

Tuesday, August 5, 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 MR. DAVID EDGE, COUNTY ADMINISTRATIVE OFFICER.

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. 2003-254, resolution recognizing August 2003 as Clark Center Volunteer Appreciation Month in San Luis Obispo County, adopted.

Supervisor Achadjian: reads the resolution and presents the same to Mr. Frank Garrett, Association President.

Mr. Garrett: thanks the Board for the recognition; states the volunteers are the back bone of the organization and introduces the folks present that are volunteers at the Clark Center.

Ms. Helen Summerfield: Director for the Center, states they will be providing free tours of the Center tomorrow; highlights upcoming events; and thanks everyone involved.

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 recognizing the Horse Emergency Evacuation Team for their role and contribution evacuating large animals during disasters, approved.

Chairperson Ryan: states that he asked this group to give the Board an update on their role during the Parkhill fire.

Ms. Carolyn Sokol: Horse Emergency Evacuation Team (HEET), introduces members of HEET that are present today; gives a brief history regarding the creation of this group; outlines the skills they have been working on and they were able to put those skills to use during the Parkhill fire when they safely evacuated a number of horses; states HEET has incorporated and they need endorsements to allow them to apply for grants; speaks to additional needs for the group including liability insurance, which they are hoping the County will be able to help them with.

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: speaks to Item B-30-B and a recent presentation at a Santa Margarita Area Advisory Group meeting, by one of the owners of the Santa Margarita Ranch where he showed a map of the Ranch that included a wine tasting room and other buildings and questions whether these are acceptable uses for the large conservation easement on the

Ranch. **No action taken.**

- 4 B-1 Consent Agenda Item B-23 is withdrawn for separate action and added to the Hearing
thru Calendar. Item B-30-A is amended to correct the coversheet to reflect Tract 2421 not 2431.
B-35

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

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

Consent Agenda Items B-1 through B-35 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-35, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Items set for bid opening and hearing:

- B-1 Plans and specifications (Clerk's File) for the construction of a new playground for Heilmann Park in Atascadero; 5th District, **Approved and the Clerk is instructed to give notice of bid opening set for September 4, 2003 at 3:00 p.m..**
- B-2 Plans and specifications (Clerk's File) for the construction of a new storage building for the Sheriff at the County Operation Center; All Districts, **Approved and the Clerk is instructed to give notice of bid opening set for September 4, 2003 at 3:00 p.m..**
- B-3 **RESOLUTION NO. 2003-255**, calling for a hearing to consider formation of an underground utility district in the community of Templeton at Main Street between 8th and Vineyard; 1st District, **Adopted and the Clerk is instructed to give notice of hearing date set for September 9, 2003 at 9:00 a.m..**
- B-4 **RESOLUTION NO. 2003-256**, of intention to vacate a portion of Paso Robles Avenue between 6th and 7th Streets, in the community of Los Osos; 2nd District, **Adopted and the Clerk is instructed to give notice of hearing date set for September 9, 2003 at 9:00 a.m..**
- B-5 Introduction of an ordinance amending Section 2.40.060 of the County Code by placing the position of County Veterans Service Officer in the Unclassified Civil Service, **Approved and the Clerk is directed to give notice of hearing date set for August 12, 2003 at 9:00 a.m..**

Auditor-Controller Items

- B-6 Contract amendment with the Government Finance Officers Association (GFOA) extending the contract through June 30, 2004, **Approved.**
- B-7 Submittal of an unannounced cash count report of the San Luis Obispo County Agricultural Commissioner's Office in San Luis Obispo and Arroyo Grande on May 27, 2003 and at the Paso Robles office on May 28, 2003, **Received and Filed.**

Behavioral Health Items:

- B-8 Contract (Clerk's File) with Family Care Network, Inc. to provide mental health services, **Approved.**
- B-9 Contract (Clerk's File) with S. Friedlander, M.A., M.F.T. to provide crisis intervention, community service, and managed care/assessment for Mental Health, and after-hours coverage for Adult Protective Services, **Approved.**
- B-10 Contract (Clerk's File) with Transitions-Mental Health Association to provide mental

health services in 2003-04, **Approved.**

Board of Supervisors Items

- B-11 Request by Supervisor Bianchi to allocate \$1,225 from District Two Community Project to the Cayucos Senior Citizens Club to pay the cost of auto insurance for two vans that are used to transport senior citizens, **Approved.**
- B-12 Request by Supervisor Ovitt to appoint Phyllis Heath to the Children's Service Network Council, **Approved.**
- B-13 Request by Chairman Ryan to appoint Jennifer Matz as a District Five Representative to the Commission on the Status of Women, **Approved.**

General Services Items:

- B-14 Ground lease (Clerk's File) with Aviation Consultants, Inc., to continue operation of an aboveground aviation fuel storage and dispensing facility at the San Luis Obispo County Regional Airport, **Approved.**
- B-15 Budget adjustment in the amount of \$200,000 from unanticipated revenue to further fund an existing capital project to rebuild the restroom/shower facility that burned down at Lopez Lake, **Approved.**
- B-16 **RESOLUTION NO. 2003-257**, commending the contributions of Dale Feil during his 27 year career with County Parks, **Adopted.**

Medical Services Items:

- B-17 Agreement with the Children and Families Commission of San Luis Obispo County, providing continued funding for programs that promote early childhood development in Morro Bay, **Approved.**
- B-18 Equipment lease agreement with French Hospital for medical equipment needed to ensure continuity of care for county maternity and surgery patients post-closure of General Hospital, **Approved.**
- B-19 Retroactive step increases for Richard Lang, Rosaura Diaz and Teresa Gates, **Approved.**

Public Works Items:

- B-20 Contract (Clerk's file) with Essex Environmental, Inc., for preparation of a natural environment study, biological assessment and cultural resources reports for the Turri Road Bridge Replacement Project; 2nd District, **Approved.**
- B-21 1) An agreement with the Templeton Community Services District and Upper/Salinas/Las Tablas Resource Conservation District for a Cable TV Access Grant; and 2) an associated budget adjustment in the amount of \$19,807; 1st District, **Approved.**
- B-22 Agreement with the Cambria Community Services District, Cambria Cemetery District, Cambria Healthcare District and the Upper Salinas/Las Tablas Resource Conservation District for a Cable TV Access Grant; and 2) an associated budget adjustment in the amount of \$32,482; 2nd District, **Approved.**
- B-23 Request to authorize the acquisition of right-of-way for requirements of Tract 2162, adjacent to the existing Oak Shores neighborhood on the north side of Nacimiento, northwest of Paso Robles; 1st District, **Withdrawn for separate action and added to the Hearing Calendar.**
- B-24 Bid opening report for the construction of a bridge over the Salinas River on River Road, San Miguel; 1st District, **Approved and the Chairperson is instructed to sign contract**

documents with MCM Construction Inc., in the amount of \$4,956,769.

- B-25 **RESOLUTION NO. 2003-258**, amending the traffic regulation code establishing speed limits on Windsor Boulevard and Avon Avenue in Cambria; 2nd District, **Adopted.**
- B-26 **RESOLUTION NO. 2003-259**, amending the traffic regulation code establishing bike lanes on Main Street, Templeton; Lopez Drive near Arroyo Grande; Orchard Avenue and Tefft Street, Nipomo; Thirteenth Street, Oceano; and First Street, Shandon; 1st and 4th Districts, **Adopted.**
- B-27 **RESOLUTION NO. 2003-260**, accepting conveyance from Hilton Trust for the Huer Huero Road Project, near the community of Creston; 5th District, **Adopted.**
- B-28 **RESOLUTION NO. 2003-261**, amending the engineering report of Underground Utility District #24, Tefft Street and Thompson Avenue in the community of Nipomo; 4th District, **Adopted.**
- B-29 **RESOLUTION NO. 2003-262**, accepting road improvements on Bracken Lacey, Nipomo; Bogey Place and Birdie Lane, Nipomo Mesa; Headwaters Road, Waterfall Road, River Run Road and Meadow View Lane, Templeton; 1st and 4th Districts, **Adopted.**
- B-30 The following maps have been received and have satisfied all the conditions of approval that were established in the public hearings on their Tentative Maps, and:
- A. Tract 2431, a proposed subdivision resulting in 8 lots by Vaquero Development Company, North River Road, east of San Miguel, **Approved as amended and RESOLUTION NO. 2003-263**, (Clerk's File) to accept the offer of dedication for Martinez Drive and reject the other offers of dedication without prejudice to future acceptance; 1st District, **Adopted.**
- B. COAL 00-0292, a proposed lot line adjustment of 36 lots by Robin Rossi, Norte Road II, LLC, Santa Margarita Road off El Camino Real, north of Santa Margarita, reject the other offers of dedication without prejudice to future acceptance, order the abandonment of Public Highways, **Approved and RESOLUTION NOS. 2003-264 and 2003-265**, (Clerk's File) to approve two agreements of development restrictions; 5th District, **Adopted.**

Other Items:

- B-31 Agreements (Clerk's File) with four community-based non-profit organizations that were approved for funding during the 2003-2004 budget hearings, **Approved.**
- B-32 Contract (Clerk's File) with the City of Atascadero for an after-school program at Atascadero Junior High, **Approved.**
- B-33 1) An amendment to the fixed asset list replacing the E-911 system, and 2) a corresponding budget adjustment in the amount of \$76,939 from unanticipated revenue, **Approved.**
- B-34 Two agreements (Clerk's File) with the AIDS Support Network to provide hepatitis C outreach, education, and testing services, **Approved.**
- B-35 Minutes of the June 3, 9, 10, 11, 13, and 17, 2003 Board of Supervisors' meetings, **Approved.**
- 5 C-1 This is the time set for hearing to consider an appeal by John Salisbury of the Planning Commission's approval of conditional use permit (D010307D) authorizing: 1) the renovation of an existing historic structure into a wine tasting facility with retail sales, storage, special events, parking, access driveways, water storage and signage; 2) the relocation of an approximately 750 sq. ft residential structure; and 3) grading for a parking area on the east side of Ontario Road, approximately ½ mile north of Avila Beach Drive in the community of Avila Beach; 3rd District.

Mr. James Caruso: Planning, presents the staff report, site maps and photographs of the area; addresses the application and the restoration of a school house on the site; comments on a letter that was received from SLOCOG; addresses the issue of the appeal with respect to an easement.

Mr. John Salisbury: Appellant/Applicant, states they currently farm this land; outlines their request and what has been agreed to with respect to the road; addresses their concern with regard to their rights of easement and concerns as to what will occur if they give up their rights as it relates to what General Services-Parks Division will do at this point on the Bob Jones Bike Trail; indicates their concern to having this area blocked off with a chain link fence.

Mr. Richard Marshall: Public Works, responds to questions by Board members, indicating the applicant has a safe location for connection to Highway 101.

Ms. Mary Beth Schroeder: states she went to school at this location and it is dear to her heart; indicates the County needs to protect sites like this one and urges the Board to say “no” to changing the look of the school.

Mr. Oxo Slayer: states he is a bike rider and wants to see the staging area at Bob Jones Bike Trail remain in its current location; suggests there is a need for a clearer understanding on the uses for the easement; wants the easement keep public; urges denial of the appeal.

Mr. Peter Brown: SLOCOG, states they agree with the Planning Commission recommendations and there should be separate vehicle and pedestrian trails.

Ms. Pandora Nash-Karner: Parks and Recreation Commission Chairperson, addresses their concern to giving away park lands and the need to preserve the same.

Ms. Kathy Longacre: states she is an avid Bob Jones Trail user and urges denial of the appeal.

Ms. Patty Hawes: states she was part of the committee that started this Trail; addresses her concern to the trail parking lot filling up and wants the parking lot designated for use only by trail users.

Ms. Georgia Kinninger: states trails are only good if they are safe and accessible; urges denial of the appeal.

Ms. Jean Anderson: states she is a trail user and wants it kept separate; urges denial of the appeal.

Mr. Pete Jenny: Parks Manager, states they do not object to this project but have concerns regarding conflicting uses on the parking for trail users; suggests an alternative to access for the applicant; urges denial of the appeal.

Ms. Dorothy Jennings: Parks and Recreation Committee member, addresses the trail’s current uses and her concern regarding through traffic being allowed here.

Ms. Maridel Salisbury: Applicant/Appellant, states she was born and raised in the County and has always wanted to see something done with this school; states they just want to ensure pedestrian traffic in this area.

Mr. Salisbury: gives his closing comments and wants to be guaranteed pedestrian access on this easement.

Supervisor Pinard: addresses the issue; wants to see the school house preserved; indicates there is no other way to get to the school except through the staging area; questions possible language changes to Condition #23.

Mr. Caruso: offers language for Condition #23.

Mr. James Lindholm: County Counsel, presents revised language for Condition #23.

Mr. Salisbury: agrees to the revised language and addresses his concern to added Condition #26 regarding indemnification.

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

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

the Board amends Condition #23 to read: “The applicant shall relinquish rights of vehicular access to the subject parcel through the adjacent staging area; provided, however, such relinquishment shall be conditioned upon the simultaneous abandonment to applicant of the County’s right of way along Ontario Road, such realignment shall not include relinquishment of rights of pedestrian access. The abandonment shall be initiated by the County and shall be at no expense to the applicant. The County and applicant shall cooperate in good faith to accomplish the relinquishment of access and the Ontario Road abandonment prior to final inspection or occupancy, or as soon as thereafter as is reasonably practicable.”

The Board members discuss whether there is a need for Condition #26, with County Counsel addressing past practice with respect to appeals to the Board.

Supervisor Bianchi: believes that this condition should remain.

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

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

the Board upholds the appeal in part, deletes Condition #26, approves Condition #23 as previously amended and RESOLUTION NO. 2003-266, resolution affirming the decision of the Planning Commission and conditionally approving the application of John Salisbury for Conditional Use Permit D010307D, adopted as amended.

- 6 B-23 Request to authorize the acquisition of right-of-way for requirements of Tract 2162, adjacent to the existing Oak Shores neighborhood on the north side of Nacimiento, northwest of Paso Robles; 1st District, is presented.

Mr. Richard Marshall: Public Works, presents the staff report indicating the tract was approved in 1996; presents a site map; outlines the conditions of approval for the map and the concern by the County of the provisions for secondary access; the existing Oak Shores community was developed as a gated community, with only a single point of access, off Lynch Canyon Road which is a dead end road off Interlake Road; the existing Oak Shores area would not be in compliance with current regulations, if it were developed today; to create access for Tract 2162 through the existing Oak Shore area, as proposed, would increase this hazardous situation; because of this the project was conditioned to construct a secondary access road which will bring the entire Oak Shores community into compliance; this secondary access road is required to connect with Bee Rock Road; highlights Conditions #10 and #21 regarding road improvements; states there is an existing dirt road extending east from the development site, through one property owned by Paul Smith and another property owned by Monterey County Water Resource Agency (MCWRA); this dirt road connects to the end of an existing paved private road called Nacimiento Shores Road, which continues east to Bee Rock Road; the developer’s engineer has contacted the landowners along the route to acquire the necessary easements and has not been successful in obtaining easements from all the affected parties; the residents on Nacimiento Shores Road have expressed a great deal of opposition to the proposed road connection, citing concerns about the large Oak Shores neighborhood to the end of their

private road; with additional concerns regarding increased traffic, road damage potential from construction equipment access, the potential need to remove trees and other aspects of changing the rural setting they currently enjoy; staff, in response to these concerns, agreed to allow the road to be in private easements in favor of the resident of Tract 2162 (rather than dedicated to the public), with emergency-only status with gates located at both ends; addresses the options before the Board to either initiate condemnation proceedings or waive the condition requirement.

Board Members: address various issues, comments and concerns regarding: approving only an emergency access; the map expiring on September 24th if Phase I is not recorded and if the map is filed by that date then the applicant would have an automatic three-year extension; result of today's hearing would allow for improved safety for both Tract 2162 and the existing Oak Shores community; question what improvements are required for the road; why it was determined this road had to connect to Bee Rock Road; what would occur if the condition is waived; location of this project in relation to the flood zone area.

Mr. Marshall: responds to questions indicating the road would need to be improved to CDF standards; there would be no turnouts as the road will be 18 feet wide; maintenance of the road would occur through the homeowners' association that will be created; the map was tentatively approved in 1996 and has seven years before it expires and if the first phase of the map is filed with the County before September 24th they will automatically have another three years to complete the other phases.

Chief Dan Turner: CDF/County Fire, states the existing Oak Shores community has only one way in and one way out and that was allowed at the time it was developed; current laws would not have allowed this and this condition will fix the problem for the area; addresses their current abilities to get to a fire in this area.

Mr. Gary Hazard: spokesperson for the homeowners in the area, states they did not receive notice of the tentative map hearing in 1996 and when they did find out what was occurring that tentative map had already been approved; they requested and were denied inclusion in meetings with the County and Applicant; states they have met with Mr. John Wallace, Engineer for the project and they have concerns as to what is expected in the giving of these easements; the property owners feel the details of this are still an unknown.

Mr. John Wallace: representing Tract 2162, addresses the Applicant's commitment to continuing to work with the neighbors to resolve their issues of concern; speaks to the meetings they have had with the neighbors; presents a packet of information showing their contact with the neighbors, letters, responses and additional information; presents a site map of the existing paved road and Bee Rock Road; presents a second site map showing the roads relationship to County Road #22; wants to move forward with the emergency access easement.

Chairperson Ryan: continues this matter to the afternoon calendar.

7

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) *In re California Public Utilities Proceedings* and (5) *County of San Luis Obispo v. Larson*.

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.

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

Thereafter, the Board goes into Open Public Session.

(SUPERVISOR PEG PINARD IS NOW ABSENT.)

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

Mr. Jesse Arnold: addresses touch screen voting systems and suggests if they are to be used they should have a paper copy to ensure accuracy; would rather see the County stay with their current optical system. **No action taken.**

9 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.

10 B-23 Request to authorize the acquisition of right-of-way for requirements of Tract 2162, adjacent to the existing Oak Shores neighborhood on the north side of Nacimiento, northwest of Paso Robles; 1st District, is brought back on for discussion.

Chairperson Ryan: opens the floor to public comment.

Ms. Karen Vega: Oak Shores Association President, states she is representing all 851 residents; indicates they were not notified that this item was going to be moved off the Consent Agenda; they support the staff recommendation indicating this is an opportunity to fix a past mistake; states the CDF letter addresses all the same concerns they have; they oppose deletion of this access requirement.

Ms. Terry Andre: presents a copy of a map marked Exhibit B and outlines the road; states the distance between Interlake Road and the new development is 3 ½ miles and the distance between the private road and the new development is 6 miles.

Ms. Janice Meyer: representing the Nacimiento Homeowners Group, states they don't want a realignment of the permanent access because of their concerns to future losses; presents several maps that show changes that have occurred in the area; states the map of the road being shown today shows the road in a different location by 100 feet.

Ms. Tana Ens: presents colored photographs that were taken two days ago that show the width of Nacimiento Shores Road.

Mr. Bill Hazard: speaks to wanting to keep Nacimiento Shores Road private and feels that County Road #22 should be used.

Mr. Jim Andre: states he was approached approximately 1 ½ years ago regarding an easement and two weeks ago was made an actual offer; states he and the other property owners have been paying for maintenance on this road through their taxes; suggests the applicant has not met the requirements of the conditions and the map should be allowed to expire; doesn't want to see the applicant get a "free ride" on their road and suggests they should use County Road #22 instead.

Mr. Jan Rohrbach: speaks to mistakes that were made by the County with this project and it should not be fixed on the "backs of the homeowners."

Mr. Curtis Weeks: MCWRA, states his agency owns property next to this project; presents a letter dated 8/1/03 for the record; indicates they understand the need and use for an emergency access only road; asks that this not be approved today but rather continued for two weeks to allow them time to work out an agreement with the Applicant; references two aerial maps they have provided; expresses their concern to this road dipping below the 825' elevation contour, which is the flood easement intended for Lake Nacimiento, and development of any kind is prohibited below this.

Mr. Bill Phillips: MCWRA, states they are requesting additional time to work out their differences with the Applicant; believes County Road #22 provides the alternative access;

suggests the Board could make a finding of substantial performance (pursuant to the Subdivision Map Act) with the recognition of County Road #22 for an easement that has yet to be worked out, and through the MCWRA property for emergency access.

Ms. Joy Fitzhugh: Farm Bureau, addresses their concerns as they relate to agriculture and the potential of condemnation of property which would provide for public access; concerns regarding vandalism with the public access, which they are opposed to; supports emergency access with gates as an alternative solution.

Mr. Mary Beth Schroeder: doesn't want to see any eminent domain proceedings occur.

Mr. Richard Renck: states that County Road #22 as an alternative doesn't protect Nacimiento Shores; states that if the County can guarantee the private road would stay as an emergency only access, he doesn't see a problem; addresses the offer he received, two weeks ago, for an easement.

Mr. Wallace: gives his closing argument; disagrees with the County's interpretation of the conditions and addresses the road improvement requirements they will have to do.

Mr. Gary Hazard: gives his closing argument, stating that no one is opposed to emergency access but they do have concerns as to how this will occur; want assurances and protection for this access; additional concerns they have concern maintenance and who is liable if someone gets hurt on this road.

Supervisor Ryan: addresses Condition #21 and what would be required with the easement.

Supervisor Ovitt: indicates this is the second engineer for the project and the first one to get things moving forward; addresses what the Board looked at in 1996 with the tentative approval; comments on the condition relating to Bee Rock Road and indicates they have discussed this road connecting to County Road #22 in later phases of the project; proposes this moves ahead and commence the 120 days for negotiations on the emergency access; suggests either this occurs or the Board should waive the condition or this project could be "deemed approved"; feels MCWRA can continue to negotiate without continuing this matter.

Supervisor Achadjian: questions the potential of bonding for future secondary road access; supports using the existing road for emergency access with gates at either end.

Board Members: discuss the road improvement fees in this area and the potential for using them, with Mr. Marshall responding.

Chief Dan Turner: CDF/County Fire, responds to questions by the Board; states there will be no turnouts on this road, as it will be 18' wide; defines what a fire safe zone is.

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: None
ABSENT: Supervisor Pinard

the Board directs that staff start the 120 day negotiation process and return to the Board at the end of that time period and prior to beginning any condemnation proceedings so the Board can make the recommendation as to whether or not to go forward with that action, as a hearing matter; and, authorizes the preparation of an agreement for the developer to sign to pay for this process.

Mr. Paavo Ogren: Public Works, introduces the item.

Mr. Doug Bird: Public Works, presents the staff report; addresses the conditions of the zone expansion; highlights the recommendation to adopt the resolution approving the expansion.

Mr. Will Clemens: Public Works, addresses the recommendation to introduce an ordinance increasing connection fees in CSA #7A and direct the Clerk to notice this for hearing on September 9, 2003.

No one appearing 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: None

ABSENT: Supervisor Pinard

RESOLUTION NO. 2003-267, resolution approving and ordering the expansion of Zone A of the San Luis Obispo County Services Area No. 7 (Oak Shores) to incorporate Phase I of Tract 2162 without an election (acting on behalf of San Luis Obispo County Services Area No. 7A), adopted. Further, the Board introduces an ordinance to amend the sewer connection fees in County Services Area 7A, sets the hearing date for September 9, 2003 at 9:00 a.m. and directs the Clerk to publish a notice of public hearing in accordance with Government Code Section 6066.

12 D-1 This is the time set for a report on the preparation for the October 7, 2003 Special Statewide Election.

Ms. Julie Rodewald: County Clerk-Recorder, updates the Board on the preparation for the October 7, 2003 Special Statewide Election; indicates they have approximately 70 days to prepare for this with the close of nomination being August 9, 2003; states her office will be open from 8:00 a.m. to 5:00 p.m. on August 9th to file any nomination papers that are received; states voters may not have their normal polling place for this election and encourages the public to look at their sample ballot or the Clerk-Recorder's website for their polling location; there are four polling places that will not be available - Halcyon Hiawatha Lodge, San Luis Obispo Recreation Dept., San Luis Obispo City Hall and Templeton Community Center; addresses the challenges they will be facing with respect to getting (1) printed sample ballots and (2) official ballots on time; responds to comments during Public Comment regarding touch-screen voting systems, states they currently have 10 of the touch screens but will not be using them for the special election; responds to questions regarding Propositions 53 and 54 having already qualified and may be on this special election ballot, pending the results of a lawsuit. **No action taken.**

13 E-1 This is the time set for submittal of the Future Vision Task Force on the Future of the Health Care Safety Net in San Luis Obispo County Report.

Ms. Gail Wilcox: Deputy County Administrative Officer, introduces the item and outlines the staff recommendation.

Mr. Joel Diringer: Facilitator for the Future Vision Task Force, addresses the final report and recommendations of the Task Force; highlights the membership of the Task Force and the meetings that were held around the County; their recommendations include: Full Scope Clinics in the County and what that should include in (1) basic levels of service, (2) enhanced levels and (3) optimal service levels; Patient Services at the three levels; Provider Shortages at the three levels; Services for limited English Proficient and Hearing Impaired Patients at the basic level and enhanced levels of services; Consumer Assistance Programs at the three levels of service; Financing at the three levels; and, Governance of the clinics.

Mr. David Edge: County Administrative Officer, stresses to the Board that the "basic levels" of service are much greater than what a lot of counties provide, but doesn't mean we shouldn't do more.

Mr. Edward English: addresses a “crisis” with respect to dental care for the severely disabled adults in the County; there are more than 300 disabled adults who are without dental care, with the closure of General Hospital; indicates the dentist who used to come here was denied the ability to perform dental surgery at French Hospital, so he no longer comes to the County to assist these folks; urges the County to find a way to provide this service.

Ms. Biz Steinberg: EOC Director, reads a joint letter from the San Luis Obispo County Medical Society and The Society Group Foundation affirming the work of the Task Force and presents the same for the record; addresses her experience with the Task Force and feels it was great opportunity to bring everyone together for one purpose.

Ms. Kathleen Aragon: EOC, states she was on the Task Force and will be providing assistance to agricultural workers.

Mr. Eric Greening: questions where are the savings from closing the Hospital that were to support the clinics; suggests there needs to be a lot of work done, before placing a tax measure on the ballot to support the clinics.

Supervisors Bianchi and Achadjian: thank EOC, Mr. Diring and those folks on the Task Force for their work.

Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt, with Supervisor Pinard being absent, motion carries and the Board receives the Future Vision Task Force Final Report and directs staff to return to the Board as soon as possible with an analysis of the Task Force recommendations, including the estimated cost of implementing them.

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, August 5, 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/Vicki M. Shelby,
Deputy Clerk-Recorder

DATED: August 7, 2003
vms