

**San Luis Obispo County
Flood Control and Water Conservation District**

Flood Control Zone 1/1A Advisory Committee Meeting

Meeting Date: Tuesday, July 16, 2019 -- 3:00 to 5:00 pm

Meeting Location: Sheriff's South Patrol Station, 1681 Front Street Oceano, CA

The purpose of the Committee is to provide recommendations to the San Luis Obispo County Flood Control District regarding appropriate actions to provide flood protection for the properties within the boundaries of Flood Control Zones 1 and 1A.

- Excerpt from Bylaws endorsed by Steering Committee, June 2001

Minutes

1)	<p>Welcome and Introductions</p> <p>Members in attendance: Gary Kobara, Linda Austin, Vicki Cardoza, Stan Ikeda, Charlie Lackie, Dianna Lackie</p> <p>County staff in attendance: Nola Engelskirger (Public Works); Michael Manuele and Dan Miller (Sheriff)</p>
2)	<p>Public Comment – None</p>
3)	<p>Announcements – Item 6, “No Trespassing” Signs, Permit Application Process, is moved to the first discussion on the agenda.</p>
4)	<p>Review and Approval of Past Minutes</p> <p>Member Vicki Cardoza made motion, Member Charlie Lackie seconded, and the May Minutes were approved unanimously.</p>
5)	<p>“No Trespassing” Signs – Permit Application Process</p> <p>County Staff Nola Engelskirger provided the following project updates:</p> <ul style="list-style-type: none">• Permit application has been submitted. <p>Nola also provided answers to questions asked at the last meeting regarding the potential for a prescriptive right and who is liable if someone is injured in the channel areas:</p> <ul style="list-style-type: none">• A prescriptive right does not exist. Per California Civil Code 1007, you cannot claim a prescriptive easement over lands of a public entity.• Regarding liability, under the government claims act there are exemptions and indemnity for public entities that would protect the District from liability if someone was injured in the easement.• Counsel declined providing formal advice for property owners, but generally speaking said that the law imposes liability over people who have control over the property, and in this case the District is in control of the property. <p>Dianna and Charlie Lackie shared their concerns about personal safety on their property and the lack of control to keep trespassers out. They wanted clarification on when they should call for Sheriff</p>

	<p>assistance.</p> <p>Sheriff response was that private property owners should call anytime they want to request Sheriff assistance with trespassers on their property. Include description of people and activities taking place on the property and Sheriff will respond as necessary.</p> <p>Sheriff will continue to enforce no trespassing over private property and the flood control easement.</p>
6)	<p>Channel Maintenance</p> <p>County Staff Nola Engelskirger provided the following update:</p> <ul style="list-style-type: none"> • The Delta Street flap gate has been repaired. During last winter it was jammed open and bent so that it was inoperable. Crews were able to weld, and reshape the gate so that it is now functioning properly. • Goats will be grazing channel areas starting the week of July 22. • Willow Trimming work will be completed starting mid August through October.
7)	<p>AG Creek WMP Project Alt 3A and Mod. 3C Projects</p> <ul style="list-style-type: none"> • \$680,102 Contract Awarded to David Cry General Engineering Contractor. • Almost 30% below the Engineer's Estimate. • Notice to Proceed will be issued in August, expect construction to start soon after. • Phase 1 will remove vegetation and sediment from 8 of the 22 sites identified for sediment removal in the channel. The 8 sites are located downstream of the UPRR. • Phase 2 will be implemented in 2020 and will construct the remainder of the improvements. <p>Member Vicki Cardoza requested confirmation that her road will be repaired post project and prior to winter if used for accessing the construction areas. Nola said that it is County standard policy to repair roads that are damaged by construction traffic and that the repair work would occur after the project is completed and likely prior to winter. The project is expected to be completed by October 15.</p> <p>Member Linda Austin requested information on whether Guiton's crossing would be used during the project and if it would be restored after. Nola reiterated that if the crossing was used that it also would be restored. She was not certain how the crossing is intended to be used, so she said she would look into the plans for Guiton's crossing relative to construction of the WMP projects.</p>
8)	<p>Open Forum (Questions / Suggestions for next agenda)</p> <p><i>The Committee requested to continue discussion on trespassing issues along levees.</i></p>
9)	<p>Adjourned 4:15 pm.</p>

Submitted by: Nola Engelskirger, County Staff

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Website: www.slocounty.ca.gov/Departments/Public-Works and follow the links to Committees & Programs, Flood Control Zones, Zone 1/1A

Also, for historic information before 2010 go to <http://www.coastalrcd.org/zone1-1a/>