



## LOS OSOS COMMUNITY ADVISORY COUNCIL

JULY 22, 2021

ZOOM MEETING, 7PM

### MINUTES

The meeting was **CALLED TO ORDER AND ROLL CALL** was taken. Present : Trish Bartel Chairperson, Sandra Sarrouf, Sue Morgenthaler, Lynette Tornatzky, Yael Korin, Larry Bender, Jan Harper, Deborah Howe, James Bishop, and Jim Stanfill. Tim Carstairs was excused.

**CHAIRPERSON ANNOUNCEMENTS AND MEETING PROTOCOLS:** Chairperson Trish Bartel announced LOCAC will remain on Zoom throughout the summer due to concerns from members and the new masking rules in Los Angeles and Santa Barbara Counties.

### **COUNTY AND LOCAL AGENCY REPORTS:**

**Station Commander Captain Greg Klingenberg of the CHP** reported 4 collisions and 4 DUIs last month and answered a question asked about traffic studies. These studies are generally initiated by the county although the CHP can request one.

**Kerry Brown from the County Planning and Building Dept** made the correction for us that the Morro Shores expansion project is being appealed to the Board of Supervisors, not the Coastal Commission. It's not been scheduled yet, so it will most likely be a few months before the appeal is heard. If this project ends up being approved by the Supervisors, it can be appealed to the Coastal Commission.

Kerry also reported to us that she and her department have been unable to access our website. Lynette will work on the problem, meanwhile they were asked to let us know when they want something from us.

**Supervisor Bruce Gibson** addressed the unhoused situation on Palisades and acknowledged the number of cars on Palisades has grown. The Board is looking to find alternative ways to enforce the no parking on the street laws at night. Until there are alternative places to go, they are not allowed to enforce the parking regulations for camping. The Board wants to meet the standards

set in Martin Vs. Boise and are hoping to be able to do so soon. They want to be able to take care of the needs of both the public and the unhoused.

The Board is seriously considering a relocation of this encampment to a new campground at El Chorro Regional Park. This is a suggestion brought to them by a few Los Osos residents, it is complete with very detailed plans as to how this can be accomplished.

The Basin Management Committee is looking into metrics to evaluate the water basin and a sustainable yield. An Aerial Electromagnetic survey would allow them to detail the nature of where sea water is coming in. Unfortunately, the planned survey by DWR will not fly over Los Osos this year, but we have been told they will consider us for their next fly over, perhaps in 2022. Meanwhile, there will be an attempt by us to identify the most appropriate places to concentrate on for their fly by.

SLO County Clerk Recorder Tommy Gong is leaving his position and the Board has begun their search for a new clerk recorder. The position will be filled by election in 2022 but for the interim, applications will be vetted by a committee, and 7 candidates will be chosen for interviews to be conducted before the public. Their target is September.

Also, they Board has begun to redistrict SLO County into 5 different Supervisorial Districts. These districts must meet the standards of the Federal Voting Act. They want to preserve communities of interest; this range can be quite broad as there are many considerations. The parameters for redistricting can be found at [slocounty.ca.gov/redistricting](http://slocounty.ca.gov/redistricting)

Supervisor Gibson suggested we ask County Staff to come to the next LOCAC meeting and give us a presentation on what is involved for redistricting. Pivotal for this redistricting is key census data that is expected to be released the third week of September. There will be hearings and drafts before the end of the year.

The COVID Delta variant has become a pandemic of the unvaccinated with a considerable uptake in cases. Many parts of the state are recommending masking indoors for all individuals, both vaccinated and nonvaccinated. San Luis Obispo County, because of our relatively lower rate of infection, is not yet concerned.

Supervisor Gibson reiterated information about the sewer rate increase. Due to go into effect last year, the 1<sup>st</sup> year increase was not imposed due to COVID. The 2<sup>nd</sup> year increase of a 5-year schedule goes into effect this summer. In August, the Board will vote to have this increase added to our property tax bills. Due to ARPA funds, SLO County can be reimbursed for the loss of revenue suffered last year.

The supervisor was asked if there was any update on the LOCP and the Coastal Commission. There is no specific date as to when the Coastal Commission will hold their hearing on the plan, but we are hoping for a date later this year or early next year.

Meanwhile, the BMC continues its work looking into the metrics used to evaluate the basin including looking at the calculations of what the water purveyors feel will consider to be the safe yield of the basin. The Supervisor thanks LOCAC for our letter of support for his attempt to secure us a position into the fly over survey.

A comment was made regarding Sea Pines and the fact they are now paying their sewer assessment, \$240,000. The commentor also cited a well at the Los Osos Community Park. It uses 4-acre feet per year for irrigation. That is a waste. Pumping from that location is enhancing sea water intrusion, perhaps they should stop irrigation all together.

**CSD report** was given to us by Chuck Cesena. He announced they are very excited to have completed the Ferrell pathway, it's a good addition to our community.

CSD is not comprised of districts with an elected officer from each area. They have hired a consultant and in August will be talking about the possibility of going to district specific elections.

CSD has 2 new well projects. With the addition of a well at 8<sup>th</sup> and El Morro, they will now have an upper aquifer well. The grant to fund this well has come through, bids opened last week, and they should be starting construction soon. The second well is a Program C well on Baywood Heights at an old leech field. There is an environmental review in progress for this well that is intended to take the pressure off the Palisades area where the finger of salt water comes in the furthest. Their hope is to move into the design phase within the next couple of months.

Chuck reminded us we are back in a drought cycle, and he urges us to conserve our water, something we will always need to do.

The BMC is reviewing all the criteria of a stipulated judgement, specifically salt levels, sustainable yield, etc.

In response to a request from the Coastal Commission, the Los Osos water purveyors came together to find common ground and provide a letter to the Commission with their positions on ADUs and development in Los Osos. A draft of this letter now exists and will go to the CSD for approval the first week in August. Points in this letter include our status of a stipulated judgement, fresh water levels that are not being met, and trends that are not appearing to make the purveyors comfortable enough to state that we have enough sustainable water for our current population.

The CSD would also like to see a reworking of the Title 19 retrofit program that allows building while theoretically saving water. After the metrics were established, there was never any follow up to see if indeed any savings had been achieved. A comment was made by James Bishop that there are purveyor concerns about the effectiveness of the offsets.

Patrick McGibney stated there is no confusion regarding the effectiveness of the offsets, they just don't work. The county is now analyzing the numbers to establish new offset criteria.

Jeff Edwards feels there is a historical perspective telling us they functioned well from 2008 until 2014 when they faltered because washing machines became the only allowed mitigation in the prohibition zone.

Javier Soto asked if there were any devices the utility companies use to detect water leaks in pipes. There is a device called Flume that will send an electronic message when the meter is running exceptionally high.

**Chamber of Commerce's** Lynette Tornatzky told us the new Chamber directory is here and is available for pick up at the Chamber office. The office is now open Tuesday – Friday. Please call first, the office is manned by volunteers so schedules can change from week to week.

The Chamber's Festival of Flavors is going great, it's been very successful. Also, the Chamber has started back with its mixers again, last Saturday at the Gypsy Boutique was their first.

### **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Patrick McGibney hopes everyone read the article in the Tribune this morning dealing with our water basin. He highlighted a few statements: California Department of Water Resources classifies the Los Osos water basin as in critical overdraft. Bringing in state water or building a desalinization plant is too expensive. Conservation programs have yet to turn around the water crisis, a basin contaminated by nitrates and sea water intrusion. The 3 local water purveyors have stated that increasing the water demand in town does not appear feasible at this time and they are reluctant to take on new customers. This conflicts with the county as they continue to permit new construction.

Linde Owen brought forward her concerns that projects are going forward in Los Osos with no permits and resulting habitat damage. She feels it appears easier to bulldoze with no permits and pay a fine later than to do things the proper way. Please keep an eye out for this growing new approach to building and report it.

**MINUTES FOR BOTH THE REGULAR LOCAC MEETING OF 6/24/2021 AND THE EMAIL VOTE TO ELECT DEBORAH HOWE AS TREASURER OF 6/28/2021 WERE APPROVED.**

## **LOCAC COMMITTEE REPORTS AND MEMBER COMMENTS**

**Treasurer's report:** Deborah announced we have \$1742.95. The account is unusable because there are no original signers to the account left on LOCAC to access the money.

**A Unanimous vote approved the following:**

**We resolve that the Treasurer, and 2 officers will be signers on the LOCAC account. The Treasurer, elected on June 28, 2021, is reflected in the minutes of Treasurer Election June 28, 2021. The Minutes plus the list of LOCAC Officers can be found on our website LOCAC.info**

Deborah asked those who have incurred expenses because of the frozen nature of our funds to please send her their bills. We need to submit for our new budget and must know where we are starting from.

### **Committee Reports:**

**LUC:** Larry Bender announced we have 2 projects on the regular agenda, they will be talked about them then.

**Traffic and Circulation:** Jan Harper is tentatively planning to have a zoom meeting on August 16<sup>th</sup>. They hope to have the circulation study draft at that time. She will be sending the draft to their entire distribution list so all can read it and be prepared for discussion. And as always, call the county when you see anything that needs attention on our streets. 805-781-5252

Our **Treasurer** inserted here that she should be notified if anyone needs space if they are choosing to go back to in person meetings.

**Trees and Landscaping:** Yael Korin announced the committee is still working on the El Morro Trail. There are still issues with a permit to do weed abatement. Parks and Recreation are not allowing weed abatement along the trail, but the Fire Dept is demanding it. Supervisor Gibson will meet with all of them to work this out.

**Outreach:** Sandra Sarrouf is still putting the newsletter out twice a month and asks us to notify her if there is anything we would like included.

**Unhoused Residents:** Yael says the committee continues to work on providing services on Palisades such as trash collection. They are still working to provide showers. Fortunately, the park keeps their bathrooms open. They've also prepared a petition for the supervisors.

**Ad Hoc Water Committee:** James Bishop and Deborah Howe submitted letters to Supervisor Gibson, Senator Laird, and the DWR asking them to include Los Osos in their fly over survey. It will not happen this year but they have indicated they'll consider adding us in 2022. The results of this survey could really help us to understand the extent of the sea water intrusion and the effectiveness of the Broderson Leech Field.

All 3 letters are posted on their committee page as well as other regional and national information for context. It also contains information on a bill proposed by Senator Padilla “Large Scale Water Recycling and Drought Resiliency Investment Act” which is \$750 million in grants for water projects. Among other posted reading is the Governors \$5.1 Billion proposal for a bill targeting Drought Response and Long-term investments.

### **REGULAR AGENDA ITEMS**

Chair Trish Bartel announced a new procedure for our discussions.

- Applicant will discuss their project
- Council has the opportunity to ask questions
- Public comment without comments from applicant or council
- LOCAC will have a final discussion
- Motion to Vote

**DRC2020-00232 STAMBACK** Minor Use Permit request for the addition of a Guesthouse conditioned space above the existing garage and the addition of a master bedroom to the main house of a single-family residence at 1214 Santa Ysabel in Los Osos.

Discussions centered around water usage. Stambacks are unaware of any requirement for water offsets. Some council members have difficulty supporting any project that involves new water usage, we have learned much about the severity of our water situation since we saw this permit originally at the beginning of 2021. It was suggested to ok the main house master and bath, do not approve the guest house.

The applicants were angry and felt it was not ok we say no to them. We were being unfair because we had okayed other construction projects this year. According to them, they are not going to sell so water usage has no relevance.

**Motion to support the project passed 8 for, 2 against.**

**DRC2020-00191 SAFINA** Proposed Minor Use Permit to construct an approximately 1889 square foot two story as-built deck which is detached from the existing family residence. 2873 Rodman Drive.

Represented by Josh Blair, the plan is to follow all requirements by the county to bring the structure up to code. The only other comments had been submitted by the Architectural Review Committee of Cabrillo Estates. They have not approved the project due to fire and construction concerns. According to a public comment, the Cabrillo Architectural Review Committee has asked the item be pulled from the Hearing Officer’s Consent agenda and will be discussed at the hearing.

**LOCAC recommends approval of this project providing everything required by the county to bring this structure up to code is completed. Vote was 8 for, 2 abstained.**

## **Petition to support sustainable, supportive housing for unhoused residents of Los Osos.**

On behalf of the Unhoused Residents Committee, Yael Korin introduced a petition to send to the Board of Supervisors and asked that LOCAC support and endorse it. This petition is promoting both temporary encampments and the more permanent solution of tiny house villages. They are asking for a solution which is county-wide, not just applicable to Los Osos.

There is support for this petition, but there is another petition authored by a few community members for a 24/7 sanctioned encampment at El Chorro Regional Park. There is concern that there would be a dilution of energies if both are circulating at the same time. A question was asked if it would be more prudent to concentrate on the more immediate solution suggested because of the urgent need for space.

The alternative petition/solution was created by Becky McFarland, Pat West and Javier Soto. They have worked hundreds of hours on the action details of a proposal to create a 24/7 sanctioned encampment at El Chorro Regional Park. Yes, it is a temporary one, but it will offer help immediately and give the county 2 years to figure out something more permanent.

After hearing stories from the Library and the Church regarding their situations because of the encampments on Palisades, we need to support the petition now.

Jim Stanfill, committee member, says there is no one answer. We need transitions yet we also must move towards a more permanent solution. The petition covers both. Again, someone commented that this is a complex problem.

Yael stressed that sanctioned encampments are merely temporary. They are more immediate, yes, but tiny homes can be permanent. Both solutions should provide all services needed. Sandra stated these encampments are transitions and not necessarily temporary.

The discussion went back and forth largely regarding the issues and the effectiveness of 2 similar yet different petitions. The lot being considered for the tiny homes was criticized for stripping and clearing the land of its resources. Los Osos cannot support the extra water use of a tiny home village. Perhaps LOCAC might be misunderstood by supporting this.

Paul felt the alternative plan of the El Chorro Encampment is just a way to get the homeless out of Los Osos. He also feels Los Osos doesn't like him and Yael because they are helping the homeless. He dislikes the attitude of the people in town. We don't understand that many of the unhoused residents are mentally ill, need help, and don't need to be booted out of town. Also, to say that services and case management will be on site is a great dream, but in reality CAPSLO has only 1 outreach case manager for the entire Prado site. Doctors appear by telemed once a month. To get services you must find money. We are missing the point.

It was then suggested the committee write a letter to the Supervisors that LOCAC could support rather than to endorse a petition. It is the way LOCAC normally communicates with the Board and might be more effective.

There was support for the concept of submitting a letter rather than the petition. The committee was split regarding a letter, but the council seemed more willing to move in this direction. Anything that will put pressure on the Board of Supervisors is a good thing.

A motion was made that LOCAC support this petition. Vote was 3 for, 7 against.

Then a second motion was made:

**The Unhoused Committee will author a letter to the Board of Supervisors on behalf of LOCAC with their recommendations as previously listed in their petition, the petition to support sustainable, supportive housing for the unhoused residents of Los Osos. This letter will be resubmitted to LOCAC for approval.**

**The were no votes against this motion, it passed.**

### **BUSINESS ITEMS:**

- The South Bay Bridge Reconstruction project is closing its comment period on August 6. LOCAC has already submitted a list of comments collected from previous LUC and LOCAC meetings. Any new comments are welcome at this time.
- **LOCAC Voted to revisit the Morro Shores Expansion project at the August Meeting. The vote was 8 for, 2 against.**
- Establishment of a procedure to respond to email submissions received by us through the LOCAC website from community members. This item was moved to next month's business agenda due to the time.

**ADJOURN 9:59**

