

Tuesday, November 20, 2001

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, Peg Pinard, Michael P. Ryan and Chairperson K.H. 'Katcho' Achadjian

**ABSENT:** None

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

**SUM            AGN**

1            BPC    This is the time set for members of the public wishing to address the Board on items set on the Consent Agenda.

**Mr. Eric Greening:** addresses Item B-7 and raises concerns regarding the work load of the Planning Department by adding these projects; speaks to the projects that will be bumped and their notification of that action; states the public needs to know what sacrifice was made by moving these projects forward; addresses Item B-9, suggests that the EIR assess a non-pipeline project alternative in which North County participants contribute to the cost of the facility in return for which the City of San Luis Obispo would cease its diversions from the Salinas River.

**Mr. Steve Crandall:** hands the Board a letter dated 11-20-2001; states he's here to bring to the Board's attention another reason why the Board cannot vote on Item B-7 today; indicates the barrier is the California Environmental Quality Act; speaks to the environmental consequences; urges the Board not to give preference to these projects.

**Ms. Jude Rock:** concurs with Mr. Crandall; states she wants to clarify the misconception that the community is supportive of this project; feels the community is afraid of what would happen to their neighborhood if this development moved forward; addresses the change in the legislation; doesn't think the community realizes the extent of development that could occur under the new law; urges more community involvement. **No action taken.**

2            B-1    Consent Agenda Item B-7 is amended by changing the date on the coversheet to  
thru       read December 3, 2001 not December 2, 2001 and is withdrawn for separate action.  
B-17    **Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Ryan and  
on the following roll call vote:**

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

**NOES:**           None

**ABSENT:**        None

**Consent Agenda Items B-1 thru B-17 are approved as recommended by the County Administrative Officer and as amended by this Board.**

Consent Agenda Items B-1 thru B-17, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Items set for bid opening:

B-1        Letter transmitting unit price books and specifications (Clerk's File) for job order contracting services (which streamlines and reduces costs associated with carrying out maintenance projects on County facilities) and a request to grant authority to the Director of General Services to approve all individual job orders and notice of completion and acceptance declarations; All Districts, **Approved and the Clerk is directed to give notice of bid opening set for December 20, 2001, at 3:00 p.m..**

Auditor-Controller Items:

- B-2 Unannounced cash count of the Sheriff-Civil Division's Office conducted on October 12, 2001, **Received and Filed.**
- B-3 Unannounced cash count of the County Library cash handling procedures at the Atascadero, Morro Bay, South Bay, South County, and San Luis Obispo branches, conducted on September 24 and 25, 2001 **Received and Filed.**

General Services Items:

- B-4 Lease agreement with RKE Properties II, which will allow Mental Health Services to remain in office space located at 1103 Toro Street, San Luis Obispo, **Approved.**
- B-5 Request to declare various vehicles, equipment and miscellaneous items surplus, **Approved.**
- B-6 Request to accept donations to the Parks Division of General Services for Fiscal Year 2000-01, **Approved.**

Planning Items:

- B-7 Request to place Santa Margarita Ranch (COAL 00-0292/D000195D) and Oak Shores (COAL 00-141) for consideration before the Subdivision Review Board on December 2, 2001; 1st and 5th Districts, **Amended and withdrawn for separate action.**
- B-8 Agreement (Clerk's File) with Rincon Consultants, Inc., to prepare an Environmental Impact Report for the COG Partnership Tract Map; 2nd District, **Approved.**
- B-9 Agreement (Clerk's File) with Arthur D. Little, Inc., to revise the Draft Environmental Impact Report for the Nacimiento Water Project; All Districts, **Approved.**
- B-10 Proposed mitigated negative declaration for the Creston-O'Donovan Road Bridge Repair Project; 5th District, **Approved.**

Public Works Items:

- B-11 Bid opening report for water system improvements on El Camino Real and Helena Avenue, located in County Service Area No. 23, Santa Margarita; 5th District, **Approved and instruct the Chairperson is instructed to sign contract documents with Madonna Construction Co., in the amount of \$47,220.**
- B-12 **RESOLUTION NO. 2001-458**, accepting an easement for drainage purposes for the Cambria Marine Terrace project, located near Harvey Street, in the community of Cambria; 2nd District, **Adopted.**

Treasurer-Tax Collector Items:

- B-13 Agreement (Clerk's File) with the State Controller Office allowing the County to purchase tax-defaulted land in Cayucos, **Approved.**
- B-14 Claims for excess proceeds from Public Auction Number 185, conducted on May 4 - 5, 2000; All Districts, **Approved.**
- B-15 **RESOLUTION NOS. 2001-459, 2001-460, and 2001-461**, accepting notice and approving sales of tax defaulted property subject to the Tax-Collector's Power to sell; All Districts, **Adopted.**

Other Items:

B-16 Appointment of William Woodson to the Citizen's Transportation Advisory Committee; 4th District, **Approved.**

B-17 Appointment of David Giggy to the Drug and Alcohol Advisory Board, **Approved.**

3

B-7 Request to place Santa Margarita Ranch (COAL 00-0292/D000195D) and Oak Shores (COAL 00-141) for consideration before the Subdivision Review Board on December 3, 2001; 1st and 5th Districts, is presented.

Based on discussions during the Consent Agenda Supervisor Bianchi withdrew this item for separate discussion.

**A motion by Supervisor Ovitt, seconded by Supervisor Achadjian to approve item B-7, is discussed.**

**Supervisor Pinard:** asks Supervisor Ryan why he didn't second the motion being that these projects were in his District.

**Supervisor Ryan:** indicates there was no violation of the Brown Act and therefore, Item B-7 is a cure for something that has never happened and feels it is unnecessary.

**Supervisor Pinard:** indicates she does not believe there was a violation either however, wants to make sure everything is clear.

**Supervisor Ovitt:** questions County Counsel regarding the direction given by the Board on October 23, 2001 and what the action today will do, with Mr. Tim McNulty, Deputy County Counsel, responding.

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

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

**the Board directs Planning and Building to place COAL 00-0292/D000195D (Santa Margarita Ranch) and COAL 00-141 (Oak Shores) on the Subdivision Review Board agenda for noticed public hearings on December 3, 2001.**

4

C-1 This is the time set for hearing to consider an ordinance amending the County Code relating to Section 2.40.060, placing the position of Chief Probation Officer in the Unclassified Civil Service; All Districts.

**Mr. Vincent Morici:** Administration Office, presents the staff report and recommendation.

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

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

**the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 2953, an ordinance adding the position of Chief Probation Officer to the Unclassified Civil Service, adopted.**

5

D-1 This is the time set for consideration of the First Quarter Financial Report.

**Ms. Gail Wilcox:** Administrative Office, presents the staff report on the first quarter financial status; indicates the County is "sound" financially; states there are a few small problems in the Parks Department and in Probation that are being worked on; indicates there are challenges in Medical Services with projections

being lower than expected; states the major concern is for the State's budgetary problems which usually become the counties budgetary problems; indicates the County probably won't feel the crunch until next fall however, preparation and discretionary spending are key.

**Supervisor Bianchi:** asks to hear from Mr. Hood.

**Mr. Larry Hood:** Chief Executive Officer of Medical Services, addresses the status of the Hospital; indicates what they had projected compared to the statistics; states volumes are down across the board; indicates they have a plan and until the Board states otherwise he will continue to manage the Hospital and move forward making decisions he feels will produce better results by the end of the year.

**Board Members:** discuss various issues, comments and concerns regarding: the commitment from Mr. Hood and the Board to make the necessary changes at the Hospital to get things done; the three year turn-around plan for the Hospital; currently the Hospital is a viable place with good physicians to provide the public with good service; what will happen to the limited term personnel when funding is terminated.

**Ms. Pam Marshall-Heatherington:** Chairperson of the Interim Hospital Authority Board, states the projected second quarter in-patient days are up to 258; clinic visits are down a little and emergencies visits are up to 339; feels things are starting to take hold; urges the Board to be patient a little longer to see more changes.

**Mr. David Edge:** County Administrative Officer, speaks to the luxury this County has had regarding back up monies; feels next year this will no longer be the case and priority choices will have to be made.

**Supervisor Pinard:** asks why a number of departments have spent 25% or more of their budget; discusses temporary staff remaining temporary and department accountability, with Ms. Wilcox responding.

**Supervisor Ovitt:** states measurable results will help to show the need for questionable positions.

**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, Pinard, Chairperson Achadjian  
**NOES:** None  
**ABSENT:** None

**the Board receives and files the first quarter financial report; directs all County department heads to review all discretionary expense to determine if they can curtail spending and create savings within their budgets without adversely impacting services to the public; accepts donations on behalf of the Library, Mental Health and Social Services in the amount of \$41,131, along with associated appropriation transfers totaling \$35,557 and approves requests to discharge bad debt in the amount of \$34,406 on behalf of Social Services and Mental Health.**

6

E-1 This is the time set for presentation on the current status of the Planning and Building Department's Geographic Information System program.

**Mr. Warren Hoag:** Planning, introduces the item; states the Mapping/Graphic Section of the Planning and Building Department will make a presentation demonstrating recent accomplishments utilizing Geographic Information System (GIS) technology and newly available public access to the Department's geographic data via the Internet.

**Mr. John Kelly, Mr. Dan Lambert, and Ms. Chandra Slaven:** Planning, present an overview of GIS; demonstrate how to access metadata, view sample theme images and download GIS data themes via an Internet web site developed as a collaborative effort by the Planning and Building Department's Mapping/Graphic staff and the Cal Poly Library.

**Board Members:** discuss various issues, comments and concerns regarding: the process of updating the system; the web site address; and, permit tracking system, with staff responding.

**Ms. Chandra Slaven:** indicates the web site is <http://discover.lib.calpoly.edu/gis>.

**Board Members:** indicate they are pleased and impressed with the Geographic Information System. **No action taken.**

7 CS Closed Session is cancelled.

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

**Chairperson Achadjian:** Welcomes the Veterans who are here to present a check to Mr. Bob Lee, Second Vice Chairperson of the Veterans Museum Board of Directors to be used for the Central Coast Veterans Memorial Museum.

**Mr. Tim Haley:** indicates Marine Corp League Detachment 680 were incorporated by the State and they have the letters of incorporation here for the museum; thanks the Board for their efforts.

**Mr. Stan Gustafson:** presents a check in the amount of \$6,000 on behalf of the Marine Corp League to Mr. Bob Lee for the Central Coast Veterans Memorial Museum.

**Mr. Michael Winn:** Old Towne Nipomo Association, indicates they are moving ahead with the Old Towne Plan; states they are behind the original projected schedule; indicates they are working with staff and the community to move things along; states in the spring Tefft St. will be torn up; Nipomo Community Services District (NCSD) is putting in an additional water line to the high school and the Teft St. widening project will be in the works; addresses his concern for a two year process for a permit to repair a bridge; asks the Board to help facilitate a quicker response; thanks the Board for their continued support.

**Mr. Milt Rosen:** Health Commission, addresses MTBE contamination of water in the lakes; states the Health Commission passed a motion to ban the use of 2 stroke engines until all MTBE is removed from all gasoline sources in the County.

**Mr. Michael Kovacs:** addresses the quality of life in San Luis Obispo County; pay increases for County employees and the burdens of the County budget being felt by the public.

**Mr. George Layman:** addresses an item on last weeks agenda regarding the drainage from Ag land washing away another person's land; feels Ag land should have to follow the same rules relating to drainage that a development would go through; feels Advisory Boards should be elected by the people.

**Mr. Eric Greening:** feels the County needs to take a regulatory stance on MTBE; indicates the Monterey Bay Marine Sanctuary is taking public comment on the update of their Management Plan; states there are two local meetings: 1) Monday, December 3, 2001 at 6:30 at the San Luis Obispo City/County Library and 2) Tuesday, December 4, 2001 at 6:30 at the Cambria Grammar School.

**Mr. David Edge:** County Administrative Officer, states the General Services Director has negotiated a contract for MTBE free gas for the County at no

additional cost. **No action taken.**

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, November 20, 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/Cherie Aispuro,  
Deputy Clerk-Recorder

DATED: 11-21-2001  
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