

SOUTH COUNTY ADVISORY COUNCIL
Minutes for the January 27, 2014 Meeting

The meeting was called to order by Chairman Dick Wright at 6:30 p.m. Dan Woodson led the Pledge of Allegiance and Secretary Elaine Thomas called the roll with the following members present:

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| Sandra Caughell | Susan Cholokian |
| El-Jay Hansson | Istar Holliday |
| Vince McCarthy | Gary Spelbring |
| Elaine Thomas | Dan Woodson |
| Dick Wright | Dan Gaddis, NCSD |
| Pat Duron | Harry Walls |
| Vern Dahl, LMUSD | |

Members absent:

Bill Dorland

A quorum was declared

Approval of Minutes for the November 25, 2013 Meeting: Istar Holliday moved, seconded by Sandra Caughell that the minutes be approved. Motion carried with Rick Dean abstaining.

Treasurer's Report: Treasurer Dick Wright presented the following report:

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| Grant Funds - \$990.00 | Dump Fees - \$895.76 |
| Library - \$952.42 | Total \$2,838.18 |

Istar Holliday moved, seconded by El-Jay Hansson that the Treasurer's Report be approved.

Comments from the Chair: Dick Wright announced that Clyde and Theresa Cruise have been selected as Citizens of the Year by the Nipomo Chamber of Commerce. He mentioned that Clyde chairs the Parks & Recreation Committee and serves on the Traffic and Circulation Committee. Theresa has made the SCAC meetings enjoyable with her delicious cookies and cakes.

The Adobe Press has been very helpful to the community and the SCAC by printing the Election Letter and also the agenda for the upcoming meetings. Dick said this is appreciated very much.

Community Presentations:

SLO County Supervisor 4th District - Legislative Assistant Liz Ruth reported that Supervisor Caren Ray had planned to be at this meeting but was called away by a family need.

Liz Ruth introduced the new head of the **Planning Department**: Mr. Jim Bergman was serving his first day on the job. Mr. Bergman said he is familiar with the area and will serve to the best of his ability.

Liz Ruth said the comment period for the **Phillips 66** rail spur proposal is completed, however further comments can be directed to the Planning Commission.

Viva Farms representatives met with Supervisor Ray, the Planning Commission and the Traffic Engineer recently to discuss the traffic problems that exist.

Mesa Dunes Mobile Home Park proposal to make home lots available for sale will be going to the Board of Supervisors on appeal on February 4, 2014. If anyone wishes to attend this meeting of the Supervisors the public will be allowed to speak.

Cal Fire Battalion Chief Paul VanGerwen was not present.

SLO Sheriff's Office - Commander Jay Donovan reported for the year 2013 that there were 20,500 calls to the Sheriff's Dispatch. There were 8,000 calls from the Nipomo area and 1050 arrests. For the month of December 2013 there were 951 calls, 38 thefts of which all but four were preventable. The staff consists of 25 deputies, 2 sergeants plus 1 commander.

Commander Donovan urged everyone to lock their cars, not leave valuables in sight in the car and keep the garage doors closed at night.

Law Enforcement Explorers is an organization administered by the Sheriff's Office. The troop is available to young people up to age 22 who help with community events. There are presently 26 members of the troop and their service has been valuable.

If anyone is interested in forming a Neighborhood Watch, please contact the Sheriff's Office at 473-7100.

California Highway Patrol Captain Matt Olson reported there were 8 traffic accidents on Willow Rd. in 2013. The speed limit signs are now up and the posted speed is 55 miles per hour. Contrary to reported complaints, his officers have not noticed a speeding problem on Willow Road.

The trucks traveling to Viva Farms on Camino Caballo have a legal right to drive there. One truck inspection occurred recently. There is no weight limit posted on Camino Caballo since a portion of this road is private property.

Nipomo Community Services District Representative Dan Gaddis reported the following:

1. Completed Projects: The Supplemental Water Project Phase 1 Bid Package 1, comprised of 2,600 linear feet of 24 inch inside diameter waterline installed via horizontal direction drilling under the Santa Maria River in November, 2013 is all completed.

2. Project Construction: The Southland Waste Water Treatment Facility is scheduled to be completed July 5, 2014. Total work completed to date 84%. Total time elapsed to date 73%. This project is ahead of schedule.

Black Lake Well #4 Pump Replacement project involves replacement of the existing well pump column pipe, and discharge piping assembly. Completion is scheduled for February, 2014.

3. Projects in Design and Planning: A Black Lake Wastewater Master Plan. A technical evaluation of the existing plant and sewer collection system is in progress. Work to correct electrical safety issues identified at the treatment plant is pending.

On The Legal Front: The lawsuit by Mesa Community Alliance vs. Nipomo Community Services District challenged the legality of how the District had financed the construction of Phase 1 of the Supplemental Water Pipeline project. On Tuesday, January 21, 2014, the Court decided the lawsuit in favor of the District.

Lucia Mar Unified School District Representative Vern Dahl reported the solar project implemented by Chevron Petroleum for the schools is in process and is estimated to save the school district approximately \$1million per-year when completed.

Salary negotiations are in process with the union.

SLOCOG is beginning a survey of Safe Routes to School with the aim of building sidewalks so children can walk or ride their bikes safely to school.

New Tech High has launched a magazine. The first issue is devoted to a historical account of this area in the 1920's.

The State of California is working toward implementing more local control in the schools.

SLO County Planning Staff Planner Brian Pedrotti was present but had no report.

Nipomo Chamber of Commerce President Richard Malvarose was pleased the SCAC received their newsletter. He said they are enjoying their new offices and hope to create a business center.

Public Comment:

John Snyder submitted a report of the availability of water and said the litigation is completed. He disagreed with the findings of the NCSD.

El-Jay Hansson said the Ride Nipomo Equestrian group is active in helping with community projects. She introduced new President Shelly Patterson.

New Business

Vista Grande Partners SUB 2006-002205 TR2923 - Proposed tract map for 17 unit planned development site on Grande Ave., Nipomo APN 092-142-034 - Emily Ewer presenting: Ms. Ewer issued a map and proposed condo development information. Discussion followed.

Istar Holliday moved, seconded by Rick Dean that the SCAC does not support approval of this project based on the following problems: inadequate number of parking spaces with only 7 guest parking spaces for the 17 units, no individual driveways for extra parking, lack of adequate play area for children, no definite plans for the HOA and its administration and/or shared management and maintenance of the proposed units, which can be owned or rented. Motion carried.

Correspondence Secretary Istar will compose a letter and email it to the SCAC members for approval and then send it on to the Planning Commission and the Board of Supervisors.

Old Business

Viva Farms/Camino Caballo Traffic Update - Representatives from the neighborhood, from Viva Farms and from County Codes offered information.

Mike Berry spoke for the residents along Camino Caballo and said there are three businesses incorporated within Viva Farms. Viva Farms Nursery (plant growing), Plant Source Inc. (distribution) and Plant Source Trucking Inc. (freight). A number of years ago Viva Farms was entirely a nursery, but in recent years has become a distribution center with many trucks traveling in this residential area on residential roads. The noise and 24 hours a day of truck traffic has become disturbing to the resident along the roads. Dennis Delzeit a resident on Camino Caballo, thanked the SCAC for a letter that had been sent in 2013 in support of the residents. He asked that that letter be resubmitted to the Planning Department, Code Enforcement and Supervisor Caren Ray as well as the Board of Supervisors with another letter suggesting that this traffic is unlawful. He noted that the Rural Residential zoning did not allow for a distribution center at Viva Farms.

Art Trinidad, County Code Enforcement spoke in reference to the difficulty the residents are having and indicated that according to the law there is nothing that can be done. The truck traffic is deemed to be legal and the law reads that there is nothing illegal about the type of distribution business and the traffic it generates.

Mr. Trinidad had toured Viva Farms and said that only about 20% of the business was distribution and the rest is growing plants.

Viva Farms Representative Toni Kavaky said she sympathized with the residents, but the nursery business grows a lot of plants and needs to distribute them. The owner of Viva Farms, Steve Pile, was invited to this meeting but was not present. Toni said the

truck traffic was supposed to be from 7:00 a.m. to 7:00 p.m. but they can't always hold to that. The speed limit on the road is 25 mph.

Discussion followed with many of the residents asking questions and voicing their thoughts. Planning Commissioner Jim Bergman said since there was so much concern on the part of the residents, the County needs to take another look at this problem. A meeting will be called to further discuss what can be done. It was pointed out that the County Code says distribution centers are illegal and needs to be enforced. The residents fear the value of their property is being affected by this excessive truck traffic.

Rick Dean moved, seconded by Gary Spelbring that SCAC send a letter to County Planning, County Code Enforcement and Supervisor Ray explaining the difficulties that exist and pointing out that the ancillary use which is a distribution business is being allowed even though it is illegal. Discussion followed. Motion passed.

Correspondence Secretary Istar Holliday will write the letter, send it to members of the SCAC for approval and send it on to the county agencies.

Committee Reports and Assignments:

Phillips 66 Proposed Rail Spur: Chairman Dick Wright assigned the following: Land Use Committee will explore the expansion of the facility, the Traffic and Circulation Committee will research the rail traffic and the construction traffic impact on Willow Rd. PM10 will study the extent of air pollution that will be generated during the building as well as the operation of the trains coming and going. Also the noise generated and how the residents of the area will be affected.

Dick asked each committee to be ready to discuss their findings by February 24, 2014 at the SCAC meeting. April 4, 2014 is the scheduled date of the Planning Commission meeting on the issue.

Election Committee - Chairperson Susan Chelokian has issued the first press release on SCAC's next election to the Adobe Press. The application for election on the SCAC has been updated and is now on the website. The second press release will be filed soon and be published in the Adobe Press. Filing for Council election will be accepted February 4 through March 3. The Town Hall meeting will be held on March 3 with those running for office being able to present a 3 minute presentation of their qualifications. The election will be held March 17 from 5:00 p.m. to 8:00 p.m.

Land Use Committee Chairperson Istar Holliday indicated a meeting at Trilogy has taken place about the Phillips 66 rail spur and some residents were upset. The DEIR only dealt with a pipeline, and did not refer to a rail spur. Istar pointed out the potential danger of heavy crude traveling through an inhabited area.

Traffic and Circulation Committee Chairperson Dan Woodson said Public Works Representative Jeremy Ghent will be sending a link to the study of a permanent barrier on Mary Ave. north of Tefft, to prevent left turns into and out of the Vons Parking lot.

A Park & Ride project is being proposed for Carillo and Tefft and the Willow Interchange. Plans will be submitted summer of 2014.

PM10 Committee – Chairperson Pat Duron presented the following:

There were two presentations made at the APCD meeting that indicated that we had almost 100 days of non-attainment of state standards during 2013 and 3 days in which federal standards were exceeded. This compares to around 44 days of non-attainment four years ago when we first got involved in this issue. Larry Allen also said it looks as if we will exceed federal standards for PM 2.5 in 2013. So things are worsening rapidly.

In exchange for delaying the next Rule 1001 milestone, State Parks is supposed to be putting sand fences upon the LeGrande Tract this spring. We do not know how this will lessen the impact.

Roberta Fonzi will continue as Board Chair for 2014 with Adam Hill as Vice Chair. Larry Allen's employment contract was renewed for two years.

The impact of the Phillips 66 rail spur project on air quality is significant. Most troubling is the proposed mitigation to use off-site trade-offs, which does nothing for the area's air or noise quality.

Meeting adjourned 9:58 p.m. Next meeting February 24, 2014