

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

**ABSENT:** Supervisor Peg Pinard

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

**SUM            AGN**

1            Add    **Mr. James Lindholm:** County Counsel, addresses the need to add an item to the Closed Session.

**Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ovitt, with Supervisor Pinard being absent, motion carries and the Board determines that the need to add an item to the agenda arose subsequent to the 72-hour noticing requirement of the Brown Act and adds (10) *State of California v. United States* to the Closed Session.**

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

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

**RESOLUTION NO. 2002-492, proclamation of thanks and appreciation to the University of California Cooperative Extension, adopted.**

**Chairperson Bianchi:** reads the resolution and presents the same to Ms. Shirley Peterson, Cooperative Extension Director.

**Ms. Peterson:** thanks the Board for the recognition, indicating it was exactly 80 years ago today that the Board of Supervisors created the Extension; speaks to the strong partnership they have with the Farm Advisor and the Agricultural Commissioner's offices; speaks to the addition of 4-H in the 1940's and introduces Ms. Ruth Sutherland, who has been a 4-H Leader for more than 40 years; highlights what they are doing today; introduces past and present Farm Advisors.

**Supervisor Ryan:** states that Ms. Sutherland was his 4-H leader and commends her on her continued involvement.

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. Eric Greening:** comments on Item B-20 and feels the report is vague as to where this contract will go; questions what other groups this company has assisted in closures.

**Mr. Michael Kovacs:** comments on Item B-3 and his concern to placing another issue under the County Administrator's control; discusses Items B-18 and B-20 and suggests that instead of hiring outside consultants these should be handled in-house. **No action taken.**

4            B-1    Consent Agenda Item B-20 is added to the Agenda.  
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B-20    **Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Ovitt and on the following roll call vote:**

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

**ABSENT: Supervisor Pinard**

**Consent Agenda Items B-1 through B-20 are approved as recommended by the County Administrative Officer and as amended by this Board.**

Consent Agenda Items B-1 through B-20, 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 Plans and specifications (Clerk's File) for the expansion of the Superior Court's Department 12 Hearing Room at the County Government Center; All Districts, **Approved and the Clerk is instructed to give notice of bid opening date set for December 16, 2002 at 3:00 p.m..**

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Administrative Office Items:

- B-2 Board of Supervisors Meeting Calendar for 2003, **Approved.**
- B-3 **RESOLUTION NO. 2002-493**, establishing participation in a post employment health plan and authorizing the County Administrator to execute a participation agreement with Nationwide Retirement Solutions, **Adopted.**

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Auditor-Controller Items:

- B-4 Submittal of an unannounced cash count of the Sheriff-Civil Division conducted on November 8, 2002, **Received and Filed.**
- B-5 Submittal of a report on the review of policies and procedures currently in place for the collection of security deposits and special event liability event insurance in connection with the rental of County owned facilities, **Received and Filed.**

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Board of Supervisors Items:

- B-6 Request by Board Members to allocate \$5,000 from Community Project Funds (District Two - \$250, District Three - \$4,500, District Four - \$250) to the Dinosaur Caves Park for the development of the Dinosaur Caves Society, **Approved.**
- B-7 Request by Supervisor Achadjian to appoint Irina Starodubcew to the Commission on the Status of Women, **Approved.**
- B-8 Request by Supervisor Pinard to appoint Janet Potter to the Commission on the Status of Women, **Approved.**

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Planning and Building Items:

- B-9 **RESOLUTION NO. 2002-494**, approving an avigation easement from Sergio Mora, for property located near the Paso Robles Municipal Airport; 1st District, **Adopted.**
- B-10 **RESOLUTION NO. 2002-495**, approving an agreement to participate in and not oppose formation of an assessment district for the construction and installation of road and drainage improvements with Everett and Laverne Vaughn, located in the community of Cayucos; 2nd District, **Adopted.**

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Public Works Items:

- B-11 Relocation utility agreement with Union Pipeline Company for the El Campo at Los Berros road project; 4th District, **Approved.**
- B-12 **RESOLUTION NO. 2002-496**, authorizing: 1) emergency work and a contract change order for the construction of a safety project on a portion of Noyes and Ormonde Road, near Arroyo Grande; and 2) increases in other contract items for work done on various roads in the county; All Districts, **Adopted.**

B-13 The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on its tentative map:

- A. CO 01-0201, a proposed subdivision resulting in 2 lots, by Jason Weilder and Kristoffer Outland, Stanton Road and Viejo Road, Nipomo Mesa, **Approved** and **RESOLUTION NOS. 2002-497 and 2002-498**, to accept the offer of dedication for roads; 4th District, **Adopted**.

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Social Services Items:

- B-14 Budget adjustment in the amount of \$84,000 from state revenue to provide assistance to aged, blind and disabled immigrants through the Cash Assistance Program for Immigrants, **Approved**.
- B-15 Budget adjustment in the amount of \$40,000 from Preventive Health Grant funds to the Children's Services Network to provide staffing for the Services Affirming Family Empowerment System of Care school-based sites in North and South County, **Approved**.
- B-16 Appointments and reappointments to the Local Child Care Planning Council, **Approved**.

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Other Items:

- B-17 Minutes of the October 1, 8, 15 and 22, 2002 Board of Supervisors' meetings, **Approved**.
- B-18 Contract with Gartner Consulting to continue the implementation of the Information Technology Strategic Plan, **Approved**.
- B-19 **RESOLUTION NO. 2002-499**, amending Court employee retirement contribution rates, **Adopted**.

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

- B-20 Contract (Clerk's File) with The Camden Group to assist the County in the development and implementation of a hospital closure and reorganization plan for the Medical Services Department consistent with the Board of Supervisors' direction and to provide on-site management services at General Hospital and the Family Care Centers, **Approved**.

- 5 C-1 This is the time set for hearing (Introduced November 12, 2002), to consider a resolution vacating a portion of Vista Street in the community of Oceano; 4th District.

**Mr. Tim Smith:** Right-of-Way Agent, presents the staff report and recommendation.

**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, Ovitt, Chairperson Bianchi  
**NOES:** None  
**ABSENT:** Supervisor Pinard

**RESOLUTION NO. 2002-500, resolution vacating a portion of Vista Street, a purported public road in the town of Oceano, Supervisorial District No. 4, adopted.**

- 6 C-2 This is the time set for hearing (Introduced November 12, 2002) to consider an ordinance amending the County fee schedule for Fiscal Year 2003-04 (and calendar year 2003 for Parks and Golf Course and Airport parking fees); All Districts.

**Ms. Leslie Brown:** Administrative Office, presents the staff report indicating that most of the fees will go into effect July 1, 2003; the exception to this is the Parks and Golf Course fees and the Airport parking fees which will go into effect January 2, 2003; states the increase in the parking fees will help offset increased security costs; provides corrections to the summary of changes on page C-2-7 for the Administrative Office - remove the language

regarding the increase in the printing costs for the budget book and under the Auditor-Controller, change the last sentence to read: “In addition, the cost for the Comprehensive Annual Financial Report is recommended to decrease to \$10.”; summarizes the fee changes - 14 new, 20 deleted, 41 decreased and 377 increased.

**Supervisor Ryan:** questions the “across the board” 15% increase for County Fire, with Chief Dan Turner responding as to the increase in staffing costs and implementing 100% cost recovery for services.

**Supervisor Ryan:** questions the cost for contract cancellation request and/or disestablishment of preserve with Initial study and the charge of \$1900; gives his understanding of the cancellation process and questions why there is such a large cost for the disestablishment of a preserve.

**Mr. Warren Hoag:** Planning, indicates there isn’t much involved in a “stand alone” disestablishment process; suggests this should be broken out as a separate fee and set at a \$500 deposit and include the cost of process and recommends this change to the Board.

**Mr. David Edge:** County Administrative Officer, reminds the Board and the public that today’s item is the result of a budget policy that the Board adopted a number of years ago, which relates to cost recovery through fees; there are general government services that are paid for by general taxation; there are specific governmental services that benefit specific individuals or groups and of those services that benefit specific individuals or groups, the Board largely has the authority to charge a fee to recover the cost of providing that service; the staff’s task is to identify the cost of providing a specific service and it’s the Board decision to determine what level of recovery is reasonable.

**Mr. Eric Greening:** questions page C-2-54 regarding the contract for previously established preserve with Categorical Exemption; questions the lack of change in the Quimby Fee; and, is grateful to staff and the Board that there is no change in the appeal fees.

**Mr. Michael Kovacs:** addresses his displeasure at all the fees that are charged and is “outraged” at the “unprecedented” increases in these fees.

**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, Ovitt, Chairperson Bianchi**  
**NOES: None**  
**ABSENT: Supervisor Pinard**

**the Board amends the Planning Department fees under Level 14 to delete the wording “or disestablishment of preserve with Initial Study” and the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 2988, ordinance amending County Fee Schedule, adopted as amended.**

7 D-1 This is the time set for submittal of a status report on the Farmworker Safety Initiative.

**Mr. Bob Lilley:** Agricultural Commissioner, introduces Ms. Brenda Ouwerkerk as the new Deputy Agricultural Commissioner/Sealer of Weights; introduces the item, commenting on the pesticide enforcement audit that was done by the State and their finding of “very high compliance” among the County’s farmworkers; ECOSLO also performed an audit that contradicted the State’s findings; based on this, staff in concert with ECOSLO, created the Farmwork Safety Initiative Committee; outlines the membership of this committee and the funding for the same; discusses the survey the Committee provided to farmworkers in the County and what the survey included.

**Ms. Sandra Sarrouf:** ECOSLO, discusses the survey and the questions it included; their target was to have 200 farmworkers respond with 138 responding to the survey; results included demographics, literacy and occupational characteristics; the farmworkers listed their top barrier to health care services as health care providers not being able to speak their

language; responses included their knowledge and attitudes regarding pesticide misuse and/or exposure.

**Ms. Ouwerkerk:** comments on the results from the survey relating to training and who provides this training to farmworkers; indicates the most common method of training was videos; addresses employer support for safety in the fields; responses regarding field sanitation questions indicated most received fresh water, cups and restrooms.

**Ms. Sarrouf:** outlines the conclusions and recommendations offered by the Department of Health Services: (1) the collaboration should continue to improve worker and community health and safety; (2) growers and supervisors should demonstrate some support for employee safety; (3) all farmworkers should be trained once a year, not just mixer-loaders and applicators; (4) the content of worker safety training should be consistent; (5) training should be specifically developed for and at the education level of the farmworker audience; trainers should be well trained and peer trainers should be used whenever possible; physicians should be well trained in Farmworker health issues.

**Ms. Ouwerkerk:** outlines what they hope to accomplish at the local level and they will be looking for ways to improve safety issues among the farmworker.

**Ms. Sarrouf:** addresses the local action plan they will be implementing.

**Mr. Tom Ikeda:** indicates he was one of the two agriculture members on this Committee; indicates that based on the survey there needs to be more study done to show where and what improvements need to occur; gives examples of why the recommendations need more focus groups to identify the issues.

**Mr. Lilley:** indicates they are already doing more outreach with the various areas of agriculture.

**Mr. Eric Greening:** thanks all the partners who have been involved in this; suggests the need to also look at reducing the use of toxic substances as opposed to adopting standards for dealing with them.

**Ms. Karen Mansfield:** Executive Manager for the Agriculture Task Force, feels there is a very high success rate for farmworker safety and they will continue to work on upgrading these safety issues.

**Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ovitt, with Supervisor Pinard being absent, motion carries and the Board accepts and files the report dated December 3, 2002.**

8 E-1 This is the time set for consideration of the Fiscal Year 2003-04 budget goals and policies.

**Mr. Jim Grant:** Assistant County Administrative Officer, presents the staff report indicating they are not recommending any changes to the policies; outlines the recommendations and they are requesting that the Board direct departments, as a starting point, to prepare a budget for next year that uses the same General Fund support as was adopted in the current year.

**Mr. David Edge:** County Administrative Officer, addresses the direction given to County departments when preparing their budget; indicates that if the departments prepare a budget that has the same General Fund support (bottom line cost as this years' budget) it would represent a 10% cut from current operating service levels; this means if departments are performing the same services as they are right now (understanding that going into next year there are already cost increases that the County is obligated to make) this represents a 10% additional cost; addresses the State budget deficit being in excess of \$20 billion and in terms of significance this represents 29% of the State's General Fund; provides an example of how this could impact counties; expects cuts by the State for the current years' budget, with the most predominant areas being in health and welfare.

**Mr. Michael Kovacs:** speaks to the need for the County to "tighten its belt"; questions the

language of various policies.

**Mr. Eric Greening:** believes the County needs to look at revenues with respect to the cuts by the State; suggests one thing that should be looked at is increasing the vehicle registration fee back to where it previously was; suggests on Policy #8, with respect to Libraries and matching funds, that staff look at a way to count volunteer time.

**Mr. Robert Scalise:** addresses the Willow Road interchange and increasing the funding for the same; suggests finding a way to get gas tax money back into counties where it is spent to address road issues.

**Chairperson Bianchi:** comments on Policy #11 - Privatization of Services and suggests in the last sentence the word "should" be changed to "shall."

**Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Ovitt, with Supervisor Pinard being absent, motion carries and the Board amends Policy #11 - Privatization of Services to change the word "should" to "shall" in the last sentence and approves the Fiscal Year 2003-04 Budget Goals and Policies, as amended. Further, the Board directs departments, as a starting point, to prepare a budget for next year that uses the same General Fund support as was adopted in the current year.**

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) *In re PG&E Bankruptcy*, (2) *NRC Proceedings Concerning Diablo Canyon License Transfer*, (3) *NRC Proceedings Concerning Spent Fuel*, (4) *State Workers Comp. Ins. Fund v. County of San Luis Obispo*, (5) *Burnside v. County of San Luis Obispo and (10) State of California v. United States.*

**B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9)** (6) *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. (7) *Initiation of litigation (Gov. Code, § 54956.9(c).)* No. of cases 2.

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

**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: (8) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of Employee Organization: *Deputy Sheriff's Association*, (9) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of Employee Organization: *Sheriff's Management*.

**Chairperson Bianchi:** 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 as no final action was taken and the Board goes into Open Public Session.

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

**Mr. Bill Allen:** comments on a building permit issued in October 2002, for a commercial swimming pool at a motel on Moonstone Dr. in Cambria; the Cambria Community Services District stated an intent to serve letter was issued a couple of years ago; concerns regarding the water situation in Cambria; the issuance of this permit is very irresponsible and needs to be looked into.

**Ms. Linda Hall:** comments on a document she found in the Recorder's Office that was

signed in 1995 and not recorded until 2002; questions, if the property has changed hands between the time of the signing and the recording, what impact if any, this would have on the current property owners. **No action taken.**

11 C-3 This is the time set for hearing to consider the 2002 Annual Resource Summary report; All Districts.

**Mr. John Hand:** Planning, presents the staff report; shows a graph regarding the growth trend from 1981 through 2001 and a chart regarding the average annual growth rates from 1990 through 2001; Sewage - all treatments are ok, with Los Osos being at a Level of Severity III until the treatment facility is constructed and Nipomo has 150 units in the service area that are not yet connected to the sewer system; Roads - Los Osos Valley Road - no level of severity since the construction of the passing lanes and Tank Farm has improvements to the Santa Fe Road intersection scheduled for 2005; presents graphs of the Peak Hour Traffic Volume and Peak Hour Volume per Household for 22 County Road segments; addresses the decrease in both elementary and high school classes for most schools in the County; addresses air quality issues; Water - currently no Level of Severity for the Paso Robles Basin; Los Osos Valley Basin - no Level of Severity; San Luis Obispo Creek Basin and information staff has from the City of San Luis Obispo regarding the same; Santa Maria Basin and no Level of Severity recommendation; Water Conservation issues and lists the purveyors that are implementing 8+ conservation measures; Water Systems at a Level of Severity III are Cambria Community Services District (CCSD) and San Simeon Community Services District (SMCSD); Water Systems at a Level of Severity II are Cayucos (CSA #10A), Santa Margarita (CSA #23), Garden Farms and Templeton; Nipomo CSD is preparing an Urban Water Management Plan and Shandon has had a steep increase in production due to the increase in dwelling units.

**Mr. Eric Greening:** addresses his concern regarding the language on Page C-3-21 regarding (3) Successive Winters with Incomplete Recharge.

**Mr. Vic Montgomery:** presents a letter for the record and highlights the same with respect to the recent DWR (Department of Water Resources) report that has been completed for the Nipomo Mesa area and indicates that the conclusions from this report refer to the information provided in the Certified EIR or Certified SEIR for The Woodlands project.

**Mr. Jon Seitz:** attorney representing the Nipomo CSD, addresses the current water service provided by the District; asks the Board to proceed with extreme caution when dealing with water issues on the Mesa; addresses the position of the District, their policies and direction to their staff.

**Mr. Jim Garing:** addresses the water supply on the Mesa and presents graphs regarding the water in the area and the increased changes to the groundwater depression over the years.

**Mr. Wayne Ryburn:** comments on Levels of Severity for the Cambria area relating to water, schools, air quality and traffic; believes a full moratorium needs to occur in Cambria until the water issue is resolved.

**Mr. Richard Hawley:** presents a letter for the record and highlights the same addressing the process for submittal of this report and his belief that this review is not in compliance with the process described in Chapter 3 of the Land Use Element.

**Mr. Ken Bornholdt:** attorney for The Woodlands project, believes the DWR Report should be given a lot of weight; all the issues raised by the Nipomo CSD are the same comments they made during the hearings and certification of the EIR for The Woodlands project; and the DWR Report is not indicative of an overdraft situation in this area.

**Ms. Linda Hall:** comments on the East-West Ranch; it is outside the Urban Reserve Line and did not impact the water in the CCSD; further, the CCSD has purchased this land to reduce development in the area.

**Mr. Gregg Berge:** questions the level of severity regarding water for fire suppression in the Cambria area and the level of severity for water and water availability in Cambria.

**Mr. Hand:** responds to issues raised by the public with respect to the levels of severity for schools, air quality and roads in Cambria; the process used in presenting this report to the Board; and water storage for fire suppression in Cambria.

**Supervisor Achadjian:** questions the graphs and overheads presented by Mr. Garing with respect to the groundwater depression area, with Mr. Garing responding.

**Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Bianchi, with Supervisor Pinard being absent, motion carries and the Board approves the 2002 Annual Resource Summary Report and directs staff to continue implementation of ongoing programs and to initiate work on new approved programs.**

12

C-4 This is the time set for hearing (Introduced November 26, 2002) to consider an ordinance amending the Growth Management Ordinance (Title 26 of the County Code) extending the community growth rates for the Nipomo Mesa area and the community of Cambria for 2003 and consideration of a status report on possible changes on growth management systems modifications; 2nd and 4th Districts.

**Ms. Pat Beck:** Planning, presents the staff report indicating there are two issues for the Board's review: setting the Annual 2003 Growth Management Ordinance Rates and direction on possible amendments to process; states that setting the Countywide rate at 2.3% results in 969 units, with units for Nipomo and Cambria being taken out of this total; comments on the Growth Rate in Nipomo for 2003 and based on the proposed process for reviewing water resources as identified in the DWR Report, staff is recommending that the 2.3% rate be continued through 2003; for Cambria staff is recommending, based on Board direction in 2001, that the 1% rate be maintained and allow for deferral until the current water emergency is lifted; the Cambria Community Services District (CCSD) is recommending that the Board not continue with the 1% and not provide the deferral of the 2002 and future year; comments on Board direction back in September regarding possible changes to the Growth Management Ordinance relating to the allocation process and if the Board wants to move forward with these changes, staff will bring this back with the Spring cycle of amendments.

**Board Members:** address various issues, comments and concerns regarding: time frames for the deferment process in Cambria; what the current waiting period is for allocations for the County as opposed to Nipomo; what impact the State requirements for more housing has on the County; questions regarding the number of carry-over applications that are currently in the works, with Ms. Beck and Mr. Larry Kelly, Planning, responding.

**Mr. Bill Allen:** North Coast Alliance, presents a letter for the record and highlights the same regarding their concern that the Board will set a rate for Cambria that is contrary to what the CCSD is requesting; urges the Board to set a 0% growth rate for Cambria.

**Mr. Joel Koman:** states he owns a lot in Cambria and addresses his concerns regarding comments he heard at a CCSD meeting by both District members and the public; wants to be treated fairly and be able to build on his lot.

**Ms. Jane Jensen-Davis:** Cambria resident, wants to see the 2.3% rate restored for this area; addresses the water plan that is being prepared by the CCSD.

**Mr. Harry McLachlan:** Cambria lot owner, urges the Board to set a 0% growth cap and 0% deferment for 2003 in hopes of getting the CCSD to move forward and resolve the water issues.

**Ms. Jo McLachlan:** Cambria lot owner, states she appeared last year on this issue and updates the Board as to where she is today; urges the Board to continue the 1% during this moratorium.

**Ms. Linda Johnson:** Cambria lot owner, wants the growth rate set at 2.3% for 2003 so they are treated the same as the rest of the County.

**Ms. Kathy Eichert:** indicates she has owned a lot in Cambria for the past 10 years and the process seems to repeat itself yearly without any results; wants to see the moratorium lifted.



**Mr. Bob Eichert:** supports a Countywide growth rate of 2.3%.

**Mr. Gary Ellington and Ms. Sharon Ellington:** want the growth rate for Cambria set at 2.3%.

**Mr. Gregg Berge:** presents copies of Titles 22 and 23, the Real Property Division Ordinance, Title 26 - Growth Management Ordinance, Title 19-Building & Construction Ordinance and Ordinance No. 2-2000 from the Cambria CSD for the record; references the requirements of Ordinance No. 2-2000 from the CCSD and conflicts with this and Title 19; states he is trying to build in Cambria and asks the Board for their help.

**Mr. Deryl Robinson:** representing United Lot Owners of Cambria (UnLOC), references two letters, dated November 22, 2002 and December 2, 2002, that he submitted to the Board; urges the Board to restore the 2.3% growth rate for Cambria in 2003.

**Ms. Robin Zimpfer:** property owner in Cambria, wants the growth rate set at 1% or higher and extend the deferrals beyond 2007.

**Mr. Paul McDonnell:** Cambria property owner, asks that the growth rate be set at 1% or higher and allow an indefinite deferral of allocations; further, wants staff to continue working with the CCSD.

**Mr. Wayne Parrack:** resident of San Simeon, comments on the deferrals for Cambria and a 2.3% growth cap.

**Mr. E.C. Chiado:** suggests the CCSD needs a strong message sent to them and suggests that would be setting the growth rate at 2.3%.

**Mr. Michael Dill:** states he has owned his lot in Cambria for 12 years and they are now residents of Paso Robles; suggests if the deferral occurs then it should be done at 2.3% not 1%.

**Ms. Helen May:** CCSD member, states they are buying water for the current residents of Cambria; addresses their concerns regarding water for fighting fires.

**Mr. Mark Vasquez:** states he was involved in the discussions on the allocation issue as one of the users; suggests the current system is not working badly now.

**Mr. Bill Warren:** states the CCSD is the local voice for the residents of Cambria; the area has a water shortage; there are also a lot of concerns about traffic; wants the growth rate set at 0%.

**Mr. Rick Hawley:** addresses agricultural land being taken out of service to help provide water to Cambria; wants a 0% growth cap and no deferrals.

**Mr. Wayne Ryburn:** addresses the current concerns regarding water in Cambria and urges the Board to listen to the CCSD.

**Mr. David Johnson:** speaks to the inaction by the CCSD over the past 25 years and wants the growth rate set at 2.3%.

**Ms. Linda Hall:** addresses the water issue in Cambria.

**Ms. Beck & Mr. Kelly:** respond to issues raised by the public and comment on the allocation process for the County and Cambria.

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

<b>AYES:</b>	<b>Supervisors</b>	<b>Ryan, Ovitt, Achadjian, Chairperson Bianchi</b>
<b>NOES:</b>	<b>None</b>	
<b>ABSENT:</b>	<b>Supervisor</b>	<b>Pinard</b>

**the Board sets the Countywide Growth Rate at 2.3% for 2003, excluding Nipomo and Cambria.**

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

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

**the Board directs staff to prepare the ordinance revisions, which changes the Growth Management System by shifting from an allocation process (that allows a period of 120 days to submit a complete building permit application) to a system that commits a position under the Growth Management ordinance at the actual time of submittal of a complete building permit application, and also to provide an exemption for individual farm support quarters and bring this back for the Board's consideration in Spring, 2003.**

**Thereafter, on motion of Supervisor Ryan, seconded by Supervisor Achadjian, with Supervisor Pinard being absent, motion carries and the Board agrees to continue the meeting past 5:00 p.m..**

**Chairperson Bianchi:** addresses the water issue in Cambria and the letter the CCSD sent to the Board; speaks in support of the CCSD letter and indicates she does not support the deferral process either.

**Supervisor Ryan:** addresses the issue, indicating he does not support a 2.3% growth rate for Cambria, but does support continuing the 1%; speaks to a recent meeting he attended for CAL-LAFCO and discussions regarding desalinization plants and the success of the same.

**Supervisor Ovitt:** addresses the CCSD letter and their intent to serve their existing commitments and nothing beyond that.

**Supervisor Achadjian:** addresses the issue and suggests there should be a way to exempt these property owners from paying taxes if they cannot get services to their property.

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

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

**the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 2989, an ordinance amending Title 26 of the County Code, The Growth Management Ordinance, establishing the allowable Growth Rates for the Nipomo Mesa Area and the Community of Cambria for the year 2003, adopted.**

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

13 C-5 This is the time set for hearing to consider the annual update of the Avila Traffic Circulation Study and a resolution implementing revised road impact fees for the community of Avila Beach; 3<sup>rd</sup> District.

**Ms. Rosemarie Gaglione:** Public Works, presents the staff report, highlighting the Road Impact Fee account balance at the end of Fiscal Year 2001-2002; indicates there were no appeals filed during the past fiscal year; outlines the current projects that are using the Road Impact fee funding; comments on how the annual updates are calculated and provides information on the 2002 update calculations and the proposed fee increases.

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

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

**RESOLUTION NO. 2002-501, 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 and San Luis Bay Planning Area of the County of San Luis Obispo and adopting the required Annual Update, adopted.**

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, December 3, 2002, 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: December 9, 2002

vms