

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 A.M..

PRESENT: Supervisors Shirley Bianchi, Peg Pinard, K.H. 'Katcho' Achadjian and Chairperson Harry L. Ovitt

ABSENT: Supervisor Michael P. Ryan

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON HARRY L. OVITT.

SUM

AGN

(SUPERVISOR MICHAEL P. RYAN IS NOW PRESENT.)

1 A-1-A **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote:**

AYES: Supervisors Achadjian, Bianchi, Pinard, Ryan, Chairperson Ovitt

NOES: None

ABSENT: None

RESOLUTION NO. 2004-304, resolution recognizing the tremendous service and dedication of San Luis Obispo County Shriners Clubs to children in need of medical assistance, adopted.

Supervisor Achadjian: reads the resolution and presents the same to Potentate Ron Ritter of the Shriners.

Potentate Ritter: thanks the Board and indicates it is a privilege to be able to help these kids; states the Shriners have 26 hospitals throughout the United States and all the funding for these hospitals comes from the Shriners without any funding assistance from the State or Federal government.

2 A-1-B **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote:**

AYES: Supervisors Achadjian, Bianchi, Pinard, Ryan, Chairperson Ovitt

NOES: None

ABSENT: None

RESOLUTION NO. 2004-305, resolution recognizing Louanne Vane for completion of the National Management Association (NMA) Leadership Program, adopted.

Chairperson Ovitt: reads the resolution and presents the same to Ms. Louanne Vane.

Ms. Gina Nielsen: President of the Local Chapter of the NMA, outlines what the completion of this program entails and highlights the accomplishments of Ms. Vane; presents Ms. Vane with some photographs from a recent event.

3 A-1-C **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote:**

AYES: Supervisors Achadjian, Bianchi, Pinard, Ryan, Chairperson Ovitt

NOES: None

ABSENT: None

RESOLUTION NO. 2004-306, resolution commending Dale R. Wolff, Ph.D., Behavioral Health Director for service to San Luis Obispo County, adopted.

Chairperson Ovitt: reads the resolution and presents the same to Dr. Wolff; further, comments on the additional programs/work Dr. Wolff has been involved with over the years that have benefitted the citizens of the County.

Ms. Gail Wilcox: Deputy County Administrative Officer, states that it has been an honor to work with Dr. Wolff and comments on his being an advocate for the people he serves.

Dr. Wolff: thanks all he has worked with over the years; addresses the needs of those with mental illnesses; sings a song he wrote entitled "The Gov we Love."

Dr. Greg Thomas: Public Health Director, speaks to all the work Dr. Wolff has done over the years and his respect for that work.

Supervisor Bianchi: states Dr. Wolff will be missed.

4 PC This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

Mr. Eric Greening: speaks to persons wishing to address the Board who have chemical sensitivity health problems and previously these folks were allowed to call into the Board meeting to speak versus having to appear; questions whether that is still allowed as there is an issue on later today and this becomes important to someone who wants to speak; further, asks that the Board establish a policy on phone calls so a person can speak during meetings.

Mr. William Garrett: presents a copy of the County Library's policy on internet usage and believes because of the position taken by staff on how this policy is to be followed that the computers are sitting idle much of the time.

Chairperson Ovitt: refers the issue of the library policy on internet usage to the Administrative Office to work with Mr. Garrett and the Library; further, addresses the issue of phone calls during the meetings indicating there was several reasons why these are not being allowed: (1) using the phone disrupts the order of the meeting; (2) difficulty controlling the total environment for usage; (3) the person has the ability to communicate with the Board through either written, email or other sources that allows them to address specific items on the agenda.

Mr. James Lindholm: County Counsel, agrees with the comments by Chairperson Ovitt and further indicates that the County is interested in accommodating people and seeing that people are able to benefit from the County services including meetings of the Board of Supervisors; states they consider each case on an individual basis and what sort of accommodation can be made; unfortunately this morning the Board is not in a position to allow for telephonic participation of the meeting but this is something that the County continues to look at. **No action taken.**

5 B-1 thru B-10 This is the time set for members of the public wishing to address the Board on items set on the Consent Agenda.

Chairperson Ovitt: opens the floor to public comment without response.

Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:

AYES: Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt
NOES: None
ABSENT: None

Consent Agenda Items B-1 through B-10 are approved as recommended by the County Administrative Officer.

Consent Agenda Items B-1 through B-10 are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Items set for hearing:

B-1 **RESOLUTION NO. 2004-307**, of intention to vacate a portion of Paso Robles Avenue between 4th and 10th Streets, a purported public road in Los Osos; 2nd District, **Adopted and the Clerk is instructed to give notice of hearing on October 26, 2004 at 9:00 a.m..**

Public Health Items:

B-2 Renewal agreement (Clerk's File) with the State Department of Corrections to provide case management services to parolees with HIV disease, **Approved.**

B-3 Renewal agreement (Clerk's File) with the State Department of Health Services to access Medi-Cal Waiver reimbursement, **Approved.**

Public Works Items:

- B-4 **RESOLUTION NO. 2004-308**, approving an agreement with Ball Tagawa Growers to participate in an assessment district for the future construction and installation of road and drainage improvements on Zenon Way in the Nipomo Mesa; 4th District, **Adopted.**
- B-5 Amended agreement (Clerk's File) with Questa Engineering Corporation for an engineering feasibility study/design of flood control facilities in Cambria; 2nd District, **Approved.**
- B-6 The following parcel map has been received and has satisfied all the conditions of approval that were established in the public hearing on its tentative map: CO 03-0118, a proposed subdivision resulting in 2 lots, by Alan and Stefani Ayres, Sandoval Road, north of Garden Farms; 5th District, **Approved.**

Social Services Items:

- B-7 Service contracts (Clerk's File) with the San Luis Obispo Child Development Center and Atascadero Community LINK, for child abuse prevention, intervention and treatment services for fiscal year 2004/2005, **Approved.**
- B-8 Submittal of the fiscal year 2003-2004 accomplishments report for the San Luis Obispo County Children's Services Network, **Received and Filed.**

Other Items:

- B-9 Request from General Services to create a new capital project to remodel an existing structure at the new Health Campus (formerly the General Hospital site) in San Luis Obispo; and 2) to approve a corresponding budget adjustment in the amount of \$97,000 from the existing capital project, San Luis Obispo - Health - Relocate Bishop Clinic, **Approved.**
- B-10 Submittal from the Auditor-Controller of an annual cash shortages report and departmental bank accounts/cash funds listing for the fiscal year ended June 30, 2004, **Received and Filed.**

6

- C-1 This is the time set for hearing to consider an appeal by R. and B. Cowell of the South County Road Improvement fee; 4th District.

Mr. Richard Marshall: Public Works, presents the staff report; outlines the appeal by the Cowells; addresses the fees based on their construction permit to build a restaurant; states after meeting with the Applicant, he agreed a modification could be made and has made an adjustment from the originally recommended fee; recommends denial of the appeal.

Supervisor Ryan: questions the difference between these fees and the fees prior to the change, with Mr. Marshall responding there wasn't any calculation of the fees under the old fee schedule.

Mr. Richard Cowell: Applicant/Appellant, thanks Mr. Marshall for all his work and indicates that all the information he presented is correct; states this is a small development to build a restaurant; states he wasn't notified of any change in the fees; wants to pay his fair share, just believes this fee is too high.

Supervisor Achadjian: addresses the issue of other general plan changes coming from the same area; sympathizes with Mr. Cowell as he is a small business owner; suggests discounting the fee to \$7,000.

Supervisor Ryan: addresses the staff reduction from \$19,000 to \$14,000; questions the level of service on the road, with Mr. Marshall responding.

Board Members: address their concerns with respect to how the fee could be reduced; questions regarding what the 2002 fees would be; time frames for these updates in any of the areas of the County; referring this matter back to staff to get actual numbers.

Mr. Marshall: addresses the potential for a 50% credit and that would reduce the fee to \$9,729.50.

Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and on the following roll call vote:

AYES: Supervisors Achadjian, Ryan, Bianchi, Pinard, Chairperson Ovitt

NOES: None

ABSENT: None

the Board partially upholds the appeal and reduces the fee for R. and B. Cowell to \$9,729.50.

7 C-2 This is the time set for hearing to consider resolutions establishing underground utilities at Los Osos Valley Road between Oak Ridge and Los Osos Creek in Los Osos and at El Camino Real (State Highway 58) between Wilhelmina and Estrada Streets in Santa Margarita; 2nd and 5th Districts.

Mr. Tim Smith: Right-of-Way Agent, presents the staff report, explaining the intent to underground all utilities; states all the affected property owners have been notified; the funding comes through a California tariff for electrical undergrounding and reserve funds for other cabling and phone lines; states there are no direct fees to the property owners; addresses the proposals for both Los Osos and Santa Margarita.

Mr. Robert Buttane: addresses his concern to the location through his property for this in Los Osos and the potential loss of three Oak trees on his property; asks that this occur on the back side of his property and not the front.

Mr. George Sullivan: speaks in support of the proposal to do this in Santa Margarita.

Mr. Smith: responds that the trenching will occur in the right-of-way and not in Mr. Buttane's yard and he will work with property owners on their concerns.

Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:

AYES: Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt

NOES: None

ABSENT: None

RESOLUTION NO. 2004-309, resolution establishing Underground Utility District No. 28 at Los Osos Valley Road between Oak Ridge and Los Osos Creek in the Town of Los Osos Supervisorial District No. 2, adopted.

8 C-2 **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:**

AYES: Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt

NOES: None

ABSENT: None

RESOLUTION NO. 2004-310, resolution establishing Underground Utility District No. 29 at El Camino Real (Highway 58) between Wilhelmina and Estrada Streets in the Town of Santa Margarita Supervisorial District No. 5, adopted.

9 C-3 This is the time set for hearing to consider: 1) Update of the 2004 South County Traffic Study; and 2) a resolution increasing the Road Improvement Fees in the South County area by 6.9%.

Mr. Dale Ramey: Public Works, presents the staff report, addressing the purpose of the Circulation Study; presents a site map of the area and highlights the impact fee areas; outlines the building activity in the last year for Areas 1 and 2; indicates there were no fee appeals filed last year; comments on the fee account balance; addresses the increase in construction costs and the estimated fee program construction costs; outlines the proposed fee structure and the recommended increase of 6.9%; outlines the staff recommendation.

No one appearing and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote:

AYES: Supervisors Achadjian, Bianchi, Pinard, Ryan, Chairperson Ovitt

NOES: None

ABSENT: None

the Board receives and adopts the 2004 Update of the South County Traffic Study as attached to the staff report dated September 21, 2004 and

RESOLUTION NO. 2004-311, resolution of the Board of Supervisors of the County of San Luis Obispo modifying the Road Improvement Fee for all development within portions of the South County Area of the County of San Luis Obispo and adopting the required Annual Update, adopted.

(SUPERVISOR MICHAEL P. RYAN IS NOW ABSENT.)

10

C-4 This is the time set for hearing to consider an ordinance (Introduced on September 14, 2004) creating the Health Agency and the position of Health Agency Director and modifications to the ordinances related to Behavioral Health Services, Public Guardian and unclassified Civil Service.

Mr. Vince Morici: Administrative Office, presents the staff report and highlights the current structure of the Public Health and Behavioral Health which are two separate departments; **(SUPERVISOR MICHAEL P. RYAN IS NOW PRESENT.);** speaks to the duplication of services that can be reduced by consolidation; outlines the anticipated benefits of combining these services into one Health Agency; presents a current organizational chart and the proposed organizational chart; outlines what the responsibilities of the Health Agency Director would be; addresses the recommendations.

Supervisor Pinard: comments on the changes in the management of these departments back in 2001 and now changing it again; concerns that this is occurring due to personalities/people in the Department rather than for organizational needs.

Mr. David Edge: County Administrative Officer, indicates that the salary for the Behavioral Health Director will go down and outlines the other salary changes that are proposed; outlines what was occurring in 2001 when the changes were made; how the recommended changes will better the overall service levels at the Health Agency; and, explains why he believes this is the appropriate way to go on this.

Supervisor Pinard: questions further the salary/position changes being proposed with Mr. Edge and Mr. Morici responding.

Chairperson Ovitt: addresses what will be accomplished by putting this back under one administration.

Supervisor Bianchi: speaks regarding sharing information between departments with this change.

Ms. Gail Wilcox: Deputy County Administrative Officer, addresses funding for the departments and monies that will remain separate and explains.

Ms. Pam Heatherington: wants the public to have a role in the "grand scheme of things" for this reorganization; need to make sure people are cared for and don't fall through the cracks and they need to have some recourse for things that might occur.

Supervisor Ryan: questions what was in place in 2001, the changes that have occurred since then and this proposal.

Matter is fully discussed and thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:

AYES:	Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt
NOES:	None
ABSENT:	None

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3040, an ordinance amending Section 2.20.060 of the County Code, adopted.

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C-4 **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:**

AYES:	Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt
NOES:	None
ABSENT:	None

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3041, an ordinance amending Section 2.25 of the County Code, adopted.

- 12 C-4 **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:**
- AYES:** Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt
- NOES:** None
- ABSENT:** None
- the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and **ORDINANCE NO. 3042**, an ordinance adding Section 2.26 of the County Code, adopted.
- 13 C-4 **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:**
- AYES:** Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt
- NOES:** None
- ABSENT:** None
- the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and **ORDINANCE NO. 3043**, an ordinance amending Section 2.40.060 of the County Code, adopted.
- 14 C-4 **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:**
- AYES:** Supervisors Ryan, Bianchi, Pinard, Achadjian, Chairperson Ovitt
- NOES:** None
- ABSENT:** None
- RESOLUTION NO. 2004-312**, resolution amending the Position Allocation List and Salary Resolution for Fiscal Year 2004-05, adopted.
- (SUPERVISOR K.H. 'KATCHO' ACHADJIAN DISQUALIFIES HIMSELF FROM THE NEXT ITEM DUE TO A CONFLICT OF INTEREST AND LEAVES THE BOARD CHAMBERS)**
- 15 C-5 This is the time set for hearing (Introduced September 14, 2004) to consider an ordinance amending the Underground Storage of Hazardous Substances Chapter of the County Code.
- Mr. Curt Batson:** Environmental Health Director, presents the staff report; addresses the changes to remove duplicate language that is also found in State and Federal law; remove outdated requirements that no longer apply; add local requirements beyond current State and Federal regulations which are intended to reduce the risk of contaminating surface and groundwater with petroleum leaked from underground storage tanks.
- No one appearing and thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and on the following roll call vote:**
- AYES:** Supervisors Ryan, Bianchi, Pinard, Chairperson Ovitt
- NOES:** None
- ABSENT:** None
- DISQUALIFIED:** Supervisor Achadjian
- the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and **ORDINANCE NO. 3044**, an ordinance to amend County of San Luis Obispo Ordinance Chapter 8.14 Underground Storage of Hazardous Substances, adopted.
- (SUPERVISOR K.H. 'KATCHO' ACHADJIAN IS NOW PRESENT.)**
- 16 D-1 This is the time set for consideration of 1) the development of a Mosquito Abatement Program Benefit Assessment to provide permanent annual funding for the program ; and 2) to waive the Request For Proposal Process; and 3) to approve a sole source agreement with Shilts Consultants Inc. to conduct a benefit assessment rate analysis, mail out a ballot initiative, and to provide an engineering assessment report to assist Public Health in pursuing a new financing source to fund a mosquito abatement program for the fiscal year 2005-2006; and 4) to approve a corresponding budget adjustment in the amount of \$216,500 to fund the benefit analysis.

Dr. Greg Thomas: Public Health Director, presents the staff report; presents statistics on humans that contracted the virus; highlights the symptoms associated with this disease; with the confirmed human case of the virus there is a need to develop a comprehensive mosquito abatement and public education program.

Mr. Curt Batson: Environmental Health Director, addresses the current level of public service they are able to provide; outlines what a benefit assessment district would allow; highlights areas that tend to be breeding grounds for mosquitoes; indicates they would only spray targeted areas; explains why they are here today with this request.

Supervisor Ryan: questions whether you build up an immunity if you contract the virus, with Dr. Thomas responding that it is not known yet whether that is the case.

Supervisor Ryan: questions the cost of the survey that was previously done, with Mr. Batson responding.

Supervisor Ryan: questions why a parcel cost versus a Countywide cost for this assessment district, with Mr. Batson explaining.

Supervisor Ryan: states he is not against vector control; does not want this district set up for one program but rather for any type of vector problem that might occur.

Supervisor Bianchi: agrees that the language should be general to vector control and not specifically for mosquitoes.

Supervisor Achadjian: questions pesticide use for larvae and how that would affect the residents; staff indicated they would use trucks to spray but questions the possibility of helicopters also; questions further why this can't be done without the consultants, with Dr. Thomas responding.

Supervisor Pinard: believes this contract is to have these folks convince people to vote for this and expresses her concerns to that; questions whether current pest control programs could be moved into this assessment district, with Dr. Thomas and Mr. Batson responding.

Supervisor Ryan: questions why another type of tax wasn't looked at, with Mr. Batson responding.

Mr. David Edge: County Administrative Officer, addresses the issue indicating that this type of an election only requires a 50% plus one vote to pass; that it is a weighted average and is not a tax; states there are other types of taxing methods that could be looked at.

Mr. Eric Greening: address his concerns to the use of pesticides and the democratic process; his concerns that only property owners will be allowed to vote under this proposal; questions whether opponents would have the opportunity to have their concerns included in the ballot information.

Ms. Willow Walking Turtle Kelley: states she doesn't want pesticides sprayed in her neighborhood.

Ms. Linda McElver: states she is the person who started the pesticide registry; she was infected by pesticides and highlights how this has affected her health; states she was forced to come here today to speak because she was not allowed to call in by phone; presents a packet of information to the Board.

Mr. Dave Romero: Mayor for the City of San Luis Obispo, speaks to the Laguna Lake area and the huge population of mosquitoes this year and the spraying they just did because of this; states the City is asking for the Vector Control District and urges the Board to move forward with this.

Ms. Pam Heatherington: ECOSLO, states that a property owner ballot excludes renters from voting and expresses her concern to this; there is a need to take into consideration people with sensitivity issues; wants this ballot expanded to include all residents of the County.

Supervisor Ryan: believes this needs to be a vector control district; addresses his concern about the money to be used for a consultant set this up.

Supervisor Bianchi: questions the difference between a Proposition 218 election and an assessment district election.

Mr. James Lindholm: County Counsel, explains the difference between a benefit assessment and a tax.

Chairperson Ovitt: addresses the need to keep doing the various things to protect people against West Nile Virus; has not seen the survey this consultant did previously for the County; his concern that there isn't a plan nor an outcome on this.

A motion to direct staff to come back with information as to what the "weighted average" is and language for the ballot to be expanded to a Vector Control District and not just limited to the issue of the West Nile Virus, is discussed.

Chairperson Ovitt: states he wants to see a plan as to how this will operate also.

The motion maker and second amend their motion to direct that this matter comes back to the Board on October 19, 2004.

Matter is fully discussed and thereafter, on motion of Supervisor Ryan, seconded by Supervisor Achadjian and on the following roll call vote:

AYES: Supervisors Ryan, Achadjian, Bianchi, Pinard, Chairperson Ovitt
NOES: None
ABSENT: None

the Board directs staff to come back on October 19, 2004 with information as to what the "weighted average" is and language for the ballot which is to be expanded to a Vector Control District and not just limited to the issue of the West Nile Virus.

17 CS Closed Session is cancelled.

18 E-1 This is the time set for consideration of the Fiscal Year 2003-2004 Year-End Report.
Mr. Jim Grant: Deputy County Administrative Officer, introduces the item.

Ms. Terese Toomey: Administrative Office, presents the staff report; addresses the impacts the State's budget has had on the County's budget; discusses the prior three quarters and the State's fiscal crisis weakening the County's financial health; in an effort to mitigate the losses of State and local revenue, the County instituted a Countywide hiring freeze; departments reduced nonessential expenditures, decreased their services and supplies accounts, and in some cases, reduced staffing levels; primarily due to the hiring freeze and cost-saving efforts by department, the County completed the year being able to preserve its financial stability; addresses the General Fund balance; comments on "Results-based Decision Making" and in most cases' departments were able to meet or exceed their targeted goals; outlines the staff recommendation; presents a packet of letters from the various departments for the record.

Mr. Grant: states the County had some challenges this year and the departments "stepped up to the plate" and in the end did better than expected.

No one appearing and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and on the following roll call vote:

AYES: Supervisors Achadjian, Ryan, Bianchi, Pinard, Chairperson Ovitt
NOES: None
ABSENT: None

the Board receives, reviews and files the Fiscal Year 2003-2004 Year-end Report; accepts gift funds and donations on behalf of the Library and approves the associated appropriation transfer in the amount of \$36,323 and the associated appropriation transfer from the Department of

Social Services Gift Trust Funds to Social Services operating budget in the amount of \$3,787; and, approves the requests to discharge bad debts totaling \$63,347.67 on behalf of Animal Services in the amount of \$12,305 and Mental Health Services in the amount of \$51,043.

19 F-1 This is the time set for consideration of a resolution setting property tax rates and adopting appropriations, contingencies, reserves, and designations for the 2004/2005 Final Budget.

Mr. Gere Sibbach: Auditor-Controller, presents the staff report, indicating this is the final step in the annual budget process; addresses the staff recommendation.

No one appearing and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi and on the following roll call vote:

AYES: Supervisors Achadjian, Bianchi, Pinard, Ryan, Chairperson Ovitt
NOES: None
ABSENT: None

RESOLUTION NO. 2004-313, resolution fixing Tax Rate for Secured Roll and Rates for Cities, School Districts, and other applicable Government Entities for the 2004/2005 Fiscal Year and amending County Budget Resolution No. 2003-210 to account for final fund balances, adopted.

20 G-1 This is the time set for consideration of authorization to process General Plan Amendments for the Town of Shandon and surrounding properties; 1st District.

Mr. Dana Lilley: Planning, presents the staff report; addresses direction by the Board at prior meetings on these requests; indicates that previously there were requests for Williamson Act cancellations and those are off the table for now; the Applicants have indicated they would like to be processed separately; presents additional information for the record; staff supports the requests and recommends authorizing the amendments, each with an Environmental Impact Report.

Supervisor Bianchi: questions the first paragraph on page G-1-5 regarding the general plan amendments being processed concurrently with the vesting tentative tract maps and conditional use permits, with Mr. Lilley responding as to the downside of doing this.

Supervisor Achadjian: questions the property owners that don't want to be included in this and what the disadvantages are to them, with Mr. Lilley responding.

Mr. Steve Sylvester: representing Arciero, addresses their request and asks the Board to allow this to move forward.

Mr. John Knight: RRM Design and representing Mr. Zaninovich, asks that the Board authorize processing of these amendments.

Ms. Ann Myhre: states that she and her family own and operate agricultural properties adjacent to the town of Shandon; with the recent new boundaries proposed for Shandon, forty acres of their property is included in the city footprint; they are requesting that these 40 acres be removed from the new Shandon Study area and explains why they are requesting this be removed.

Mr. Irv McMillan: addresses his concern to these proposals and how these projects will impact the agricultural operations in the surrounding area; concerns that Shandon can be taken out and treated like a separate entity and the problems he believes that creates; opposes the plan the way it's being presented.

Mr. Greg McMillan: speaks in opposition to these amendments being authorized for processing; questions the logic of building low-cost housing so far away from where anyone can work; Shandon doesn't need affordable housing; until there is a transit system to this area there is no reason to go one step farther with this plan; his concerns that one of the Supervisors may have received large campaign donations from several of the developers of this plan and feels this Supervisor should recuse himself from any decision making on this plan.

Mr. Eric Greening: addresses his concern to isolating a community from its surroundings when considering, what amounts to, a general plan update for the area; questions when the Shandon-Carrizo Update will be in the "pipeline" for the County driven, public driven process if this were not happening; questions the opportunities for "in-fill" within the community of Shandon to meet any housing needs that may be unmet at the current time; addresses the productive agricultural uses in the area and questions, because of this, whether this is the best place to encourage a town.

Mr. Michael Sullivan: agrees with the issues raised by Mr. Greening and other speakers; suggests the whole area should be looked at and not just in pieces.

Dr. D. Gregg Doyle: Cal Poly Professor, addresses the study they conducted in this area and based on that survey believes the developers are being responsive to those results; one of the things that came out of their study and is currently being looked at is transportation issues to Shandon.

Chairperson Ovitt: addresses the future sewer needs for the Shandon area and current discussions regarding community development for this area.

Supervisor Bianchi: addresses the concern raised by Ms. Meyhre; comments by Mr. Irv McMillan regarding the agriculture/urban interface; states she would also like to see a smaller boundary considered; and, constraints and urban sprawl should be looked at.

Mr. John Euphrat: Planning, states the Shandon-Carrizo Update isn't even on the Department's "radar" yet.

Thereafter, on motion of Supervisor Achadjian, seconded by Chairperson Ovitt and unanimously carried, the Board directs staff to remove the 40 acres owned by the Myhre's from the proposed Shandon Study Area boundaries and authorizes processing of two General Plan Amendments for the town of Shandon and surrounding area as presented in the staff report dated September 21, 2004 for Exhibit A (LRP 2003-004-County) and Exhibit B (G030013M-Arciero), each with an Environmental Impact Report. Further, the Board directs the Department of Planning and Building to bring back within 60 days a written cost-sharing agreement and any necessary amendments to the Department's budget for the Board's consideration.

(SUPERVISOR PEG PINARD IS NOW ABSENT.)

(CHAIRPERSON HARRY L. OVITT HANDS THE GAVEL OVER TO VICE CHAIRPERSON BIANCHI AND IS NOW ABSENT.)

21 H-1 This is the time set for consideration of the Child Welfare System Improvement Plan as required by AB636 and the State Child and Family Services Review.

Mr. Lee Collins: Social Services Director, introduces the item and the requirement to approve the System Improvement Plan in accordance with Assembly Bill (AB) 636 and the California Child and Family Services Review.

Ms. Debby Jeter: Deputy Director of Social Services, presents the staff report; addresses the vision, mission and goal for the Department; addresses the elements of AB 636; addresses the Peer Quality Case Review; comments on the State Parent Survey and the County Parent Survey; eight specific Outcomes which measure child safety, permanency and well being and seven systemic factors that affect quality of services delivered to children and highlights each; addresses the County Self-Assessment Team Membership and the makeup of the same; states the County System Improvement Plan (SIP) is due by September 2004 and outlines what needs to be included; the Department's Redesign- 9 Objectives and highlights each; several video testimonials are given as to how parents handled their individual situation; highlights the staff recommendation.

Mr. Andy McMeans: representing The Real F.A.C.T.S. (forum on abused Children), addresses a Grand Jury Report on the Department; comments on what was presented today; supports the direction the Department is going; still has some concerns and presents a letter for the record.

Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan, with Supervisor Pinard and Chairperson Ovitt being absent,

motion carries and the Board approves the System Improvement Plan, as attached to the staff report dated September 21, 2004, developed with Assembly Bill 636 and the California Child and Family Services review, for submission to the California Department of Social Services.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L. RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, September 21, 2004, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

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

By: /s/Vicki M. Shelby,
Deputy Clerk-Recorder

DATED: October 2, 2004
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