

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION
DISTRICT
ZONE 9 ADVISORY COMMITTEE

NOTICE IS HEREBY GIVEN that the Zone 9 Advisory Committee will hold a Regular Meeting at **1:30 PM on Wednesday, April 10, 2024** at the City of San Luis Obispo, Community Development Department in Conference Room #1 located at 919 Palm Street, San Luis Obispo, CA 93401.

AGENDA

1. Introductions and roll call
2. Approval of December 13, 2023 meeting minutes
3. Open Discussion of 2023-24 Storm Season
4. Waterway Management Plan Update
5. Review and discuss the Committee Bylaws
6. Ongoing Updates
 - a. Mid-Higuera Bypass Project
 - b. Creek Maintenance
 - c. Avila Beach First Street Drainage Study
7. Public comment
At this time, the public may address the Committee on any item not appearing on the agenda that is within the subject matter jurisdiction of the Committee.
8. Future agenda items

Next Regular Meeting

Wednesday, June 12, 2024 at 1:30 PM
City of San Luis Obispo, Community Development Department
919 Palm Street, San Luis Obispo, CA 93401

“The purpose of the Zone 9 Advisory Committee: SECTION 1: To advise the County Board of Supervisors concerning all policy decisions relating to Zone 9. The Committee shall determine the needs, desires, and financial capabilities of the property owners in Zone 9 and, upon deliberation, shall convey to the Board of Supervisors their recommendations with respect to the objectives of said zone. SECTION 2: To recommend to the Board of Supervisors specific programs to alleviate and control flood damage within Zone 9 with recognition of the ecological and aesthetic values of the programs. Further, to recommend to the Board of Supervisors other programs within Zone 9 concerning the objects and purposes of the Flood Control District Act. SECTION 3: To recommend methods of financing programs for Zone 9.” – Excerpts from the By-Laws adopted March 1, 2011

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
ZONE 9 ADVISORY COMMITTEE

DRAFT Meeting Minutes – Wednesday, December 13, 2023

Meeting materials and video recordings can be viewed at: <https://www.slocounty.ca.gov/Zone9>

Members Attending:

Wayne Peterson, County At-Large (Chair)
Christine Mulholland, City At-Large
Michelle Shoresman, City Council
Jonathan Hall, County At-Large
Shelsie Moore, City Staff

Non-Voting Members and Guests Attending:

Stephnie Wald, County At-Large
Freddy Otte, City of San Luis Obispo
Brendan Clark, County of San Luis Obispo (Secretary)
Josh Porter, County of San Luis Obispo
Lucia Pohlman, City of San Luis Obispo
Joey Steil, County of San Luis Obispo

1. Introductions and roll call

The Committee Chair calls the meeting to order at 1:30 PM and a quorum is established. Members and attendees introduce themselves.

2. Continued Item: Approval of August 9, 2023 meeting minutes

Item start time ~ [00:02:09](#)

W. Peterson introduces the item and asks for questions or comments from the Committee.

C. Mulholland moves to approve the August 9, 2023 meeting minutes.

M. Shoresman seconds the motion. Motion passes (5-0-0).

3. Approval of October 11, 2023 meeting minutes

Item start time ~ [00:02:37](#)

W. Peterson introduces the item and comments that the meeting notes were drafted as information only due to a lack of quorum on October 11, 2023.

The Committee takes no action, and the meeting notes were received and filed for the record.

4. Continued Item: Consider Endorsing the Fiscal Year 2024-2025 Annual Workplan

Item start time ~ [00:04:19](#)

W. Peterson introduces the item and B. Clark presents on the Fiscal Year 2024-2025 Annual Workplan and related projects and asks for questions or comments from the Committee.

M. Shoresman asks how the General Creek Maintenance costs were estimated. B. Clark responds.

W. Peterson comments on the costs associated with stream gauge enhancements and C. Mulholland asks what types of measurements and data (intensities, flow, etc.) would be collected from the equipment. B. Clark responds.

C. Mulholland asks if there is clearance on the promontory building to install a camera to view the creek and if this site has been considered. F. Otte and B. Clark respond.

W. Peterson comments on past outreach efforts and working with landowners in the community who would volunteer their properties to allow monitoring equipment to be installed.

C. Mulholland volunteers to provide outreach to the property owner for this effort.

W. Peterson asks about the preferred location of the stream gauge and if using easements will be considered. B. Clark responds.

C. Mulholland moves to endorse the City of San Luis Obispo Fiscal Year 2024-25 Annual Workplan and the District Workplan to initiate the Waterway Management Plan update. M. Shoresman seconds the motion. Motion passes (5-0-0)

5. **Ongoing Updates**

Item start time ~ [00:18:35](#)

a. Mid-Higuera Bypass Project

S. Moore and F. Otte provide verbal updates on the Mid-Higuera Bypass Project.

C. Mulholland asks if a portion of project funds have been spent ahead of schedule on the embankment and tree removal work along Marsh Street and near Madonna Inn.

S. Moore responds.

C. Mulholland asks if Caltrans consulted with the City of SLO and/or used emergency permits to perform maintenance work along the freeway. F. Otte responds.

b. Creek Maintenance

F. Otte provides a verbal update on creek maintenance activities.

C. Mulholland asks if wildlife surveys were done prior to performing sediment removal in Prefumo Creek. F. Otte responds.

Committee Members and staff discuss the impacts of historical sediment accumulation

within Prefumo Creek.

C. Mulholland asks where the sediment was taken to for disposal. F. Otte responds.

M. Shoresman asks if the majority of the work has been completed and how staff have been communicating with neighbors and landowners along the creek. F. Otte responds.

c. Arundo Removal

J. Hall provides a verbal update on Arundo removal activities.

W. Peterson asks what precautions are taken during disposal to prevent Arundo from setting seed downstream. J. Hall responds.

M. Shoresman asks about the use of roundup and any potential impacts on the system. J. Hall responds.

C. Mulholland asks if Arundo will break down in a digester. J. Hall responds.

d. Avila Study

B. Clark provides a verbal update on the Avila Beach drainage study.

C. Mulholland asks about the boundaries of the project. B. Clark and J. Porter respond.

6. Public comment

Item start time ~ [00:49:28](#)

County and City staff comment on the success of the recent flood readiness event.

W. Peterson comments on the value of having a continued presence at Farmer's Market during the wintertime.

C. Mulholland asks if the Downtown Association or any local businesses provided feedback on the activities, specifically regarding flood gate usage. Staff and Committee Members discuss additional outreach strategies.

7. Future agenda items

Item start time ~ [00:57:32](#)

B. Clark suggests that it may be time for the Committee to review its current Bylaws.

W. Peterson suggests that the Committee Secretary route the Bylaws for Committee review/comments which can be compiled and discussed at a future meeting.

F. Otte comments on permitting strategies for maintenance projects related to the Waterway Management Plan update.

B. Clark comments on receiving an update on the SLO Creek Resiliency and Rewilding Plan.

Meeting adjourned at approximately 2:31 PM

DRAFT

Agenda Item #5:

Review and Discuss the Committee Bylaws

SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT'S
ZONE 9 ADVISORY COMMITTEE
BY-LAWS

ARTICLE I: PURPOSES OF THE COMMITTEE

The purpose of the Zone 9 Advisory Committees:

SECTION 1: To advise the County Board of Supervisors concerning all policy decisions relating to Zone 9. The Committee shall determine the needs, desires, and financial capabilities of the property owners in Zone 9 and, upon deliberation, shall convey to the Board of Supervisors their recommendations with respect to the objectives of said zone.

SECTION 2: To recommend to the Board of Supervisors specific programs to alleviate and control flood damage within Zone 9 with recognition of the ecological and aesthetic values of the programs. Further, to recommend to the Board of Supervisors other programs within Zone 9 concerning the objects and purposes of the Flood Control District Act.

SECTION 3: To recommend methods of financing programs for Zone 9.

ARTICLE II: MEMBERS

SECTION 1: The membership of the Committee shall consist of six members and six alternates appointed as follows and confirmed by the County Board of Supervisors:

- a. City of San Luis Obispo - Three (3) members: 1-Council, 1-staff, and 1-public member recommended by the City Council. The City shall also recommend an alternate for each member to serve in their absence.

- b. County of San Luis Obispo: Three (3) public members and three (3) alternates, who are not City of San Luis Obispo residents, appointed by Board of Supervisors. Preference shall be given to those individuals who also represent the Resource Conservation District, the Avila community, the agricultural community, CalPoly, CalTrans, or other community agency.

SECTION 2: Members serve at the pleasure of the appointing organization and the Board of Supervisors.

SECTION 3: Members shall serve for a four-year term or for shorter periods at the pleasure of the appointing organization or the Board of Supervisors. The term of office for half of the members and their respective alternates shall end on December 31 of every other even numbered year; and for the remaining members and their respective alternates shall end December 31 of the opposite alternating even numbered years. Members may serve more than one term. Member assignments for the committee between the two staggered terms shall be made as follows:

Position	Term 1 End
City Council & Alternate	December 31 of every other even numbered year
County at-large & Alternate	December 31 of every other even numbered year
County at-large & Alternate	December 31 of every other even numbered year
	Term 2 End
City Staff & Alternate	December 31 of the opposite alternating even numbered year from Term 1
City-at-Large & Alternate	December 31 of the opposite alternating even numbered year from Term 1
County at-large & Alternate	December 31 of the opposite alternating even numbered year from Term 1

Should a member resign or leave the committee, his/her replacement shall serve out the remaining portion of his/her term.

SECTION 4: A position may be considered vacated in the following circumstance:

- a. The member fails to attend four consecutive meetings, and
- b. The member fails to notify the Committee Secretary, and
- c. The vacancy is confirmed by a majority vote of the Committee at a regularly scheduled meeting.

ARTICLE III: MEETINGS

SECTION 1: Meetings shall be held at least quarterly. More frequent meetings may be scheduled and held as agreed upon by a majority of the Committee members.

SECTION 2: A quorum shall consist of at least four members.

SECTION 3: The Chairman may call a Special Meeting after proper notification of the Committee members. Proper notification shall be deemed to have been met if such notification is written and is delivered personally or by mail 24 hours in advance of the scheduled meeting. If all members are present when the special meeting is scheduled then written notification will not be necessary.

SECTION 4: Any decision or recommendation to the Board of Supervisors shall require a majority vote by Committee members for passage.

SECTION 5: Any member city, organization, or agency may be notified of a frequent non-attendance of its appointed delegate as determined by the Committee.

SECTION 6: Meetings shall be open to the public. Visitors may express opinions or make requests. The Chairman will open and close the meeting to public comment.

SECTION 7: In the absence of a specific rule or procedure, Roberts Rules of Order, Revised, shall be followed.

ARTICLE IV: OFFICERS

SECTION 1: Officers of the Committee shall consist of the Chairman, Vice-Chairman and Secretary.

SECTION 2: The Chairman and Vice-Chairman of the Committee shall be selected from the members of the Committee by a vote of the members requiring a majority vote for election. The Secretary may be a non-member but shall be appointed by the Committee by a vote of the members requiring a majority vote for appointment.

~~SECTION 3: No elected officer of the Committee shall serve more than two (2) consecutive one-year terms in the same office.~~

SECTION 4: Vacated elected offices except Chairman shall be filled by election of the Committee. The Vice-Chairman shall assume the Chairmanship in the event of absence or resignation of the Chairman.

Agenda Item #6:

Ongoing Updates

TO: Zone 9 Advisory Committee

FROM: Shelsie Moore, Supervising Civil Engineer, City of San Luis Obispo
Kate Shea, Principal Environmental Specialist, County Public Works

DATE: April 10, 2024

SUBJECT: Mid-Higuera Bypass Project Updates

During September 2021, the County of San Luis Obispo Water Conservation and Flood Control District (District), in coordination with the City of San Luis Obispo (City), applied for several permits in compliance with the provisions of the Clean Water Act. Listed below are the current statuses with each agency:

- California Department of Fish and Wildlife (CDFW), Section 1600
A final Streambed Alteration Agreement was issued 8/3/2023.
- Army Corps of Engineers (ACOE), Section 404
A final Nationwide Permit was issued on 12/20/23.
- Regional Water Quality Control Board (RWQCB), Section 401
This permit was issued 9/22/22.

The City is making progress on securing permanent easements and temporary construction easements. So far, the City with consultant services from Hamner, Jewell & Associates has presented twelve (12) offer packages to property owners for required easements. Of those 12 presented, six (6) of the easement agreements have been signed by the property owners. Two (2) easement offer packages remain to be issued to property owners, as they are being drafted by Hamner, Jewell & Associates. See the table below for a complete list of easements being pursued and their respective status.

Acquisition Type	APN	Address	Offer Packages Prepared	Offers Sent	Offer Signed
Permanent and Temporary Easements	002-482-007	304 Higuera Street	Final	Yes	No
Permanent and Temporary Easements	002-482-013	280 Higuera Street	Final	Yes	No
Permanent and Temporary Easements	002-482-017	284 Higuera Street	Final	Yes	Yes
Permanent and Temporary Easements	002-482-023	292 Higuera Street	Final	Yes	No
Permanent and Temporary Easements	002-482-027	306 Higuera Street	Final	Yes	Yes
Temporary Easement	002-482-015	300 Higuera Street	Final	Yes	No
Temporary Easement	002-482-021	390 Higuera Street	Final	Yes	No
Temporary Easement	003-711-024	264 Higuera Street	Final	Yes	No
Temporary Easement	004-741-001	23 South Street	Final	Yes	Yes

Temporary Easement	004-741-007	178 Brook Street	Final	Yes	Yes
Temporary Easement	004-741-008	180 Brook Street	Final	Yes	Yes
Temporary Easement	004-741-010	160 Brook Street	Final	Yes	Yes
Public Utility Easement	002-482-017	284 Higuera Street	Draft not complete	No	No
Public Utility Easement	002-482-024	286 Higuera Street	Draft not complete	No	No

A standard Caltrans Encroachment Permit Application was submitted on May 17, 2023, by City Staff for the portion of work that overlaps with Caltrans’ property and has been reviewed by Caltrans staff. The project plans are being revised to incorporate all of Caltrans’ comments.

In October of 2023, staff pursued additional negotiating authority from City Council to pursue public utility easements on the Madonna Property (284 Higuera) and the Jones Family Property (286 Higuera) to accommodate the relocation of overhead and buried utilities associated with the project. Staff also pursued additional negotiating authority to pursue a relocation agreement for the tenant at 306 Higuera (CoastRiders Powersports).

Additionally, on March 14, 2023, the City entered into a funding agreement with the State Department of Water Resources (DWR) to provide an amount of \$6,078,707 to be used for construction of the project through the end of 2024. Staff are working with DWR staff to extend the funding agreement through March of 2026 to accommodate delays in the construction timeline.

Wallace Group’s remaining final design work includes:

- Legal descriptions for property negotiations (in progress, additional legal descriptions are being drafted)
- Utility letters and coordination (in progress, letters have been sent by the City and staff are coordinating with utility companies)
- Building Permits: Grading and Demolition plan for building removal (in progress, PS&E are being revised based on comments)
- Final 100% contract documents (in progress, PS&E are being revised based on 95% comments)

TO: Zone 9 Advisory Committee
FROM: Freddy Otte, Biologist, City of San Luis Obispo
DATE: April 10, 2024
SUBJECT: Creek Maintenance Updates

The City has been monitoring key locations and addressed only minor concerns called in by the public on lands where the City holds drainage easements. All in all, the work completed after the 2023 debris removal has allowed for less issues to address.

A more detailed verbal update will be provided during the meeting.

TO: Zone 9 Advisory Committee
FROM: Brendan Clark, County of San Luis Obispo
DATE: April 10, 2024
SUBJECT: Avila Beach First Street Drainage Study

Update:

GHD has completed a review of the limited 2015 study and records of past flooding. The detailed survey & easement mapping is complete as well. The next step in the project is selecting a preferred pumping alternative and preparation of a 30% design of the preferred alternative.

Background:

The Flood Control and Water Conservation District (District) Staff is currently working with a consultant (GHD) on a drainage study to perform an alternatives analysis and identify a preferred solution to reduce the risk of flooding to homes, businesses, roads, and the public parking lot near First Street in Avila Beach. With the area being located at a low point, it experiences frequent flooding during storm events as well as nuisance water which tends to occur year-round. The in-depth study will identify a feasible solution to the problem and develop the scope and budget in order to seek funding and ideally move towards a project. The preferred solution will ideally aim to minimize O&M staff response and in turn, decrease operational costs for the County long term. The study is currently funded entirely by the American Rescue Plan Act (ARPA) and has received a total of \$200,000 in funds for design.