

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 PINARD .**

**SUM** \_\_\_\_\_ **AGN**

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

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

**RESOLUTION NO. 2003-83, resolution proclaiming March 2003 as “American Red Cross” Month, adopted.**

**Mr. Ben Hall:** Chairperson for the San Luis Obispo Red Cross, thanks the Board for the recognition.

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

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

**the Board accepts an award being presented by Theresa Boschert and Dian Kisor, Co-Directors of BREATH for our county’s 98% compliance with the smoke-free bar law, approved.**

**Dr. Tom Maier:** thanks the Board, City Councils, business owners, community members and law enforcement officials for their support of tobacco control in the County.

**Ms. Dian Kisor:** BREATH, presents Supervisor Ryan the Platinum Lung Award; states the work that has been done is recognized worldwide and this County is the example of how to accomplish tobacco control; recognizes key people in this process and presents them with the Golden Lung lapel pin.

3 A-3 **Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Pinard and on the following roll call vote:**

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

**RESOLUTION NO. 2003-84, resolution proclaiming the March 2003, as “Grand Jury Awareness Month”, adopted.**

**Ms. Ann E. Schlegel:** Representing the Grand Jury, states they are always looking for a few good people to serve on the Grand Jury.

4 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:** speaks in opposition to the resolution in Item B-5 and thanks the Board for Item B-26, for meeting the needs of the public relating to transportation service.

**Mr. Robert Davis:** President of the Bicycle Club, addresses Item B-28 and thanks the Board for their support regarding County bikeways. **No action taken.**

- 5 B-1 Consent Agenda Item B-34 is added to the Consent Agenda and amended by adding a  
thru signature line for the Sheriff. Item B-22 is withdrawn for separate action.  
B-34 **Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt and on  
the following roll call vote:**

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

**Consent Agenda Items B-1 through B-34 are approved as recommended by the  
County Administrative Officer and as amended by this Board.**

Consent Agenda Items B-1 through B-34, 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 Orcutt Road Rehabilitation Project; 4th  
District, **Approved and the Clerk is instructed to give notice of Bid opening set for  
April 24, 2003 at 3:00 P.M..**

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Administrative Office Items:

- B-2 Settlement in the amount of \$1.7 million for the Linder liability claim (#91-010696-AB-  
01), **Approved.**
- B-3 Settlement in the amount of \$675,000 for the Williams liability claim (SLO 02-0324),  
**Approved.**
- B-4 An amendment to the fixed asset list for Budget Unit 2790 - Emergency Services, adding  
a replacement copy machine; and 2) a corresponding budget adjustment in the amount of  
\$6,360 from nuclear power plant emergency planning funds and existing budgeted funds,  
**Approved.**
- B-5 **RESOLUTION NO. 2003-85**, supporting the efforts of the California Space Authority,  
**Adopted.**
- B-6 **RESOLUTION NO. 2003-86**, accepting the exchange of property tax revenue and  
annual tax increment for Annexation No. 22 to the Nipomo Community Services District  
(Tract 2499), **Adopted.**
- B-7 **RESOLUTION NO. 2003-87**, reviewing the conflict of interest codes for the Los Osos  
Community Services District, **Adopted.**
- B-8 **RESOLUTION NOS. 2003-88 & 2003-89**, establishing a tuition reimbursement  
severance benefit program for employees represented by the San Luis Obispo County  
Employee's Association and unrepresented management employees, **Adopted.**

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Board of Supervisors Items:

- B-9 Allocation of \$1,500 from District Three Community Project Funds to the Pismo Beach  
Chamber of Commerce to be used for a beautification project on Price Street, **Approved.**
- B-10 Re-appointment of Lawrence Vasquez and appoint Margaret Marshall to the Atascadero  
Public Cemetery District, **Approved.**
- B-11 Appointment of Curt Boutwell, John Caplan, Kacey Chun, Michael Kafka, Steve Lorence,  
Marlaine Sanders, and Charley Senn to the Private Industry Council, **Approved.**

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General Services Items:

- B-12 Retroactive step increase for Brian Wilder, **Approved.**
- B-13 Retroactive step increase for John Janowicz, **Approved.**
- B-14 Declare various equipment and miscellaneous items surplus, **Approved.**
- B-15 Amended employee contract with Alex McDonald changing the position from Park Planner I to Planner I, **Approved.**
- B-16 A lease (Clerk's File) with the State Department of General Services authorizing the Department of Information Technology continued use of the communications site located at Rocky Butte near the community of Cambria, **Approved.**
- B-17 An amended maintenance project to replace shower meters at the Oceano campground to include upgrades to the plumbing system; and 2) a corresponding budget adjustment in the amount of \$5,657 from the Off-Road Vehicle Fund, **Approved.**
- B-18 Bid opening report for asphalt paving, sealing and re-stripping of roadways and parking lots at the Lopez Lake Recreation Area, **Approved and the Chairperson is instructed to sign contract documents with Tyner Paving Company in the amount of \$122,828.**
- B-19 Bid opening report for interior tenant improvements in the Planning Department at the County Government Center, **Approved and the Chairperson is instructed to sign contract documents with Electricraft in the amount of \$70,700.**

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Medical Services Items:

- B-20 Psychiatry Allied Health Professional Rules and Regulations, medical staff performance improvement/peer review reports/forms and nursing policies and procedures, as submitted by the Medical Executive Committee, **Approved.**
- B-21 Retroactive step increases for Mary Lewelling, Marilyn Colettee and Roberta Fischer, **Approved.**
- B-22 Request to approve an amended contract with Associated Surgeons to provide additional compensation for surgical services until the closure of General Hospital, **Withdrawn for separate action.**

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Public Health Items:

- B-23 **RESOLUTION NO. 2003-90**, amending the position allocation list for Budget Unit 3285 - Law Enforcement Medical Care (LEMC) adding two half-time Correctional Nurse I/II positions, **Adopted.**
- B-24 **RESOLUTION NO. 2003-91**, authorizing the Public Health Department to apply for a Waste Tire Enforcement Grant, **Adopted.**

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Public Works Items:

- B-25 A time line to be used as a guide to completing the Charter franchise renewal, **Approved.**
- B-26 Agreements (Clerk's File) with the Shandon Senior Community Club and the Cambria Community Council to allow an increase in levels of transportation service to meet exiting demands, **Approved.**
- B-27 Bid opening report for the construction of water distribution system improvements in County Service Area No. 10A, Cayucos; 2nd District, **Approved and the Chairperson is instructed to sign contract documents with D-Kal Engineering in the amount of \$67,923.**
- B-28 **RESOLUTION NO. 2003-92**, designating the bridge over Old Creek, Cayucos as the "Colin Reilly Memorial Bridge.", **Adopted.**

Other Items:

- B-29 Interim rate adjustment of 3.46% for South County Sanitary Services, Inc., to be effective May 1, 2003, **Approved.**
- B-30 Contract (Clerk's File) with the Children's Research Center, a division of the National Council on Crime and Delinquency to provide reports for Child Welfare Services that monitor outcomes and improve services, **Approved.**
- B-31 Budget adjustment in the amount of \$26,000 from Public Library Facility Fees to cover additional costs for the expansion of the Creston Branch Library, **Approved.**
- B-32 Authorization of the use of alternative publication procedures for amendments to the Land Use Ordinance and Coastal Zone Land Use Ordinance, **Approved.**
- B-33 **RESOLUTION NO. 2003-93**, amending the position allocation list for Budget Unit 2110 - Personnel by adding a Personnel Analyst and Budget Unit 2340 - Risk Management by deleting a Risk Management Analyst to allow for the reassignment of a Personnel Analyst to Risk Management, **Adopted.**

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

- B-34 Agreement with Los Osos Community Services District to provide fire protection and emergency medical services to County Service Area No. 9, Zone I, **Approved as amended.**

- 6 B-22 Request to approve an amended contract with Associated Surgeons to provide additional compensation for surgical services until the closure of General Hospital, is presented.

During discussions on the Consent Agenda Supervisor Pinard withdraws this item for separation discussion.

**Supervisor Pinard:** addresses her concerns relating to the cost of the surgical services, with staff responding.

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

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

**the Board approves and instructs the Chairperson to sign the First Amendment to the contract with Associated Surgeons of San Luis Obispo.**

- 7 C-1 This is the time set for hearing to consider the selection for funding under 2003 Community Development Block Grant (CDBG), Home Investment Partnerships Act (HOME), and Emergency Shelter Grant (ESG) Programs and approval of the overall Urban County of San Luis Obispo Program Year 2003 Action Plan of the San Luis Obispo Urban County Consolidated Plan; and proposed amendments; All Districts.

**Mr. Tony Navarro:** Planning, presents the staff report and indicates the participating cities require additional time to consider new funding allocations in light of the recent release of the 2000 Census data for the CDBG program; staff recommends continuing this item to May 6, 2003.

**No one appearing and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Achadjian and unanimously carried, the Board continues this hearing to May 6, 2003 at 9:00 a.m..**

- 8 C-2 This is the time set for hearing to consider an appeal by Nancy Greenough of the Hearing Officer's decision to approve a minor use permit for Wolff Vineyards, LLC to allow a 3 phase expansion, located in the County at 6288 Orcutt Road, south of Biddle Ranch Road,

south of the City of San Luis Obispo; 4th District.

**Ms. Susan Callado:** Planning, hands the Board a letter from the Appellant indicating they agree with the staff recommendation modifying the decision of the Hearing Officer.

**Ms. Nancy Greenough:** Appellant, states she is satisfied with the conclusion.

**Ms. Rachel Dumas:** representing the Applicant, indicates they are pleased with the resolution to this issue.

**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 denies the appeal and RESOLUTION NO. 2003-94, resolution approving and modifying the decision of the Hearing Officer and conditionally approving the application of Wolff Vineyards LLC for Minor Use Permit D020016P, adopted.**

9

C-3 This is the time set for hearing to introduce ordinances amending Title 22 (Land Use Ordinance) and Title 23 (Coastal Zone Land Use Ordinance) relative to the San Miguel Design and Affordable Housing.

**Ms. Kami Griffin:** Planning, introduces the item.

**Mr. John Hand:** Planning, presents the staff report; states the new Design Plan contains proposals, including standards and guidelines, which would affect the use of land and the appearance of future residential and commercial development; indicates it will be a mechanism for local residents to have input; hands the Board a document entitled Proposed Modifications to the San Miguel Community Design Plan; the changes include correcting cross-references relating to conversion to a revised and expanded Land Use Ordinance on pages 20, 34, 36, and 39 and amending 2.1.d, 2.1.f, and 2.1.h on page 34 under Site Design/West Side of Mission Street dated March 25.

**Supervisor Ovitt:** questions parking configurations and the need for a definition of an “alley”; addresses building height and proportion; speaks to the use of signs with plastic and interior lighting; addresses the difference between guidelines and standards, with staff responding.

**Supervisor Bianchi:** suggests a subheading to differentiate between guidelines and standards, with staff responding.

**Ms. Diane Huettner:** addresses her concerns relating to the parking layout and the rear building setback; feels to enforce the proposed parking layout is too restrictive for her business.

**Mr. Eric Greening:** hopes there is clear recognition of the critical safety needs along the railroad track in town; addresses the historic value of the Mission and the need for earthquake retrofitting; believes San Miguel could be an important destination.

**Ms. Debby Sullivan:** states the “lake” on 14<sup>th</sup> Street and Mission needs to be addressed; addresses her concern relating to the multi-family footprint, signage and off-street parking.

**Mr. Gordon Marshall:** states staff has been very diligent in putting this Plan together; indicates the Advisory Committee filters a lot of the concerns raised by the public.

**Mr. Bud Wimer:** states there were many opportunities for the public to voice their opinion relating to the Design Plan; addresses the flooding problems and alleyways; thanks staff for their work; indicates he feels this is a pretty good Plan.

**Board Members:** address various issues, comments and concerns regarding: the need for

a drainage study; making sure commercial and industrial areas grow with the services needed by the people, with staff responding.

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

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

**the Board directs staff to come back with some delineation between guidelines and standards and the addition of a program listed as “Standards for Alleys”; introduces the ordinance and instructs the Clerk to set the hearing for the final action on April 8, 2003 at 9:00 a.m..**

**Ms. Griffin:** introduces the item relating to the Affordable Housing Ordinance.

**Mr. Ted Bench:** Planning, presents the staff report and states this amendment would recognize owner/builder houses as an acceptable type of affordable unit; indicates this would allow the qualified owner/builder to take advantage of the incentives offered by affordable housing projects.

**Supervisor Pinard:** questions the income requirements; addresses the deletion of the language on page C-3-119 and bonus densities for affordable projects; speaks to the time frame the public has had to review, with staff responding.

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

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

**the Board introduces the ordinance and directs the Clerk to set the hearing for the final action on April 8, 2003 at 9:00 a.m..**

10 D-1 This is the time set for consideration of a resolution authorizing the issuance of one or more Pension Obligation Bonds, the issuance and sale of one or more series of taxable Pension Obligation Bonds up to a maximum of \$92 million.

**Mr. Gere Sibbach:** County Auditor-Controller, presents the staff report; addresses the process relating to this item and the net savings to the County.

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

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

**RESOLUTION NO. 2003-95, a resolution for the issuance of one or more San Luis Obispo County Pension Obligation Debentures, the issuance and sale of one or more series of San Luis Obispo County Taxable Pension Obligation Bonds, authorizing the execution of a trust agreement, a contract of purchase, a preliminary and final official statement, a validation and certain other actions with respect thereto, adopted.**

11 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) *Munari v. County of San Luis Obispo*, 5) *Zenetta Nelson-Briggs v. County of San Luis Obispo*, 6) *PCL v. DWR*, and 7) *Lum v. County of San Luis Obispo*. **ADDED (All requirements of the Brown Act were met as this was posted prior to the 72-hour noticing requirement.)** 10) *Wright v. County of San Luis Obispo*.

**B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9.)** 8) *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. 9) *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. TRADE SECRETS, MEDICAL QUALITY HEARINGS (Gov. Code, § 54957.)**

It is the intention of the Board to meet in Closed Session concerning the following items:

**A. Trade Secrets, Medical Quality Hearings Exception (Gov. Code, § 54957) 11)** *Consideration of confidential quality assurance medical reports. (Health & Safety Code, § 1461).*

**Chairperson Ryan:** 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: Items 1 thru 11 - No public report required because no final action was taken and the Board goes into Open Public Session.

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

**Ms. Janet Beatty:** addresses her opposition to the war in Iraq.

**Reverend C. Hite:** addresses the issue of homelessness and speaks on past Consent Agenda items.

**Ms. Marybeth Schroder:** addresses her role in the Juvenile Services center being placed out on Kansas Ave. and her concern for someone else publicly taking the responsibility for it.

**Dr. Richard J. Krejsa:** addresses the war in Iraq; feels the Constitution and the Bill of Rights have been “high jacked”; questions the cost of the war and what public services will be lost because of it.

**Ms. Linda Hall:** addresses the water “wars” in Cambria.

**Mr. David Broadwater:** feels the war in Iraq is illegal and unconstitutional; asks the Board to consider adopting a resolution showing support for the United States Constitution.

**Supervisor Bianchi:** questions if there is support from the Board to consider a resolution such as Mr. Broadwater suggested. **No action taken.**

13 E-1 This is the time set for a report on the reorganization of the Family Care Centers after closure of General Hospital; request to approve a resolution amending the position allocation list for Budget Unit 6000 - Medical Services Department, to reflect the reduction in force related to the closure of General Hospital; and a request to approve a budget adjustment to appropriate \$1,754,655 from General Fund contingencies to cover unbudgeted operating losses at the Hospital and clinics through the end of Fiscal Year 2002-03.

**Ms. Gail Wilcox:** Assistant County Administrator, presents the staff report; states today’s report is intended to provide: 1) a list of staffing reductions related to the closure of the

hospital; 2) information related to the organizational structure of the County's outpatient primary care clinics and ancillary services after closure of the Hospital; 3) a request to transfer additional General Fund money to the Hospital and clinics to offset unbudgeted operating losses for the balance of Fiscal Year 2002-03; and, 4) an update on a community effort underway to build a consensus definition of unmet health care needs in the County; staff is looking for direction from the Board regarding the desire to create a new "Patient Advocate" position and allocate funding to support an information and referral service to provide information about the availability of healthcare services in the County; indicates the physicians staffing the clinics will terminate their services on June 9, 2003; turnover has been minimal however management will get more complicated after layoff notices are received; addresses the recommended action for the Board.

**Supervisor Pinard:** questions the requirement of a "firewall" between the clinics and the public health sector; the difference in the Director's position after the Hospital closes; addresses financing for the clinics, with staff responding.

**Ms. Marybeth Schroder:** states it is a mistake to close General Hospital; addresses the need for good medical care in the County.

**Mr. Dean Rollins:** General Manager for the San Luis Obispo County Employees Association, states the resolution before the Board represents years and years of debate and controversy; addresses the need to continue to monitor, assess and report formally on the comparative cost of the county's healthcare obligations and if they meet the healthcare needs of the indigent population; addresses the draft reorganization and asks that employees be brought into the process; urges the Board to recognize the hospital employees for their dedication to General Hospital.

**A motion by Supervisor Ovitt, seconded by Supervisor Achadjian to adopt staff's recommendation, is discussed.**

**Supervisor Bianchi:** feels there is a need for a "Patient Advocate" position; feels when General Hospital closes there will be a lot of people who won't know how to access healthcare; believes it needs to be a bilingual service.

**Supervisor Pinard:** addresses the allocation list and ancillary services, with staff responding.

**Chairperson Ryan:** indicates he has stated in the past he would not support any funding going toward General Hospital until the County was heading down the road of closure; states he will be supporting this item.

**Supervisor Pinard:** wants to know whether there is an ability to have an Federally Qualified Health Center (FQHC) or Rural Health Clinic (RHC) designation.

**Mr. David Edge:** County Administrative Officer, states how the clinics are to be arranged is a work in progress; indicates the time frame staff needed to meet today was to identify positions for Medical Services that would be eliminated; the secondary action staff is looking for is the \$1,754,655 needed to cover unbudgeted operating costs; indicates staff is not asking the Board to make any decisions relating to the clinic organization today.

**Supervisor Bianchi:** states she is the Board representative on the task force "Future Vision" to determine a healthcare safety net for people; indicates all of these issues have been discussed by the task force and they will be bringing recommendations to the Board.

**Mr. John Wilson:** Chief Executive Officer for General Hospital, indicates in the closure plan of the Hospital they have presented a sequence of events.

**Supervisor Pinard:** feels that there is not enough discussion being allowed and her questions are not getting answered.

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

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



**NOES: Supervisor Pinard**

**ABSENT: None**

**the Board receives the staff report on future operations of the County's outpatient clinics as well as an update on a community based effort to develop a prioritized list of unmet healthcare needs in San Luis Obispo County; approves a budget adjustment to appropriate \$1,754,655 from General Fund contingencies to cover unbudgeted operating losses at the Hospital and clinic through the end of the Fiscal Year and RESOLUTION NO. 2003-96, resolution amending the Position Allocation list and Salary Resolution for Fiscal Year 2002-03, adopted.**

14 F-1 This is the time set for a report on survey results and recommendation regarding the formation of a Countywide Vector Control District funded through a benefit assessment process.

**Mr. Bob Lilley:** Agricultural Commissioner, presents the staff report and recommendation.

**Mr. Gerard Vanstein:** President of Shultz Consultants, addresses the results of the survey.

**Supervisor Pinard:** indicates 90% of the public said they did not want new taxes; states the survey missed an alternative indicating there was a way to accomplish the same goal without setting up a new district.

**Mr. Eric Greening:** states he was in support of Supervisor Pinard's position at the start of this process to not spend the money on a survey; feels the survey did not move the County in the direction it was proposed to do; feels it would have been better spent on enhancing the efforts of the County, and also on education.

**Ms. Jackie Crab:** representing the Farm Bureau, states they support this item; those in agriculture have made an investment and have taken steps in preventative measures such as vaccinating their horses; addresses the importance of public education; urges the Board to approve staff's recommendation and support the agencies.

**Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt and unanimously carried, the Board receives and files the public opinion poll and suspends current efforts to develop a Countywide Vector Control District given the results of the poll.**

15 G-1 This is the time set for submittal of the West Nile Virus Response Plan and a request to approve budget adjustments for Budget Unit 3000 - Public Health Department and Budget Unit 2730 - Agricultural Commissioner in the amount of \$16,720 from General Fund contingencies to fund temporary help and associated supplies to provide interim seasonal mosquito control services.

**Dr. Greg Thomas:** Public Health Director, presents the staff report; addresses where the West Nile Virus came from and how it spreads; states the prevention of the disease is dependent on the elimination of mosquito breeding sites; presents surveillance updates; states the West Nile Virus is coming to California; addresses the response plan including the risk assessment, monitoring, education and communication.

**Mr. Curt Batson:** Director of Environmental Health, explains the surveillance program.

**Board Members:** discuss various issues, comments and concerns regarding: a route for trapping and surveillance; mosquito fish being available for ranchers with stock ponds; having the Agriculture Department handle this issue; prevention process and getting the media involved, with staff responding.

**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, Pinard, Chairperson Ryan**

**NOES: None**

**ABSENT: None**

**the Board receives and files the West Nile Virus Response Plan and approves a budget adjustment for BU 2730 - Agriculture Commissioner in the amount of \$16,720 from General Fund contingencies to fund temporary help and associated supplies to provide interim seasonal mosquito control services.**

16 H-1 This is the time set for consideration of a resolution opposing the Fish and Wildlife Service proposed designation of critical habitat for 85,326 acres in San Luis Obispo County.

**Chairperson Ryan:** indicates he had this item placed on the agenda; he is opposed to the proposed designation of Critical Habitat for 85,326 acres in San Luis Obispo County.

**Mr. Gordon Hensley:** Environmental Defense Center, states he opposes adoption of this resolution; feels there is not enough information; questions where are the findings of fact; urges the Board to send this item back to staff for more information.

**Mr. Babak Naficy:** feels this item is hostile to the environment and the Board is being asked to approve another proposal at the last minute; states there is no basis for the findings contained in the resolution; urges the Board not to adopt this resolution.

**Ms. Arlene Winn:** Representing ECOSLO, indicates she is speaking on behalf of Ms. Pam Heatherington; and they oppose the resolution and the submittal at the last minute; urges the Board to send this back to staff for facts that are critically needed.

**Ms. Jackie Crabb:** Representing the Farm Bureau, speaks in support of the resolution; addresses three concerns: 1) the proposal is too broad and it covers areas that do not have vernal pools; 2) designation will have a tremendous economic impact on the community; and, 3) the Fish and Wildlife Service has not provided a meaningful opportunity for the public to participate in the process.

**Mr. Eric Greening:** states allegations about the designation are not being based on the "best" science; feels it is hard to evaluate without reference to scientific papers on either side of the issue.

**Supervisor Bianchi:** states she does not support this item due to the lack of information.

**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, Chairperson Achadjian**

**NOES: Supervisors Bianchi, Pinard**

**ABSENT: None**

**RESOLUTION NO. 2003-97, resolution opposing the proposed designation of Critical Habitat for 85, 326 acres in San Luis Obispo County, 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, March 25, 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: 03/31/2003  
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