meeting of Thursday, May 30, 2013 (Scheduled)**

**Reorganization of the Structure of Inland Planning Ordinance Land Use and Circulation Elements to Reduce the Number of Planning Areas.** This is the second hearing on this structural reorganization of the ordinance. The issue was continued from earlier this spring for clarification of the impacts on the community plans and village plans. The charts beginning on page 5 below are included in the staff report to depict the hierarchical relationships. Residents and some Community Plan Advisory Boards are concerned that the reduction in the number of planning areas will diminish local input on the community and village plans. Staff has insisted that this is not the case. The write up states in part:

*The Board of Supervisors originally authorized a major update and consolidation of the Land Use and Circulation Elements (LUCE) of the County General Plan in July of 2008. In March of 2011, the Board revised the authorization to a scaled-back project to just consolidate and reorganize the Inland Land Use Element and Land Use Ordinance. This proposal does not involve changes or updates to general plan goals, policies, programs, data, or statistics. In addition, there will be no change in the effect of existing planning area standards. The proposed LUCE reorganization includes the following:*

- *The 11 existing inland planning areas are consolidated and reorganized into four new inland planning areas based largely on watershed boundaries.*
- *The plans for the four new inland planning areas are combined into a single document called The Area Plans.*
- *Individual community and village plans are proposed for urban areas and villages.*
- *The planning area standards in the Land Use Ordinance are reorganized into rural and urban/village standards according to the new planning areas.*

We believe a serious problem is that the whole structure is subordinated to the Framework for Planning, which *imposes* that overarching “smart growth” strategy over the entire architecture of the County’s system of land use controls.

**A question is whether the Board of Supervisors is willing to revisit this edifice built on the theory of immutably limited resources and global warming.** Are the so-called structural revisions actually camouflage to avoid the larger essential question? Again and as we have observed in the past, the staff write-ups go to great length to assert that none of these changes actually change the substantive land use standards and regulatory requirements. The problem is that they embed, reinforce, and provide increased legal invulnerability to the scheme of “smart growth.”

Remember, the overall policy driver states:

*The following principles and policies reflect the Board of Supervisors' adoption of "Smart Growth Principles." The purpose of these principles and policies is to better define and focus the county's pro-active planning approach and balance environmental, economic and social equity concerns. This approach includes strategic planning, which considers constraints and opportunities and identifies realistic, short-term strategies that will achieve longer-term goals. Accordingly, the combination of smart growth and strategic planning is considered "strategic growth," which seeks cooperation among communities to resolve concerns, respect resource limitations and enhance economic prosperity.*

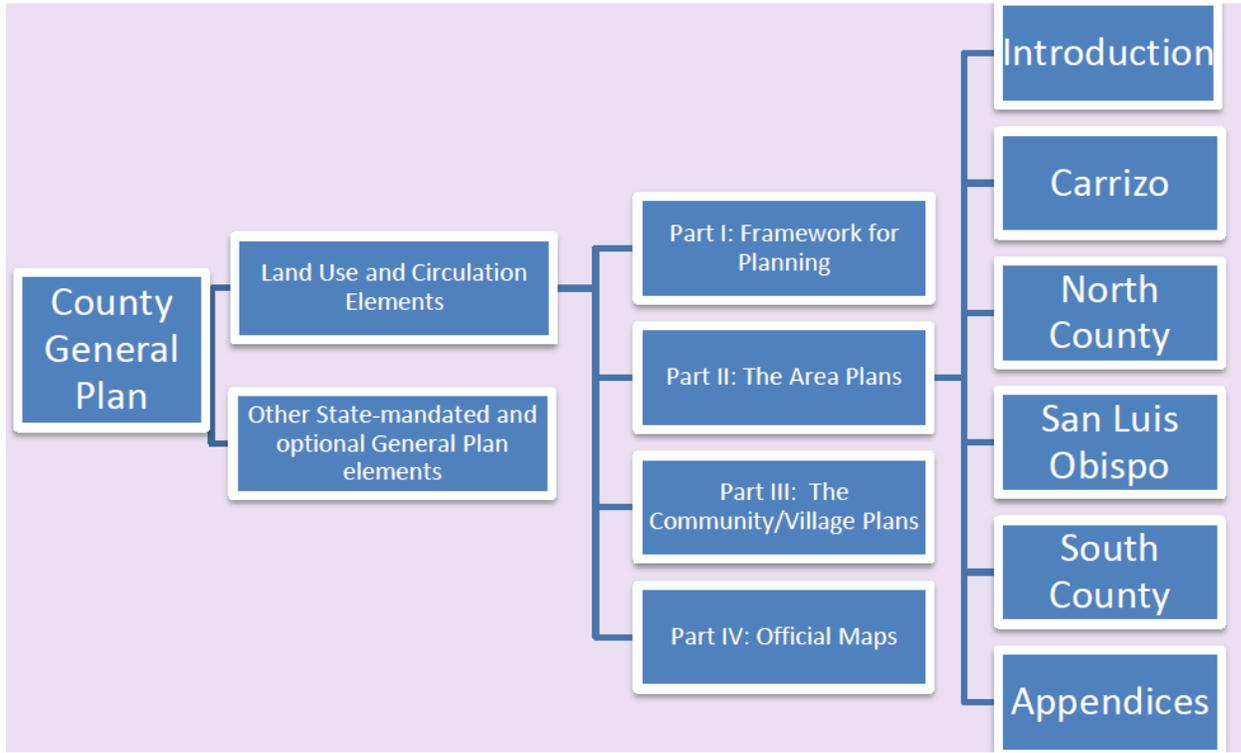
In the end, every land use and building decision must ultimately be judged by:

### **Strategic Growth Principles**

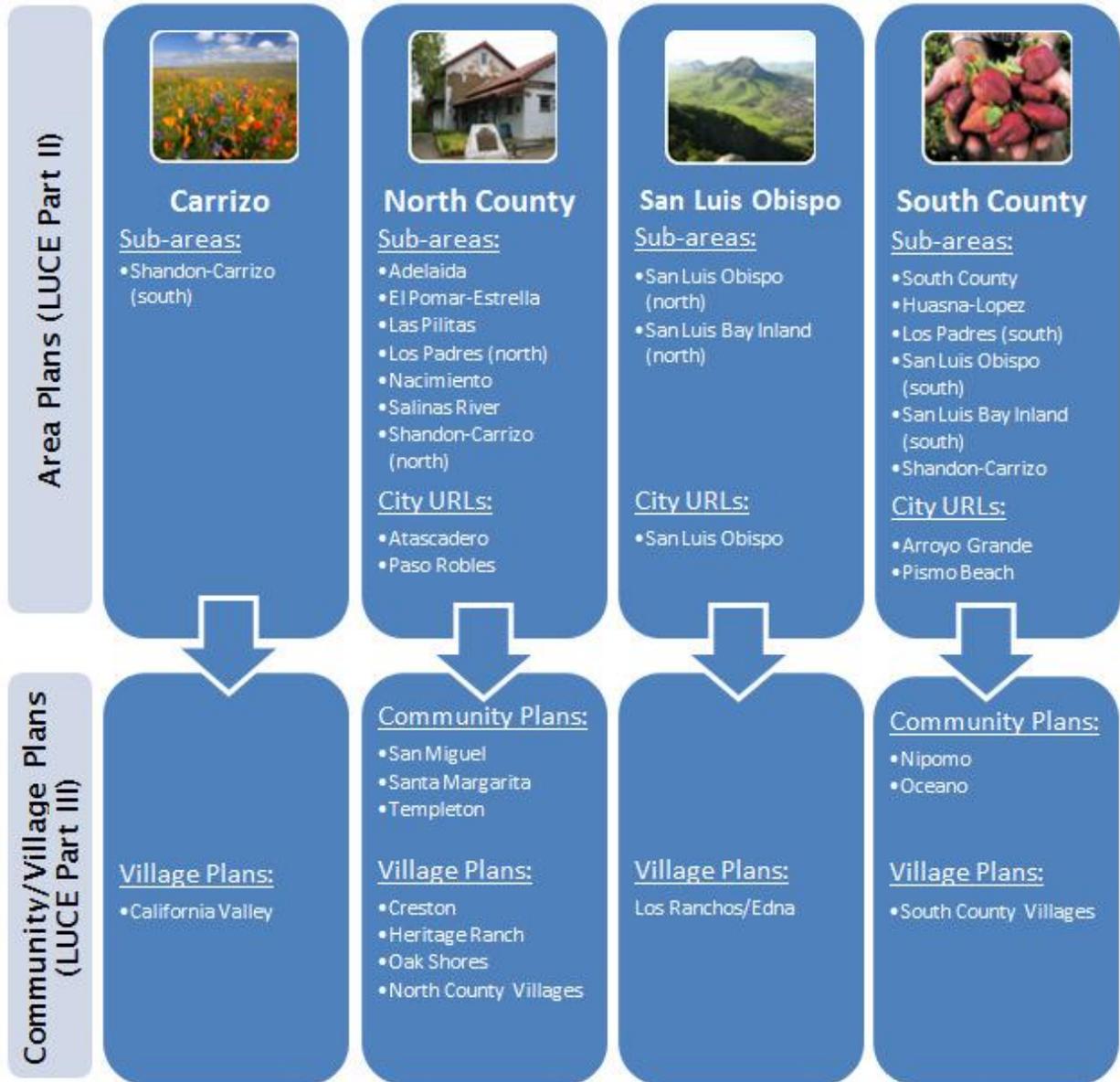
- 1. Preserve open space, scenic natural beauty and sensitive environmental areas. Conserve energy resources. Conserve agricultural resources and protect agricultural land.*
- 2. Strengthen and direct development towards existing and strategically planned communities.*
- 3. Foster distinctive, attractive communities with a strong sense of place.*
- 4. Create walkable neighborhoods and towns.*
- 5. Provide a variety of transportation choices.*
- 6. Create a range of housing opportunities and choices.*
- 7. Encourage mixed land uses.*
- 8. Take advantage of compact building design.*
- 9. Make development decisions predictable, fair and cost-effective.*
- 10. Encourage community and stakeholder collaboration.*

11. Strengthen regional cooperation.

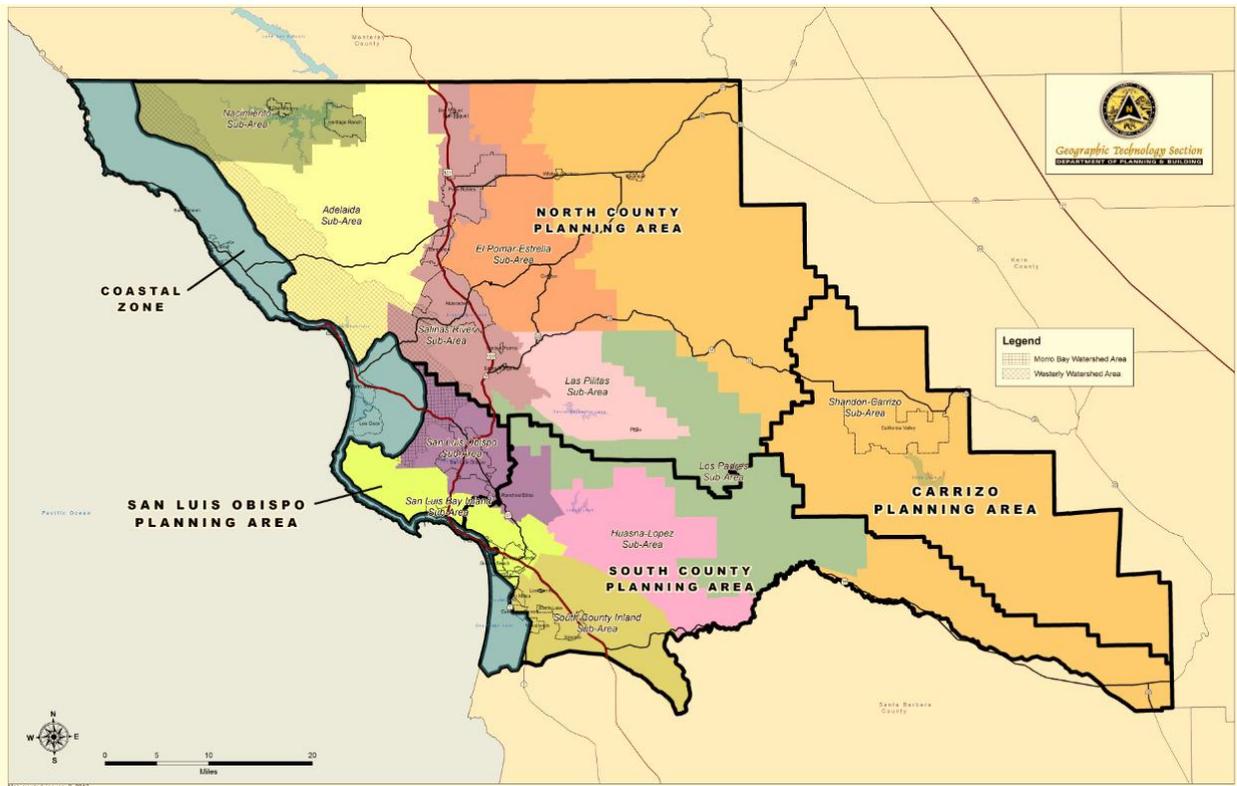
CHARTS DEPICTING THE LOGIC STRUCTURE OF THE PLAN



**PLEASE SEE THE NEXT CHART ON THE FOLLOWING PAGE**



**PLEASE SEE THE MAP DEPICTING THE NEW PLANNING AREAS ON THE NEXT PAGE**



**San Luis Obispo Air Pollution Control District (APCD), Meeting of Wednesday, May 29, 2013 (Scheduled)**

**Item A-1: SLO County Children’s Bill of Rights.** The staff recommends that the Agency Board adopt the 12-point Children’s “Bill of Rights.” In part their rationale states:

*Number 5 on the list of children’s rights above is to “Enjoy daily physical activity and time outdoors”. Children are among the most vulnerable portion of the population to the adverse health effects of air pollution. Their greater sensitivity is a function of increased exposure to air pollutants and unique physiological susceptibility: children breathe more air than adults do relative to their body weight and lung surface area. In addition, children typically spend many active hours per day outdoors, often during the afternoons when air pollution is generally highest. Thus, there is a direct connection between the APCD mission to protect air quality and public health, and the ability of young children to enjoy daily physical activity outdoors. The APCD is a key health*

agency responsible for bringing awareness about air quality and the role it plays in everyone's health, especially our youth.

It further expounds:

*The Children's Bill of Rights was developed by First 5 SLO County, which offers services and resources to help children and their parents in the first 5 years of life. The Children's Bill of Rights outlines specific rights children are due, and was developed in collaboration with local youth-serving partners, with input from families and from youth themselves. The purposes of this effort are five-fold:*

- Raise awareness of the fundamental importance of children, ages 0-5, in our community;*
- Summarize the Commission's aspirations for our children;*
- Delineate essential rights that belong to children;*
- Stress the importance of all aspects of development: physical, cognitive, behavioral, social, and emotional; and,*
- Provide a foundation for communitywide advocacy for our children.*

**Item C-2: Continuing Resolution to Allow APCD to Operate without a Budget after June 30, 2013.** The APCD staff and Board have not been able to meet often enough to complete their 2013-14 Budget in time for adoption prior to the July 1<sup>st</sup> start of the fiscal year. This sort of failure is often a sign of a poorly managed agency. On the other hand it could be a blessing in disguise. What would happen if the APCD Board refuses to pass the resolution?

**Item C-4: Fees.** The staff report states in part:

*This year no existing permit fees are proposed to increase; however, three new fee categories that will apply only to the Oceano Dunes State Vehicular Recreation Area are proposed. The new fees are designed to recover recurring costs for air quality monitoring and compliance verification associated with District Rule 1001, Coastal Dunes Dust Control Requirements. Rule 1001 has a requirement that State Parks apply for a permit for the ODSVRA by July 31, 2013. The three fees proposed here would be associated annually with that permit, and would total \$49,240 per year if State Parks chooses to install only the minimum required number of control site/activity area monitors.*

The APCD is clearly trying to pressure State Parks into ultimately banning all terrain vehicles ATV's.

Questions the APCD Board should ask staff (and themselves):

In January 2013, you projected a \$250,000 deficit for 2013-14, which grows to a recurring annual deficit of more than \$600,000 in 3 years. In January you submitted a

list of potential revenue increases, including higher fees, new fees, a per capita fee and new taxes. None of these have been adopted.

1. It appears you are balancing next year's budget with \$ 232,212 in reserves. Is this true? How are you balancing it?

2. How big will the gap be in 2014-15 and then in 2015-16 under current revenues and assumptions?

**Item C-5: APCD 2013-14 Annual Budget.** This is the first of 2 hearings on the proposed budget. The 2<sup>nd</sup> is scheduled in late July, a traditional vacation time – especially for people with children. We wouldn't be surprised if some APCD Board members don't try to revive some of the revenue generating ideas from last January and direct the staff to bring them back for quick adoption in July when people are away in Tahoe, Big Fork, Maui, the Desolation Wilderness, or wherever they go. **The Board should be very careful that any such direction (if allowed at all) be provided by formal motion with a majority vote. The staff should not be sent off informally to generate new ideas based on the comments of a few members.**

**Fund Balance Discussion Confusing:** The write-up on page C-5-4 of the Board letter states:

*Estimated FY 2013-2014 beginning Fund Balance Available (FBA) is \$519,181, which is \$232,212 (31%) lower than the FY 2012-2013 beginning FBA. This FBA results from salary savings in FY 2012-2013 due to a lower than expected pension rate increase, unexpended salary costs for overtime, temporary help, mitigation fund administration and workers' compensation insurance savings; unexpended services and supplies budget, equipment purchase savings and unused contingencies; and higher than anticipated revenues from construction permits, State Aid, and Federal.*

So the fund balance went down during current year FY 2012-2013. Why?

Then, thanks to the savings noted in the above paragraph, it will be \$519,181 on July 1, 2013. This paragraph does not make sense.

**Questions the Board should ask staff:**

- What are the estimates for the structural deficit next year and then going out 3 fiscal years?
- How much Fund Balance is being used?
- How much will be left on June 30, 2014?
- In contradistinction to Fund Balance, is there a reserve?
- If so, how much is in the reserve?
- Is any being used to balance this new budget?

- What happened to the master financing strategy discussion from earlier in the year?
- Why not start reducing staff now to get ready?
- Which programs are discretionary or partially discretionary? (Are all the programs in the Budget “core and mandatory”?)
- What would a baseline budget that meets basic legal requirements look like?
- Is a capitation fee (a tax on each person who lives in each city and the unincorporated county) still in the works?

**Central Coast Water Board Meeting of May 30 and 31, 2013, Central Coast Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo**

**Ag. Water Order Status Report.** During the Friday, May 31 session, the Board will hear a status report on the Agricultural Water Regulatory Program (The Ag. Order). The written report and attachments are extensive. As our readers know, the Water Board has imposed very severe standards for how farmers must treat irrigation water that percolates back into the ground or runs off their fields into the ditches adjacent to the fields. Efforts to allow farmers to group together in a particular area (to save money and share solutions as they try to comply with the rules) are encountering significant bureaucratic and technical criticism. This has resulted in a protracted set of negotiations. A link to the documents that depict the convoluted situation can be accessed at: [http://www.waterboards.ca.gov/centralcoast/board\\_info/agendas/2013/may/Item\\_21/index.shtml](http://www.waterboards.ca.gov/centralcoast/board_info/agendas/2013/may/Item_21/index.shtml)