

AVILA VALLEY ADVISORY COUNCIL (AVAC)

San Luis Obispo County, CA

August 13, 2018

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): Mary Matakovich, Anne Brown, Julia Hartzell, MaryEl Hansen, Sherri Danoff, Jim Hartig, Ken Thompson, Martin Suits, Steve Benedict, Saul Goldberg, Lynn Walter (alt), Denise Allen, Liz Guho-Johnson (alt), Kirt Collins, and Margaret Greenough. Roll Call (excused) Marti Brand, Mike Casola. Roll Call (absent) Lisa Newton, and Carol Hayden (alt). Quorum established.

2. **Approve Minutes:** Minutes for July 9, 2018 were unanimously approved following a motion to approve by Brown and a second by Thompson.
3. **Chair's Comments:** Jim Hartig reported that it had been a relatively light month with AVAC receiving just 1 new project to review for the Avila Beach Committee.
4. **Public Comments:** Shirley Getz from Avila Beach commented that she had sent a letter to the Bird Sanctuary organization to invite them to a future AVAC meeting to explain the bird sanctuary activities. This was a certified letter that she sent to 2 places she found. One letter was returned as "insufficient address" and the other was signed for at a PO Box. She has had no response. Shirley is concerned that there has been no concomitant benefit or action from this group.
5. **Treasurer's Report:** Julia Hartzell: There was one expense this month for AVAC's US Post Office Box (PO Box 69) - the Annual Fee of \$54.00. The current balance is: \$1,766.63.
6. **County and Local Agency Reports:**
 - a) **Sheriff** – Commander Jim Voge: There were 68 Calls for Service this past month which is slightly up from last year but down from the previous month. The CFS included 14 suspicious acts or persons, 10 disturbances of the peace, 6 thefts (which is concerning) and 5 burglary calls (not necessarily actual burglaries). Of note, on July 13th there was a call involving a family dispute in Avila town where an adult son had been staying with his mother. His mother had noticed post office uniforms and tools that had been stolen from the post office. The harbor patrol assisted the sheriff on the apprehension of the son. On July 16th at Pirates Cove around 8:30 at night a 23 year old man was approached by two men who asked to see what was in his backpack. They took a phone charger and a speaker and told him that if he talked to the Sheriff that they would kill him. This is a felony crime but the Sheriff has not yet found these criminals. Another incident occurred on July 21st at Pirates Cove; a 19 year old man, from Nipomo, under the influence, caused \$2000 worth of damage to a parked car by hitting the car with his bare hands and fists. He was arrested for felony vandalism. Finally somebody stole a \$2600 bike out of a bike rack in Avila Town. The bike had been locked and there were witnesses. After the man cut the lock, he rode the bike down the Bob Jones Trail and was not able to be apprehended. Ken Thompson asked about an incident in San Luis Bay Estates; On August 4th just before midnight, a young man was knocking on the door within the San Luis Bay Estates. He wanted to make a phone call because he was lost. The homeowners called the Sheriff but by the time they arrived, the

man had left and the Sheriff didn't find him in the vicinity. Ken Thompson asked if that incident was on the record and how did the Sheriff gain access through the gated community. The answer was that the incident may or may not be reported through the statistics that Commander Voge listed but he would follow up. The Sheriff gains access through gates using codes that the dispatch keeps. Ken also mentioned that several women he has spoken with have received threatening and harassing comments by an unknown male or males. Commander Voge reminded people that although the Bob Jones trail is relatively safe, women should not go out alone in the early morning when it is less traveled. Denise Allen asked if the Commander had heard of the types of robberies she recently read on "Next Door" in See Canyon – apparently an unmarked large moving truck with several men arrived at a remote home in See Canyon. When the home owners opened the door the men seemed surprised and quickly left. Commander Voge said that he is aware of this type of robbery where the criminals target remote and wealthier residences, often while the owners are on vacation. He again mentioned that security devices such as cameras are helpful in this situation.

- b) **Highway Patrol** - Sergeant Heiderbrink: In July there were 4 collisions in the Avila area. One was at the 101 off ramp to Avila Bay Drive and injured 4 people. There was a hit and run incident in Avila Beach where someone ran into another car and then drove off. Two other incidents were also in Avila Beach. There were also 2 DUI arrests. One of those was at the top of the hill on Front Street. The person was sitting in his parked car in a no parking zone. The officer discovered the person was inebriated and had to tackle him to ultimately arrest him.
- c) **CAL Fire** - Batt. Chief Paul Lee: Chief Lee was out of state this week and unable to attend. He passed along to the group to keep being fire safe and calling in any concerns. The calls help Cal Fire keep small issues small and the calls really help the department out.
- d) **Planning** - Sara Sanders: Sara reviewed the changes to the planning spreadsheet. Item #2 at 360 First Street has a tentative Planning Commission hearing on September 27th. Item #5 at Cave Landing Road trail, the applicant is no working with the Coastal Commission to address concerns. Item #7, the Community Plan Update for Avila, now has a final background report and staff response to comments which can be viewed at sloplanning.org or envisionavila.org. The RFP is currently being reviewed by County Central Services to proceed with the General Plan Amendment. Item #11 the parcel map change at the Old School House Property where the applicant has proposed to subdivide a parcel into 4 lots, will be withdrawn. Item #16, the denial of the vacation rental proposed minor use permit for 45 San Rafael St is in the 30 day appeal period which ends this Friday. Sara will work with Jim Hartig to set up the next Ad Hoc meeting. A question was asked by Julia Hartzell about the Bellvue Santa Fe School construction that didn't ever come to AVAC. Sara said that since there is no change to the land use, there is no requirement for local or county input. Instead, the school district is working primarily with the State. In response to a question from Sherri Danoff, Sara will ask Dave Flynn if the increased traffic due to increased number of students was considered in the Traffic study. Sherri also asked Sara if she could provide an update on the Chevron project which has been on hold for a long time.
- e) **Public Works** - Dave Flynn: Public Works wasn't present but sent along news read by Jim Hartig. Work on the Avila Beach Drive Seismic Retrofit is in process. The work for the next month is all below the structure and they will keep beach access open. Public Works now has the draft papers on the Avila Beach Drive Capacity and potential Traffic Demand Management plan. They are working with the Land Use Committee which will meet

sometime in mid-September. Dave wants to bring the project manager for the Avila Beach Drive Interchange roundabout to a future AVAC meeting to give a presentation.

f) **County Parks** - Nick Franco: Nick Franco was out of the office this week for his daughter's wedding so he wasn't at the AVAC meeting. He passed along that he met with the Supervisor's Ad Hoc Committee regarding Cave Landing and they now have a preliminary scope for a minimal project based upon public input at the workshops. The next step is to seek funding to do a preliminary design that can be taken to the Coastal Commission staff, stakeholders and to the public. No timeline yet until funding is secured.

g) **Port San Luis** - Andrea Lueker:

1. **Avila Pier**– the Avila Pier Committee reviewed two proposals from engineering firms to complete a study to look at the condition of the pier and provide a more specific cost estimate for repairs/replacement. The entire Board will consider both proposals at their August 28th Board meeting. The proposals received were from the firms Moffat & Nichol and Anchor QEA.

2. **Public Hearing on the District's Interest in Property Owned by PG&E** - The Harbor District will be having a public hearing on August 21st at 2:00 pm to discuss the District's interest in pursuing acquisition/use of PG&E Diablo Canyon assets with a nexus to Port San Luis Harbor District operations, including, but not necessarily limited to; access to Point San Luis Lighthouse, Harbor Terrace, marine operations, and storage of marine related material and equipment.

3. **Statistics for July** - Fourteen (14) Inner Harbor Rescues, 2 Outer Harbor rescue, 16 Vessel assists, 34 "aid other agencies" (such as Cal Fire, Sheriff, Fish and Wildlife, and CHP). There were also 195 Water Taxi runs which are free to mooring patrons. Lifeguard Statistics; 49 preventative actions, 3 rescues aided by the Harbor Patrol and their vessel, 31 medical aids, 1060 public contact, 210 dog ordinance reminders, and estimated beach crowd of 33,850 people.

4. For issues regarding beach access during construction activities on the bridge repair, the Harbor Patrol has contact numbers to the County project management. For any concerns about access, therefore, the Harbor Patrol can be contacted.

5. Sharon Suits asked if the Harbor commission has anything to do with the Cruise ship that is said to be stopping in at Avila. Andrea provided this information: The Harbor District isn't set up to accept Cruise ships. This news was a surprise to Avila, as well as Monterey and Avalon where the Cruise ship is also supposedly going to stop. The National Geographic organization is moving this vessel from San Francisco to Long Beach. Andrea mentioned that they are working with the organization to secure passenger fees for those coming ashore and she will keep us posted on how this transpires.

h) **County Supervisor** - Adam Hill: We have a new County Planning Director! Trevor Kieth has been working for the county; started in the planning department and then went to the Administration office and now is back in Planning. Supervisor Hill is being instrumental in identifying funds to move the project at Pirates Cove forward. This project won't be too heavy handed, but will be just enough of a change to drive out the criminal activities and give the area back to beach goers, families. Supervisor Hill and Nicole went on a Diablo

lands tour with Tom Jones and Eric Daniels. He is feeling very optimistic that Wild Cherry Canyon lands will eventually belong to the community. Decisions have to be made about the Diablo lands now and with good partnerships, this could come to fruition. There are also opportunities to partner with Cal Poly and other interested parties and PG&E to restore some infrastructure currently on the site for use by the community such as: the Marina and the water desalination plant. Martin Suits requested that Adam bring the new Planning Director to a future meeting so that AVAC can meet him. Anne Brown asked about setting up a meeting with the new planning director which can be done by calling the Planning Department secretary and making an appointment. Karla Bittner brought up a need for cleaning the promenade surface and sand removal on the beach sidewalks/steps. Adam agreed to contact Public Works for this as it is in their responsibilities. Karla passed along her thanks to Public Works for removing of about 20 illegal signs on the Avila roads. Sharron Suits also brought up that two solar powered speed signs were not functioning.

7. **Old Business:** None.

8. **New Business:** Since two of our upcoming AVAC meetings fall on County holidays Jim Hartig proposed that we hold AVAC meetings on Monday October 1st and Monday November 5th. A motion was made by Danoff and seconded by Benedict to move the meetings to the new proposed dates. Discussion ensued and it was realized that the reservation of the meeting room was not assured. The motion was amended to vote on the reschedule pending confirmation of the Energy Center Availability. Eric Daniels will follow up on the availability.

9. **Community Liaisons:**

- a) **Avila Beach Civic Association:** Anne Brown reminded AVAC about the big fundraising event – the Apple Festival dinner. There are tickets available for tables as well as seats.
- b) **Avila Beach Foundation** - Rick Cohen: Reminder: September 17th is the deadline for applying to the Foundation's Grant program. Also, in celebrating 20 years of serving the community, the Foundation is accepting nominations of individuals to be the first ever recipients of the "Avilones of Distinction Awards". In recognition that volunteers play a huge role in this community, there are three categories; Volunteerism, Philanthropy and Leadership. There will be a selection panel and they will review and choose based on deeds done by the nominees. Additionally, Chevron will contribute \$500 per winner to be applied to the non-profit of their choice. The nominations close on October 1st, if you would like to nominate someone use the form that can be found at www.avilabeachfoundation.org. Rick also mentioned that the Phase II Avila Beach Art Project was delayed due to the upheaval in leadership and organization of the Arts Obispo which is a key partner with the Foundation on this project. Though the money has been raised, the project has been delayed until Arts Obispo can participate. Rick expects to hear from them in about 2 weeks.
- c) **PG&E/Diablo Canyon** – Eric Daniels:

Diablo Canyon Nuclear Plant is producing 2200 Mega Watts of Clean, emission-free electricity with both units at 100% power. Eric asked for input on how the car charging stations were functioning for those who have used them at the PG&E Energy Center. There

were several comments that they weren't working for some people. Also he is aware of the request for the clock to be back in the room. Eric will be notifying the building maintenance people to rectify. The July 25th Diablo Canyon Decommissioning Engagement Panel covered the complex topic of funding for the decommissioning process that has to follow state and federal rules. There will be two workshops regarding the Diablo lands; one on August 17th and one on August 18th at the Pismo City Hall. The engagement panel will meet on this topic for their full committee meeting on August 29th in the County government center. In September there will be 2 more workshops ahead of the Engagement Panel meeting for September 26th; September 14th and 15th in the rotunda at the Atascadero City Hall. These workshops will focus on potential repurposing of existing structures on the Diablo Lands. Land tours were offered to the public and over 600 spots filled up within a day and a half. There still may be a possibility for AVAC members to visit on a lands tour and Eric will continue to work on that but he may be able to offer only a single date for the tour. Many people at the meeting had tried to get in on the public land tours when they were first offered but struggled with the complex format and spreadsheet for the signup. The San Luis Obispo Maintenance and Construction team has been working in See Canyon to improve electrical reliability there. They are adding undercrosss arms and spreading wires to accommodate birds without causing outages. There are 37 places in the See Canyon layout that needed updating. Some residents of See Canyon got letters for the planned outages and were appreciative.

10. AVAC Committees:

- a. **Land Use** - Sherri Danoff: The Land Use Committee met with public works on the Avila Drive capacity studies. Next step is to reduce the demand and Sherri will keep AVAC posted on the progress.
- b. **Diablo** - Ken Thompson: SB 1090 which basically directs the CPUC to authorize full funding as requested by PG&E for employee retention and community assistance, is through the appropriations committee and should go to a full assembly vote this week so that it can be completed in this session and get to the governor's desk for signing.
- c. **Port** - Mary Matakovich: nothing to add to the above Port San Luis report.
- d. **Avila Beach** - Anne Brown: Anne mentioned that in the Avila Beach Committee's discussion with the attorney for the old school house lot subdivision indicated that the school district and the developer had agreed that money would be held in escrow for the old schoolhouse restoration. Anne is asking for copies of that agreement and for the CC&Rs for the property.
- e. **San Luis Bay Estates** - Jim Hartig: The San Luis Bay Estates committee provided three letters for review, discussion and approval. (1) a request for a written determination with the rationale for omitting amendment of the Master plan/General Plan as requirements for the Golf Course Development Project. A motion was made by Hartig to send the letter as written and Danoff seconded. The vote was unanimous to send the letter. (2) a letter containing AVAC comments on the proposed Somera 50 Cottage application. Hartig made a motion to send a letter containing the comments as proposed, Brown seconded. Discussion occurred with some members objected to the wording surrounding the Chumash Heritage and Archeological resources section. The motion was then amended to exclude the last 4 words in that paragraph and add the date for when the Chumash Tribal Council

spoke at AVAC. The amended motion to send the letter with those changes was passed unanimously. (3) A letter transmitting AVAC comments on the Golf Course Development Plan Application was provided. A motion was made by Hartig to send the letter as written and Suits seconded the motion. The motion was passed unanimously. At this point Sherri Danoff asked Sara Sanders about the determination letter sent in June which AVAC has yet to hear any response. Sara will follow up.

- f. **Avila Valley**: - Julia Hartzell: nothing to report.
- g. **See Canyon** - Denise Allen: nothing to report
- h. **Squire Canyon** – Kirt Collins: The marijuana growing industry on Monte Road has been shut down by authorities.
- i. **Ad Hoc Committees** - Jim Hartig: Jim will work with Sara – as stated above – to set up the next Ad Hoc committee for the Avila Plan Update.

11. **Next meeting date**: Monday, September 10, 2018

12. **Adjourn**: Meeting was adjourned at 8:22 pm.

Respectfully submitted:
Lynn Walter
Secretary