

Tuesday, February 11, 2003

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

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY SUPERVISOR BIANCHI.

SUM AGN

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

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

RESOLUTION NO. 2003-46, resolution commemorating the week of February 15 through February 22, 2003 as, "Future Farmers of America Week" in San Luis Obispo County, adopted.

Supervisor Achadjian: reads the resolution and presents the same to Ms. Jaimie Thomson, Nipomo High School FFA.

Ms. Thomson: states Nipomo High School received it's Charter in October and is on its way to a successful year; thanks the Board for their recognition of FFA.

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

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

presentation of employee service recognition awards, approved.

Mr. Richard Greek: Personnel Director, introduces the following employees and presents each with their 20-year service pin: Ms. Janice Campbell, Agricultural Commissioner; Mr. David Pomeroy, District Attorney; Ms. Kathleen MacNeill, General Services; Mr. Walter Rheingans, Information Technology; Mr. Christine Clickard, Medical Services; Ms. Teri Prince, Medical Services (not present); Ms. Virginia Orcutt-Clenard, Medical Services; Ms. Carolyn Gagliardini, Mental Health; Mr. Steven Huntman, Public Works; Ms. Faye Sloan, Social Services.

25 Year Service Recognition employees, are presented.

Mr. Greek: introduces Mr. Bob Lilley, Agricultural Commissioner; presents the history of his time with the County; speaks to his good character and thanks him for his service.

Mr. Gere Sibbach: Auditor-Controller, introduces Mr. Ken Finney, Auditor-Controller, presents the history of his employment with the County and thanks him for his dedication and leadership.

Ms. Julie Rodewald: County Clerk-Recorder, introduces Ms. Janet Haley, Elections, presents a brief history of her employment with the County; acknowledges her knowledge of the Election Codes and thanks her for her dedication and service.

Mr. Duane Leib: General Services Director, introduces Ms. Toni Prentice, General Services, presents a brief history of her employment with the County; states she is

indispensable and thanks her for her service.

Mr. Dale Wolff: Director of Behavioral Health, introduces Mr. Paul Hyman and presents the history of his time with the County; addresses his many contributions to the County and thanks him of his service.

Mr. Greek: indicates Mr. Rick Bull, Personnel is not present, however congratulates him on his 25-years of service.

Dr. Greg Thomas: Public Health Director, introduces Ms. Anita Rogers, Public Health, presents a brief history of her employment with the County; addresses her organizational skills and her exemplary service.

Dr. Thomas: introduces Ms. Kathleen O'Neill, Public Health, presents the history of her time with the County and commends her for her dedication and service.

Dr. Thomas: introduces Ms. Maureen Dresp, Public Health, presents a brief history of her employment with the County and salutes her dedication and service.

Mr. Lee Collins: Social Services Director, introduces Ms. Marilyn Hornung, Social Services, presents a brief employment history with the County; states she will be retiring in the Spring, and she will be missed; thanks her for her dedication and service.

30-Year Service Recognition employees, are presented.

Mr. Greek: introduces Mr. David Johnson, District Attorney's Office, addresses his job duties over the past 30 years and congratulates him on his 30 years of service.

Mr. Dan Hilford: Assistant District Attorney, states he is honored to congratulate Mr. Johnson on his 30-years of service with the District Attorney's Office; states he is an energetic prosecutor and a reliable and dependable employee.

Mr. Johnson: states he is honored to receive this recognition; states this County is blessed with outstanding lawyers and law enforcement officers that make this a better place to live.

Mr. Greek: introduces Mr. Victor Nunez, General Services, presents a brief history of his 30 years of employment with the County; states he is a model employee and is well liked; thanks Mr. Nunez for his dedication.

Mr. Leib: states Mr. Nunez is another County asset and thanks him for his hard work and service.

Mr. Nunez: states he is still having fun and hopes to stay a little longer.

Mr. Greek: presents the employment history of Mr. Myron Nalepa, Probation, addresses his leadership skills and congratulates him on his 30-years of service.

Ms. Kim Barrett: Chief Probation Officer, addresses his commitment to the Probation Department; appreciates his dedication and service.

Mr. Nalepa: states he appreciates the opportunity to work for the County and especially working with the employees in the Probation Department.

3 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-4, indicating he feels the survey is discriminating because it is only being sent to property owners; states only one question touches on the negative impacts of toxic chemicals on the public; indicates there is no mention of proactive alternatives; believes it is misleading and needs to go back for revision.

Ms. Alice Appel: addresses Item B-7; indicates she lives one mile west of Black Lake

which is ignored by Charter Communications; asks the Board not to renew Charter's franchise for another six months, or to at least implement an amendment calling for a 30 day written cancellation policy enforceable by either party; addresses increasing the franchise fee and providing service to her area.

Mr. Al Brill: addresses Item B-7 and concurs with Ms. Appel; addresses Charter's ratings and financial status; feels the County is being under paid by Charter.

Ms. Linda McElver: President of the Canaries Foundation, addresses Item B-4, indicating the survey doesn't inform the public what they're in store for or how the pests will be controlled; states it doesn't seek out the chemically sensitive people; addresses alternatives for vector control.

Ms. Pam Heatherington: Executive Director of the Environmental Center, states she agrees with Mr. Greening and Ms. McElver regarding there being no alternatives on the survey; states there is no mention of a register for chemical sensitive people; indicates there is no acknowledgment of the material safety data sheets for propose chemicals that would be used in vector control; feels health concerns and impacts should also be added to the survey. **No action taken.**

4 B-4 Survey questions regarding the formation of a Vector Control District, is presented.

Supervisor Pinard: questions the need for a Vector Control District; addresses the cost of forming the District rather than the monies being available for the program; states on the Agriculture Department's website it mentions pests management; feels by forming a Vector Control District the Board would be "re-inventing the wheel."

Mr. Bob Lilley: Agricultural Commissioner, states a Vector Control District would actually reduce the use of toxic materials if there was an outbreak in the County; it would perform a number of preventative measures to reduce the populations of pests; altering habitat and controlling the larva using materials that are not toxic; addresses notification to the public; states the proposed District would be governed by their own Board of Trustees; addresses the web page indicating the Agriculture Department runs a pest prevention program which deals with agricultural pests; states the Vector Control District would be autonomous and function on their own and consult with the Agriculture Department for information.

Mr. Curt Batson: Environmental Health Director, states their Vector Control Program is very limited and is a "respond to complaint only" program; indicates Environmental Health's role is advice only; the proposed Vector Control District would be more preventative.

Chairperson Ryan: states the discussion should relate to the survey only and when this item comes back the discussion will be on the merits of a Vector Control District.

Mr. Josh Morris: Shultz Consultants Inc., states he is working with True North Research which is the surveying firm that is actually conducting the survey; indicates he is available for any questions the Board may have.

Board Members: addresses various issues, comments and concerns regarding: renters not being able to complete the survey; why does the survey question party affiliation; if the Board could add a question to the survey; nowhere in the survey does it ask if the person wants to form a District; feels the survey should take more of a direct approach; the survey doesn't look at the end result or questions if people know that there are other alternatives, with Mr. Morris responding.

Supervisor Bianchi: states she would like to add a question to the survey asking if a person agrees to increase the funding for programs would they prefer the emphasis on prevention of disease or response to an outbreak.

Supervisor Pinard: indicates her concerns with the questions on the survey; states she would be surprised if anyone didn't want to spend the money on prevention.

Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Achadjian, with Supervisor Pinard casting a dissenting vote, motion carries and the Board approves the survey questionnaire with the additional question suggested by Supervisor Bianchi relating to funding going to prevention or response.

- 5 B-1 Consent Agenda Item B-1 is withdrawn. Item B-4 is withdrawn and acted on previously.
thru Item B-7 and B-15 are withdrawn for separate action. **Thereafter, on motion of**
B-15 **Supervisor Bianchi, seconded by Supervisor Achadjian and on the following roll call**
vote:

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

NOES: None

ABSENT: None

Consent Agenda Items B-1 through B-15 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-15, as amended, are on file in the Office of the county Clerk-Recorder and are available for public inspection.

Administrative Office Items:

- B-1 Submittal of a notice to commence negotiations for the exchange of property tax revenue and annual tax increment and resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 9 to County Service Area # 18 Zone A (Country Club); 3rd District, **Withdrawn.**
- B-2 notice to commence negotiations for the exchange of property tax revenue and annual tax increment for Annexation No. 22 to the Nipomo Community Services District (Tract 2499); 4th District, **Approved.**

Public Health Items:

- B-3 Renewal agreement with the State Department of Health Services for teen pregnancy prevention services, **Approved.**
- B-4 Survey questions regarding the formation of a Vector Control District, **Withdrawn for separate action and acted on previously.**

Public Works Items:

- B-5 Contract with Fugro West, Inc., to perform Phase II of the Paso Robles Groundwater Basin Study; and 2) a budget adjustment in the amount of \$283,590 from the Nacimiento Contract Fund; 1st and 5th Districts, **Approved.**
- B-6 Contract change order and increase the contract in the amount of \$45,760 to complete the installation of water well #3 at Lopez Lake Recreation Area; 3rd and 4th Districts, **Approved.**
- B-7 Submittal of a resolution extending the termination date of a franchise agreement for Charter Communications for a period of up to 180 days; All Districts, **Withdrawn for separate action.**
- B-8 **RESOLUTION NO. 2003-47**, authorizing execution of a notice of completion for the widening of a portion of Los Berros Road from Valley Road to East of Century Lane and overlay from Valley Road to north of El Campo Road near Arroyo Grande; 4th District, **Adopted.**

Treasurer-Tax Collector Items:

- B-9 A claim for excess proceeds from Public Auction Number 185 Phase II, conducted on

May 4-5, 2000, **Approved.**

- B-10 **RESOLUTION NO. 2003-48**, authorizing the Issuance and Sale of Grant Anticipation Notes in the name of San Luis Obispo County Community College District in the principal amount of not to exceed \$35,000,000 for the purpose of financing various educational projects and authorize related documents and actions, **Adopted.**

Other Items:

- B-11 A retroactive step increase for Patricia Litzenberger, **Approved.**
- B-12 Amendments (Clerk's File) to Medical staff bylaws, rules and regulations and policies and procedures and quality improvement plans and indicators, as submitted by the Medical Executive Committee, **Approved.**
- B-13 Amended Visitor Services Grant Agreement with the San Luis Obispo Vintners and Growers Association for additional funding in the amount of \$2,250 (\$1,125 each from Districts Three and Four), **Approved.**
- B-14 **RESOLUTION NO. 2003-49**, approving a conservation easement grant for Robert and Holly Gosnell, for property located at 1194 Al Sereno in the community of Los Osos; 2nd District, **Adopted.**
- B-15 Submittal of a resolution amending the position allocation list for the Air Pollution Control District, deleting one Air Quality Specialist position and one Supervising Air Quality Specialist position and adding one Public Information Officer position and one Fiscal/Administrative Manager position, **Withdrawn for separation action.**
- 6 B-7 Submittal of a resolution extending the termination date of a franchise agreement for Charter Communications for a period of up to 180 days; All Districts, is presented.

Based on discussions during the Consent Agenda Supervisor Ovitt requested this item be withdrawn for separate consideration.

Supervisor Ovitt: states the issue on this item is part of a franchise renewal; indicates he has talked to the folks at Charter and Public Works; states he would like to add language to the motion as follows: "within 30 days the County staff will submit the franchise renewal process in detail and with a timeline for each of the County Cable television franchises; staff will make every effort to have each of the franchises renewed by the end of the extension period."

Mr. Ed Merrill: General Manager Charter Communications, states the primary factor of the renewal is to look at upgrades and extension of cable; right now the areas discussed by Ms. Appel and Mr. Brill are not on the list to get done, however this particular area takes a considerable amount of cable plan fiber to provide service; indicates it will be discussed during the negotiations of the franchise renewal.

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

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

the Board directs staff within 30 days to submit the franchise renewal process in detail and with a timeline for each of the County Cable television franchises; staff will make every effort to have each of the franchises renewed by the end of the extension period and RESOLUTION NO. 2003-50, resolution of the Board of Supervisors of San Luis Obispo County extending the Cable T.V. Franchises of Charter Communications for the former Sonic and Falcon Cable TV Franchises, adopted.

- 7 B-15 Submittal of a resolution amending the position allocation list for the Air Pollution

Control District, deleting one Air Quality Specialist position and one Supervising Air Quality Specialist position and adding one Public Information Officer position and one Fiscal/Administrative Manager position, is presented.

Based on discussions during the Consent Agenda Supervisor Pinard requested this item be withdrawn for separate consideration.

Supervisor Pinard: addresses the position allocation change and questions the total compensation the taxpayers will be paying; states her concerns that the job has not changed but the Department is requesting a reclassification and an increase in pay; feels the Department is “top heavy” in their job positions, with Mr. Larry Allen, Air Pollution Control Officer, responding.

Supervisor Bianchi: questions County Counsel regarding this position having already been approved by the Civil Service Commission and the Air Pollution Control District Board.

Mr. Ray Beiring: Deputy County Counsel, states the Board of Supervisors sitting as part of the APCD Board has already approved this request.

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

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

RESOLUTION NO. 2003-51, resolution amending the Position Allocation List and Salary Resolution for Fiscal Year 2002-03, adopted.

8

C-1 This is the time set for continued hearing continued from July 23, 2002, September 17, 2002 and November 12, 2002 to consider an appeal by Robert Klein of the Administrative Hearing Officer’s decision to approve a minor use permit (D980119P/Borges) to allow an exception to the edge of Nipomo Mesa standards to allow construction of two single family residences on two existing legal lots of record, located in the County at the southeast corner of Camino del Oro and Calle Cielo, in the community of Nipomo; 4th District.

Ms. Kami Griffin: Planning, presents the staff report; states this item has been before the Board three times and the purpose for the continuances was to allow the applicant time to complete the revised geology report; indicates the geologic information is enclosed in the packet; states the third party review of the slope stability analysis was also completed; indicates the County Geologist is also available for questions.

Mr. Don Weaver: Geologist for the Appellant, explains the makeup of the land for the proposed site; addresses the slope stability analysis and demonstrates cohesion; feels the slope is unstable; urges the Board to enforce a minimum 40 foot setback.

Mr. Richard Post: Geo Solutions representing the Applicant, states he appreciates the technical difficulty of this site; indicates Mr. Rosenberg, County Geologist, established standards for geologic studies and enforces those standards for development; Mr. Rosenberg recommended Fugro review Geo Solutions engineering geology study for the slope stability evaluation; states they concur with the County’s consultant and with Fugro; feels the setbacks should not be reduced under the minimum required by the building Code.

Ms. Lynn Borges: Applicant, states they have owned these two lots for 20 years; they do not intend to build an unsafe building and have spent \$22,000 in testing to make sure that doesn’t happen; urges the Board to uphold Planning staff’s recommendation.

Mr. Terry Orton: West Engineering, states there is a misconception regarding the setback for the foundation.

Mr. Ken Fargen: states he is a land surveyor hired by the Klein's to do topographical maps; indicates he is available to answer any questions the Board may have.

Mr. Robert Klein: Appellant, states there was never a Land Use Permit; indicates at the past couple of hearings the Board directed staff not to come back with two houses and today they are requesting two houses; states he is prepared to file a Writ of Mandate if the law is not upheld.

Ms. Sue Klein: Appellant, states their home sits above this property; addresses the bluff blowout in Nipomo back in 2001 and doesn't want to see the same thing happen again.

Mr. Post: states the Nipomo blowout was addressed even though it was a number of miles away from the proposed site.

Mr. Weaver: addresses the site specific bases and the top of the bluff.

Board Members: discuss various issues, comments and concerns regarding: if the percolation test used clean water; standards on footings; drainage; liability to the County; is it possible to build two houses on this property; requiring a wall around the building as a condition; safety issues, with staff responding.

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

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

the Board supports staff recommendation and denies the Minor Use Permit on Parcel #2.

Supervisor Achadjian: discusses the safety of the neighbors if this project moves forward; questions if a house can be built on this property, with Mr. Rosenberg responding.

Ms. Beck: suggests additional language addressing the concern of stability regarding the neighboring property in the conditions.

A motion by Supervisor Achadjian, seconded by Supervisor Ovitt approving the Conditional Minor Use Permit with the addition that it addresses the safety of the neighbors, is discussed.

Ms. Beck: states staff has proposed language for page C-1-11 condition 4d after the first sentence that would add: "Including an evaluation of stability of the neighboring properties and protection of those properties from any potential of movement of those properties from development of this site".

Supervisor Bianchi: believes the house can be built, however over time doesn't believe the house will stay there; indicates she does not support the motion.

Supervisor Pinard: states she stills has concerns with liability issues.

Mr. McNulty: states he wants to clarify that the motion includes adopting the resolution and the exhibits that are in the staff report with the changed language suggested by staff, with Supervisor Achadjian, agreeing.

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

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

the Board amends Condition 4d by adding the following language after the first sentence “Including an evaluation of stability of the neighboring properties and protection of those properties from any potential of movement of those properties from development of this site”and RESOLUTION NO. 2003-52, resolution modifying the decision of Hearing Officer and conditionally approving the portion of the application of Lynne Borges for Minor Use Permit D980119P authorizing the construction of a single family residence on Parcel 1 and disapproving the portion of the application of Lynne Borges for Minor Use Permit D980119P authorizing the construction of a single family residence on Parcel 2, adopted as amended.

9 D-2 This is the time set for consideration of a resolution prepared by the County Integrated Waste Management Authority to withdraw the designation of the County Health Department, Division of Environmental Health as the Local Enforcement Agency and designate the San Luis Obispo County Integrated Waste Management Authority (IWMA), Enforcement Section as the Local Enforcement Agency.

Mr. Vince Morici: Administration Office, presents the staff report indicating the San Luis Obispo County Integrated Waste Management Authority (IWMA) requests consideration by the Board to change the entity responsible for enforcement of solid waste facilities to the IWMA currently being handled by the County Public Health Department.

Mr. Eric Greening: states “if it ain’t broke don’t fix it”; indicates it is not clear what is “broke”; addresses accountability; states he would like to hear from the comparative expertise.

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

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

RESOLUTION NO. 2003-53, resolution of the County of San Luis Obispo approving the designation of the San Luis Obispo County Integrated Waste Management Authority, enforcement section as enforcement agency for San Luis Obispo County, adopted.

10 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* **ADDED (all requirements of the Brown Act were met as this was posted prior to the 72-hour noticing requirement.)** 6. *Munari v. County of San Luis Obispo*.

B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9.) 4) *Significant exposure to litigation (Gov. Code, § 54956.9(b).)* No. of cases 3. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 5) *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.) **C. 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: *Gail Wilcox*; Name of employee organization: *SLOCEA*.

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

Thereafter, the Board goes into Open Public Session.

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

Mr. Jeff Emrick: President of the local Chapter of the American Institute of Architects, addresses conflicting interpretation from County staff regarding Section 23.02.042 of the Coastal Zone Land Use; states he would suggest that once a permit has been pulled then the requirements of the Building Code should come into play.

Chairperson Ryan: refers this to the Administration Office to have staff get an interpretation of Section 23.02.042 and have it sent to Mr. Emrick and the Board members.

Ms. El-Jay Hansson: addresses the development of the South County and the importance of monitoring and making sure conditions of approval are met; speaks to a industrial parcel in the middle of their residential area and the approval of a conditional Minor Use Permit; states she would appreciate any help the Board can give.

Mr. Michael Kovacs: congratulates President Ronald Reagan for the 30th anniversary of his 62nd birthday and his accomplishments.

Ms. Rochelle Becker: addresses the County's emergency plan and its deficiencies. **No action taken.**

12 CS 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, however discussions were held regarding the easement in South County and the District Attorney will be contacted and it is anticipated that they will be evaluating the offer that was received from the District and respond in the near future.

13 D-1 This is the time set for presentation regarding Pension Obligation Bonds.

Mr. David Edge: County Administrative Officer, introduces the item.

Mr. Rob Larkins and Ms. Elizabeth Yee: Lehman Brothers, present an overview of Pension Obligation Bonds (POBs) financing; marketing considerations; a financing timetable; states through the issuance of POB's, the County can save approximately \$62.4 million assuming current market rates; indicates POBs are a proven financing tool used by numerous California counties as well as municipalities nationwide; states their firm has the team and experience necessary to structure the County's POB'S on the best terms for the County.

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

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

the Board directs staff to develop contracts with a financial team to bring San Luis Obispo Pension Obligation Bonds to market.

14 D-3 This is the time set for submittal of a report on the closure of General Hospital.

Ms. Gail Wilcox: Administrative Office, states on October 15, 2002 the Board directed staff to return to the Board with a closure plan for General Hospital; introduces Mr. John Wilson, Hospital Chief Executive Officer, Mr. Tim Carress, Chief Financial Officer, and Ms. Mary Witt, members of The Camden Group who will present the closure plan.

Mr. Wilson: addresses actions taken by The Camden Group, including the day-to-day management of General Hospital and the clinics; addresses their review and reconciliation of hospital and clinic financials; assessment of future options for mental health services and licensing of ancillary services and clinics; financial impact analysis pertaining to different delivery model options going forward; participation in meetings and discussions

with various external parties and development of the “Closure Plan”; states The Camden Group recommends a closure date of June 19, 2003; indicates development of a Psychiatric Health Facility (“PHF”) is a viable option for inpatient psychiatric services; states laboratory, radiology, ultrasound, pharmacy and cardiopulmonary continue to operate for outpatients, as freestanding services, licensed under their own State/Federal Boards/agencies; indicates they will continue to provide services to PHF and clinic patients; states all 5 clinics continue as is and will convert from hospital based to freestanding clinics.

Mr. Carress: presents the financial history of General Hospital including the General Fund support; provides information on the inpatient average daily census and the clinic average daily census; addresses the adjustments to projected General Fund requirements and indicates the current projected General Fund requirement FY 02/2003 is \$11,163,344.

Mr. Wilson: presents a timeline of key closure events with the final Hospital closure date being June 19, 2003.

Ms. Wilcox: indicates staff is recommending setting June 19, 2003 as the date to close General Hospital and direct staff to move ahead with all required notifications of this closure date; to continue working with applicable agencies to retain or secure licenses needed to continue operations of the County’s inpatient psychiatric unit and to return to the Board in March 2003 with a report on the proposed merger of the County’s Public Health and primary care clinics.

Supervisor Achadjian: questions the PHF operations, with staff responding.

Supervisor Bianchi: questions contracts between the County and for-profit hospitals and if there are any provisions for a 24-hour information service for members of the public, with Ms. Wilcox responding.

Mr. Eric Greening: questions the status of the indigent care contracts; states his concern regarding contracts with entities that may be going through significant changes; questions if there is a plan for accommodating the walk-in clinic patrons; states he would be interested to see what recommendations came from the Mental Health Advisory Committee relating to the freestanding psychiatric unit; believes a 24-hour information number is needed; feels there are holes that need to be filled before moving forward.

Mr. Richie Ray Walker: shares his emergency medical story; states General Hospital is basically already closed and Sierra Vista Hospital is short staffed; questions what would happen if this County had a major catastrophe; feels the Board needs to look at the total picture.

Ms. Sara Horne: League of Women Voters, states the League currently has no position on the closure or the status quo of General Hospital; indicates their position is to support and encourage cooperation among public and private sectors in order to provide the most efficient and effective public health and hospital services including mental health services.

Ms. Mary Beth Schroeder: feels General Hospital should be open for all the people.

Ms. Pam Heatherington: states her concerns regarding: no contracts with the private sector in the closure plan; private entities must allow public access to its Board of Directors if it contracts with a public body; indicates there is no mention of an ombudsman program; believes all providers and facilities contracted by the County should be listed under the County; questions who represents the public on the committees relating to the safety net access; feels the people are ready to pave the way for a community hospital.

Supervisor Bianchi: states she would like to see the ombudsman program and the 24 hour information line in the plan; indicates she is on the task force for the safety net and will do her best to represent the people; questions if Dr. Dale Wolff, Mental Health Director, would like to address the PHF.

Dr. Wolff: states the Mental Health Board has not passed any resolution favoring any one

option; indicates on the PHF license they are asking for 16 beds.

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

AYES: Supervisor Ovitt, Achadjian, Pinard, Bianchi (on recommendations 2 and 3 only), Chairperson Ryan
NOES: Supervisor Bianchi (on recommendation 1 only)
ABSENT: None

the Board sets June 19, 2003 as the date to close General Hospital and directs staff to: 1) move ahead with all required notifications of this closure date; 2) continue working with applicable agencies to retain or secure licenses needed to continue operation of the County's inpatient psychiatric unit; and 3) return to the Board in March 2003 with a report on the proposed merger of the County's Public Health and primary care clinics.

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, February 11, 2003, 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: 02-21-03
cla