

## AVILA VALLEY ADVISORY COUNCIL (AVAC)

San Luis Obispo County, CA

### MINUTES

January 8, 2018

[www.avac-avila.org](http://www.avac-avila.org)

1. **Call to Order:** by Chair, Jim Hartig for regular meeting held at 7:00 p.m., PG&E Community Center.  
Roll Call (present): Lisa Newton, Mary Matakovich, Anne Brown, Julia Hartzell, Sherri Danoff, Ken Thompson, Saul Goldberg, Lynn Walter (alt), Denise Allen, Mike Casola, Margaret Greenough, Steve Benedict, Martin Suits. Roll Call (excused): Mary El Hansen, Marti Brand (alt), Carol Hayden (alt), Liz Guho-Johnson (alt), Kirt Collins. Quorum established.
2. **Approve Minutes:** Minutes for December 11<sup>th</sup> as amended by comments sent from Anne Brown to Mary Matakovich were unanimously approved following a motion by Anne Brown and a second by Sherri Danoff.
3. **Chair's Comments:** The chair moved the new business item of "officer elections" up to this point in the meeting. The slate of officers was presented at the December meeting. Sherri Danoff moved to approve the officers as slated, Anne Brown seconded the motion; vote by the council was unanimous approval.
4. **Public Comments:** NONE
5. Treasurer's Report: Julia Hartzell: Expenses since last meeting= \$40.38 for 3 Nameplates - Checking Account Balance is: \$1,848.29
6. **County Reports:**
  - a) **Sheriff:** Commander Jim Voge: 38 Calls for Service during the month of December including 7 suspicious subjects/suspected criminal acts, 5 disturbance of the peace, 4 petty thefts and 1 burglary (vehicle at the Bob Jones trail parking lot). Notable incidences were discussed (1) Bob Jones Trail on 12/12/2017; a hiker was struck with a crescent wrench by an individual, later identified as Kenneth pollard. Pollard asked the victim for money and when the victim indicated that he didn't have money, Pollard said that the next time he saw the victim he would kill him. He later saw the victim on the trail and struck him with a crescent wrench and busted his cell phone when the victim attempted to call 911. The victim made his way to the parking lot and called the Sheriff. The deputy found and detained Pollard who was positively identified by the victim. The sheriff requested that the DA file assault with a deadly weapon, criminal threats and vandalism against Pollard. (2) Bob Jones Trail on 12/27/2017; Individual observed by sheriff deputy on duty hanging out in parking lot in possession of heroin and hypodermic kit. (3) Bob Jones Trail Parking lot on 12/28/2018; a vehicle burglarized by smashing a window. This was out of view of the camera. It was noted that the signs and the camera have largely reduced the number of vehicle break-ins in this lot. AVAC asked the sheriff if he could look at having another camera installed to capture the outer/dirt area of the parking lot. The sheriff said he would look into it. Public comment that Pollard had been the subject of numerous calls to the sheriff in the past. Voge mentioned that according to the welfare code 5150 they can't take into custody mentally handicapped individuals unless they are a danger to themselves or to others.

- b) **Highway Patrol:** Capt. Michael Bueno/Sgt. John Johnson: Officer Eric Martinez stated the holiday season was fairly quiet as measured by the low number of calls for service in December. Officer Martinez often drives up to Cave Landing road to make the rounds and two weeks ago he spotted a fire in the parking lot. This was in the evening around 9 pm with strong winds blowing. He took action to call Cal Fire who got the campfire quenched. As of the first of the year the Highway Patrol is on the lookout for impaired drivers and reminded all that no passenger nor driver can use marijuana while operating or in the vehicle. AVAC asked for better monitoring of a particular Winnebago that was parked at the corner of San Luis Street. The maximum time allowed for a vehicle to park on the street is 72 hours.
- c) **CAL Fire:** Batt. Chief Paul Lee: There were 44 calls for service during December 18 of which were medical. There was one significant cliff rescue at Cave Landing where partnering with the Harbor Patrol, they rescued a stranded woman on the cliff who was taken off and out on the water with a surfboard and boat. The Thomas Fire is the largest CA wildfire on record. There is still some fire happening in remote areas which will probably be quelled by tonight's rain. Members of local fire stations are helping Santa Barbara and Ventura counties with sandbagging efforts this night. The department was awarded \$70K for new "jaws of life" that will be staged on every engine. Starting in August, the EMTs will be able to carry the following drugs: Narcan (**opioid** antagonist used for the complete or partial reversal of **opioid** overdose), Glucose and a glucometer, Epi Pens. Finally in this storm season – watch for downed power lines and other storm hazards.
- d) **Planning:** Sara Sanders: The planning project spreadsheet was discussed. Anne Brown asked to verify that the Salucci-Hodge project (item #1) is actually going to a review board in March as indicated since the Avila Beach committee hasn't yet reviewed the information that would be required for a review board. The citizens have a lot of concern with this project not meeting the intent of the Specific Plan. AVAC requested a copy of the appeal letter from ABR properties (item #8). AVAC also requested that "once upon a time" (item #11) listing be verified.
- e) **Public Works:** Dave Flynn (not present but provided the following information): I am meeting with Omni-Means, our circulation study consultant Tuesday, so that we can set up for a meeting with the LUC in late January or early February to look at Avila Beach Drive capacity and events impacts and start discussion on assessment/options.
- f) **County Parks:** Nick Franco (not present but provided the following report): There's no new news on any pending park items at the moment. Progress continues on the Bob Jones Trail project at the Octagon Barn, we're waiting for a response from Code Enforcement regarding the tress cut a the billboard area and I'll be scheduling a meeting to start working on achieving some agreement on the Cave Landing area in the next few weeks.
- g) **Port San Luis:** Andrea Lueker: The Harbor district is continuing to work on the lease with Red Tail Acquisitions in a closed session this Thursday. At this time, the lease execution is slated to be on the January 23<sup>rd</sup> agenda. If the lease is executed then the Harbor Terrace Development will be on track for opening in October 2019. There is a scheduled stakeholders meeting on Avila Pier Alternatives for February 7th at 6:00pm at the Yacht Club. There will be interactive displays to view and alternatives to discuss.
- h) **County Supervisor:** Adam Hill: No Report, not present.

7. **Old Business:** NONE

8. **New Business:** NONE

9. **Community Liaisons:**

- a) **Avila Beach Civic Association:** Lisa Newton: Spaghetti Feed is February 2<sup>nd</sup>, looking for volunteers!
- b) **Avila Beach Foundation:** Rick Cohen: On the Avila Beach Foundation website there is now available a video production of the Avila Beach Story Tellers night. It is in 11 different episodes which one can binge-watch or view one at a time.
- c) **PG&E/Diablo Canyon:** Suzanne Hosn: The Diablo Canyon Plant is preparing for a refueling outage beginning February 4<sup>th</sup>/5<sup>th</sup> and lasting for about a month. A large temporary workforce will be brought in as always. The CPUC had postponed the decision on the “joint proposal” approval based on the public comments and the proposed Administrative Law Judge’s proposed decision. The new decision is set to be made at meeting on January 11<sup>th</sup>. Suzanne will send the webcast information to AVAC. For the Diablo decommissioning phase, PG&E has been part of a “formation committee” containing various dignitaries from across the county. This committee used best practices to develop a community engagement process which will consist of an approximately 11 person committee holding public meetings to discuss various aspects and concerns during the Decommissioning of Diablo Canyon. Suzanne will be sending an application for this committee that any member of the public can apply. The formation committee will select the members. AVAC expressed concern that without the employee retention agreement there might be a flight of talent from the plant. Suzanne reiterated that Safety is number 1 and that there are many layers of talented people dedicated to safe plant operations.

10. **AVAC Committee:**

- a) **Land Use: Sherri Danoff:** Land use committee will meet again on Friday to do an in-depth review of the golf course projects and application for Temporary Outdoor Entertainment Business License.
- b) **Diablo: Ken Thompson:** The next public meeting of the DCISC is set for February 7 & 8 at the Avila Lighthouse Suites. Ken noted that the spent fuel storage will continue to be in place even during the decommission phase of the plant. The last cask will be loaded in 2033.
- c) **Port: Mary Matakovich:** Current important board activity is developing the budget for the coming year with a limited amount of money for capital improvements. Also, the polar bear plunge was a big success and \$1700 was raised from T-shirt sales for the benefit of the homeless shelter.
- d) **Avila Beach: Anne Brown:** First topic was the Salucci &Hodge development which will take 6 lots, 3 residential, 3 hotel and convert commercial retail to multi family. This will need a land use amendment. This represents a divergence with the intent of the Specific Plan. The second topic was an Avila Beach committee proposal to advocate for a moratorium on development until: 1. Vacation rental ordinance is amended to eliminate over-the-counter approval and to add that one “realistic”, “usable” parking space is required for each potential

sleeping area; 2. Adequate work-force housing is provided rather than vacation-rental usurpation of the housing stock; 3. The “Avila Update” is completed and in effect; 4. The Circulation Study is completed and accepted, so that existing and future congestion and inadequate parking are addressed. We must consider the incremental impacts from them many recently approved development approvals for Avila Beach and those in process. Congestion impacts, exacerbated by searches for parking spaces, are hazardous: Avila has one-way-in-and-out; high fire hazard; multiple earthquake faults; nuclear facility; tsunami potential. The Update process seems stalled and the Circulation Study is only in draft form. Thus development is happening without consideration of reality and without cumulative impacts (for example parking and disruption of residential life). A motion was made by Sheri Danoff and seconded by Anne Brown to approve this moratorium. AVAC discussion of this proposal included these comments: (1) need to be aware of unintended consequences, for example if there was a moratorium then things like the outdoor learning space for the Aquarium would not have gone forward, (2) the second point should be eliminated because it is nearly impossible to have affordable housing in Avila with the current property prices and (3) there needs to be more information in the proposal regarding the number of vacation rentals in the past X years, the number of variances allowed, the number and character of impacts that have gone against the specific plan intent over X years, etc. and (4) Instead of just a letter, have a meeting with the Supervisor and County planning department to go over the concerns about rampant and unchecked development in Avila Beach. It was also mentioned that this could possible be a topic to for the Avila Plan Update Committee to discuss as this all does relate to the update. The motion was then rescinded by another motion and seconded by Danoff/Brown. The committee will return next month with a revised proposal.

- e) **San Luis Bay Estates: Jim Hartig:** No report.
- f) **Avila Valley: Julia Hartzell:** The King property CRC2014-00111 Conditional Use Permit dated 11/29/2017 had been reviewed by the committee with the planner Young Choi. The revised plan is substantial and will still cause a major change for the existing property owners who live adjacent to this vacation rental and brewery development. An extensive document of comments containing issues related to water usage, waste, traffic, parking, landscaping, security, signage, grading, environmental concerns, fire protection and emergency planning for this extensive development on Ontario Road near the Buddhist temple and other residences was created in draft form and reviewed by AVAC. This CUP has provisions for camping, RV lodging, swimming, brewery, among other things. A motion was made by Sherri Danoff and seconded by Mary Matakovich to approve the comments to planning. Discussion by AVAC was to include additional comment about having to address the smell and noise from a Brewery (noted that no other county brewery is in as close proximity to residences as this one proposes). Another addition requested by AVAC was to include comments submitted earlier to Staff by the Land Use Committee about the project’s Traffic Report. The Report errs by stating there is a traffic signal at Ontario Road and Avila Beach Drive and errs in assuming no project traffic into Avila Beach. Julia amended the motion and it was seconded by Mary to add the AVAC comments. AVAC voted unanimously to approve the draft letter with comments as amended.
- g) **See Canyon: Denise Allen:** No report.
- h) **Squire Canyon: Margaret Greenough:** Kirt and residents discussed the upcoming Squire Canyon project with all 5 supervisors to advocate the position that water pumped from lower

lots should not be allowed – that upper lots should have their own wells due to limited water supply. The appeal hearing is tomorrow. Margaret reported Kirt was feeling optimistic.

- i) **Ad Hoc Committees:** APU (Avila Plan Update) Jim Hartig: An upcoming meeting with Sarah Sanders will include an agenda item of Vacation Rental ordinance. There is a lot of frustration in the Avila Beach community that the predominant development is for vacation rentals. Applications start as “residences” and then are often approved as “vacation rentals” in violation of the Specific Plan intention. AVAC also wanted a potential item to be a discussion on a possible “moratorium” on development until the Update process is complete – however county planning deems this outside the scope of the Ad Hoc Committee.

**11. Next meeting date:** Monday, February 12, 2018

**12. Adjourn:** Meeting was adjourned at 8:35pm

Respectfully submitted:  
Lynn Walter  
Secretary