

Tuesday, July 25, 2006

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 AM.

**PRESENT:** Supervisors Harry L. Ovitt, Shirley Bianchi, Jerry Lenthall, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**ABSENT:** None.

**PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON K.H. 'KATCHO' ACHADJIAN.**

**SUM AGN**

- 1 A-1 Presentation of a resolution commending Martin Pehl for his distinction of achieving Accredited Airport Executive (A.A.E.) status from the American Association of Airport Executives. (RECOMMEND APPROVAL AND INSTRUCT CHAIRPERSON TO SIGN.)

**Thereafter, on motion of Supervisor Jerry Lenthall, seconded by Supervisor Shirley Bianchi and on the following roll call vote:**

**AYES:** Supervisors Jerry Lenthall, Shirley Bianchi, Harry L. Ovitt, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**RESOLUTION NO. 2006-255, resolution commending Martin J. Pehl for achieving the prestigious honor and distinction of "Accredited Airport Executive," adopted.**

**Supervisor Lenthall:** reads the resolution and presents the same to Mr. Pehl.

**Ms. Klaasje Nairne:** Airport Manager, states she is proud of him and the work he does; all the work he does and learning process to ensure success in his job; presents Mr. Pehl a plaque from the American Association of Airport Executives.

**Mr. Pehl:** thanks the Board and all for the recognition and thanks his wife for all her support.

- 2 PC-1 This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

**Mr. Terril Graham:** states he is a deputy of U.S. Supreme Court; addresses his lawsuit against the County; presents document for record.

**Mr. Eric Greening:** speaks regarding the Brown Act and actions by the Board last week; suggests it didn't meet all the tests to add it last week.

**Mr. William McKee:** comments on the August 12th Festival in Morro Bay; indicates the event is to help address healthcare issues; comments on his personal medical history and need for medical services; urges support for SB 840.

**Mr. Bill Moylan:** addresses comments he heard relating to money coming from the County, for running the Los Osos sewer; questions where that figure amount came from; urges support for AB 2701 and that an affordability study needs to be done.

**Mr. Chuck Cesena:** states he is a Los Osos Community Services District (LOCSD) member but is speaking for himself; comments on sewer project and his concerns about AB2701 and this project going back to the Tri-W site.

**Ms. Gwynn Taylor:** speaks regarding the introduction of Constitutional Amendment #30 and highlights what this will entail with respect to voting rights.

**Mr. Dave Duggan:** states the LOCSD Board has not taken a stand on AB 2701 and many feel they should have; he doesn't feel the LOCSD is living up to what it is supposed to be doing.

**Mr. Richard Margetson:** speaks regarding the Los Osos Citizens Advisory Committee meeting, set for 6:00 p.m. tonight, on mobilehome park conversions; addresses comments by Mr. Moylan.

**Mr. James Lindholm:** County Counsel, responds to issues raised regarding the added item last week. **No action taken.**

- 3 B-PC This is the time set for members of the public wishing to address the Board on items set on the Consent Agenda.

**Mr. Mike Winn:** speaks regarding Item B-2 and sympathizes with this issue; addresses his concerns as to the impacts this ordinance could have on private homeowners who grow fruit/vegetables outside; also, you couldn't feed your pets outside under this ordinance.

**Mr. Eric Greening:** speaks regarding Items B-2 and B-4; on Item B-2 he feels this needs to have a tighter writing and explains; on Item B-4, addresses the response to the Grand Jury and based on this feels the item to be discussed later today lacks information on the scope of work.

**Mr. Dave Duggan:** addresses his concern to Item B-8 and destroying records that may not be on the microfilm that is replacing the paper documents. **No action taken.**

- 4 B **Thereafter, on motion of Supervisor James R. Patterson, seconded by Supervisor Jerry Lenthall and on the following roll call vote:**

**AYES:** Supervisors **James R. Patterson, Jerry Lenthall, Harry L. Ovitt, Shirley Bianchi, and Chairperson K.H. 'Katcho' Achadjian.**

**NOES:** None

**ABSENT:** None

**Consent Agenda Item B-2 is withdrawn for separate action. Item B-18 is amended to add Page 1 of "Exhibit A" which was inadvertently left out. Consent Agenda Items B-1 through B-18 are approved as recommended by the County Administrative Officer and as amended by this Board. Further, Consent Agenda Items B-1 through B-18, as amended, 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. 2006-256**, approving the creation of Zone of Benefit C within County Service Area No. 7 (Oak Shores) and setting a public hearing on imposing a moratorium for the Issuing of Will-Serve letters outside the boundaries of CSA 7, Zone A; 1st District, **Adopted and the Clerk is instructed to give notice of hearing date set for August 1, 2006 at 9:00 a.m..**
- B-2 Introduction of a proposed ordinance amendment prohibiting the feeding of wild animals; All Districts, **Withdrawn for separate action.**

Administrative Office Items:

- B-3 Request to continue the proclamation of Local Emergency related to the impact of Salmon Fishing Restrictions, **Approved.**
- B-4 Request to approve recommended responses to findings and recommendations contained in the Grand Jury report on Transfer of Development Credits, **Approved.**
- B-5 Request to approve the Workforce Investment Act (WIC) subgrant agreement with the State of California for Youth funds for the term of April 1, 2006 to June 30, 2008. **Approved.**

Clerk-Recorder Items:

- B-6 Request to approve the minutes of the Board of Supervisors meetings of May 2, 9, 16 and 23, 2006, **Approved.**
- B-7 Request to destroy County Board of Supervisors Resolution, Ordinances and files that have been microfilmed, **Approved.**
- B-8 Request to destroy minutes and agendas for the Air Pollution Control District, City Selection Committee and Assessment Appeals Board that have been microfilmed, **Approved.**

General Services Items:

- B-9 Request to approve a budget adjustment in the amount of \$58,246 to Business Area 1130 from general fund contingencies for the purpose of paying Flood Control Assessment District #107 on County-owned property located at 950-980 Main Street in Cambria; 2nd District, **Approved.**
- B-10 Request to approve a real property purchase agreement for the San Luis Obispo County Regional Airport Runway 11-29 Extension Project including Land for Temporary Construction Easement (TCE) purposed; 3rd District, **Approved.**
- B-11 Request to approve a sublease agreement with Economic Opportunity Commission for improved office space located at 1086 Grand Avenue in the City of Arroyo Grande; 4th District, **Approved.**

Planning and Building Items:

- B-12 **RESOLUTION NO. 2006-257**, adopting the negative declaration associated with the clean-up of site contamination on a 13 acre site (Filbin property) located adjacent to the San Luis Obispo County Regional Airport; All Districts, **Adopted.**
- B-13 **RESOLUTION NO. 2006-258**, appointing Code Enforcement Investigators to abate abandoned vehicles on public roads in the unincorporated areas of San Luis Obispo County; All Districts, **Adopted.**

Public Works Items:

- B-14 Request to approve a budget adjustment for Fiscal Year 2005-2006 to increase appropriation to the Roads budget for Operations and Maintenance, funded by unanticipated Federal Emergency Management Agency and Transportation Development Act revenues, **Approved.**
- B-15 **RESOLUTION NO. 2006-259**, accepting an offer to dedicate for pedestrian easements on 20th Street in the community of Oceano; 4th District, **Adopted.**

Other Items:

- B-16 Submittal by the Auditor-Controller of a cash procedures review of the San Luis Obispo County Sheriff's Animal Services Division conducted on June 27, 2006, **Received and Filed.**
  - B-17 Request by Social Services to approve a contract with the California State Association of Counties (CSAC) for Fiscal Year 2006-2007 in the amount \$20,000 for the management and maintenance of automated welfare programming services, **Approved.**
  - B-18 **RESOLUTION NO. 2006-260**, adding Article 26: Deferred Retirement Option Program (DROP) to the San Luis Obispo County Employees Retirement Plan, **Adopted as amended.**
- 5 B-2 Introduction of a proposed ordinance amendment prohibiting the feeding of wild animals; All Districts, is presented.

During the discussion on the Consent Agenda Supervisor Ovitt asked that this item be withdrawn for a separate vote; he addressed his concerns to the ordinance and that he is unable to support it.

**A motion by Supervisor Harry L. Ovitt, seconded by Supervisor Jerry Lenthall to continue this item off calendar and to direct staff to look into educational programs, is discussed.**

**Dr. Eric Anderson:** Animal Services Director, discusses the issues raised regarding with wildlife getting into neighborhoods and farm lands, killing domestic animals and livestock; states there are educational programs through Wildlife Services but they lack the educators to come out and provide courses.

**Board Members:** question programs in other counties with Dr. Anderson responding.

**Thereafter, on motion of Supervisor Harry L. Ovitt, seconded by Supervisor Jerry Lenthall and on the following roll call vote:**

**AYES:** Supervisors Harry L. Ovitt, Shirley Bianchi, Jerry Lenthall, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** Supervisor James R. Patterson.

**ABSENT:** None

**the Board continues this matter off calendar and directs staff to look into educational programs to address these concerns.**

- 6 C-1 This is the time set for hearing to consider use to the Justice Assistance Grant (JAG) funding, and amend the operational budget to include additional equipment for the Regional Firearms Simulator Trailer and approve a budget adjustment from unanticipated revenue in the amount of \$12,362; All Districts.

**UnderSheriff Steve Bolts:** presents the staff report and recommendation.

**Chairperson Achadjian:** opens the floor to public comment without response.

**Thereafter, on motion of Supervisor Shirley Bianchi, seconded by Supervisor Jerry Lenthall and on the following roll call vote:**

**AYES:** Supervisors Harry L. Ovitt, Shirley Bianchi, Jerry Lenthall, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**the Board approves an appropriation transfer from unanticipated revenue, JAG Funds, in the amount of \$12,362 and amends the operating budget to allow for the purchase of additional equipment for firearms simulator.**

- 7 C-2 This is the time set for hearing to consider a resolution of necessity for the San Luis Obispo County Regional Airport Runway 11-29 Extension project including land for temporary construction easement (TCE); 3rd District.

**Mr. George Rosenberger:** General Services, indicates they are still working on this and hope to have a resolution soon; asks that the matter be continued one week.

**Thereafter, on motion of Supervisor James R. Patterson, seconded by Supervisor Shirley Bianchi and on the following roll call vote:**

**AYES:** Supervisors James R. Patterson, Shirley Bianchi, Harry L. Ovitt, Jerry Lenthall, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**the Board continues said hearing to August 1, 2006 at 9: a.m..**

- 8 C-3 This is the time set for hearing to consider an appeal by Nathan and April Vasquez of a denial of a curb, gutter and sidewalk waiver request (DRC 2005-00192), located at 1343 L Street , in the community of San Miguel; 1st District.

**Ms. Elizabeth Kavanaugh:** Planning, presents the staff report; photographs of the site and a site map; addresses issues of the appeal and staff's response to the same; highlights the recommendation.

**Board Members:** address various issues, comments and concerns regarding: how the applicant is notified of the need for curb, gutter & sidewalk requirements; how many sidewalks have been constructed in the area; how many parcels aren't improved in this area, with Ms. Kavanaugh and Mr. Richard Marshall, Public Works, responding.

**Ms. April Vasquez:** Appellant/Applicant, outlines their appeal issues; presents information for the record; indicates they weren't advised of the curb, gutter and sidewalk requirements until 19

months after their permits had been issued and 75% of their construction was finished; states they are also asking for their fees back and indicates she has presented supporting documents for that request.

**Chairperson Achadjian:** opens the floor to public comment without response.

**Supervisor Lenthall:** questions the time lapse before the Appellant knew they were being assessed this fee, with Mr. Marshall responding.

**Supervisor Ovitt:** speaks regarding the appeal and development that has already occurred in the area with these requirements.

**Mr. James Lindholm:** County Counsel, addresses their concerns to both upholding the appeal and denying the appeal as they have found a legal problem regarding the design standards and whether they are required; asks that whatever action the Board take that it be tentative to allow them to review this issue.

**Thereafter, on motion of Supervisor Harry L. Ovitt, seconded by Supervisor Jerry Lenthall and on the following roll call vote:**

**AYES:** Supervisors Harry L. Ovitt, Shirley Bianchi, Jerry Lenthall, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**the Board tentatively upholds the appeals, directs staff to prepare findings to support this action and continues said hearing to August 1, 2006 at 9:00 a.m. for final action. Further, the Board refunds the fees for the engineering, the waiver application fee and the appeal application fee.**

9 CS The Board announces it will be going into Closed Session regarding:

**I. PENDING LITIGATION (Gov. Code §54956.9)** It is the intention of the Board to meet in Closed session concerning the following items:

**A. Conference with Legal Counsel - Existing Litigation (Gov. Code, §54956.9(a).)**  
**(Formally initiated)**

*(1) Almond Heights, LLC v. County of San Luis Obispo, (2) Los Osos CSD v. Golden State Water Company, (3) Parnel v. County and (4) Mothers for Peace v. NRC.*

**B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, §54956.9.)** (5) *Significant exposure to litigation (Gov. Code §54956.9(b)). No. of Cases* 2. *Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. (6) Initiation of litigation (Gov. Code §54956.9(c)) No. of cases* 2.

**II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code §54957.6.)** It is the intention of the Board to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: (7) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of employee organization: *SLOGAU*; (8) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of employee organization: *SLOCEA Trades and Crafts*; (9) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of employee organization: *SLOPPOA*; (10) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of employee organization: *DCCA*; (11) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of employee organization: *DAIA*; (12) Negotiator's Name: *Santos Arrona, Gail Wilcox, Kelly Tuffo*, Name of employee organization: *In-Home Supportive Services Providers, UDWA, NUHHCE, AFSCME, AFL-CIO*; **ADDED (All requirements of the Brown Act were met as this was posted prior to the 72-hour noticing requirement.)** (13) Negotiator's Name: *Gail Wilcox*, Name of employee organization: *Unrepresented Management and Confidential Employees*.

**Chairperson Achadjian:** opens the floor to public comment without response.

**Mr. James Lindholm:** County Counsel, indicates that the Board will be going into Closed Session as both the Board of Supervisors and as the Governing Board for the In-Home Supportive Services (for the purposes of #12 on the agenda.)

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the

items discussed during Closed Session as follows: the Board met as the Board of Supervisors and as the In-Home Supportive Services Governing Board and No report is required as no final action was taken and the Board goes into Open Public Session.

- 10 D-1 Submittal of an update on the San Luis Drainage Feature Reevaluation Final Environmental Impact Statement Review.

**Mr. Jeff Oliveira:** Environmental Specialist, presents the staff report; provides an overview of the project history; shows a map of area; addresses the project alternatives; addresses the actions by the U.S. Bureau of Reclamation (USBR) and their release of the Final EIS and this identified an "In Valley" alternative as the preferred alternative; states the Board has sent two letters in opposition to the Ocean Disposal Alternative; addresses the comments letter to the USBR which points out inadequacies with response to their response to comments about the Final EIS and regarding the Ocean Disposal Alternative.

**Mr. Eric Greening:** addresses the need to fight ocean disposal; concerns if they make the ocean a "toxic dump" and what that would mean.

**Mr. Bruce Gibson:** states the Cayucos Citizens Advisory Council voted to oppose ocean dumping and thanks staff for all their work.

**Mr. Oliveira:** states they will bring back, to the Board, a status update after USBR decision has been made.

**Thereafter, on motion of Supervisor Shirley Bianchi, seconded by Supervisor Jerry Lenthall and on the following roll call vote:**

**AYES: Supervisors Shirley Bianchi, Jerry Lenthall, Harry L. Ovitt , James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.**

**NOES: None**

**ABSENT: None**

**the Board receives and files the Final EIS comments letter, as outlined in the staff report dated July 25, 2006, to the U.S. Bureau of Reclamation.**

- 11 D-2 This is the time set to consider the request for an authorization to process a Land Use Ordinance Amendment application (LRP2005-00012) by Javad Sani to amend the Land Use Ordinance, Title 22 of the County Code, Section 22.104.090.G.2 to incorporate the subject property into the planning area standard that allows multi-family dwellings in the Office and Professional land use category; the purpose to this request is to allow development of 10 detached residential units totaling approximately 21,500 square feet on a 0.93 acre parcel within the 3.3 acre site, located at 1315 Las Tablas Road in the community of Templeton; 1st District.

**Mr. Josh LeBombard:** Planning, presents the staff report; shows a site map and photographs of the site; addresses a prior tract map hearing on this site; addresses the current zoning and the requested change; comments on the Applicant's request to adjust the standard in Section 22.30.490; outlines the options for the Board's consideration.

**Board Members:** question the amount of office space in this area currently with Ms. Kami Griffin, Planning, responding.

**Mr. Tim Little:** representing the Applicant, addresses the request and why they weren't originally included in the standard; asks for authorization to process this amendment.

**Mr. Bill White:** comments on the questions regarding how much office space is in area and feels staff's response was vague.

**Thereafter, on motion of Supervisor Harry L. Ovitt, seconded by Supervisor Jerry Lenthall and on the following roll call vote:**

**AYES: Supervisors Harry L. Ovitt, Jerry Lenthall, Shirley Bianchi, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.**

**NOES: None**

**ABSENT: None**

**the Board authorizes processing of LRP2005-00012, Javad Sani.**

- 12 D-3 This is the time set to consider the request to approve and authorize Blue Ribbon Committee membership, committee work scope and timeline for the Transfer of Development Credit (TDC) Program; 1st, 3rd, 4th and 5th Districts.

**Ms. Karen Nall:** Planning, presents the staff report; corrects #7, page D-3-5 of the staff report, indicating that Richard Bruce should be Bruce Richard; outlines the staff recommendation.

**Mr. Eric Greening:** suggests there should be two seats from cities and they should be appointed by City Selection committee.

**Mr. John Rinald:** suggests there needs to be fire marshals from No. and So. County on this Committee; there should be someone representing a water district; further, states that the South Atascadero area is not suitable for TDC program at all.

**Ms. Sue Luft:** representing Paso Watch, wants the recommendations from the May 2nd Planning Commission meeting included in the scope; asks that all meetings, for this committee, be open to the public; and wants see the membership created to reduce chances of conflicts of interest.

**Ms. Morgan Rafferty:** states she believes that all meetings of this TDC Committee should be open to the public; and presents additional ideas as to the operation of the Committee and its makeup.

**Ms. Maria Lorca:** asks for clarification of four issues: scope of work; public meetings; access to expert information; and, conflict of interest; presents written comments for the record.

**Mr. Andrew Christie:** Chapter Coordinator for the local branch of the Sierra Club, addresses his concerns regarding conflicts of interest based on the membership of this Committee; wants to see the Planning Commission recommendations, from last May, incorporated in the scope for this group; suggests at least 2 members need to be from the cities.

**Ms. Dorothy Jennings:** addresses the letter she previously sent to the Board and highlights the same as to her concerns regarding scope of work; membership categories; staff recommended membership; and, revising the membership to overcome Supervisorial district imbalance.

**Ms. Dolores Simons:** questions what is driving the TDC program in the County; addresses her concerns to this program.

**Ms. Kathryn Sweet:** reads letter from Sheila Lyons regarding her disappointment at not being appointed to this committee; outlines her concerns as to what she believes the committee/program should do and her concerns to the limits of the scope for this Committee; speaking for herself, feels three years for this committee is too long.

**Mr. Bill White:** addresses his concerns to this proposal and suggests there needs to be additions to the scope.

**Mr. Kurt Kupper:** states he was on first committee for the TDC program; addresses why it was created; feels it will be hard to solve the problems associated with the TDC Program if the County continues "giving away" development credits.

**Ms. Pam Jardini:** generally supports the TDC program; addresses her concerns to the limits on where TDC's can be used.

**Mr. Charlie Whitney:** feels the Committee makeup looks good as it has a broad base of folks on it; feels those opposed to the Committee are those who don't want TDC program at all; suggests the scope should be broadened to allow for additional ideas; and, agrees there is a need for membership from the cities.

**Ms. Kami Griffin:** Planning, states the City of Paso staff will actively attend the meetings; Rob Strong, Grover Beach Planning Director, will attend; and highlights other staff/city members that will attend.

**Supervisor Bianchi:** comments on the membership and where there is any member with the potential for profiting from this program; this body is advisory only and the Board will still make the decisions; wants the provisions from Planning Commission included in the scope.

**Supervisor Patterson:** would like to have #5 of the staff report, page D-3-4, include other General Plan Amendment's that upzones property be included; feels affordable housing needs to be taken into consideration; suggests there is a need to reevaluate way the number of credits are determined; feels the receiver site issue is the most problematic and needs urban and city areas to help with this; want two Planning Directors from the cities on this Committee; agrees the meetings should be open to the public; and, experts should be able to come and consult.

**Supervisor Lenthall:** would like to see CDF included on this Committee.

**Supervisor Ovitt:** addresses the issue; believes that all information would be made available to this Committee as a reference for them; concerns about increasing membership more and the impacts that could have; suggests fire could be an expert to speak to the committee.

**Thereafter, on motion of Supervisor Harry L. Ovitt, seconded by Supervisor Jerry**

**Lenthall and on the following roll call vote:**

**AYES:** Supervisors **Harry L. Ovitt, Jerry Lenthall, Shirley Bianchi, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.**

**NOES:** None

**ABSENT:** None

**the Board approves the list of candidates, as outlined in the staff report dated July 25, 2006, with the correction of the one member to list his name as Bruce Richard, to participate as members of the TDC Blue Ribbon Committee; the Board further approves the TDC Blue Ribbon Committee work scope and timeline and includes, but does not limit this to, the provisions of the letter to the Board from the Planning Commission dated May 12, 2006.**

- 13 E-1 This is the time set to consider the request to approve recommended responses to findings and recommendations contained in the Grand Jury report on Oak tree Preservation in San Luis Obispo County.
- Ms. Leslie Brown:** Administrative Office, presents the staff report; outlines the recommendations of the Grand Jury; introduces other County staff that is present to respond to questions.
- Ms. Pat Beck:** Assistant Director of Planning and Building, addresses what they have incorporated in this response.
- Mr. Eric Greening:** supports Option B of the staff report and explains; discusses creating a committee to address this issue; doesn't support Option A at this time.
- Ms. Sue Luft:** representing Paso Watch, addresses Ag land preservation; supports the recommendations of the Grand Jury.
- Ms. Morgan Rafferty:** urges the Board to support the recommendations of the Grand Jury and why.
- Mr. Mike Bonneheim:** rancher in Adelaida area, believes his family is good land stewards and discusses what they have done to preserve the oaks on their property; feels the Grand Jury's recommendations will limit their ability to manage their land; feels the current voluntary program works.
- Mr. Chuck Pritchard:** states he is a 4th generation rancher, provides information on the number of families that are protecting their land and trees; suggests that a lack of knowledge is the problem with respect to preserving trees and being good stewards of the land.
- Mr. Andrew Christie:** Chapter Coordinator for the local branch of the Sierra Club, feel the ordinance is necessary to bring folks into compliance that are not being good stewards of the land.
- Mr. Bob Sparling:** comments on his past job which included going out to most of the Ag lands in the County; he believes the County should be using these folks to help the County with tree preservation.
- Mr. Jerry Bunin:** Government Affairs Director for the Home Builders Association, discusses the City of San Luis Obispo's ordinance for tree preservation and suggests the County should talk to them before developing an ordinance; he's not sure there is a problem in the County at this time; and, he likes the idea of maintaining voluntary compliance.
- Ms. Jackie Crabb:** Farm Bureau and a member of the Native Tree Committee, states they were very surprised about the Grand Jury's recommendations and explains; discusses what they are doing to support growing Oak trees through the schools and other programs.
- Ms. Joy Fitzhugh:** reads a letter from Steve Sinton regarding his membership on the Native Tree Committee for the County; he suggests the Grand Jury report is not complete as they didn't talk to anyone currently involved in programs; presents a copy of Mr. Sinton's letter for the record; speaking for herself, states that on her family's ranch they have increased the Oak population over the years.
- Ms. Beverly Gingg:** discusses the Oak trail at Santa Margarita Ranch and what a great opportunity this has been for students at Santa Margarita School; comments on the funding they have received; suggests the County can get more accomplished by working with folks rather than trying to regulating them; presents information for the record.
- Mr. Bill White:** gives his views on the protection of Oak trees; addresses his concern to the responses by Planning staff; and wants an ordinance put in place.

**Ms. Susan Harvey:** addresses the economic value of Oak trees in the County; suggests there is a need for answers before reacting to recommendations such as these.

**Ms. Maria Lorca:** addresses issue and suggests there is a need to look at protecting trees.

**Supervisor Patterson:** questions what is in place currently, with Ms. Pat Beck, Assistant Director of Planning and Building, responding.

**Supervisor Patterson:** comments regarding what he heard the public say and that was a need for more information; comments on his concerns to the impacts, on Planning staff, if a committee was created; comments on the letter from Steve Sinton; states he is not proposing going forward with ordinance today; presents information from his memo to the Board members dated 7/25/06 to create a committee and that he would head up putting it together.

**Supervisor Achadjian:** questions the membership makeup on the Ag Liaison Board with Ms. Fitzhugh responding as to the various types of agriculture/ranching that are represented on this Board.

**Supervisor Ovitt:** speaks to the issue; suggests instead of creating a new committee this should be given back to Native Tree Committee with direction.

**Supervisor Patterson:** indicates he would like a broader based membership on this committee he wants to establish.

**Ms. Crabb:** highlights the makeup of the membership on the current Native Tree Committee.

**Chairperson Achadjian:** states he believes the only representatives missing, on the Native Tree Committee, are those from the building group and Supervisor Patterson.

**Mr. David Edge:** County Administrative Officer, states he has suggested language for the Board when the Board is ready to make a motion.

**Board Members:** address various issues, comments and concerns regarding: Supervisor Patterson's request to establish a committee may not need Board's approval; adding representation from the Cattlemen's Association, Farm Bureau and the vintners group; the current Native Tree Committee has all the groups represented and Supervisor Patterson could be added to that committee.

**Chairperson Achadjian:** appoints Supervisor Patterson to the Native Tree Committee and directs the Committee report back by the end of August.

**Mr. Bill Tietje:** addresses the issue and questions ECOSLO representation on the committee.

**Thereafter, on motion of Supervisor Jerry Lenthall, seconded by Supervisor Shirley Bianchi and on the following roll call vote:**

**AYES:** Supervisors Jerry Lenthall, Shirley Bianchi, Harry L. Ovitt, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**the Board agrees to continue the meeting past 5:00 p.m.**

**Mr. Edge:** suggests language for the Board's consideration when making a motion on this issue.

**Thereafter, on motion of Supervisor Shirley Bianchi, seconded by Supervisor Harry L. Ovitt and on the following roll call vote:**

**AYES:** Supervisors Shirley Bianchi, Harry L. Ovitt, Jerry Lenthall, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**the Board determines that the recommendations of the Grand Jury require further study and creates a stakeholder committee to study and provide recommendations to the Board regarding the recommendations in the Grand Jury Report and to bring this report back within six months.**

**Supervisor Bianchi:** addresses the letter and the Board's response to a recent editorial in *The Tribune*; suggests a correction to second paragraph, the last sentence adding an "s" to the word "job"; and, addresses the revised letter with the changed/new language highlighted in red.

**Ms. Kimberly Daniels:** San Luis Obispo County Employees Association General Manager, suggests amending letter that was drafted to correct the 4th paragraph, on the second page indicating she was told back in April about this position and who the person would be to fill it; provides additional suggested corrections to comments in letter; concerns that Board is being unnecessarily harsh on the Civil Service Commission and should review the record.

**Thereafter, on motion of Supervisor Shirley Bianchi, seconded by Supervisor Harry L. Ovitt and on the following roll call vote:**

**AYES:** Supervisors Shirley Bianchi, Harry L. Ovitt, Jerry Lenthall, James R. Patterson, and Chairperson K.H. 'Katcho' Achadjian.

**NOES:** None

**ABSENT:** None

**the Board approves the revised letter as presented, with the correction to the word "job" by adding a "s."**

**Supervisor Bianchi:** states her intent was to make this a response to editorial versus a position on the Civil Services Commission; comments on her support for the Commission.

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, July 25 2006, 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: July 31, 2006  
vms