

Agenda Item	Discussion/Action/Information
	<p>advisory councils off the top of his community project funds, they get replenished when the county budget is acted on, which is coming up in two weeks. He wants to make sure the advisory councils get the funds that they need to continue their operations. Your treasurer might want to think about what your expenses might look like from August 1st of this year to August 1st of 2019. Figure out what that looks like and subtract whatever funds you have in the bank, and we will fund you up to the expected amount that you need. The county is set for budget hearings on June 11, 12 and 13. The budget this year is a little bit of a tough one. We had to close a \$2.1 million gap between what we expect services to cost and what we expect revenues to be in the coming year. We did that with a strategic allocation from reserve funds on building maintenance, so we will defer a little bit of maintenance on county buildings, and that, in an effort to make sure we maintain current services and also significantly increase mental health services, in particular mental health services within our jail. The exact allocations of those mental health funds are yet to be determined as we work through exactly what kind of improvements we need to make to jail medical care and behavioral health care; mental health care in the jail. We'll figure out exactly how we want to deploy those funds. But in a difficult budget year, it's a testament to the financial strength of the county that we are able to strategically use our reserves which we expect to replenish as early as later this fall, but certainly within coming budget years we'll get those back. So we're working well on that.</p> <p>Kerry mentioned two things, one of them is the Habitat Conservation Plan which we are hopeful of getting to U.S. Fish and Wildlife Service in the near future and that starts then the wider process of getting it published in the Federal Register and the comment period and all the things we need to see to it get completed. It's been a very arduous road and I'm glad to say that we are near the end of the local process and hopefully that will be moving forward to sync up with our Community Plan. And then the question of vacation rentals is one that is absolutely front burner up and down the coastal zone of the state. Short term rentals are affecting the housing market and the character of neighborhoods in communities all up and down the coast. I was at a meeting of our state association last week chairing the association of the 15 coastal counties. In fact, I did today, ask the Coastal Commission to set up a workshop, where we are going to have cities and counties from all over the state represented, and sitting down with the coastal commissioners to talk about the policy of vacation rentals. They are regulated very differently in different communities. They are having a significant impact on housing availability in the coastal zone for permanent residents, and it's time we get going on that.</p> <p>So, those are the things on my list. As I told your chair, I am faced with a very early day tomorrow, and a few more things to do this evening, so after the agency reports, I'm going to beg to be excused. But I'm happy to stick through the agency reports and take any of your questions.</p>

Agenda Item	Discussion/Action/Information
	<p>Council questions:</p> <p><u>Member Womack</u> - asks if Supervisor Gibson can't stay until we get to the Treasurer's Report, she had a few questions on how much money to ask for, and he says yes.</p> <p><u>Member Korin</u> - wanted to know if Los Osos would be represented at the vacation rental workshop.</p> <p><u>Supervisor Gibson</u> - explains that this would be the fourth workshop that local jurisdictions have convened. They bring in six county supervisors from all over the state, six elected representatives from cities up and down the coastal zone. They sit around a table much like the LOCAC table with the 12 coastal commissioners and their staff and talk about issues. He has participated in all three of the previous ones, and look forward to participating in this one, but he is not sure when it would be set up. Los Osos' representation would be through Supervisor Gibson. There is an amount of public comment that is available for all items before the Coastal Commission, so depending on where this meeting is held, the public is able to make some comment. He answers the question as to location and time, but he does not know yet. It will likely be next year, and the meeting locations jump all over the state, from Del Norte to San Diego counties.</p> <p>No further council questions.</p> <p>Public Comment:</p> <p><u>Linde Owen</u> - would like an update on the \$10 million from the ARB cost overruns that the county incurred. How are they affecting the budget? To date, the county seems to be loaning those, and yet in your words, you say that we are going to be held responsible but we haven't heard where that's going. I think all of us that are rate payers want to know if we're going up that extra sixty bucks a month to cover that county mistake, and I also wanted to see what is coming out of the library study and if we are just waiting for Habitat Conservation, or if we're going to move ahead and get it figured out before the last minute when the Habitat Conservation Plan comes through.</p> <p><u>Supervisor Gibson</u> - The \$10 million that Ms. Owen is referring to is the last bill for the construction of the sewer, which appeared as a settlement of a lawsuit that was filed for over \$23 million by one of the sewer contractors. The settlement funds were paid from a general fund reserve and the expectation is, based on the will of the majority of supervisors, that the costs of the Los Osos sewer are going to be borne by the rate payers connected to the Los Osos sewer. But at this point, we don't know how this is going to affect rates. And we won't know that probably until sometime early in 2019, if indeed it affects rates at all. Because of the strategies that we're using is to see if we can refinance a significant part of the loan that pays for the construction at a lower interest rate, and wrap that \$10 million in. So you may be</p>

Agenda Item	Discussion/Action/Information
<p>• LOCSD Report</p>	<p>familiar with that, if you can lower your—if you are financing a house or a car—your monthly payment is going to depend on the interest rate, to a rather sensitive degree. So I have reviewed a final draft of a letter that I assume has been sent to the State Water Resources Control Board asking for their consideration of an interest rate reduction and a refinancing of the loans that take up about half of the cost of the sewer. We’re expecting that it will take about six months for the staff of the State Board to process this request, and at a point it’ll be on the agenda before the State Water Resources Control Board. So at this point, there’s no effect to rates for that settlement payment, and we’ll know more about whether there would be an effect. In any case, for those of you who haven’t heard this discussion before, and we’ve discussed it on a couple of occasions, if the rates are to be raised more than about \$4.50 a month, or thereabouts, it would actually require a vote of the ratepayers to decide whether they wanted to pay those rates, under the provisions of Prop 218. I can see a variety of ways, and I have stated publicly, that I’m not going to support any rate increase that goes beyond the authorized limit, again, a maximum increase of about \$4.50. And I would be arguing for some manner of taking care of the final bill there that doesn’t raise rates any more than that at the maximum. So more to come on that, probably six months from now we’ll know a good bit more and on into 2019.</p> <p>And then the library, I can tell you, the County conducted an alternatives analysis of various sites to expand the existing library. Basically the existing library is about half the size that it should be, maybe even less than half the size that is appropriate for the population and the use. This is an incredibly busy library for those of you who use it. And a variety of options were considered, including rebuilding or expanding the library at its current site, one or more vacant parcels and a proposal to see if the office building that sits in the corner of the Ralphs shopping center, it has a Dignity Health Laboratory and a State Farm Insurance Agent, whether that might be purchased and rehabilitated or...re-toggled into a library. It actually is about the right size, the parking is really good. We’re working on some questions of ingress and egress, and how much it actually would cost, but that’s been identified as the alternative to pursue for right now. Again, I expect we have at least a couple months of analysis to do to see if that really pans out, but the Friends of the Library, we have at least one of their board members here, has chosen that they’d like to see the County pursue that option, and see if it’s gonna work. If it does pan out, and the issues that we have get resolved, that could be a very cost effective and timely way of expanding a very much used resource in this community. But again, more of that to come, a couple of months at least of thinking about the details on this.</p> <p><u>LOCSD Director Lou Tornatzky</u> - At the LOCSD meeting of May 3, 2018 the following issues were discussed and decisions made:</p> <p>Following established procedures, a closed session item concerning</p>

Agenda Item	Discussion/Action/Information
<p>• LO/BP Chamber Report</p>	<p>a Real Property Matter in the Andre Avenue area was deferred on the advice of counsel to a later meeting. Nonetheless, in an open part of the meeting, residents from that neighborhood were permitted to air their concerns on relevant water issues. That's all I can tell you about that item. Jose Acosta, Utilities Manager, reported on the current status of water production and billing for the month of March. Compared with March last year, water production decreased 10.77%. For the period from January 10, 2018 through March 7, that generated \$159,040.50 in revenue, which is a significant increase from the same time last year. General Manager Renee Osborne, Parks and Recreation Committee Chairperson myself, and President Milledge met with senior County staff and reported on the status of the Dog Park. Much of the relevant planning has been accomplished, but needs to be implemented into a Dog Park lease as well as an updated Community Plan. It is anticipated that these and other planning tasks regarding a dog park will likely continue into 2019. The fireman's oath was administered to 10 new South Bay Reserve Firefighters, and we called it an evening. Question, comments?</p> <p>No council questions.</p> <p>Public Comment:</p> <p><u>Paul Hershfield</u> - from 8th Street. So how much is this dog park going to cost in the end? Planning, building....</p> <p><u>LOCSD Director Tornatzky</u> - we don't have that kind of data yet, there's lots of variables involved, there may be other sources of money, that are not really...I can't talk about them. It might be a lot cheaper than we are all afraid about.</p> <p><u>Paul Hershfield</u> - I always wonder why it is being prioritized over people parks?</p> <p>(Laughter)</p> <p><u>Paul Hershfield</u> - I know, everybody in Los Osos has a dog.</p> <p><u>LOCSD Director Tornatzky</u> - because we've got a lot of people with dogs that say they want it, far more than other things that Parks & Rec might be doing. There's a few dozen tennis players, but there's lots of doggies.</p> <p><u>Paul Hershfield</u> - yeah, but I'm talking about parks for kids, not tennis players.</p> <p><u>Chamber President Steve Vinson</u> - I'm going to keep it short, just one thing. In case you haven't heard, there's going to be a party next door at the Red Barn, tomorrow afternoon, from 5:00 p.m. to 8:00 p.m.. They're gonna unveil a new sign, I'm thinking it's going to say, "Red</p>

Agenda Item	Discussion/Action/Information
<p>LOCAC COMMITTEE REPORTS TREASURER’S REPORT/MINUTES OTHER REPORTS:</p>	<p>Barn.” (Laughter) You’re going to have to find out, come to see. Kiwanis is going to be there serving dinner, only \$5.00 for tri-tip, beans and salad. That’s a pretty good deal there. Live music with Raoul n’ the Ripcurrents, and this is cosponsored by the Chamber. Beer and wine for \$5.00, soft drinks for \$1.00. Big dessert cookies, \$1.00. That’s all.</p> <p><u>Unidentified man</u> - that’s all you need to say! (Laughter)</p> <p><u>Vice Chairperson Bender</u> - the Chamber of Commerce has been doing a very wonderful job in our town here.</p> <p><u>LOCSD Director Tornatzky</u> - will there be press coverage of the eating and drinking? You’ve got to arrange that!</p> <p>Treasurer’s Report by <u>Member Womack</u> - who reports that we have a balance of \$642.92. The reimbursement for Sea Pines cleared (Land Use Committee meeting room). She has written two outstanding checks, one for the P.O. Box for the year, \$140, and rent until August for \$300. After those clear we will have \$252.42. She was thinking about the budget and what to request, as we might be a little under what we needed for this year. We have rents, the P.O. Box, the Chamber of Commerce and some incidentals. She asks Land Use Committee Chair if the Sea Pines contract is for a year (Yes). That is a new expense to add. She found website fees going back a couple of years. <u>Member Harris</u> (webmaster) says there should be domain name and hosting fees and that it is still in Tom Cantwell’s name. <u>Member Womack</u> found website fees of \$200 a couple of years ago and asks if it will be about the same (Yes). <u>Vice Chairperson Bender</u> said that he paid it a couple of years ago and that it should be due, so put that into the budget request. <u>Member Harris</u> jokes about his webmaster’s salary and <u>Member Womack</u> jokes that that comes from pennies out of our pocket (laughter). <u>Member Womack</u> says the budget comes to \$2,050 and asks if that is in the ballpark.</p> <p><u>Supervisor Gibson</u> - says yes and asks for a line item budget fund request for early July, so that LOCAC can be funded by the first part of August. There can be a mid-year adjustment if need be, but prefers to get us funded up front. <u>Legislative Assistant McKee</u> can help with the application. \$50,000 is given to each supervisor to be spent on community projects. (<u>Supervisor Gibson</u> and <u>Legislative Assistant McKee</u> exit.)</p> <p>A motion was made and seconded to accept the Treasurer’s Report. LOCAC voted in favor - 10, opposed - 0, no abstentions. (10-0-0), one member absent.</p> <p>Land Use Committee minutes will be postponed. Traffic and Circulation Minutes will be postponed.</p> <p>Secretary’s Minutes by <u>Member Tornatzky</u> - there were no corrections</p>

Agenda Item	Discussion/Action/Information
<p>PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (limit of three minutes per person)</p>	<p>sent and she fixed three typos.</p> <p>A motion was made and seconded to accept the LOCAC Minutes. LOCAC voted in favor - 10, opposed - 0, no abstentions. (10-0-0), one member absent.</p> <p><u>Tree and Landscape Committee Chair Member Hunter</u> - reports that the committee has identified a project that will take place this fall in conjunction with the Los Osos 4-H Club and the community garden on 11th Street. The activity will be to plant edibles - vegetables and herbs. There are a couple of Master Gardeners that will come in and work with the kids for a 10-week period from October to early December. I will also be open to other kids in the community besides the 4-H Club. He is expecting 10 to 12 elementary school age kids and maybe a few middle schoolers. The community garden has space available at \$5.00/month for raised beds, soil, tools, water, just bring seeds. It is a nice community asset for Los Osos. If you have questions, look for him, David Hunter or send him an Email, he will be happy to answer questions.</p> <p><u>Vice-Chairperson Bender</u> - asks Member Hunter to get Member Harris the information to post on our web page, and notes that it is important to teach kids where their food comes from.</p> <p><u>Steve Best</u> - (passes out papers) After the events of this past week I have been doing some research between my opportunities to be in town. I've been at Stanford quite a bit doing some testing. I realize that what happens to any one of us in the community can happen to any one of us in the community and it becomes an issue if this body does not follow its bylaws, and it can affect anybody and its not fair. I didn't think it was fair to me and I don't think it's fair to anyone else in this community if they put their heart and soul and knew what's going on at LOCAC or any other part of this community and then change the rules. (Member Harper asks Steve to speak up.) So I have a statement here, a complaint, and my complaint basically states that members of the Los Osos Community Advisory Council and its committees have potentially violated the LOCAC bylaws, policies and procedures, and procedure manual, and potentially, the California Fair Political Practices Act. And with the actions taken and performance by LOCAC leading up to and holding the election for the 3rd District Community Advisory Council seat. I also feel as though Bruce Gibson may have not provided proper oversight and directive to the County's 2nd District of the Los Osos Community Advisory Council. The combinations of violations, mistakes, lack of oversight and management of the Council may have been a conscious or unconscious effort to produce a desired outcome reflecting the bias, cronyism and collusion in the process. The action that I am requesting is that—cancel the installation of the apparent winner of the election until further notice. Submit all documents, communications, notes to the District Attorney, the San Luis Obispo</p>

Agenda Item	Discussion/Action/Information
	<p>County Code Enforcement, the Fair Practices Commission and other responsible agencies to review and assess, for review assessment for/and (irregularities?) for determination. Subsequently, follow the guidelines and recommendation set forth by those agencies. I think that we need to have a LOCAC that is serving the entire community, and that means we need to follow the by-laws and practices and procedures that are set forth and not just change things on a whim because we made a mistake or oops, this is not going the way we expected or we didn't do it in an appropriate time. You need to be up front and clear about what's going on and how we serve this community.</p> <p><u>Vice-Chairperson Bender</u> - thanks Steve Best and says we will take this under consideration and bring it up with the election committee, and we'll get back to you.</p> <p><u>Linde Owen</u> - wanted to comment on the fact that she finds that it is so refreshing to speak with some of the different heads of departments in the county, about getting certain things like a little walkway improvement across the way, clearing out the end of the street down here, than I do from our supervisor. So we have an election coming up, think deeply about whether we are actually getting parks. We are so underfunded for parks, yet we have the County Park Commissioner lives in town, and does the Celebrate Los Osos thing, but we have not been able to gain an inch of park property. So keep it in mind, there's an election and we can look at what the opponents might have to offer, and I'm severely depressed about the direction that this last twelve years has taken us. That's all I have to say.</p> <p><u>Bob Crizer</u> - to address that, I am presently working on a project that I'm going to be moving through the County, working with the support of Bruce Gibson, to possibly be able to add a park to the community, but that will be something that comes forward after I work with the Planning Department.</p> <p><u>Barbara Kula</u> - (unintelligible) looked at the website ever looked at the different ways, do you ever put links on when they want community input concerning (unintelligible) subject. Like, how do you feel about a dog park. How do you feel about vacation rentals, that you can put comments into, or when you want community input, do you survey people or bring them to meetings? What's your standard (unintelligible).</p> <p><u>Vice-Chairperson Bender</u> - we do, and Dave is the one who runs our website, if you send us Emails....</p> <p><u>Member Harris</u> - we tried a forum at one time, and had it up for about two months and one member only signed up for it, and never wanted to talk about it. We had vacation rentals, we had 1st Street, what did we want to talk about?</p> <p><u>Barbara Kula</u> - if something like "In Your Neighborhood" or anything else</p>

Agenda Item	Discussion/Action/Information
	<p>has ever come onto the website, that people could put their—</p> <p><u>Member Harris</u> - well, we're open to suggestions from the community, tell us what you'd like to see on there and we'll see what we can do. We can put on a survey, a questionnaire to fill out.</p> <p><u>Vice-Chairperson Bender</u> - we have an outreach committee, what we're trying to do with it is reach out to the public and get it input from the public. We haven't figured out—we have a Facebook page so people can post things on there. We do accept—Email us, which then is distributed.</p> <p><u>Member Harris</u> - we have a Twitter account!</p> <p><u>Vice-Chairperson Bender</u> - we have a Twitter account, I don't even know how to use it—</p> <p>(Laughter)</p> <p><u>Barbara Kula</u> - you need people to get input to your board, which direction would you send me. Would you have me go out and have my neighbors sign a petition, or go to a website, or does each individual group throughout the town go and contact people to get a bigger, broader input—you don't want one District saying, "hey, I have 300 people, and we're all going to say this," when you haven't asked the entire town. And so, that's kind of what my question is.</p> <p><u>Vice-Chairperson Bender</u> - we try to do, like with vacation rentals when they came up, to try to get input from as many people who wanted to give us input on the meetings. Both sides came in—those for and against. Anyway, any suggestion that you come up with, email me or Lynette or Dave with suggestions on how to do this.</p> <p><u>Member Korin</u> - we attempt to have an outreach committee and I'll have to admit we have not done much at all. And I think that this is just one of those things where we have to get our act together and do it. And we don't know yet what format is going to be the best, I don't know, maybe to blog will be better, some of us don't tweet or have Facebook or whatever. Maybe a blog will be the easiest, like Nextdoor. But I think it is a very good suggestion, when we do sub-committees like that, the members from the public are invited also to participate. Your input as a public member will be really beneficial.</p> <p><u>Member Womack</u> - the CSD had a survey on Parks, a year and a half ago, like to ask a dog or (unintelligible). I think part of the issue is that we could put that survey on there, but if nobody comes and fills it out. We have an issue with participation, so anything that you can engage neighbors, but I would probably say probably Email, because we don't get the volume for a survey. If you send us an Email, or write us a letter, we will read it.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Barbara Kula</u> - the one thing that came up, going around in our little neighborhood, was like, there's one street that has a lot of issues and they got a little website like "In Your Neighborhood," and we got a card in the mail, and it said, "You're in this neighborhood, put your name and address in" and then they used that for, not for Facebook, but for baby sitters, safe routes to school, safety issues, stuff in their neighborhood, and I don't know if that's something that could work on the board.</p> <p><u>Member Womack</u> - we do not have the funding to send out postcards.</p> <p>(Crosstalk)</p> <p><u>Member Womack</u> - a lot of discussion that's done on Nextdoor (unintelligible)</p> <p><u>Member Hunter</u> - I have one comment about that, you can post a poll on the Nextdoor website, it will let you do that. But as all of you know, Nextdoor is divided into various groups in Los Osos. For instance, in the town of El Moro, which is the largest Nextdoor group, about 20% of households have somebody on Nextdoor. So it's not everybody, but the website will let you do a poll, take a poll, or a survey.</p> <p><u>Vice-Chairperson Bender</u> - maybe someday we will have somebody who knows, to make a presentation for everybody.</p> <p><u>Sandra Sarrouf</u> - I'm thinking if we are talking about budget and there is not another election, that we could propose some money for a community outreach plan (she introduces herself as the newly elected member). (Unintelligible.) She talks about Mr. Best's questions being answered, and that gets addressed and whatever, that's who I am. I would like to see (unintelligible) addressed before. I think a community outreach plan, using those funds and submitting a request for those funds, (unintelligible) I think that there are a lot of tools that can be used in surveying and getting the word out, that is what her background is in.</p> <p>(Crosstalk)</p> <p><u>Sue Morganthaler</u> - I want to encourage all you guys, if you want something, I think it is really on us to do it. Our council here gives of their time to do it and they think we have great ideas and they politely encourage us to get involved without coming out and saying it, "if you want it done you've got to get it done," and I don't know what the history of anything to say that the county supervisor is the cause of not having parks, I don't think you can see that because you can see Mr. Crizer has done it. I think we were talking at the other meeting, that somebody wanted to do something, it's all about somebody stepping up, rallying people, and doing it.</p> <p>(Crosstalk)</p>

Agenda Item	Discussion/Action/Information
	<p><u>Sue Morgenthaler</u> - Okay, okay, but he or she is talking about all this stuff and they're encouraging you to get involved and you're still talking about—</p> <p>(Cross-talk, laughter)</p> <p><u>Barbara Kula</u> - the thing is, I send them Emails and everything else and (unintelligible) I'm only jumping in for a small area and I think when you want to make it a large area—</p> <p>(Cross-talk)</p> <p><u>Sue Morgenthaler</u> - I just want to encourage everybody, that if you want to get something done, you gotta step up and do it.</p> <p><u>LOCSD Board Member Tornatzky</u> - I'm going to talk like this (stands up) if you go to a meeting in New England, you stand up and talk like this (forcefully), you don't talk like this (mimics quiet voice). This person next to me, she didn't hear half of what she (Morgenthaler) said. I happen to wear these weird things in my ears cause I'm ancient. But a lot of what's going over here, you're just talking to somebody over outside the building. Stand up, talk like this (forcefully) and let us hear what you have to say.</p> <p><u>Vice-Chairperson Bender</u> - we normally have microphones, I know it's a large building; it didn't happen today, Lou's got a good point. Try to speak loudly so everyone can hear. Stand up.</p> <p><u>Steve Best</u> - I just need to reinforce a couple comments that were made. I have put together a 2 or 3 page document that we are talking about —the rentals—vacation rental situation. I thought it was a good synopsis of the guidelines that could be looked at. I brought it to the committee meeting, and went to submit it and was asked not to. My ability to be able to submit that document was denied. I have tried on a number of occasions to have a comment and so forth, and this committee needs to do more outreach. Many people in this town don't even know LOCAC exists. So we have to do better at including all of the community, notify them when we are having committee meetings, important issues that come up so that people can participate. I just don't think this organization at this point right now is doing the job we are cut out to do.</p> <p><u>Paul Hershfield</u> - my wife Yael and I have been full time here almost two years, and we were part time here before that for two-and-a-half years or so. We were coming up occasional weekends, we were not full-time residents, but we made a point of being here Thursday night to be at the LOCAC meeting because we wanted to be involved in the community. Nobody sent us anything, "Hey come to LOCAC." You are in this community and you want to be involved, then just show up at the meeting. Don't only come when it is something that interests you.</p>

Agenda Item	Discussion/Action/Information
<p>CONSENT AGENDA: 1. DRC2018-00031 LANDRY : Proposed Minor Use Permit for a 480 sf garage addition to existing guesthouse at 1480 Hollister Lane in Los Osos.</p> <p>REGULAR AGENDA: INCLUDING PUBLIC COMMENT: 1. DRC2017-00094 LEE : Proposed Minor Use Permit for landscaping and boardwalk encroaching into First Street, located at the south end of First Street.</p>	<p>Meetings can really be kind of boring sometimes, and sometimes they can be really entertaining, but you have to come. Nobody in this committee is getting paid any money to go out there and stand at Ralphs and tell people to come. If you want to be part of the community, go to the website, find out when the meetings are, find out what the issues are, and show up.</p> <p><u>Vice Chairperson Bender</u> - announces that this is a permit for a garage addition.</p> <p>No council or public comment.</p> <p>A motion was made and seconded. LOCAC voted in favor - 10, opposed - 0, to recommend sending approval for the Landry Minor Use Permit. (10-0-0). No abstentions. One member was absent.</p> <p><u>Vice Chairperson Bender</u> - announces the title of the project.</p> <p><u>Member Stanfill</u> - asks for Land Use Committee Chairperson member Mayfield to report on the committee work.</p> <p><u>Member Mayfield</u> - apologizes for not getting the minutes done, but reports that there was a long discussion at the Land Use Committee with plenty of public input and comments. The applicant is here. Land Use had a recommendation of denial of the project and it failed with a 4/4 vote, a no decision at the Land Use Committee. It will be important to get the input of the entire LOCAC tonight</p> <p><u>Bob Crizer (representative of the applicant)</u> - thanks LOCAC for its service. His company has been hired by Soland Investors to obtain an encroachment permit to bring the 1300 block of 1st Street into compliance with the County Public Works. As a result we've learned much regarding this issue; the map we've provided meets those requirements as specified by the Public Works Department. Part of what was learned through Pat Veshart at the Code Enforcement Office is that the Coastal Commission has approved a few specific tree species to be planted or maintained as a part of an existing Coastal Development permit that was obtained by the previous owners of the Back Bay Inn. As a result, we will be reviewing the existing tree species for compliance and if needed follow through with planting species and specific trees as part of compliance with the Coastal Commission's requirements and Public Works. We will also follow through with removing the rocks as specified on the plan that we've provided, and will be sure that they are all on private property. On the topic of private property, after a review of SLO County Public Records, the 1300 block of 1st Street remains owned by the adjacent property owners to the center line of the right-of-way. At this point the dedication of easement of said right-of-way has never been accepted by</p>

Agenda Item	Discussion/Action/Information
	<p>the county as a county maintained road. Under the rules of the county the land remains in the ownership of the adjacent property owners until such time the county plans to accept or improve the property. The adjacent property owners can at any time, and after a certain duration, request the property be returned to the property owners through a process called quiet title. In the case of the 1300 block of 1st Street, the adjacent property owners are not asking for quiet title to the property, nor would the county approve that request. At this point the adjacent property owners are leaving the dedication of easement to stand for the county to manage and consider adoption for improvement. This condition then requires the adjacent property owners to require an encroachment permit from the County Public Works Department. The nature of the Public Works permit leaves the control of the use in the county's hands, and the County Public Works Department may decide at any time to improve said property and to revoke the Encroachment Permit. In no case is an Encroachment Permit the taking of public land. I believe the development shown on the plan you have been provided adds to the beauty of the street, and I respectfully request that you vote to approve the improvements as specified on the plan in the above mentioned comments. Thank you.</p> <p><u>Member Mayfield</u> - asks if committee members are familiar with the plan, or do you need Bob to walk it through?</p> <p>(Crosstalk discussion)</p> <p><u>Bob Crizer</u> - says that we were thinking that Glenn Marshall would join us this evening, but does not see him in the audience. The bottom line is, in our communication with the Public Works Department, that there were specifications that were put upon us, as a requirement to obtain an encroachment permit, and those specifications included traffic paths, both in and out, it included requirements for parking areas, it included a fire department turnaround, it included some specific parking sites. All of those items have been met and shown on the plan so as requested by the Public Works Department, everything that we have shown on the plan meets Public Works Department specifications. Any questions.</p> <p>(Crosstalk)</p> <p><u>Vice Chairperson Bender</u> - says it is time for questions from board members and when it is time for Public Comment, to please stand and state your name so Lynette can get it down (in the minutes).</p> <p><u>Member Stanfill</u> - I'm a stickler for parliamentary procedure, it seems like we have an item before us, if we had a motion, one way or the other, we can speak to the motion all night long before we vote. Just because we make a motion doesn't mean it's a done deal.</p> <p>A motion was made and seconded to approve the request.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Member Korin</u> - asks Vice Chairperson Bender - questions or statements? (Answer: either. So the way I see the project, and why I will not support acceptance of it, the project, the encroachment, is taking away parking area that a busy current and future 1st Street needs—the whole area of the west side encroachment, the so-called planting area is preventing 1st Street from having parking.</p> <p><u>Bob Crizer</u> - is that a question or a statement?</p> <p><u>Member Korin</u> - it's a statement, I don't have any question. The project you did without a permit, the un-permitted project, was also done without any input from the community. Area like that, in my opinion, area that is frequented, used, and cherished by the community of Los Osos, because it's downtown, because it's access to the bay, should be done, in my opinion, with community input. So in my mind, Community input was not asked, A permit was not even asked, it was all done un-permitted in my view, because the company might have thought they will not have the backing of the community, may not be getting the permit. So the company went ahead, and took over the whole 1st Street, and was asked by the county to remove it, and removed part of it, but now there are areas that are still encroached, and the county is allowing for retroactive permit for that, which I don't support, I don't like the idea of it, I don't understand why the company should be rewarded with a retroactive permit for something that was done un-permitted. So my suggestion is really here, to prevent any further objection from the community. Which in my view, and I've talked to many people, so regardless of what the LOCAC support or lack of will be here tonight, in my views the community does not support the project. I don't have any exact questionnaire that I know exactly the numbers, but the numbers of Emails and letters that were sent to us, the number of people that approached me personally, I can tell you that I see the community not accepting this project. And I suggested in land use committee, that if you remove and you restore the area the way that you found it before you started this whole thing, we can be very happy to work with you, I mean I do love to see a project on 1st Street. We do think, I agree that there is a place and need for 1st Street to be developed. I don't disagree, I am not against development of 1st Street, I'm just against A company that does things without the input of the community, specifically on such a public area zone, and expect the Community to say, okay take it, we don't care about it. We do care about it. And by the way with all the events that's taking place in that area there, I don't understand why the Back Bay, the company, does not understand that they will need this parking too. We'll all need this area for parking, not for extra planting that doesn't even fit the area, the zoning, we really don't need it. So I will urge to LOCAC committee to be against it; I will vote against it. But regardless, as I said, it will go on to the County, as I see it the community is not supporting it. But we will support something else with our input.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Member Mayfield</u> - would like to say something to that. An encroachment permit is a temporary and conditional permit that can be revoked at any time. This does not give Mr. Lee the land. This allows plantings, improvements, which many people do see as an improvement to 1st Street. The county can take that land back anytime they want, or the community can take that land back anytime they want. If the community gathers and decides they want a park there, and they find a way to develop a park and get the permits, and fund a park, they can do that. And Mr. Lee will have to rip out every thing he's done. It's a temporary improvement that in no way in encroaches on public access, in fact in my mind it improves public access, because now you actually see a street, with landscaping and parking spots. You know how it's used, it's a better public space.</p> <p><u>Member Korin</u> - okay, so let me re-iterate it again, you put landscaping on parking so temporarily we do not want to lose it. So you say temporary, we want it back, we want it back now. So I am saying, we want it back now. As Margaret says, whenever we want it back—we want it back, we want it back now, any clearer? I don't know how to make it any clearer.</p> <p><u>Bob Crizer</u> - In response to that, County public Works required an area for parking that is, I don't know the distance, but basically it's almost the length of 1st Street. They required that space be set aside, it shows it on the map how many is set-aside, plus it shows five additional parking spaces that are actually physically designated for parking. So, the planting area, my response to the parking issue is; not one time have I ever seen all spaces filled with cars, except when Mr. Lee originally had the development done, and he had parking on both sides of the street identified as parking, with bumpers and delineation lines, and the time that that was completely filled with parking, when he was providing a Beer at the Pier entertainment, and the people that were parking there were enjoying what he had to offer the community.</p> <p><u>Vice Chairperson Bender</u> - Lou, let's not have the cheering section going on here please.</p> <p>(Laughter)</p> <p><u>Member Korin</u> - or making faces, thank you very much.</p> <p><u>Vice Chairperson Bender</u> - do we have any more questions from board members?</p> <p><u>Member Hunter</u> - quick comment, it's not a question. Mr. Lee is going through a legal process with the County, and the public has had months and has been providing comment and input. I've had I don't know how many Emails. And I think that the applicant is entitled to a vote. I certainly can't say whether this community supports or does not support—I mean, I certainly can't speak for the whole community. But</p>

Agenda Item	Discussion/Action/Information
	<p>I do feel, that as an applicant, Mr. Lee is entitled to a straight up or down vote from LOCAC. That's our job, to discharge our duty, we should take a vote on it.</p> <p>(Crosstalk)</p> <p><u>Member Harper</u> - we're making comments. It's not a back and forth Yael, and we don't want to interrupt each other. I'd like to ask Mr. Crizer. My understanding is that 1st Street, when you look at the street, and the right of way, is like 80 feet.</p> <p><u>Bob Crizer</u> - it is 80 feet.</p> <p><u>Member Harper</u> - what are we talking is going to be encroached on? What's the shift?</p> <p><u>Bob Crizer</u> - approximately 20 feet of encroachment is what he's requesting permits to use.</p> <p><u>Member Harper</u> - and that's going to be on the east side of 1st Street.</p> <p><u>Bob Crizer</u> - correct.</p> <p><u>Member Harper</u> - in front of his garden area.</p> <p><u>Bob Crizer</u> - in the area that's required by the Coastal Commission to provide tree screening, yes.</p> <p><u>Vice Chairperson Bender</u> - I beg to differ with you, but I'm not going to discuss it with you. He asks if any other board members have questions.</p> <p><u>Member Korin</u> - I just want to clarify that I did not mean not to have a vote, I just meant to vote it down. Of course we will vote.</p> <p>(Crosstalk, then Member Womack is recognized.)</p> <p><u>Member Womack</u> - I'd heard some feedback from the community that it reduces the amount to do a turnaround if you're doing a boat launch if you have a bigger vehicle? And I'm hearing that it's kind of like that should be public access to the bay and that's reducing our access, as pretty as it looks.</p> <p><u>Member Mayfield</u> - there's a turnaround for a fire truck, I'd think there'd be a turnaround—</p> <p>(Crosstalk)</p> <p><u>Bob Crizer</u> - it's been approved for—by the fire department to meet their specifications for pulling in, backing up, turning the truck around and leaving.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Vice Chairperson Bender</u> - but that's not a car with a boat on the back, it's a fire truck—difference.</p> <p><u>Bob Crizer</u> - it would take a big boat and a big car to be bigger than that fire truck.</p> <p><u>Vice Chairperson Bender</u> - it is a difference though.</p> <p><u>Bob Crizer</u> - you can't put a big boat in the bay right there. You can put a kayak in the bay.</p> <p><u>Vice Chairperson Bender</u> - I'm just saying there's a difference, I'm not saying how big.</p> <p><u>Bob Crizer</u> - I'm just responding to a boat turning around.</p> <p><u>Member Womack</u> - I've heard a lot of feedback, I've heard for and against, but there are a lot of people that do not like the improvement, and that's public access.</p> <p><u>Bob Crizer</u> - and it is. It's wide open for the public to use.</p> <p><u>Member Womack</u> - well, when there's rocks and plantings, you can't walk through.</p> <p><u>Bob Crizer</u> - they can walk through this vegetation if they want, there's gonna be no fence.</p> <p><u>Member Womack</u> - my little girl is a rule follower, she's not going to walk through the vegetation. She won't do that even if you could.</p> <p><u>Vice Chairperson Bender</u> - I'm going to make two comments on this, comments that I have, and they are not questions, they are comments. One is the boardwalk. I think it's being built in tidelands, sensitive areas and stuff, but you already built it. I'm surprised the County has not, or there aren't blueprints, plans to make sure that the boardwalk that is built, is built to code, and is safe, and is ADA accessible. You know, just standard building anywhere in the County. I haven't seen any plans or anything for the boardwalk. It also is attached I see, it has a private entrance to the hotel, this boardwalk. And I don't know where that comes from. The other one is the landscaping, looks like the hotel, so it's not different from the hotel, in fact, there's a wood fence right in the middle of this encroachment that delineates the property—it's there Bob, I just saw it.</p> <p>(Crosstalk)</p> <p><u>Bob Crizer</u> - it's 34 feet long.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Vice Chairperson Bender</u> - on one side, and how long is it on the other side—</p> <p><u>Bob Crizer</u> - five or six feet.</p> <p><u>Vice Chairperson Bender</u> - but still a wood fence, usually, to most people means property line, that divides one from the other. And this is right in the middle of the encroachment line, so it means if you're on one side of the wood fence, you're in hotel property; and if you're in the other side you're in public access property, right?</p> <p><u>Bob Crizer</u> - do you know where the property pins are there, did you go look?</p> <p><u>Vice Chairperson Bender</u> - I saw the flags, (unintelligible) was right there</p> <p><u>Bob Crizer</u> - the pins are on the side with the flags, the fence is on the property line.</p> <p><u>Vice Chairperson Bender</u> - no it's not. Bob, let's go there after the meeting and I'll show it's—</p> <p><u>Bob Crizer</u> - we're not going to need to go there after the meeting—</p> <p><u>Vice Chairperson Bender</u> - it's eight feet from the property line, that wood fence. That's why I'm here, 'cause I've marked it, I took pictures of it. So when you go down this public road, 1st Street, it looks like half of it already belongs to the hotel. You know, this is my question with this. When people look at it, and then they see the landscape, the whole landscaping, matches the hotel's landscaping, oh, OK, we do have access here, we do have some parking, they took away some, but we do have some parking, you know, and that from there, all the landscaping on is hotel property. So as long as I walk here and go to the bay, I can do it. I used to have an 80 foot wide walkway, now I've got a 60 foot wide walkway. It doesn't matter if it is plenty of room or not, who gives a business the right to take away public access to the most beautiful bay on the whole coast of California, to restrict it. And then at the end with the boardwalk, it's what, five feet wide? I used to have an 80 foot wide access to the bay there. Now it's restricted to this little walkway that I have to walk on or then I walk on the Otto property next to it to get to the bay, you know. Just my comment, you know, it's again, I'm not going to vote yes or no on this project you know, but I don't like what I see and I don't think it's right for the community.</p> <p><u>Bob Crizer</u> - and my response to that comment?</p> <p><u>Vice Chairperson Bender</u> - I don't even care for a response.</p> <p>(Crosstalk)</p>

Agenda Item	Discussion/Action/Information
	<p><u>Vice Chairperson Bender</u> - okay, they want to hear it.</p> <p><u>Bob Crizer</u> - my response to that comment was, from 1980 to 1986 I lived on that street. I have never seen it look so beautiful. I never had better access to the bay while living there than I have today. There's a boardwalk that he built it has a ramp that meets 8% incline, 2% cross-slope, ADA access—</p> <p><u>Vice Chairperson Bender</u> - it doesn't have the bumpers, it doesn't have the bumpers.</p> <p><u>Bob Crizer</u> - but, they can get up there. Without that ramp, they can't get up there. They can't get on that walkway. That walkway does not impede your access, you're welcome to use that walkway, no one will stop you. You're welcome to use the access to the bay, just like you always could when there were tall cattails and reeds in your way, and people leaving trash in the middle of those reeds, that by the way, this client cleaned up. You could have walked down there in the rain and got muddy feet some years back. Today in the rain, you have a nice covering of chips and bark. This man has done a great job improving that area for the public. The people that respond to you with negative comments, are a small percentage of the community. As a rule, a positive support is worth ten naysayers. That is a typical rule for a public condition.</p> <p><u>Vice Chairperson Bender</u> - I just want to catch on National Geographic that just came out, I read it last night. They say 80% of the public cares about the community, 10% of the community—five of it is naysayers, and the other five are people that take advantage and don't care about the community. So don't say naysayers are one to eight, it's 50/50. There's people that care about the community, 5%, there's the naysayers that are thinking that this is a wonderful project for Los Osos, but all they are thinking about is themselves, you know, and then there's 80% of the people that just care about the community. So your statistics are wrong; read the new National Geographic, you'll see.</p> <p><u>Bob Crizer</u> - in your opinion.</p> <p><u>Vice Chairperson Bender</u> - yes, yes, totally in my opinion. Any other questions from board members? I'll bring my blood pressure down a little bit. He opens the floor up to the public. He says there is going to be a lot of comments, and he asks someone to help him keep track, so Member Korin will take the names of those who wish to speak and call on them when it is their turn. Member Mayfield will keep the time for each commenter. There is a heated exchange between Vice Chairperson Bender and LOCSD Director Tornatzky.</p>

Agenda Item	Discussion/Action/Information
	<p>Member Korin calls the names.</p> <p>Public Comment</p> <p><u>Katharine Rossi</u> - I'm a Los Osos resident of 19 years and (unintelligible) Los Osos in 1968, and I've loved it ever since. I'm against this project. I'm against the fact that all of this planting that's impeding getting to the bay. I'm opposed to it as it's taking away views of my neighbors. My home is on Baywood Way, and I hear all over my neighborhood, my immediate neighborhood, all I'm hearing is that people don't want it. When I moved to the neighborhood, you could actually—there were people that would pull their boats up all the way to the bay and take them out, and that's not going to be possible when you've got five feet and you have—that's what you're talking about— there's five feet to get through it, it might be 60 feet wide, but when you add all of the plants, and the rocks, the access is narrow. That is the absolute truth. I believe in a big, wide community. I believe in being able to have the views, and it's affecting—the trees are pretty—no doubt about it, but any plant that's out of place is a weed. And in my opinion, when you take away views, you're planting weeds. The boardwalk might be nice but I'd prefer to get my feet muddy. I like nature. So I personally am against it. I don't want to see my property values go down because my neighbors lose their views. That's all I have to say.</p> <p><u>Dave Bowlus</u> - 4th Street resident. It's the Coastal Zone; County Parks has an input in what happens in the Coastal Zone. County Parks, I've tried to reach them, they have not had any input as far as I know. The fence may have been moved recently. I was there and measured it too; it's not on the property line. It's not about the fence line. Erosion; it's not about erosion. This is what happened this winter (shows poster). Instead of sand going into the bay as it's been doing for centuries, chips are going into the bay. I don't know where the chips came from, but it's not about erosion. Mr. Crizer moved away 32 years ago from the site. It's not about the trees. The Coastal Commission because of a separate permit, issued in 1995, is requiring the trees to be replaced, to screen commercial properties from the public. It's a separate permit; it has nothing to do with those trees that are in the encroachment area. The trees on this diagram have nothing to do with the location of the trees in the site. Look at the permit. Actually the County—the LOCAC website doesn't have a link there anymore so that you can actually look at the permit. There was one earlier. They're not in the same places. I object to it, I object because I'm one of the people who uses that location to launch a boat, to go to the coast, and to use it as it has been used for as long as I've been around in the town. I believe that if the County were to develop some kind of a park there, using the entire width of the street—</p> <p>(Muttering)</p> <p>—it's a possibility. And in fact I differ with Mr. Crizer on the dedication of the street. According to County Parks Plan, it was accepted into the County, by the County, it's 90 feet wide according to what I heard from</p>

Agenda Item	Discussion/Action/Information
	<p>the Parks Department, and maybe they've given it back, I don't know. But according to the Parks Department, I was notified, it was accepted. Thank you.</p> <p><u>Larry (unintelligible)</u> - I've lived in Los Osos most of 20 years. (He is asked to speak up.) I've lived here 20 years almost. I've been to the location, I don't live down in Baywood Park, but I've launched kayaks there, I've a sailboat, a small sailboat skiff. I've done it 20 years. 18 years ago, and I've done it more recently, since the improvements have been made. I think I went to that meeting at Sea Pines. It sounds to me like people want to punish this man. I know he probably stepped outside of his limits, at one point somebody complained, and there's (unintelligible) problem with that. And now he's trying to make amends. I don't think this body, it is their job to punish him as for something he did two years ago. The question here is: he's done what he's supposed to do, what he's been asked to do, propose something the County will accept, and the Coastal Commission, and I've looked at it, not on your website, on that Nextdoor website a couple months ago and it looks reasonable to me. We all have to be reasonable. This is not a court where you find somebody guilt and punish them. I don't know. That's my opinion, statement.</p> <p><u>Jim Whitson</u> - my wife and I came to Los Osos about 26 years ago, and stumbled into Baywood Park, and to borrow an old phrase, at that point, there really wasn't any "there" there. Bill Lee became an owner of the Back Bay Inn, he's done magnificent things, I think the community around Baywood should applaud him. I give him a lot of credit, he's made it a destination. There's activity there, there's a vibrancy there, that never was there before. A couple of good restaurants came and went because there weren't enough people to support them, and I think Mr. Lee should be applauded for as I say, what he has done for Baywood, for Los Osos, and the community in general. As Larry said, I do believe you are trying to punish him; you should applaud him, and thank God that he came.</p> <p><u>Debra</u> - we've been married 26 years, lived up here 26 years, and he took the words right out of my mouth. I too really, really appreciate what Bill Lee's done for Baywood. It is better I think than it used to be, and I don't like getting muddy feet and I do appreciate the boardwalk, I appreciate the boardwalk in Morro Bay; I know it will be built to specification. I know you can't get anything by this County Planning Commission, so I think it will be done with a critical eye. I think if someone is trying to polish the gem that we call Los Osos and make it more appealing, whether you're angry at him or not, I think he should be commended for keeping at it, and trying to make it better. It's better looking, I love the coffee shop; I love the restaurant; I love the landscaping; I love almost everything about it. Amen.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Bob Rodger</u> - I think this is a parking lot permit. 28 years on 1st Street. Anyway, if you look at the plans, it about parking; it's about parking for his businesses, and the planting, I think you were disingenuous on this Bob, because it's supposed to be on the property line. And it's a screen for the bed and breakfast, and for the parking from the bed and breakfast. I appreciate what he's done down there, but I'm not going to give him a street so he can have (unintelligible).</p> <p><u>Lisa Denker</u> - I'm really in opposition of the encroachment on 1st Street and folks, I get how you really appreciate how you've seen it as improvement, and I find that to be a positive attitude that our community needs. But unfortunately, I live right there. I've watched a pattern over the last many years. And it comes down to trust. And boy, I've been with Mr. Lee, I've toured his garden, I enjoy his company, he's enthusiastic, I think he does good work, but what I've seen with the growing of the Back Bay campus, the entire 1300 block of the Inn going north. Well, being involved and seeing the encroachment, I've seen documents, people have shared information with me, there's an actual pattern. I've lost trust. Bob, I don't know how we can be insured, that if he is given that encroachment, that later there wouldn't be a takeover. And I love the small scale coastal village, and I'm telling you, everybody that visits, we all have friends and family that visits here, we have a gem of something, that's caught in time, mainly because of the drought. We're kind of lucky. And if the building continues to balloon out, and ballooning is something that happens with developers, they do it unintentionally, they do it out of habit, they just do it. I just, I can't take the risk. I think it's really risky. I don't want to see the resort, the Back Bay Inn, really become a Waikiki resort, or Carmel, or Dana Point. Thank you.</p> <p><u>Paul Hershfield</u> - I have nothing against Bill Lee. I don't think people I've been working with to try to stop this. I don't think anybody, I know nobody is trying to punish him for doing something. I, when we were part timers here, before we actually bought a house, we stayed at the Back Bay Inn, I loved eating at the Back Bay Cafe. I liked going to Beer at the Pier, there were concerts, we were dancing on 1st Street, that was all great. But regardless of what a nice guy Bill Lee is, or what great things he's done, does not give somebody carte blanche to then do whatever they want. He could be the nicest guy, it doesn't mean, oh therefore we could just let him do what (he?) wants. So the plan as proposed (unintelligible) as it's built now, there's 11 diagonal parking places over here and five spaces over here. This is planting, that does, I agree, create a buffer for the hotel from the rest of Baywood, does not do anything for me when I go there, other than get in my way, and no Bob, I'm not going to walk through there, you say that, it's really kind of insulting. There are these walkways; no are those going to be curved? Or it's just going to be chips? So there's not going to be a delineation between the walkway and the street, is there? (Crosstalk)</p> <p>So that's the plan?</p>

Agenda Item	Discussion/Action/Information
	<p><u>Member Mayfield</u> - he just needed to show that there's still room within that eighty feet.</p> <p><u>Paul Hershfield</u> - thank you. So if we had that full 80 feet and people were parallel parking along here, there's room for at least 22 spaces and those are standard size parallel parking places. And, you still have a huge, wide-open vista and access to the bay. It's not just physical, yeah, I can walk here, and turn my car around. You're standing out here and you look, and you have this huge vista of the bay, not being blocked by somebody's trees that picked, maybe they belong there, they look nice. This is a huge public amenity, and in my opinion, part of the amenity is being taken away. The permit, I understand all that, but it is being removed from my personal use, I cannot use this portion of this street and I don't think this is fair.</p> <p><u>Sue Morganthaler</u> - (begins speaking but cannot be heard says the audience and council members.) I would like to say something to you guys to let these guys know that I don't think anybody is trying to punish Bill Lee. I think that there is just a difference of opinion as regards to the use of this land. And so to take myself to not support or against anything, I just want to ask you guys on LOCAC, whenever anybody comes with any sort of project, in front of you guys, the first question is water use. Where is the water going to be used, how it's going to be used and all that. People can't build in Los Osos because of water use, obviously it's a big thing. I was looking at the permit today, it seems pretty inadequate, and if you're going to make a responsible decision on a permit that's been given to you for your okay, I think you should really take a look at it before you okay anything, because water supply information, the information is non-applicable. Where is the water coming from? What is the proposed use of the water. I mean he's got sprinklers (unintelligible), obviously there's going to be plants, there's going to be water. It just says non-applicable. And part of the environmental. We all know the bay is a very sensitive habitat. And the question is: List any mitigation measures that you propose to lessen the impacts of your project—non-applicable. Are there any unique, endangered species, vegetation, or wildlife associated with this project—inapplicable. I mean, we can't turn sideways with out Fish & Game, or the Coastal Commission coming down on us for all this kind of stuff. And I know you're not building a building, but you're planting a plant and someone mentioned at our last meeting, maybe it was Land Use, the cypresses that someone was ordered to plant, are now dead and gone because they were watered too much. So there's a lot of stuff that needs to be taken into account, and this permit isn't complete.</p> <p>(Crosstalk)</p>

Agenda Item	Discussion/Action/Information
	<p>He didn't tell you where he's getting the water, what company the water's coming from. (Unintelligible) That doesn't tell you how much he's going to be using of it. So I think there needs to be a lot of filling out of permits before you make a decision. Thank you.</p> <p><u>Susan Waidner</u> - and I have some real concerns with the application that he has turned in, too. There are certain things that are marked, no flooding in there, that it doesn't happen, well, there are pictures there just last year where it flooded and it was muddy and mucky and we were walking through three feet of mud. And I like walking through mud, that doesn't bother me. I like going down there and taking pictures, it's a great, pristine area. The other thing that concerns me; Bill Lee is a land developer, he knows he needs these permits. He knew he needed them before. He put in a retaining wall, and consistently drove over the wetlands with a tractor, and was told specifically that it was bad for the environment, and he kept doing it, and he kept doing it. He knew it and he kept doing it. That's where the lack of trust comes in. When he continues to just do what he wants, and then he gets caught, and then he goes into (unintelligible) to get a permit. I don't think the bad behavior should be rewarded. And I would like to know when he 'dozed that field, and he put the gazebo in, and put in the labyrinth and all of that, was there ever studies done to see if there was the banded snail out there, or the frogs, or you know? You talk about, you know, problems that there are, and he does things and it's too late to go in after the fact, and say well, he killed all the snails. And you might not think that the snails are important, but I'll tell you what, everything is on this earth for a purpose, and you eradicate one thing and you cause major damage down the road.</p> <p><u>Steve Best</u> - you know what that person just did, he (unintelligible) your future—</p> <p><u>Susan Waidner</u> - you're not allowed to interrupt me!</p> <p><u>Steve Best</u> - you know what, I'm outta here, this place is a joke. This is a joke, I'm sorry (unintelligible).</p> <p>(Crosstalk)</p> <p><u>Susan Waidner</u> - the other thing that really bothers me is this survey that was done, this actual survey, by this actual surveyor, uh, it's not recorded. It wasn't done until March of 2018, so just two months ago, is the date on it. It's not even dated with the date-date, because it's not recorded. It also shows two other encroachments, that are not even being addressed at the meeting, and I'm wondering, do they just get grandfathered in with the boardwalk? There is a viewing deck that hangs out into the street, there's utility hook-ups, and then up on the corner of 1st and Santa Maria, he built this god-awful, ugly trash site that is also within the 80 foot easement on both 1st and Santa Maria. And I don't see any of that being addressed with this encroachment permit, and that (unintelligible). Thank you.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Los Osos/Baywood Park Chamber President Steve Vinson</u> - one of the new things the Chamber is doing this year is not only following local government, but advocating for local business. We do this by attending meetings, such as tonight, and sitting on various community boards around Los Osos. The Chamber board has been closely following tonight's Minor Use Permit request, though the board was disappointed that a permit was not secured before the work was done, the board believes that the permit tonight should be approved. Here's some of the reasons why: The encroachment permit will guarantee there isn't a so-called "land grab," it makes it clear that the County can come back at any time and require the land be returned to its previous state. This area was unremarkable before it received a face lift that was greatly needed. We're fortunate someone has stepped up with their own money and turned what was an eyesore into one of the most beautiful spots in our community. This is a win for the Baywood business community. The improvements are there for all of the community to enjoy. There are no private property signs, or really any signage at all. People come and go as they please. Maybe a coastal access sign would help those who are unfamiliar with our area. And last, the Back Bay Inn has demonstrated that it will do anything reasonable to accommodate the wishes of its neighbors. It's spent thousands of dollars to do so. So we took into account the arguments of those who oppose the permit, but we don't believe that there is enough there to deny the permit. So please vote yes for a beautiful community. Thank you.</p> <p><u>Bob Rice</u> - thank you, I'm Bob Rice, I live in Baywood. I'm relatively new here, only three years compared to a lot of people and I'm new to this particular topic—a lot of interest personally, and I really appreciate getting information from both sides, you both bring technical facts, which is great. I just retired as 40 years of a professional engineer designing utilities dealing with right-of-ways, easements for the purpose of access of transportation utilities, running pipes, overhead lines, all that, and dealing with them, it just seems, as an advisory committee, you are really bound by the authority having jurisdiction of Public Works, the County, and that's who I dealt with for 40 years, as an independent, private engineer, who's always dealing with them, making them happy. They're the ones that know the California Building Code, all of the regulatory requirements, and that's who you go to, to make sure, that this meets code for public health and safety. That's the reason why all these rules, or regulations, exist. So that's the main thing. It's a parking issue. You're advocating more parking instead of less parking, but you don't want him to have that business. So I'm really kind of confused, coming in here at the last minute. I've seen some tug-of-war here and it just seems like there's gotta be some way with a bunch of smart people here to mitigate, and make this a win-win. Rather than fight and just</p>

Agenda Item	Discussion/Action/Information
	<p>rip everything out, and say “rip it out and then put it back in after you get a permit.” That’s a waste of effort, and energy, and money. It seems like smart people here should be able to—and I’m a late comer to this issue—I just learned about it, and I’m happy to be a part of the community that wants to talk about it, which is really good, but let’s talk about it constructively. That was my whole thing in 40 years of design, there was never any easy path. You always had to mitigate and find a way to make—it’s hard to make everyone happy. But it seems like there’s a way, it’s a great spot, I’ve lived (unintelligible) it’s beautiful. In three years, I go down there four or five times a week. I bring my dog down there, I walk, I walk on Pasadena, and I’ve loved it down there, I’ve never had an issue, even on Monday, Beer-at-the-Pier, Farmer’s Market; I’ve never had trouble parking there, getting access there, but I wasn’t here before, so I really can’t say. I want to appreciate everything, the people that have been here 26 years, what they have gone through and seen. It just seems like we ought to be able to get our heads together and keep it a nice, beautiful spot, because that’s the focal point of Baywood, and I agree.</p> <p><u>Vice-Chairperson Bender</u> - I want to say thank you and welcome to Los Osos. You can see from all this that we care about our town. Either way, we are all here because we care about our town.</p> <p><u>Matt Davis</u> - I’ve worked in Baywood for 10 years now, six of those were for Bill Lee down at the coffee shop. I may look familiar for an reason and that’s why. I’ve spent a long time behind that counter making all of you drinks and having a blast every morning. I met my wife there, my friends here, Bob, everybody I know, I met through that coffee shop. Baywood holds an extremely special place in my heart, as in all of yours; it’s why we are all here. We care, we love where we live, it’s a beautiful place, there’s nowhere like this anywhere else. I just want to encourage all of you to talk to Bill. The entire time I worked for Bill, he has encouraged all of his land to be for everyone. You can walk through it, you can hang out in it, you can lay in that lawn and take a nap; he’s not going to care. He’s not worried about his hotel guests seeing that; he’s worried about the people who live here. And that’s it. And I also just want to point out, it looks like there’s a lot to be done on 1st Street. None of this will be built, this is a safety issue. This plan is to show that there is no safety issue. The hammerhead is available space there, there’s 60 feet, so you can drive there; there is room for parking. There is not going to be a big development out there, this is just to show that it is safe. Thank you.</p> <p><u>Lou Tornatzky</u> - I’d like to frame my comments in, “what do we mean by community?” The community has walked in here in some of these meetings who live on single digit streets— 1st Street, 2nd Street, 3rd Street, 4th Street. I live on 16th Street. I’m in the community, that’s where we all live. I benefit with this thing that happened with Bill Lee. I walk down there, sometimes I can persuade my wife to have dinner with me. I love the flowers I love what they’ve done with the building. I will admit that he made some mistakes, got beside himself and did some things too soon, and didn’t work with a gentleman like this as he might have,</p>

Agenda Item	Discussion/Action/Information
	<p>maybe not enough. I think this enhances—what he’s done—the entire community of Los Osos. You know, when it’s warm out, we sort of go there Monday night, remember? They play music, have a beer, have a pop, and so on and so forth. So the whole rest of the community goes over there. And they meet each other and the kids run around, and what do you guys think? It’s horrible? I think it’s wonderful, it’s wonderful what he’s done. And we should support him as much as we can.</p> <p><u>Pat Soulliere</u> - I’ve got everyone beat, I’ve been in this community 40 years. I came here as a fairly young person and raised two kids, raised two daughters in this area, and I will say, every time they come back home, one lives in the northern part of the state and one in the southern part, they’re blown away how beautiful it looks. They’ve had 30-some years of looking at things. I can’t tell you how much I appreciate what Bill has done. And I understand what we’re talking about is something that’s a temporary, like a temporary thing that could be reversed at some point when the county would decide to fund some money to do some parks in our area. It’s interesting, a lot of you are talking about, “well, I talked to so many people and they said this and they said that.” I follow this quite rigidly (religiously?), the Nextdoor app, and my recollection of that is many more people couldn’t understand why it was being ripped out and what’s going on? I just really think it’s important to keep it there. I go down there about every day. I live on 4th Street, the 1400 block of 4th. I take my little, white, fuzzy dog down there. I don’t appreciate him with little black booties on because he’s walking through mud. I’ve actually seen that space go downhill since some of those things were taken out because there hasn’t been another level of the chips put down and all of that. I remember walking, during that 40 years walking down there, where I was knee deep in mud, and that wasn’t something that I wanted to have. I think that there’s a plan that we can all have, everybody can have something in this. When you talk about there could be many more parking spaces there, I also remember times when people parked their big, old booty truck right in the middle of that space, and no one could get around them, and no one could come in and out. I think what is there is a vast improvement over what I’ve seen over the last 40 years. And again, I think we should applaud Bill for spending his own money to go out and do that to improve our community. I also hear a lot of people from all over the world that sit in that coffee shop. And if they’ve seen the garden and walked through it, they’re not necessarily guests; some might be, they just drop in for a cup of coffee, and can’t believe it’s so beautiful, that the landscape’s so beautiful. And wow, who did all this? Wow, you guys must have a big, municipal budget, is usually what they say, to do this, because look how beautiful it looks down here. I think it’s a gem in our area, and I am very much in favor of you folks</p>

Agenda Item	Discussion/Action/Information
	<p>voting to pass, say yes, and pass it on to the next level. Thank you.</p> <p><u>Linde Owen</u> - I guess I wanted to just come back and the argument from what I can tell is whether it is OK to break the law when you have enough money to make these beautiful improvements like Bill Lee has done. There's rules, there's laws, we have a Planning Department to tell us what those rules and law restrictions are. And I don't see much change in giving back that easement to our community. Mr. Lee has his property and he has his garden, why does he have to encroach and take away what could be important parking in the future. And we're not gonna, I don't believe it's going to go away in the future if we discover that we need it. So I like the idea of starting off having it corrected, and having the parking put in there, and Mr. Lee is the one who benefits the most as far as overall addition to his parking needs, because he has restaurants, etc., there, as well as us, the community. We benefit because it's a nice spot, but I think that access belongs to the community before it belongs to the visitors, the friends of Mr. Lee, the people who love to go down to Beer on the Pier. That is all good, but why is his encroachment in the public access that belongs to the entire coast of California, everyone in California, that's part of our coastal access. So anyway, I go back to, I see it all the time, it's cheaper to break the law, bypass the permit process, and get penalized later. I don't see a big correction from what we're talking about, beises moving some of the rocks, is that right? The water issue, that is not as drought tolerant as it probably could be. When I first saw all the beautiful flowers, I too went, ah, this is beautiful, then my second gasp was, oh my god, how much water. And I watched the sprinklers, it was running down the street, into the bay. The chips are still deceptive to anybody that is visiting, and if you want to put up some nice, big signage, so people know that it isn't private property, that might make a difference. Right now, it doesn't feel like it's open access to the public. It's all chipped in, it just continues from Mr. Lee's from one side to his leased property on the other side. So it feels like somebody's private property. That's the way the the public that comes to visit Baywood might feel if they weren't coming to go stay in his hotel or something. So I think the signage would help a lot to tell people that this is your land. That's it, thanks.</p> <p><u>Rom Carston</u> - I live on 4th Street, and I just wanted to say I'd be opposed if aces was blocked in that area. I do think it should be open to the public. I use it every day. It seems like things are being worked out here to where it's good for everyone, and I appreciate the fact of how nice the area looks and how it is maintained, and it's still open to everyone using it. It seems like it could be good if something is worked out.</p> <p><u>Dennis Wormley</u> - 1st Street. These encroachments reduce all citizen's view of the bay. They shrink the available parking area. They shrink access to the bay for small boats and pedestrians. No one can walk, drive, or park, through trees, bushes, and structures. And planting a tree; you may think it's a temporary thing but it looks pretty permanent to me. Al-</p>

Agenda Item	Discussion/Action/Information
	<p>lowing these encroachments to go forward rewards irresponsible behaviors; allowing these encroachments sends a loud and clear message that the public right-of-ways are ripe for the taking in San Luis Obispo County. The citizens are in danger of disappearing a beautiful piece of what makes Baywood Park a beautiful place. I'm requesting that LOCAC deny to support this encroachment permit.</p> <p><u>Beverly Boyd</u> - I live in El Moro Township. I don't appreciate the fact that the person has encroached and that the business as a result may end up getting some of what they tried to take inappropriately without a permit. I think the trees and the fence should be the buffer along the property line, not in the area of encroaching. I think that what the encroachment does, I'm addressing what you said about the Chambers, it actually enables a land grab; it does not prevent one. And my husband and I worked down at the bay for years, beginning in 2005, when I think the owner purchased the Back Bay Inn. We worked down there through the Y, we were volunteers, Dave taught sailing to kids who were eight years old to 13. And for eight years we were able to work down there. Every student ended up having his own boat, and we were able to launch boats off of the end of 1st Street. And when there's a high tide, you can roll down and launch an even larger boat off of 1st Street. And I see the plan here also indicates that there might be something preventing such a thing, I can't work with this diagram, but I think the 1st Street needs to be opened, and completely, and after that has been done, to show good faith, then we operate and maybe make some changes. I have the same issue that Lisa has, which is trust. There's a pattern of going forward and then if there's a problem, try and get a permit later. And the encroachment, how do we know they won't be creeping. Once you set in a tree, it grows and gets larger. It's not temporary. Anyway, I hope that you vote against the permit.</p> <p><u>Vice-Chairperson Bender</u> - so we still have a motion before the board then. I would like to ask that for board members, anyone who has business dealing with Mr. Crizer or Mr. Lee, rescue themselves from voting on—recuse, is that it— (laughter)—it might be rescue at sometime!—from voting on this as they might have some personal interests.</p> <p><u>Member Harper</u> - do we want any replies from Mr. Crizer from the input that he got from the community? I suggest we do that.</p> <p><u>Bob Crizer</u> - let's talk about water. I've already been in touch with Mr. Lee and his staff about setting up a graywater system that takes care of all the encroachment areas. End of story on water. We will (unintelligible) with gray water.</p>

Agenda Item	Discussion/Action/Information
	<p><u>Linde Owen</u> - what kind?</p> <p><u>Bob Crizer</u> - what kind of graywater? Graywater.</p> <p><u>Linde Owen</u> - from washing dishes?</p> <p><u>Bob Crizer</u> - no, not necessarily from washing dishes. We got the graywater handled. OK, endangered species was thrown out. First, and most important, the shoulder-banded dune snail, listed by Federal Fish & Wildlife, is not endangered. Our sewer system clearly proved that. When the biologists went from house to house to house to house to house, and found snails at every existing residence they looked at. Fish & Wildlife Service talked to me on the phone, and I told them that they needed to be sure that they are operating with an endangered specie, and fthe Fish & Wildlife Service said to me, we understand there's a concern and we're looking into that. We have documentation that shows they are not endangered. Public access; has anyone been down there in the last week or two? Nothings going to change. There's nothing in your way. The same boat ramp that's there is the same boat ramp that was there in 1983, is there today. The vertical bluff is relative to erosion, it is relative to rain, and not something Mr. Lee did, okay, end of story. There was some concern having the space feel that it belongs to the community but the next sentence says, it need to feel like it belongs to visitors. Which is it. Trees: There is presently, a Coastal Commission requirement existnig, that the owner of the Back Bay Inn maintain the trees. The ones that fell, he's required to put them back. It has nothing to do with blocking people's view. It has to do with screening of a commercial property, from the public property required by the Coastal Commission for the owner of the land, motel, to maintain into perpetuity. The idea that you could launch a boat, anytime between now and when I moved here in 1979 that is on a trailer, over that edge, ha-ha-ha-ha, I'd love to see someone do it, it would really bring some laughter. We worked in the 80s to get a permit to build a park with a boat ramp. We got shut down. We were not allowed to do that. I worked very hard for years to make an effort to create a park that had a boat ramp there. They said no, there's another place to launch a boat, you may not use 1st Street for a boat ramp, and that was our County. We worked hard to try to pull that off. And I think that's all I'll respond to at this point.</p> <p><u>Vice-Chairperson Bender</u> - I don't want this to be going on all night. We're going to make a vote on this. If anyone has further issues with this, it moves on to County Planning. And that's where these issues should come up. We could be here until midnight going back and forth on this, I think the points have been made. And if there's further points, which I think there are, they can be made directly to County Planning. We're not County Planning. We are LOCAC, a community advisory panel and all we can do is advise. We can sit here and talk about it, but Lisa unless you have something not about this permit to say—</p> <p><u>Lisa Denker</u> - I was wondering if I could ask Kerry to clarify something</p>

Agenda Item	Discussion/Action/Information
	<p>that was mentioned. Kerry, there is a group of people that would love to work on a community parklet on 1st Street, and I've been wanting to do it for quite some time. From what I heard, in order to do this, Step 1, okay the reason I want to clarify this—this is a question, I'm so sorry—it's a question because I don't—I want to say—I hope someone doesn't vote, we can take it away later, okay? I just want to clarify, because the later is, if doesn't work out that the community can say no, and take the encroachment off. I don't think it's so easy and this is why: because that group was told, the very first thing is to get permission from your adjacent land owners.</p> <p><u>Planner Brown</u> - right, that's a Public Works requirement for the encroachment permit.</p> <p><u>Lisa Denker</u> - so would that group have to encroach and then file for a retroactive permit. Do you see what I'm saying? I'm trying to be really super clear. It puts that group in a position, how do they get the adjacent land owner's permission? It seems the possibility of taking it away later for a community park, how can that really happen?</p> <p><u>Planner Brown</u> - but that would have to happen regardless. Even if nothing was there right now, if you wanted to put a park there, that's the process that you would have to go through.</p> <p><u>Lisa Denker</u> - it sounds like a catch 22 though. I'll talk to you later about it.</p> <p><u>Member Tornatzky</u> - I'd just like to make a statement on this. I don't understand where people are coming from. On one side you're saying we need parking, we need parking, and on the other side, you're saying, oh no, let's make a park there. Well, if you have a park there, you don't have any parking. So that doesn't make sense. Also, for me, 80 feet of weeds is not attractive. I'm sorry, it's just not attractive. Signage? I think that would be an easy fix. Dave Bowlus has a request in for funding, some grant funding, and I hope he gets his sign. It would show it's real clear that it's coastal access right there, so I'm rootin' for you Dave, I hope you get it, no matter which way this goes. I'm just confused about people talking on both sides when they seem to think parking is so important but then, if you take it away and put a park in there, you have no parking.</p> <p><u>Member Stanfill</u> - Mr. Charman, it seems like we've had a fair hearing of the permit request. Everybody's had a chance to speak that wanted to speak. I would like to call for the question. To vote.</p> <p><u>Vice-Chairperson Bender</u> - let's vote on supporting.</p>

Agenda Item	Discussion/Action/Information
<p><u>LOCAC MEMBER COMMENTS, RECOMMENDATIONS, AND BUSINESS ITEMS</u></p> <p>1. LOCAC Election Results: Announcement of the new District 3 representative for 2018.</p>	<p>The motion in support of the project was made and seconded at the beginning of the discussion. LOCAC voted in favor - 7, opposed - 3, to recommend sending support for the Bill Lee Encroachment Permit. (7-3-0). One member was absent. No abstentions.</p> <p><u>Sue Morganthaler</u> - asks for a quick request stating that the County Project Managers have trouble understanding what goes on here because they don't get any notification from you expressing what happens. And I know the only (unintelligible) is the minutes. Is there any way they can understand the pros and cons here?</p> <p><u>Vice-Chairperson Bender</u> - we have Kerry Brown right here.</p> <p><u>Planner Brown</u> - acknowledges the request and has the needed information.</p> <p>(Crosstalk) The meeting takes a short break.</p> <p><u>Vice-Chairperson Bender</u> - brings the meeting back to order.</p> <p><u>Member Womack</u> - gives the Election Committee Report. The election was held at the old schoolhouse on May 19 from 8:00 a.m. to 4:00 p.m., for eight hours as per the bylaws. Voters had to show proof of residence to receive a ballot and sign in. If you did not reside in District 3, you did not get a ballot. The results were as follows: Sandra Sarrouf - 29 votes; Matthew Fourcroy - 20; Steve Best - 4; Tim Staggers - who told people not to vote for him got 1. (Laughter) Votes were counted by Chris Womack and Larry Bender, and an outside counter, not affiliated with LOCAC, Rachel McElehenny. Results were posted on the schoolhouse. Candidates were notified of election results by phone by that evening. She notes that Steve Best has a complain and says it would be disrespectful to all of the voters to postpone the appointment of a new board member. He only got four votes and did not rally his supporters. The bylaws are to help us run the meetings, not to be used as a cudgel against us because the election didn't go a certain way. His complaint was our allowing a candidate to run a day late, but the deadline was for Member Womack to make the ballots. The committee erred in favor of having more participation. She advised to heed the results of the election. If every single person who voted for matthew had voted for Steve Best, he would have gotten 24 votes and would still have lost.</p> <p><u>Member Korin</u> - reminds the council of the document Bruce Gibson provided at his earlier meeting on how LOCAC is to deal with legal issues. He did not see Steve Best's issues the way Steve Best saw it. Supervisor Gibson does not have oversight over us, we are a private organization. CAC rules recommend that we go by the Brown Act, and transparency. With all of the changes, we did keep transparency by posting it on our website.</p>

Agenda Item	Discussion/Action/Information
<p>2. Nominations and Voting for LOCAC Executive Committee – Secretary, Treasurer, Vice Chairperson and Chairperson)</p> <p><u>ADJOURN</u></p>	<p><u>Member Harris</u> - notes that we are not bound by the state rules on elections</p> <p>A motion was made and seconded to accept the results of the election and to seat Sandra Sarrouf on LOCAC. LOCAC voted in favor - 10, opposed - 0. (10-0-0). No members were absent. No abstentions. (Julia Oberhoff is now officially off the council.)</p> <p>Sandra Sarrouf joined the council table.</p> <p>There was a discussion on who to hold the Chairperson and the Vice Chairperson positions. Vice Chairperson Bender accepted the Chairperson job with help of co-members. Member Mayfield agreed to be Vice Chairperson and take over the letter writing of LOCAC decisions to the County.</p> <p>A motion was made and seconded for Larry Bender to be the Chairperson, Margaret Mayfield to be the Vice Chairperson, Christine Womack to be the Treasurer, and Lynette Tornatzky to be the Secretary. LOCAC voted in favor - 11, opposed - 0. (11-0-0). No members was absent. No abstentions.</p> <p>Meeting adjourned 9:31 p.m..</p> <p>Next meeting: June 28th, 2018</p> <p>Respectfully submitted.</p>  <p>Lynette Tornatzky LOCAC Secretary</p>