

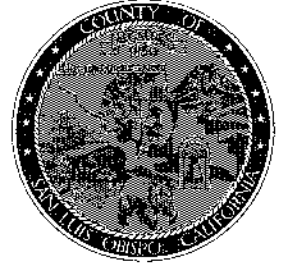
COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS

AGENDA ITEM TRANSMITTAL

(1) DEPARTMENT Administrative Office	(2) MEETING DATE August 11, 2009	(3) CONTACT/PHONE Vincent Morici (805) 781-5020	
(4) SUBJECT Request to approve recommended responses to findings and recommendations contained in the Grand Jury report titled "Oceano Community Center - An Old Fable Revisited", and forward the responses, along with the attached responses by the Planning and Building Department, to the Presiding Judge of the Superior Court and Grand Jury by August 18, 2009.			
(5) SUMMARY OF REQUEST The Grand Jury issued a report on June 30, 2009 about the origin, construction and planned utilization of the Oceano Community Center. The Grand Jury requests a response by the Planning and Building and the Board of Supervisors to one finding and two recommendations contained in the report. Recommended Board of Supervisors responses to the findings and recommendations have been prepared for the Board's consideration. The Planning Department response is also being transmitted with this item.			
(6) RECOMMENDED ACTION It is recommended that the Board of Supervisors adopt the recommended responses to the Grand Jury report titled "Oceano Community Center - An Old Fable Revisited" and transmit the Board of Supervisors response, along with the attached response by the Planning and Building Department, to the Presiding Judge of the Superior Court and Grand Jury by August 18, 2009.			
(7) FUNDING SOURCE(S) N/A	(8) CURRENT YEAR FINANCIAL IMPACT N/A	(9) ANNUAL COST N/A	(10) BUDGETED? ☐ No ☒ Yes ☐ N/A
(11) OTHER AGENCY INVOLVEMENT/IMPACT (LIST): The County Planning and Building Department was consulted in the development of the Board of Supervisors recommended response.			
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? ☒ No ☐ Yes, How Many? _____ ☐ Permanent ☐ Limited Term ☐ Contract ☐ Temporary Help			
(13) SUPERVISOR DISTRICT(S) ☐ 1st, ☒ 2nd, ☐ 3rd, ☐ 4th, ☐ 5th, ☐ All		(14) LOCATION MAP ☐ Attached ☒ N/A	(15) Maddy Act Appointments Signed-off by Clerk of the Board ☐ N/A
(16) AGENDA PLACEMENT ☒ Consent ☐ Hearing (Time Est. _____) ☐ Presentation ☐ Board Business (Time Est. _____)		(17) EXECUTED DOCUMENTS ☐ Resolutions (Orig) ☐ Contracts (Orig + 3 Copies) ☐ Ordinances (Orig) ☒ N/A ☐ Email Resolution and Ordinance to CR_Board_Clerk (in Word)	
(18) NEED EXTRA EXECUTED COPIES? ☐ Number: _____ ☐ Attached ☒ N/A		(19) BUDGET ADJUSTMENT REQUIRED? ☐ Submitted ☐ 4/5th's Vote Required ☒ N/A	
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(21) W-9 ☐ No ☐ Yes ☒ N/A	(22) Agenda Item History ☒ N/A Date _____
(23) ADMINISTRATIVE OFFICE REVIEW JG			

County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. D430 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



JIM GRANT
INTERIM COUNTY ADMINISTRATOR

To: Board of Supervisors

From: Vincent Morici, Administrative Analyst

Date: August 10, 2009

Subject: Request to approve recommended responses by the Board of Supervisors to the 2009 Grand Jury report titled "Oceano Community Center - An Old Fable Revisited" and forward Board's recommended response, along with the responses by the Planning and Building Department, to the Presiding Judge of the Superior Court by August 18, 2009.

RECOMMENDATION

It is recommended that your Board of Supervisors adopts the recommended responses, identified in Attachment 1 to this Board letter, as the Board of Supervisor's responses to the 2008-09 Grand Jury report titled "Oceano Community Center - An Old Fable Revisited" and forward the responses, along with the responses by the Planning and Building Department, Attachment 2, to the Presiding Judge of the Superior Court and the Grand Jury by August 18, 2009.

DISCUSSION

The Grand Jury issued a report on June 30, 2009 based upon their investigation of newspaper articles and related conversations about the origin, construction and planned utilization of the Oceano Community Center. The report provides a history of the project and concludes with recommendations for future projects.

County Administrative Office staff reviewed the Grand Jury report and the response by the Planning and Building Department with staff from that department. The Planning and Building Department response to the Grand Jury report provides a reasonable basis for the required Board of Supervisors response to the report.

The report requires the responses to Findings and Recommendations as identified below:

- San Luis Obispo Department of Planning and Building is required to respond to Finding 5 and Recommendations 3 and 4.
- San Luis Obispo Board of Supervisors is required to respond to Finding 5 and Recommendations 3 and 4.

This report includes the following Attachments.

Attachment 1 -- Recommended Response by the Board of Supervisors to the Grand Jury Report

Attachment 2 --July 16, 2009 Planning and Building Department Responses to the Grand Jury Report

Attachment 3 -- 2008-09 Grand Jury report titled "Delayed Building and Safety Code Enforcement"

Responses from the County Department of Planning are due to the Presiding Judge by August 18, 2009. The responses from the Board are due to the Presiding Judge by September 17, 2009. The County Administrative Office procedures include coordinating the responses from County departments to Grand Jury reports and preparing recommended responses on behalf of the Board of supervisors. The departmental responses to this Grand Jury report are attached and, where appropriate, incorporated as the Board's response.

It should also be noted that the Grand Jury requested responses from the Lucia Mar School District and the Oceano Community Services District. The Lucia Mar School District and the Oceano Community District will provide their responses directly to the Presiding Judge and their responses are not included within this report. It should also be noted that Grand Jury required responses from these two entities are for other findings and recommendations in the report and do not address the finding and recommendations required of the County.

OTHER AGENCY INVOLVEMENT/IMPACT

The County Administrative Office reviewed the responses to the Grand Jury report prepared by the Department of Planning and Building in the development of the recommended Board responses to this report.

FINANCIAL CONSIDERATIONS

Costs for preparing this response are included in the current department budget.

RESULTS

This response will meet the legal requirements and time frames for responding to a Grand Jury report with findings and recommendations.

ATTACHMENT 1

Recommended Response by the Board of Supervisors to the Grand Jury Report of June 2009 on the "Oceano Community Center - An Old Fable Revisited"

The San Luis Obispo County Board of Supervisors has the following responses to the Grand Jury's Finding 5, and Recommendations 3 and 4 contained within the report titled: "Oceano Community Center - An Old Fable Revisited."

GRAND JURY FINDINGS

5. The County is best positioned to monitor and insure continued operation of the Oceano Community Center for the "benefit of the local community."

Recommended Board of Supervisors Response

The Board of Supervisors partially disagrees with the finding and adopts the response by the Department of Planning and Building as the Board of Supervisors' response to this Finding (see attached response by the Department of Planning and Building shown as Attachment 2).

The response by the Planning and Building Department identifies the Oceano Community Services District as having a local presence, and as the owner of the land, has an obligation to maintain "recreational purposes" on the subject property "in perpetuity" after acquisition and is in the best position to continuously monitor to ensure compliance. However, the Planning and Building Department does have an interest in the continued use of the Oceano Community Center to benefit the local community. The department will periodically monitor and inspect the Oceano Community Center to protect its Community Development Block Grant (CDBG) investment and assure compliance with applicable federal law.

GRAND JURY RECOMMENDATIONS

3. The Grand Jury recommends that the County give strong consideration to having a security interest in future projects of this type and size.

Recommended Board of Supervisors Response

The recommendation has not yet been implemented but will be in the future beginning with the next grant cycle. The Board adopts the response by the Department of Planning and Building as the Board of Supervisors' response to this Recommendation (see attached response by the Department of Planning and Building shown as Attachment 2).

The response by the Planning and Building Department notes that strong consideration to having a security interest for future public facility projects will be implemented in conjunction with the grant funding cycle, depending on the applications received by the County and the specific, case-by-case needs of those applications.

4. The Grand Jury recommends that the Planning and Building Department be required to keep the County apprised of total estimated costs and associated risks involved in an entire project, not just the County's portion, both prior to, and during, that project.

Recommended Board of Supervisors Response

The recommendation has not yet been implemented but will be in the future at the beginning of the next grant funding cycle. The Board adopts the response by the Department of Planning and Building as the Board of Supervisors' response to this Recommendation (see attached response by the Department of Planning and Building shown as Attachment 2).

The Board and the Planning and Building Department notes that this response is based on the assumption that this recommendation pertains to projects provided with federal grant funds administered by the Planning and Building Department.