

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 Harry L. Ovitt, Shirley Bianchi, Michael P. Ryan and Chairperson K.H. 'Katcho' Achadjian

**ABSENT:** Supervisor Peg Pinard

**PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON ACHADJIAN.**

**SUM            AGN**

1            A-1    **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Ovitt, with Supervisor Pinard being absent, motion carries and the presentation by Dr. William Boldt, Vice President, University Advancement, on Cal Poly's Centennial Celebration Capitol Display is received and filed.**

**Dr. William Boldt:** Vice President, University Advancement, addresses the display at the State Capitol depicting Cal Poly's 100 years; thanks the Board for their support; states the official celebration is set for September 27 and 28 and presents a copy of the program and a booklet entitled *Cal Poly - The First Hundred Years*, to each Supervisor.

2            B-1    This is the time set for members of the public wishing to address the Board on items set thru on the Consent Agenda.  
B-23

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

Consent Agenda Item B-4 is withdrawn. Items B-22 and B-23 are added. **On motion of Supervisor Ryan, seconded by Supervisor Bianchi, and on the following roll call vote:**

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

**Consent Agenda Items B-1 through B-23 are approved as recommended by the County Administrative Officer and as amended by this Board.**

Consent Agenda Items B-1 through B-23, 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    Introduction of a proposed ordinance amending the County Fee Schedule relating to film permit fees; All Districts, **Approved and the Clerk is instructed to give notice of hearing date set for June 19, 2001 at 9:00 a.m..**

Administrative Office Items:

B-2    **RESOLUTION NO. 2001-212**, accepting the exchange of property tax revenue and annual tax increment of Annexation No. 18 to the Templeton Community Services District; 1st District, **Adopted.**

B-3    **RESOLUTION NO. 2001-213**, accepting the exchange of property tax revenue and annual tax increment for Annexation No. 82 to the City of Paso Robles (Roth); 1st District, **Adopted.**

General Services Items:

B-4    Submittal of a request to approve a policy regarding private and quasi-public easements on public park and recreation lands, **Withdrawn.**

B-5    Lease agreement with Marcia Adams for office space located at 1011 Pacific Street, San

Luis Obispo, for Mental Health, **Approved.**

- B-6 Amendment No. 1 to an agreement with the Promontory, authorizing the Risk Management Division and Emergency Services to remain in office space located at 412 Higuera Street, San Luis Obispo, **Approved.**

Planning Items:

- B-7 Submittal of the proposed mitigated Negative Declaration for left turn lanes on Los Berros Road and El Campo Road, in the community of Nipomo; 4th District, **Approved.**
- B-8 **RESOLUTION NO. 2001-214**, accepting an avigation easement from William and Norma Brown, for property located near the San Luis Obispo County Regional Airport; 4th District, **Adopted.**
- B-9 **RESOLUTION NO. 2001-215**, accepting an avigation easement from Martin and Leslie Friedman, for property located near the San Luis Obispo County Regional Airport; 4th District, **Adopted.**
- B-10 **RESOLUTION NO. 2001-216**, approving an open space agreement granting an open-space easement with Gregory Lukens, et al, for property located on High Mountain Road, east of the City of Arroyo Grande; 4th District, **Adopted.**

Public Works Items:

- B-11 Bid opening report for the widening a portion of Vineyard Drive, Templeton; 1st District, **Approved and the Chairperson is instructed to sign contract documents with Madonna Construction Company in the amount of \$126,270.**
- B-12 Bid opening report for the reconstruction of a traffic signal at Vineyard Drive and Main Street, Templeton and a request to approve a corresponding budget adjustment in the amount of \$47,397 from the Templeton Road Impact account; 1st District, **Approved and the Chairperson is instructed to sign contract documents with Lee Wilson Electric Company in the amount of \$184,396.**
- B-13 **RESOLUTION NO. 2001-217**, proclaiming May 20 through 26, 2001 as "National Public Works Week," **Adopted.**
- B-14 **RESOLUTION NO. 2001-218**, reducing service charges for a cooperative road project in County Service Area No. 21 (Atascadero); 5th District, **Adopted.**
- B-15 **RESOLUTION NO. 2001-219**, authorizing acceptance of grant funds from the State Water Resources Control Board to develop water quality information on the Paso Robles ground water basin; 1st and 5th District, **Adopted.**

Other Items:

- B-16 Request by Supervisor Ovitt to appoint Emily Chidlaw as a District One Representative to the Commission on the Status of Women, **Approved.**
- B-17 Budget adjustment (Information Services) in the amount of \$73,294 from the Automation Replacement Fund to pay for additional fiber optic projects, **Approved.**
- B-18 Request by the District Attorney to enter into a grant extension agreement with the State Department of Criminal Justice Planning for administration of a Victim Witness/Elder Abuse Advocacy and Outreach project, **Approved.**
- B-19 Request by the Probation Department to approve a contract with Lifesteps Foundation Incorporated to provide vocational counseling services for the Drug Court Program, **Approved.**
- B-20 Declaration of results of the May 8, 2001 Special Tax Election (Clerk-Recorder) in the Ashby Lane and Castle Street Road Improvement Zones of County Service Area No. 21;

2nd District, **Approved.**

- B-21 **RESOLUTION NO. 2001-220**, authorizing the Sheriff's Department to submit a grant application to the Office of Criminal Justice Planning requesting funding for the Gang Task Force, **Adopted.**

**ADDED (All requirements of the Brown Act were met as these were posted prior to the 72-hour noticing requirement.)**

- B-22 Contracts (Clerk's File) with John Cannel, M.D., Lloyd Hyndman, M.D., Beth Lawhead, M.D., Daniel Olivieri, M.D., Norman White, M.D. and Jackson Rowland, M.D. to provide psychiatric services for Mental Health clients, **Approved.**

- B-23 **RESOLUTION NO. 2001-221**, approving an open space agreement (Clerk's File) with Alex Madonna, et al, for property located on the west side of Los Osos Valley Road, between Madonna Road and Highway 101; 3<sup>rd</sup> District, **Adopted.**

3

- C-1 This is the time set for hearing to consider a resolution of necessity for acquisition of property by eminent domain for the Orchard Avenue widening project located in the community of Nipomo; 4th District.

**Mr. Tim Smith:** Right-of-Way Agent, presents the staff report; presents a brief history on the proposed Orchard Avenue widening project; 14 of the 16 parcels required for this project have been secured by negotiated settlements, with 2 remaining negotiations being at an impasse; the project is scheduled for construction this summer and in order to proceed the County must secure the remaining property interests; the Government Code guidelines allow the County to secure the necessary rights-of-way through eminent domain proceedings; the County will continue to negotiate with the owners and representatives; staff is requesting adoption of the proposed resolution.

**Mr. Roy Ogden:** attorney representing the Banta family, states this is a family farm; the County is requesting .4 acres in a significant area that currently has a horse corral on it; this is also the site that provides the view from the family home; suggests this family is being asked to bear the brunt of this project; they have been working with staff, issue is not money and they will continue to negotiate with staff.

**Chairperson Achadjian:** questions if the resolution is adopted can negotiations continue, with Mr. Smith and Mr. Ogden indicating they can continue to negotiate.

**Mr. David Beas:** partner for the subject property, reads a statement regarding the proposed drainage and the storage basins; indicates during the years they have lived there they have not seen any problems with respect to drainage as is being reported by Public Works; based on his knowledge as a professional engineer, he believes this project can be downsized; states they receive their water from a well and not a service and have concerns about contamination of their well; discusses the trucking business on the property and impacts to the same; addresses Exhibit A from the staff report and the errors he believes are in this document.

**Chairperson Achadjian:** addresses the concerns raised by Mr. Beas and indicates he thought the project had already been downsized.

**Mr. Beas:** responds it was downsized but is still unacceptable to them.

**Mr. Pete Beas:** states he lives on the property and they keep it very clean; gives his views on where Public Works should be placing this road; states they keep five trucks on the property for their business.

**Chairperson Achadjian:** questions whether there is a zoning problem here.

**Mr. Smith:** responds this is a Residential area and further addresses how the project will accommodate their trucking operation.

**Mr. Carlos Beas:** states Mr. Smith has indicated he has been sending letters for four years

but they never received anything until last fall; states they have asked to see copies of these letters and have never received anything; feels the basins could be done on the other side of the street from their property; indicates there is property on that side for sale.

**Mr. Noel King:** Public Works Director, addresses the issue and the cooperation they have received from the other property owners; addresses the need to move this forward in order to begin construction this summer.

**Chairperson Achadjian:** questions comments regarding the property across the street being for sale and whether Public Works will look into this and if viable, redesign the project and hold up construction for another year.

**Mr. Smith:** indicates they will look at the property and were unaware there was any property for sale in the area.

**Supervisor Ryan:** feels this is a long process to obtain all the properties necessary for the project and to postpone it further would not be representing the taxpayers well.

**Supervisor Bianchi:** states if this resolution is adopted she wants reassurances that staff will continue to negotiate with the property owners.

**Mr. Smith:** states they will continue negotiations and indicates if this is not adopted today this project will not get done this year.

**Mr. King:** addresses the time frame for the eminent domain process; and, states the bid package is due to come to the Board on June 5<sup>th</sup> and staff can update the Board on what is occurring at that time.

**Mr. David Beas:** states they are willing to work with staff but, to date, have had no contact from them.

**Mr. Smith:** indicates he has left several voice mail messages for Mr. Beas that have not been returned and he will continue to work with the property owners/representatives.

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

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

**RESOLUTION NO. 2001-222, resolution of necessity for acquisition of properties by eminent domain for the Orchard Avenue widening project in the Town of Nipomo, Supervisorial District No. 4, adopted.**

**(SUPERVISOR HARRY L. OVITT ANNOUNCES THAT HE WILL BE ABSENT FOR A PERIOD OF TIME BUT WILL CONTINUE TO LISTEN TO THE HEARINGS ON THE RADIO.)**

- 4 C-2 This is the time set for hearing to consider an appeal by Save the Mesa of the Planning Commission's decision to approve a development plan to allow construction of a 120 unit affordable housing apartment complex, in the Residential Multi Family Land Use Category, located on the northwest corner of Grande Avenue and Blume Street in the community of Nipomo; 4th District.

**Mr. Bryce Tingle:** Assistant Director of Planning and Building, introduces the item.

**Mr. Jay Johnson:** Planning, presents the staff report; presents (1) an aerial photograph of the site, (2) the site plan, and (3) the architectural sketch of the housing that will make it look like a large single family residence, but will have four units in it; addresses the eight issues raised in the appeal and staff's response to each; presents Condition #29 with the standard language to indemnify the County, indicating County Counsel would like this condition added; presents a letter from the applicant's attorney dated May 21, 2001.

**Supervisor Ryan:** questions the minimum level allowed in the Standard for affordable housing and why Condition #29 is being added today versus when the conditions were originally put together.

**Mr. Jim Orton:** Deputy County Counsel, indicates the condition was inadvertently missed when the conditions were created and this condition is usually added on matters that are appealed to the Board.

**Supervisor Bianchi:** expresses her concern to receiving handouts at the time of the hearing and not having time to read them and listen to testimony; speaks to the Department of Water Resources (DWR) report setting this area at a Level 3 and if this is approved through the Resource Management Study (RMS) what will happen to this and other projects in the works, with Mr. Tingle responding that the report is still a “draft” and they won’t be able to react until they receive a final report.

**Supervisor Ryan:** questions water service and will serve letters from the Nipomo Community Services District (NCSD), with Mr. Tingle responding.

**Supervisor Bianchi:** indicates she heard that the will serve letters have been changed and are now charging an in lieu fee.

**Board Members:** address various issues, comments and concerns regarding: the density changes; the difference between low cost housing and regular projects; affordable housing bonus percentages around the County; affordable housing being exempt from the growth cap; why an EIR is not being required with 120 residences being requested; and, why some projects have had a Supplemental EIR required; with Mr. Tingle responding.

**Mr. John Nall:** Environmental Specialist, addresses the Supplemental EIR that was ordered by the Board for the Woodlands project, indicating this was required because the proposal was to intensify an existing project.

**Mr. Bill Robinson:** Appellant representing Save the Mesa, feels they should have the “right and privilege” to have an EIR done on this project; speaks to a letter from Mr. Jones of the NCSD that states they are serving water even though they are in an overdraft; concedes there is a need for affordable housing; presents a photograph for the record.

**Mr. Scott Vincent:** consultant architect for the Applicant, addresses various photo boards for the proposed project and presents copies for the record; highlights the project proposal; references the site plan that highlights where trees will be saved.

**Mr. Bill Davis:** attorney for the Applicant, states he is available to answer questions.

**Mr. Michael Winn:** NCSD Director, questions why this is the only area of the County with the density bonus requirement at this percentage; indicates the changes the NCSD made to the will serve letter, with respect to the in lieu charge, is for annexations only; addresses the impact growth as on schools; comments on illegal housing, with respect to the number of families living in one home, that is occurring currently and the need for Code Enforcement to actively pursue this; states he hopes the project will be built but feels there are concerns to the impacts it will create; wants to see a focus on schools as Public Facilities Fees don’t build schools but rather only cover operating costs; feels if this is approved today it will set a precedent.

**Ms. Gwen Henry:** League of Women Voters, addresses the Leagues support of affordable housing; suggests there is an abundance of premium housing; there is a need for affordable housing for the working folk, agricultural workers, etc..

**Mr. Tom Thomas:** questions whether the applicants have a business plan and if the Board has seen this; questions security for this project and how they will get rid of undesirable tenants.

**Ms. Nancy DePue:** Lucia Mar School District, states she is here to remind the Board that school issues need to be kept in the forefront when doing these types of projects.

**(SUPERVISOR HARRY L. OVITT IS NOW PRESENT.)**

**Ms. Nora Jenaë:** addresses her concern to housing in the area where she lives; states the Update for the area says to keep projects at a rural scale and this project doesn't comply with that; further suggests a fee does not mitigate a problem unless it is used on the problem.

**Ms. Marianne Buckmeyer:** Nipomo Community Advisory Committee (NCAC) member, suggests the Board members need to come and see what is occurring in Nipomo and feels there is a need for better infrastructure; suggests this project will add more than 200 cars to roads that are already impacted; urges the Board to require an EIR.

**Mr. Jesse Hill:** Chair for the NCAC, states they previously submitted a letter that did not support this project; addresses the impacts that bringing new families will have on the area and to schools; feels this does not follow the South County Area Plan Update and has design flaws; highlights the letter he submitted to the Board dated January 25, 2001.

**Mr. Bill Denneen:** questions how the NCS D can say it will serve water when they are in an overdraft condition currently; feels this area should be in a moratorium until all the water issues are addressed; states affordable housing does not pay taxes; addresses the issue of trees.

**Mr. Vincent:** gives his closing comments and addresses the statement regarding parking, indicating they will be providing one covered stall per unit and overall there will be more than 260 parking stalls for the project.

**Mr. Davis:** gives the Applicants' closing comments and expresses their surprise about schools being raised as a concern today when this issue was not in the original appeal; states they do pay the same fees that all projects are required to pay; addresses the tax-exempt status they receive and explains how it does not impact schools; presents a copy of the transcript from the Planning Commission hearings for the record; indicates they have all the approvals for water that they can get at this point; highlights the letter he sent Mr. Jim Orton dated May 21, 2001; cites code sections in support of their application.

**Mr. Robinson:** gives his closing comments and presents a packet of information indicating it also includes a copy of the Grand Jury report on the CEQA requirements.

**Board Members:** address various issues, comments and concerns regarding: statements made that Nipomo has been singled out with respect to requirements for multi-family housing; the 10 unit minimum density for Nipomo was done at the request of folks in the area when the Update was done; the minimum densities were created to help retain multi-family areas.

**Chairperson Achadjian:** indicates he can support this project if an EIR is done with a focus on water.

**Supervisor Bianchi:** states she does not believe an EIR with a focus on water will provide any more information than what the DWR has already provided.

**Mr. Nall:** addresses staff using the "fair argument" standard when looking at issues raised by an appellant; staff's opinion is that the Appellants have not provided evidence to require an EIR.

**A motion by Supervisor Ryan, seconded by Supervisor Ovitt to deny the appeal and uphold the decision of the Planning Commission and add Condition #29, is discussed.**

**Supervisor Bianchi:** questions Road Improvement Fees, the concerns raised regarding traffic and the issues raised regarding the impacts to schools.

**Mr. Richard Marshall:** Public Works, responds that the Road Improvement Fees can only be used in the area they were collected; when the Area Plan was updated, staff used that information to envision and calculate what the circulation plan for the area should include with respect to future traffic and this project falls within the scope of the circulation

plan.

**Mr. Tingle:** presents a revised Exhibit A which expands on the original findings in this exhibit.

**Mr. Johnson:** addresses an additional revision to Exhibit A, C-1, by adding “Environmental Health” to the list of agencies.

**The motion maker and second agree to include the revised Exhibit A in their motion.**

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

**AYES: Supervisors Ryan, Ovitt, Bianchi**  
**NOES: Supervisor Chairperson Achadjian**  
**ABSENT: Supervisor Pinard**

**the Board denies the appeal, adds Condition #29 to read: “Indemnification of County by Applicant. The Applicant shall as a condition of approval of this development plan defend, at his sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this development plan or the manner in which the County is interpreting or enforcing the conditions of the development plan, or any other action by a third party relating to approval or implementation of this development plan. The applicant shall reimburse the County for any court costs and attorney’s fees which the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition.”; Exhibit A as presented and revised today by staff is accepted and replaces the one in the Board’s packet; and, RESOLUTION NO. 2001-223, resolution affirming the decision of the Planning Commission and conditionally approving the application of Nipomo San Luis Bay Limited for Development Plan D990051D, adopted as amended.**

5 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) *In re Bankruptcy of PG&E and ADDED (All requirements of the Brown Act were met as this was posted prior to the 72-hour noticing requirement.)* (5) *In re Bankruptcy Greenway Environmental Services Inc.*

**B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, §54956.9.)** (2) *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. (3) *Initiation of litigation (Gov. Code, § 54956.9(c).)* No. of cases 2.

**II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov. Code, §54956.8.)** It is the intention of the Board to meet in Closed Session to have a conference with its Real Property Negotiator concerning the following: (4) Property Description: *Buckley Road: portion of 076-061-050*, Parties with whom negotiating: *Ben Maddalena, owner*, Instructions to Negotiator will concern: *Realignment for property access.*

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

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: No report required because no final action was taken and the Board goes into Open Public Session.

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

**Mr. Bill Denneen:** addresses the need to protect our coast and a recent article in a local newspaper regarding the same; speaks to the Local Coastal Program (LCP) and the requirement to update this document every five years and there have been no updates in 13 years; wants to see this update occur and it should include all the endangered species that have been identified since the last update.

**Mr. Richie Ray Walker:** speaks to a case in Federal Court in San Francisco that he has been working on for six years; if this case is upheld it will change the laws on commercial drivers forever; speaks to the large number of commercial drivers that fall asleep at the wheel causing accidents; speaks to the Public Utilities Commission hearings on utility rate increases.

**Ms. Linda Hall:** speaks to a recent experience she had where a truck driver came across the roadway and almost hit her; speaks to the Agricultural Transfer of Development Credit (TDC) program that was before the Board last week and her opposition to the same.

**Mr. Russell Peterson:** speaks to the petition he has started regarding the need for public access to Lake Nacimiento; indicates there are two ramps currently, neither of which are really a "public" access; indicates you have to pay a fee to launch your boat at these ramps, then you are required to pay a use fee for the lake; expresses his objections to being charged twice just to get on the lake; believes in the lake fee but has concerns about the lack of public access to launch your boat.

**Supervisor Ovitt:** responds to Mr. Peterson asking him to get in contact with Mr. Smith of his office; states the ramp permit has expired on one of the ramps; states the County's involvement is limited as the lake is run by Monterey County. **No action taken.**

7 D-1 This is the time set for consideration of a resolution adopting the fiscal year 2001-2002 Proposed Budget, setting June 11, 2001 as the time to begin public hearings regarding the Proposed Budget and directing the Clerk to publish the appropriate legal notices.

**Ms. Gail Wilcox:** Assistant County Administrative Officer, presents the staff report; highlights the key features of the proposed budget which is recommended at \$382 million; there is an increase in capital projects financing, primarily for a new government center; states staff heard yesterday that the County will receive the balance of the property tax owed by PG&E; outlines staff's focus in preparing the budget, where the increases are and the programs that will continue; requests approval of the resolution approving the proposed budget and setting the hearings to begin on June 11, 2001.

**Supervisor Ryan:** questions the glassy-winged sharpshooter and whether it only attacks grapes.

**Mr. Richard Greek:** Agricultural Commissioner, responds that this pest can also attack peaches, citrus, etc.; one of staff's concerns regarding this pest is with individual homeowners who have backyard gardens.

**Ms. Linda Hall:** states the County is the largest employer, with Cal Poly being second and third was PG&E; questions whether the County is a little top heavy.

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

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

**RESOLUTION NO. 2001-224, resolution approving the proposed budget for Fiscal year 2001-02, adopted. Further, the Clerk is directed to publish the appropriate legal notices setting the budget hearings to begin on June 11, 2001 at 9:00 a.m..**

8 D-2 This is the time set for consideration of the Third Quarter Financial Report, along with requests to accept donations (appropriation transfers totaling \$38,962) and discharge bad debt (\$16,676) on behalf of several County Departments.



**Ms. Gail Wilcox:** Assistant County Administrative Officer, presents a brief staff report.

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

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

**the Board (1) receives and files the Third Quarter Financial Report; (2) accepts donations on behalf of the Library, Animal Services and Social Services in the amount of \$45,663, along with the associated appropriation transfers totaling \$38,962; and, (3) the requests to discharge bad debt in the amount of \$16,676 on behalf of Animal Services and Public Health, approved.**

9 E-1 This is the time set for consideration of the County plan for implementation of the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36).

**Dr. Greg Thomas:** Public Health Director, introduces the item.

**Mr. Bill Hallum:** Drug and Alcohol Services, presents the staff report; indicates the intent of the program is to enhance public safety and reduce crime; addresses the requirements of the County and the Plan; discusses caseload assumptions; indicates there will be no net County cost; highlights the proposed outcomes; and, this program is solely for nonviolent substance abusers.

**Mr. Myron Nalepa:** Probation, addresses the recommendation and requests it be amended to include amending the Fixed Asset list for Budget Unit 2660 by adding two vehicles funded by Proposition 36.

**Ms. Linda Hall:** speaks to this proposal.

**Mr. David Edge:** County Administrative Officer, refers the Board to the Administrative Office Review comments and asks that the Board include in their motion direction to staff to report on the results of the implementation of the Proposition 36 plan and highlights what that report should include.

**Board Members:** commend staff for their prompt action in getting this program moving forward.

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

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

**the Board approves the County Plan as outlined in the staff report dated May 22, 2001, meeting the Health and Safety Code (Section 9515, Title 9, CCR) requirements for service provision and receipt of funds pursuant to The Substance Abuse and Crime prevention Act of 2000 - Proposition 36; approves for Fiscal Year 2000-01 unanticipated revenues in the amount of \$126,959 for the following: Drug and Alcohol Services, BU 3075 - \$63,517; Probation, BU 2660 - \$57,358; District Attorney, BU 2560 - \$848; and, Superior Court - \$5,236; amends the Fixed Asset list for BU 2660 - Probation, adding two vehicles funded by Proposition 36; and, RESOLUTION NO. 2001-225, resolution amending the Position Allocation List Resolution for Fiscal year 2000-01, adopted. Further, the Board directs Drug and Alcohol Services and the other involved agencies to report on the results of the implementation of the Proposition 36 Plan; the report is to include measures of the program plan to achieve the desired results of reduced members of drug offenses, reduced recidivism and re-offense rates and other meaningful measures of the program's effect upon individual clients of the program and public safety; and this report should be done prior to the conclusion of the next fiscal year.**

**ADDED (All requirements of the Brown Act were met as this was posted prior to the 72-hour noticing requirement.)**

10 F-1 This is the time set for consideration of the 2001-2002 Strategic Plan for the Adult Services Policy Council (ASPC) and a request to fund a staff position for the Adult Service Policy Council.

**Ms. Betty Woolslayer:** Chair for the ASPC, states she is here today to provide the Board with an update; outlines the strategic plan for the Council and the current activities; addresses their request for a staff position.

**Mr. Roger Pankratz:** Hotline and an ASPC member, speaks in support of the program and the requested staff position.

**Dr. Greg Thomas:** Public Health Director, speaks to the request and need for a coordinator to bring all the issues coming up together; states he supports their request for a staff person.

**Mr. David Edge:** County Administrative Officer, refers the Board to the Administrative Office Review comments and their concern regarding the information by ASPC not supporting the addition of a full-time staff position or the salary requested; there have been no measurable results identified in connection with the addition of new staff; uses the example of the LAFCO position in his office for comparison to the proposed staff position; recommends the Board direct staff to explore options and bring it back at a later date.

**Mr. Lee Collins:** Social Services Director, addresses the issue and believes the Administrative Services Officer series is the right one, but the step that has been missed is review by County Personnel.

**Board Members:** address various issues, comments and concerns regarding: whether the workload has been looked at with respect to the need for a full time or part time person; and, the need to look at the entire package to determine what the position should be, with staff responding.

**A motion by Supervisor Ovitt, seconded by Supervisor Bianchi, to accept the recommendation by the County Administrative Officer to explore options for providing staff support, is discussed.**

**Ms. Biz Steinberg:** addresses the issue and the need to have focus from a staff person on the various issues relating to this program and they are looking to the Board for support.

**Supervisor Ovitt clarifies the motion, with the second concurring and thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Bianchi, with Supervisor Pinard being absent, motion carries and the Board directs staff to explore options for providing clerical and support services for the ASPC with existing staff in Social Services or with future staff.**

**Mr. Edge:** indicates he will bring this matter back to the Board during Budget hearings.

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, May 22, 2001, 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: May 25, 2001  
vms