

Avila Valley Advisory Council

Minutes of June 13, 2005 Meeting

Call to Order

B. Pusanik called the meeting to order at 7:00 p.m.

Members Present: B. Pusanik, L. Newton, K. Argano, J. Salisbury, A. Brown, J. Taylor, K. Bittner, D. Palaia, L. Walter, T. Ivarie

Members Absent: Russ Kiessig, Sherri Gooding, Nisan Matlin (alt), Marylou Gooden, Bill Tickell, Jack Biesak (alt)

Approval of minutes: *Motion* by Karla to approve minutes of may meeting passed, seconded by Lynn. No corrections.

1.0 TREASURER'S REPORT

L. Newton

The balance remains at \$1004.58 no expenses, no income since last meeting. Accepted.

2.0 COUNTY REPORTS

2.1 Sheriff's Department

Deputy Mike Morris

There was a shooting, road rage, they apprehended the driver down in Avila. Mr Rick's had some problems with unruly people. Beach areas are picking up with tourists, some bathrooms vandalized. There was a grant donated by one of the Avila groups to the sheriff's dept ,they used it to purchase new bikes for bike patrol. The Port street beach...cal poly beach, getting lots of large groups at night, the dept is enforcing the no alcohol law and is going to ramp up enforcement on that beach. Question from Anne at Fish and Farmer's Mkt if bike patrol will be there on Friday nights and there will be a dept presence. Karla reported graffiti on the bridge. John asked about bicyclists riding outside the white lanes, can they be cited? Per erry, they have the same rights as motorists do.

2.2 County Supervisor, District 3

Jerry Lenthall

Looked into oak trees regarding the code enforcement violations, he came to Avila with Ryan to check out the site. He will attend the next San Luis Bay Estates board meeting. Tomorrow, he will attend a hearing on the port. Bob Jones Bike Trail...trying to get it done, working on securing some key property. PG&E is moving heavy equip to start getting the steam generator project going...moving stuff at night. Public comment: what is the route for heavy equip? There has been no public notification for the public that this will be happening at night between 2-4am. Per Lynn Walter, PG&E will be having information meetings for public soon, there will be some moving at night for new turbines, the road will be completely closed during those moves. Lynn volunteered to voice that at PG&E about communicating better with the public. Anne asked about a residence in Avila that she believes is a code enforcement issue. Would like to talk to both Jerry and Art Trinidad.

2.3 County Planning Staff

Ryan Hostetter

She spoke with James to get an update on his projects; dry cask storage, grading project has been issues, a grading permit has been pulled, construction will follow. Steam generator replacement at Diablo; thank you to AVAC for comments for the EIR, final comments being compiled. Dr D's project is going to coastal commission probably in August. The Feytco project has applied for a lot split. James is working on his old projects, email him if there are questions on that. Oak trees are an issue, we need to have Art Trinidad here. No other new projects currently.

3.0 OLD BUSINESS

3.1 Temporary Events

Bob circulated a draft letter and wants to have it open for discussion. We know Avila is a resort community and that these events will be ongoing. Just want an orderly process so that applications can be submitted to appropriate county people to review and approve. At the Board of Supervisors hearing last year, the direction that was given was confusing to AVAC.

We attempted to capture this, addressed the letter to Pat Beck, the asst director of planning, to clarify what the BOS is directing us to do. Confirmed the planning staff's authority to implement the status and that is really the purpose of the letter. If it is a temporary event, we want to be sure that the application is referred to AVAC so that we can gather some community input about the permit. Permit is given by planning dept. BOS gave direction to the planning dept to reevaluate the ordinance, it appears that no special group has been formed or done any work, the letter is just really a request to evaluate the ordinance and see how it fits into the needs of the community county wide. Per Ryan, all events have had temporary permits, non profits do not require a permit currently under the ordinance. Karla requests that we approve the letter to be sent. Voted unanimously by the board. Ryan talked to Carrie Brown, the planner that is working on the temporary event ordinance and she is putting together a committee that will be happening this summer, will be hearing from her very soon. She is working on the ordinance before she gets everyone together so that she has a direction to go with.

4.0 NEW BUSINESS

4.1 Code Enforcement – Oak Trees/ Art Trinidad

Art Trinidad not available tonight. Heron Crest homeowners assoc/oak trees. Hoping to hear from Art on what is happening. Archie wrote a letter, but Bob Martin saw it happen during the Avila oaks project. Allowed the removal of 1-2 large oak trees so that development could go in. Within the last month, severe rains caused one large oak tree to fall down, runoff from parking lot and drain line caused the ground to saturate and oak tree fell down. Bob went up to check it out and looked around, there was another oak tree that was very close proximity to parking lot. Couple of weeks later, heard chain saws and they were cutting that huge perfectly healthy oak tree. Art went out there once and asked them to stop...but everything already was cut down that they wanted to cut at that time. Bob feels that code enforcement is not doing us justice...they should have been cited and stopped. Karla asks jerry...we struggle with code enforcement...why is there no immediacy? What about the penalties? Jerry will check on due process and hopefully there will be some maximum penalties ...did owner of the property give direction to the arborist? Make sure people are held accountable within the sanctions of the law. Per Saro Rizzo...he suggests they check out District attorney's office...the developer knows what he is doing...there is a civil action, file an unfair business practices-17200. Code enforcement investigates and then can turn it over to the district attorney's office. Bob asks...why is code enforcement in the planning dept? Can projects be red tagged if they don't uphold the agreements that they signed? Can code enforcement stop jobs? Yes, per jerry and Ryan, hard to stop once the development is built. There is no existing oak tree ordinance in SLO...we need an oak tree ordinance. Per Ryan, there is a brand new state law re: oak trees, they are trying to update the conservation element of the general plan...Jerry is going to review what happened in the past with the oak tree ordinance, bring it forward again and check with Paso and Atascadero to see what they have in place.

Karla proposing a motion to write a letter to BOS towards the goal of an ordinance to get our county on board. Lynn seconds, voted unanimously. Karla will volunteer to write the letter to request that he re-visit the oak tree ordinance.

5.0 EXECUTIVE COMMITTEE/COMMUNICATIONS

Communications and AVAC Calendar

May 14th planning dept put on a workshop...certificates given to all three member that attended.

6.0 STANDING & AD HOC COMMITTEE REPORTS

6.1 Land Use Committee (K.Bittner) -

1 item on agenda: swimming pool next to Avila valley inn, lot 8 in the Avila village. Meeting at PG&E bldg in two weeks to review. Original proposal for lot was for a restaurant, pool will be for use of Avila inn, much less impact.

6.2 Avila Beach Committee (John Salisbury, Lisa Newton)

Did not meet this last month, no report. John invites all to come by the schoolhouse for a glass of wine. Jerry commended John for the great job on the schoolhouse. Anne: concern in Avila about litter left after fish and farmers market...lost the volunteer who was willing to pick up. Any ideas about how to help the merchants and Avila business association to help them see that this is their responsibility? John will take this project on, and he has spoken to customs house and Julie...they know they have a problem. Jerry volunteered to buy us a pressure washer from his community develop fund after July 1st, John will keep him in the loop. John will report back at next meeting. Parks & recreation per Lisa helps out, maybe they can get in the loop even though they aren't funded for it.

6.2 Avila Valley Committee (Jan Taylor) no report

6.3 San Luis Bay Estates (Sheri Gooding) no report

6.4 See Canyon (Bill Tickell) no report

6.5 Squire Canyon (Karin Argano)

New speed bumps, reflectors were put in by the county. Yield sign coming from Baron Cyn.

6.6 Traffic Circulation (Jan Taylor/Sherri Gooding)

Road conditions are being addressed, Caltrans has reviewed San Luis Bay drive...will fill the pot holes and will put in a request to resurface the ramps on the north side of the bridge, it will take a while, but they intend to do that. Rosemarie is working on getting some resurfacing done on SL Bay drive. Jerry will keep an eye on it and when the money comes in from the state and try to be sure our projects get funded.

6.7 Community Liaisons

Port San Luis (Karla Bittner)

Flood Zone 9 - Flood Zone 9: master plan going to BOS tomorrow for proposed revision to port master plan and also has to be approved by coastal commission. Still almost two years away from full approval of master plan. Karla makes a motion: AVAC supports the amendment to the SL Bay Area Plan for the Port San Luis Master Plan as proposed by planning staff, Bob seconded. Voted unanimously. Karla will represent us at the meeting. Port adopted their preliminary budget...total budget @\$3M.

6.8 Diablo Report (Dusty Palaia)

Dusty went to Diablo meeting, PRC is really making an effort to be available and answer questions, will be back in August with final assessment. Jerry went to the meeting and he said that the communication, lead time, sharing of information is much better, spending time with supervisors, new way of doing business.

7.0 PUBLIC COMMENT

Bob Martin: Parking in Avila. Any update on parking on the street? John Hand was the one who was handling this...been going on for a long time. Ryan and John Hand are going to come to a future subcommittee

8.0 ADJOURNMENT

Lynn makes a motion to adjourn, seconded by John Shug.

Respectfully submitted,
Karin Argano, Secretary