

CRESTON ADVISORY BODY

Meeting Minutes

On-line through Zoom

Wednesday, June 16, 7:00 – 9:30 PM

Minutes prepared by Sheila Lyons

1) Call to Order – Flag Salute 7:02 pm

Members present: Tom Edel, Sheila Lyons, Roy Barba, Steve Almond, Geraldine May and Kurt Almond. Absent: Don Clark Also present at the onset were Jim Wortner, Alternate to Creston West and Mike Aaron, Alternate to Huer Huero.

2) Minutes of the previous meeting of May 19, 2021 – Geraldine drafted

No discussion or corrections. Steve made motion to approve, Tom 2nd, Unanimous approval

3) Limited Public and/or CAB Member Comments for Items NOT on the agenda

Roy wanted to thank Tom Edel for his work on getting a CAB ad placed in the Creston Women's Club upcoming Cook Book. Hopefully this will stimulate interest in CAB and we can recruit more elected members.

Jim inquired about continuous music emanating from 6455 Webster Rd well after 10 pm and if anything can be done. Answer hopefully can be provided by the Code Enforcement staff present tonight.

4) Public Safety - Cal Fire, Sheriff not represented tonight.

CHP – Sgt. Rutter present - Templeton Station –

He reported the following Creston statistics for the last month. 28 crashes, 57 enforcements of which 22 max speed (one over 100 mph), 2 seatbelt violations, 13 DUI

5) Fifth District Supervisor Report – Supervisor Debbie Arnold's LA Micki Olinger-Chavez was present and gave the following report which she then supplied to us in an email:

Budget:

- - \$3M from COVID-19 designation to PW- Roads for pavement management
 - \$1M from General Fund contingencies to PW- Special Services for SGMA work
 - \$1M from General Fund contingencies to PW- Waste Management related to IWMA
 - \$50,185 from COVID-19 designation to restore District Community Project grant funds
 - \$160,000 from COVID-19 designation to Community Parks to restore funding for swimming pools (and turf watering)
 - \$125,000 from COVID-19 designation to Administrative Office for Atascadero Bridgeworks
 - \$90,000 from COVID-19 designation to Administrative Office for South County Chambers (\$30K for Grover Beach, \$60K for Nipomo)
 - \$400,000 from SB 1090 Economic Development designation to Administrative Office for REACH
 - \$75,000 from SB 1090 Economic Development designation to Administrative Office for SLO Chamber to fund portion of first year of family friendly coordinator
 - \$110,000 from COVID-19 designation to Central Services for History Center

Below is information on the American Rescue Plan Act (ARPA) funding of \$55 million received by the County:
Eligible Use Categories

1. Public Health and Negative Economic Impacts Response – To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality

2. Premium Pay to Essential Workers - Provide premium pay to essential employees or grants to their employers. Premium pay could not exceed \$13 per hour or \$25,000 per worker.
3. Restoration of Government Services - Provide government services affected by a revenue reduction during the pandemic
(relative to revenues collected by the local government in the most recent full fiscal year prior to the emergency).
4. Water, Sewer, or Broadband - Make necessary investments in water sewer and broadband infrastructure.

Bucket Allocations made by the Board on Tuesday June 15th:

Public Health and Negative Economic Impacts Response: *Respond to the public health emergency or its negative economic impacts* **\$35 Million**

Premium Pay to Essential Workers: *Providing premium pay to eligible workers* **\$ 0**

Restoration of Government Services: *Provision of government services to the extent of the reduction in revenue* **\$10 Million**

Water, Sewer, or Broadband: *To make necessary investments in water, sewer, or broadband infrastructure* **\$10 Million**

The Administrative Office will now do outreach to the public, county departments, and interested parties on potential projects that will fit into these categories or buckets. Projects will be brought before the Board for review and potential funding. We do have until 2024 to spend the \$55 million, so this will be an ongoing process that will make frequent appearances at the Board of Supervisors meeting. Please let me know if you need further information on either the budget or ARPA funding.

- 6) New Business – County Code Enforcement & SLOCOG Transportation survey
 - a. Jennifer Caffee, Code Enforcement Officer to tell us about their role, staff, challenges, etc. “Hearing Officer Process for Code Enforcement”. Also present was Jill Coomer supervisor. Jill’s number is 805-788-2005.

Jen had a short 10 page Power Point presentation on “Establishing Code Enforcement Abatement Hearing Process.” This is for traditional code enforcement (Tier I priority), not cannabis. They have moved to a process of using a Hearing Officer to made determinations rather than having to go to the DA, as was done in the past. Here are the five main slides that explains the process:

The Hearing Process – Enforcement Officer

- Streamline legal proceedings in order to:
 - Abate
 - Issue fines
 - Cost recovery
- Provides an opportunity for the public to engage in the hearing process.
- Due process for the Property Owner.

The Hearing Process – Property Owner

- Prior to Hearing, Property Owner may:
 - Voluntary compliance (avoiding fines and a hearing)
 - Request:
 - A continuance
 - Additional time to abate the violation
 - Agree to a stipulated order
 - Property Owner can submit the following to the Hearing Officer for consideration:
 - Rebuttal
 - Request fine reduction

The Hearing Process – Hearing Outcome

- Rulings by Hearing Officer are final which may include fines or other corrective actions.
- Decision is appealable to the local California State Superior Court.

Ordinance Amendments:

TOPIC	ORDINANCE SECTION(S)	AMENDMENT
Administrative Fines	Chapter 1.05 of Title 1	<ul style="list-style-type: none"> • Establish administrative fines for misdemeanors • Appoints the County Hearing Officer as the hearing administrator for appeals to notice of fines
Lodging Homestays	Title 22.30.270 and Title 23.08.265	<ul style="list-style-type: none"> • Further defines a violation to include the advertisement of an unpermitted homestays
Lodging Recreational Vehicle (RV) Parks	Title 22.30.300 and Title 23.08.266	<ul style="list-style-type: none"> • Further defines a violation to include the advertisement of an unpermitted recreational vehicle park and commercial campground
TOPIC	ORDINANCE SECTION(S)	AMENDMENT
Residential Vacation Rentals	Title 22.30.510 and Title 23.08.165	<ul style="list-style-type: none"> • Further defines a violation to include the advertisement of an unpermitted vacation rental • Appoints the County Hearing Officer as the hearing administrator for appeals of permit denial
Temporary Events	Title 22.30.610 and Title 23.08.248	<ul style="list-style-type: none"> • Further defines a violation to include the advertisement of unpermitted temporary events
Enforcement	Title 22.74 and Title 23.10	<ul style="list-style-type: none"> • Establishes the Office of County Hearing Officer and defines its authority • Defines the County Hearing Officer process and procedures

Thomas asked if there were any code enforcement officers to investigate off hours and weekends....to address issues such as the one Jim Wortner asked during Public Comment at the beginning of the meeting. Jen said they have an officer “On Call” 24 hrs/day however they only go to investigate reports that are of a Health & Safety/Emergency concern. Loud music does not qualify. She said you would have to call the Sheriff for violation of noise ordinances.

Any reports to Code Enforcement are keep confidential. Jill only had to give a name in court once and the person’s name was already public knowledge.

Murray Powell asked a question about staffing in the two divisions of Code Enforcement, Traditional and Cannabis. How many Code Enforcement Officers are there in each division? Will they be able to keep up the the quarterly monitoring of the 141 cannabis projects? Unfortunately, Jen and Jill had logged off of Zoom. Sheila sent the question to Jill post the meeting. Jill responded that Traditional Code Enforcement has 6 investigating officers and 1 supervisor. Cannabis Code Enforcement has 3, with only 1 of the 3 in charge of quarterly monitoring. Jill passed the questions along to Marie Cullinane, the Code Enforcement Investigator who oversees cannabis projects who can give us more information.

b. Input Needed for SLOCOG’s Regional Transportation Plan (RTP): A Blueprint for Accommodating New Growth through 2045- John Dinunzio

John, with a 14 page Power Point presentation, informed us of who SLO COG’s is: San Luis Obispo Councils of Government, made up of 7 cities (Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach and San Luis Obispo) and the County of SLO. Their function is to do strategic planning for these entities “seeking solutions to problems that go beyond a single jurisdiction and cannot be addressed at the local level.” They are primarily funded by the federal government. John is the planner for Transportation (cars/buses/trains/bicycles/senior transport). They advise on how both State and Federal Funding could be put to the best use. They work interagency to build consensus.

John had a slide to show some of the projects that have been part of their work efforts and the costs of different kinds of improvements in our region. See attachment(s) at the end of these minutes.

They are conducting a survey for which they would like everyone to give their input. The survey can be entered in both English and Spanish. On-line only. You can answer for all parts of the County, not just the area you live in. Results will assist with their planning efforts moving forward and determine which projects will get government funding. Plan to be finished by 2023 and when implemented will extend into 2045.

Other parts of SLO-COG are doing planning for other topics including Technology, Commute and Travel, Health and Environment and Housing and New Growth.

You can learn more about SLO COG and take the Transportation and other surveys at their website: <https://www.slocog.org/engage>

CAB members had some questions. There was a question as to whether they study the accident statistics (note CHP report above indicating 28 crashes in Creston in one month) when they are looking at road improvements/modifications needed....they do. The intersection in Creston at Hwy 41 with Creston Rd and La Panza was mentioned as a hazardous location and John said he would look into that. CHP also cited tonight a significant number of citations issued for “excess speed” including vehicle going over 100 mph on Hwy 41.

Final questions were about 5G technology and it’s safety and implementation. John is not familiar with this but will give his colleagues at SLO COG our inquires. Hopefully we will hear back from them in the future.

- 7) Planning Department Update & Project Referrals - Ian Landreth, CAB Liaison, may be present to give a departmental update.
 - a. Report on what he was able to find out about the Cotta Well on O’Donovan.
We received some communications just today. No one has had a chance to read them yet. Save for reporting next month.
 - b. News on cannabis projects:
DRC2020-00115- their appeal to the Planning Commission’s denial is expected to be heard at the B of S sometime in August.

DRC2018-00234 Big Foot has resubmitted a revised application. CAB will revisit this project once there are more of their documents available to us.

- c. Sheila reported on P& B Dept hearing on the Herring Events Application across from the Loading Chute. The P & B Dept. ignored the CAB recommendations on this project and pushed it through. The only change was from 25 events per year to 20 (CAB had requested it be only 12). P & B Dept granted applicant the okay to use Calle las Colinas the use of their private easement for a secondary emergency exit even though the legal grant deed document releases the applicant from any liability if there is any kind of accident as a result of the use of this exit. P&B Dept said County Council was okay with this infringement on the Las Colinas resident's liability. The P & B Dept. ignored the request to offset the increased water usage for new sod, by removing a section of alfalfa for parking.

8) Unfinished Business – (15 minutes) If time allows:

- a. Discussion of possibility of filling vacant CAB area seats with Alternates. Sheila prepared a “draft” of potential by-law changes to accomplish this and circulated it to all the CAB members prior to the meeting. All comments were in favor of moving forward with the proposal of utilizing the named Alternates to each of the Elected CAB members as “sit in” full voting members during CAB meetings as substitute members for CAB geographical areas without representation.

By-laws required that any changes be approved by 2/3 of the CAB members and the changes be posted for public comment at least six days prior to the second CAB meeting (July 21) where there is to be a final vote on the new verbiage in the By-laws. Kurt will post the proposed emended By-laws on the CAB website where all the public can go and read the verbiage. Sheila will place a notice on the Creston Post Office bulletin board informing the public of the proposed changes and the website address where they can access the document for their review.

Steve made the motion to approve the By-law changes. Tom 2nd.
The vote was unanimous to change the By-laws as amended.

- b. Location of July CAB meeting discussed and we will go for the Creston Community Center to see if it is a viable alternative to the church.

9) Committee Reports/Next Steps (

- a. By-Laws – Sheila L. & Thomas E.
 - i. See Item 8a above.
- b. Elections – nothing to report
- c. Public Information — Roy B., Tom E. & Mike Aarons w/ Website update – Kurt A.
Tom reposted the ad for filling CAB vacancies on Next Door website.
Tom completed the CAB advertisement to go into the CWC Cookbook which is undergoing presale now and will be distributed in Sept during the rodeo.

- 10) Treasurer's Report – Per recent bank statement balance is \$1348.04. Roy said he will reapply for funding for this year. Discussion on how much funding is available to CAC's. Tom read that a South County CAC was getting in the neighborhood of \$5000 a year. We usually get \$1000. Sheila said she believes this come directly out of Supervisor Arnold's budget. Micki confirmed that this money is what is referred to as “Community Grants” that each Supervisor is allotted and she believes that the standard amount is \$1000 per CAC. As far as uses of this money, it needs to be spent in support of the CAC functions specifically. It can't be used to suppose other organizations.

Sheila asked Micki if the Community Beautification and Infrastructure grants would be coming back.

Micki said probably not at this time but she would let Supervisor Arnold know these grants are important to Creston. They have helped up turn the old fire station into a more functioning Community Center but we still need a heater/AC system. Micki will mention this to Supervisor Arnold to see if there is any other monies that could help out the Creston Community Center.

Next Meeting: We may be looking at cannabis Big Foot project. Should we also invite Christopher Moore from the California Public Utilities Commission to come introduce himself? Sheila will contact him to see if his information is time sensitive. If not, maybe we will have him in August as we think he might have some good information to give us.

11) Adjournment motion by Steve, 2nd by Thomas, Unanimous vote at 9:12 p.m.



HIGHWAYS, STREETS, ROADS

Cuesta Grade, Santa Maria River Bridge & SR 46E Widenings

14th St Bridge *Paso Robles*

US 101/SR 41 Interchange *Atascadero*

Quintana Roundabout *Morro Bay*

L.O.V.R. interchange *SLO*

4th St/ Oak Park Interchanges *South County*

Shell Beach Rd Streetscape *Pismo Beach Willow*

Road Interchange *Nipomo*

BUS, RAIL

RTA, SoCo Transit, Paso Express,

SLO Transit, Morro Bay Transit

RTA Bus Operations &

Maintenance Facility

Atascadero Transit Center

Grover Beach Train Station Expansion

Park 'n' Ride Lots

BIKE, PEDESTRIAN

Bob Jones "City to Sea" Trail Pismo Beach Promenade Morro Bay

Boardwalk Salinas River Trail

Port San Luis Pier Rehab

Railroad Safety Trail *SLO*

COST OF IMPROVEMENTS IN OUR REGION

- Brand New Interchange **\$30-60M** (*depending on location*)
- Major Interchange Improvement **\$25M+** (*Brisco Rd*)
- Interchange Operational Improvements **\$2-8M**
- SR 46 Improvements **\$25M per mile**
- Class 1 Bike Path **\$1.6M per mile**
- Safe Routes to School Sidewalk, Curb, Gutter - **\$50k per block**