

**ASSESSMENT APPEALS BOARD MINUTES
COUNTY OF SAN LUIS OBISPO
STATE OF CALIFORNIA**

Friday, March 18, 2005

The Assessment Appeal Board of the County of San Luis Obispo, State of California, met in regular session at 9:00 o'clock A.M., in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California.

PRESENT: Appeals Board Members Mr. Kem Weber, Ms. Jenele Buttery and
Chairperson Tom Baron

ABSENT: Appeals Board Member None

Mr. Wyatt Cash and Mr. Jim Orton, Deputy County Counsels, are present and represent the Assessment Appeals Board.

Mr. Warren Jensen, Deputy County Counsel, is present and represents the Assessor.

Mr. Tom Bordonaro, County Assessor, and Ms. Barbara Edgington and Mr. Rod Hallin, Deputy Assessors, are present and sworn.

- (1) This is the time set for members of the public wishing to address the Board on items not set on the Agenda.

Chairperson Baron: opens the floor to the public without response.

- (2) **Application Nos. 2003-38, PAC Landing Corporation, is presented.**

Mr. Peter Michaels: Attorney for Applicant, is present and sworn.

Mr. Hallin: speaks to the audit they recently completed that includes sizable reductions; the Applicant has not had the opportunity to review the results of the audit and asks the Board continue the matter to allow the Applicant time to review the changes.

Mr. Michaels: speaks to the belief that a stipulation on the matter will be reached shortly and agrees the matter should be continued.

Thereafter, on motion of Mr. Weber, seconded by Ms. Buttery and unanimously carried, the Board continues Application 2002-38, PAC Landing Corporation to April 22, 2005 at 9:00 a.m.

- (3) **Application Nos. 1999-35, 2000-15, 2001-7, 2001-112, 2002-32, 2003-16, Tosco Corporation and Application No. 2004-31, ConcoPhillips, are presented.**

Mr. Ken Brown: representative for Tosco Corporation and ConcoPhillips, is present.

Ms. Silva: states they are still in discussions with the Applicant in an attempt to reach an agreement on this matter and they need more time to accomplish this; asks the Board to continue the hearing.

Clerk indicates that one of the applications needs the Waiver of Time be signed by the Applicant on Application No. 2003-16.

Thereafter, on motion of Ms. Buttery, seconded by Mr. Weber and unanimously carried, the Board approves the Waiver of Time for Application No. 2003-16, Tosco Corporation and instructs Chairperson to sign the same.

Thereafter, on motion of Ms. Buttery, seconded by Mr. Weber and unanimously carried, Application Nos. 1999-35, 2000-15, 2001-7, 2001-112, 2002-32, 2003-16, Tosco Corporation and Application No. 2004-31, ConcoPhillips are continued to July 18, 2005.

Mr. Cash: ask the Applicant on the record if they agree to the Waiver of Time with Mr. Brown

agreeing to sign the waiver.

- (4) **Minutes for the January 28, 2005 Assessment Appeals Board Hearing, are presented.**

Thereafter, on motion of Mr. Weber, seconded by Ms. Buttery and unanimously carried, the minutes of the January 28, 2005 Appeals Board Hearing are approved as presented and the Chairperson is instructed to sign the same.

- (5) **Request for determination of timely filing for Application No. 2004-96, APN 007,771,063, 044,251,067, and 060,011,036, Gary L. White/S. Cool (Continued from January 25, 2005), is presented.**

Mr. Gary White: is present and sworn.

Mr. Jensen: addresses the Assessor's opinion that the application is untimely filed; indicates this matter doesn't have to go before this Board and the Applicant can pursue this matter directly to Superior Court; suggests the Board can either deny the application or continue this matter to April.

Mr. White: agrees he would like a continuance to next month's meeting so Mr. Cool can be present.

Mr. Bordonaro: has no objection to the continuance.

Mr. Orton: presents for the record a letter he received from Mr. Cool on January 31, 2005 and his response letter dated March 4, 2005.

The Board discusses the action taken at the January 28, 2005 hearing; the issue of the Secured Roll versus Unsecured Roll and this does not appear to be in the Board's jurisdiction; questions what the next steps for the Applicant would be if the Board denied the application, with Mr. Orton responding.

Thereafter, on motion of Mr. Weber, seconded by Ms. Buttery and unanimously carried, Application No. 2004-96, White is denied as untimely filed.

- (6) **Request to approve the Stipulation to Value for Application No. 2002-83, Duke Energy, is presented.**

Mr. Peter Michaels: Attorney for the Applicant and Mr. Robert Maroney, are present; and express their appreciation to the Assessor and his staff, the Clerk-Recorder and her staff and the County Counsel staff for all their hard work regarding this matter.

Mr. Bordonaro: thanks Mr. Michaels for his cooperation on this matter.

The Clerk reads the stipulated values into the record for the 2002-2003 Regular Roll, date of value January 1, 2002, as follows: the full value of land is \$53,060,400, the full value of improvements is \$5,306,040, the full value of fixtures is \$33,333,560, the full value of personal property is \$300,000, for a total value \$92,000,000.

Thereafter, on motion of Mr. Weber, seconded by Ms. Buttery and unanimously carried, the Stipulation for Application No. 2002-83, Duke Energy, is approved with the stipulated values as follows: date of value January 1, 2002, as follows: the full value of land is \$53,060,400, the full value of improvements is \$5,306,040, the full value of fixtures is \$33,333,560, the full value of personal property is \$300,000, for a total value \$92,000,000. and the Chairperson is instructed to sign same.

- (7) **Request for approval of Waiver of Time for Application Nos. 2002-60 and 2003-60, Charter Communications Properties, LLC, is presented.**

The Clerk indicates the Board is still waiting for the opinion from the State Board of Equalization regarding this application; and the current Waiver of Time expires April 30, 2005; the Applicant has signed a new Waiver of Time that will expire on September 30, 2005; and, asks Board to approve the new Waiver of Time.

Thereafter, on motion of Mr. Weber, seconded by Ms. Buttery and unanimously carried,

the Board approves the Waiver of Time through September 30, 2005 and instructs Chairperson to sign same.

- (8) This is the time set for Board members, Assessor and/or Staff to bring up items to be discussed at the next meeting.**

Chairperson Baron: calls for comments without response.

On motion duly made and unanimously carried, the Assessment Appeals Board of the County of San Luis Obispo, State of California, does now adjourn.

Chairperson

ATTEST:

JULIE L. RODEWALD, County Clerk-Recorder
and Ex-Officio Clerk of the Assessment Appeals Board

By:
Deputy Clerk-Recorder

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