

Tuesday, July 13, 2004

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 Shirley Bianchi, Peg Pinard, K.H. 'Katcho' Achadjian, Michael P. Ryan and Chairperson Harry L. Ovitt

**ABSENT:** None

**PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON HARRY L. OVITT.**

**SUM      AGN**

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

**Supervisor Bianchi:** presents the resolutions from the previous week to Bob Semonsen and Gary Karner recognizing them for their exemplary work on the Los Osos Community Advisory Council (Dawn Wright and Ray Bracken not present to receive their resolutions).

**Ms. Maria Herrera:** addresses the low pay and long hours of the In-Home Support Service (IHSS) worker.

**Ms. Lori Heizer:** states her client fell while she was away and has since been discharged due to lack of insurance coverage; indicates she is not trained to handle the kind of care her client needs.

**Mr. Eric Greening:** urges the Board to help IHSS workers lobby in Sacramento for better pay; addresses the Hearst Ranch agreement and questions if hard copies could be made available in the Administrative Office and the libraries.

**Ms. Linda Hall:** addresses a Citizens Oversight Commission for the Sheriff's Department; feels local businesses are suffering from bad press relating to the Sheriff's Department.

**Supervisor Bianchi:** announces a Thursday night meeting in Cayucos relating to the Hearst Ranch Conservation Easement; states the BBQ starts at 4:30p.m. and the meeting will begin at 6:00p.m.; hopes anyone who is interested in this issue will attend. **No action taken.**

2            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. Gary Rogers:** thanks the Board for the resolution recognizing the Paul Wolff Accessibility Advocacy Award; states accessibility for the disabled is a lifeline.

**Mr. Eric Greening:** thanks the Board for the allocation of funds to the Morro Estuary Greenbelt Alliance; states this is a good use of Community Project Funds. **No action taken.**

3            B-1      **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and**  
thru      **on the following roll call vote:**  
B-44

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

**Consent Agenda Items B-1 thru B-44 are approved as recommended by the County Administrative Officer.**

Consent Agenda Items B-1 thru B-44 are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Items set for hearing:

- B-1 Introduction of an amendment to the County Code, Section 8.12.400 for a construction and demolition recycling ordinance; All Districts, **Approved and the Clerk is instructed to give notice of hearing set for July 20, 2004 at 9:00 a.m..**

Administrative Office Items:

- B-2 Amendment to the Memorandum of Understanding with the Private Industry Council extending the effective date to June 30, 2005, **Approved.**
- B-3 Appointments to the Community Health Centers of the Central Coast's Board of Directors, **Approved.**
- B-4 **RESOLUTION NO. 2004-207**, accepting the exchange of property tax revenue and annual tax increment for Annexation No. 86 to the City of Paso Robles (Olsen); 1st District, **Adopted.**
- B-5 **RESOLUTION NO. 2004-208**, accepting the exchange of property tax revenue and annual tax increment for Annexation No. 69 to the City of San Luis Obispo (Dalidio Ranch); 1st District, **Adopted.**
- B-6 **RESOLUTION NO. 2004-209**, accepting the exchange of property tax revenue and annual tax increment for Annexation No. 26 to the Nipomo Community Services District (Patterson); 4th District, **Adopted.**

Auditor-Controller Items:

- B-7 Audit report on the Morro Bay Pro Shop Concessionaire, Comerford Inc., dba Fairway Management, **Received and Filed.**
- B-8 Unannounced cash count of the County Administrative Office, **Received and Filed.**
- B-9 Audit report of the Inmate Welfare Trust and Commissary Fund maintained by the Sheriff-Coroner for 2002-2003, **Received and Filed.**
- B-10 Unannounced cash count of the Board of Supervisors, **Received and Filed.**
- B-11 Unannounced cash count of the Farm Advisor's San Luis Obispo office, **Received and Filed.**

Behavioral Health Items:

- B-12 Renewal contract (Clerk's File) with Transitions-Mental Health Association to provide mental health services, **Approved.**
- B-13 Renewal contract (Clerk's File) with Family Care Network, Inc. to provide mental health services, **Approved.**
- B-14 Renewal contract (Clerk's File) with Intelistaf Healthcare, Inc., to provide skilled nursing and psychiatric technician services to Mental Health clients and nursing services to Public Health clients, **Approved.**
- B-15 Renewal contracts with Sylmar Health and Rehabilitation Center, Inc., Health Care Management, dba Merced Manor and 7th Avenue Center, LLC, to provide skilled nursing facility services, **Approved.**

Board of Supervisors Items:

- B-16 **RESOLUTION NO. 2004-210**, recognizing the Paul Wolff Accessibility Advocacy Award, **Adopted.**
- B-17 Allocation of \$4,000 from Community Projects Funds (\$2,000 each from Districts Two and Four) to the San Luis Obispo Mozart Festival to be used to sponsor Mozart Fringe Concerts, **Approved.**
- B-18 Allocation of \$5,000 from Community Projects Funds (District One - \$4,000, District Five \$1,000) to the Paso Robles Pioneer Museum to be used for the relocating and restoration of the Geneseo one-room school house, **Approved.**
- B-19 Allocation of \$2,000 from District Two Community Project Funds to the Morro Estuary Greenbelt Alliance to be used to develop a marine resource on-line map and interactive directory, **Approved.**
- B-20 Allocation of \$2,000 from District Four Community Project Funds to the Nipomo Community Advisory Committee to be used for costs associated with holding monthly meetings, **Approved.**

Public Health Items:

- B-21 Renewal agreement (Clerk's File) with LifeSteps Foundation, Inc., to participate in the Medi-Cal Targeted Case Management program, **Approved.**
- B-22 Seven grant extension agreements (Clerk's File) with the Children and Families Commission for programs promoting early childhood development for fiscal year 2004-05, **Approved.**

Public Works Items:

- B-23 Appointment of Claire Ronalter, representing the Avila Valley, to the Flood Control Zone 9 Advisory Committee, **Approved.**
- B-24 Agreement (Clerk's File) for engineering consulting services with Omni Means, to prepare the South County Traffic Model Update; 4th District, **Approved.**
- B-25 Amended agreement (Clerk's File) with Boyle Engineering Corporation to provide continued engineering and project management services for the Nacimiento Water Supply Project, **Approved.**
- B-26 Amended agreement with Becon Integrated Professional Resources, Inc., dba Hamner Jewell and Associates to provide continued right of way related consulting services for the Nacimiento Water Supply Project, **Approved.**
- B-27 Agreement with the State Department of Transportation to exchange federal highway funds for state highway funds, **Approved.**
- B-28 Construction easement deeds and right of way agreements (Clerk's File) for the Las Tablas Road/Highway 101 Off-Ramp Sound Wall Project; 1st District, **Approved.**
- B-29 **RESOLUTION NO. 2004-211**, accepting conveyance from the Cambria Community Services District for Main Street, West Village Road Project; 2nd District, **Adopted.**
- B-30 **RESOLUTION NO. 2004-212**, accepting conveyance from Jack Munari and Peter Kim for the Tract 2162 Emergency Access Easement Project, Oak Shores; 1st District, **Adopted.**
- B-31 **RESOLUTION NO. 2004-213**, for the addition of delinquent water and sewer availability charges for County Service Areas Nos. 7-A (Oak Shores), 16 (Shandon),

18 (Country Club Estates) and 23 (Santa Margarita) to the 2004-05 property tax bills; 1st, 3rd and 5th Districts, **Adopted.**

- B-32 **RESOLUTION NO. 2004-214**, establishing the 2004-05 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Emerson Road Improvement Zone; 2nd District, **Adopted.**
- B-33 **RESOLUTION NO. 2004-215**, establishing the 2004-05 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Roscoe Place Improvement Zone; 2nd District, **Adopted.**
- B-34 **RESOLUTION NO. 2004-216**, establishing the 2004-05 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Ashby Lane Improvement Zone; 2nd District, **Adopted.**
- B-35 **RESOLUTION NO. 2004-217**, establishing the 2004-05 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Marine Terrace and Alban Place Cooperative Road Projects; 2nd District, **Adopted.**
- B-36 **RESOLUTION NO. 2004-218**, establishing the 2004-05 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Pineridge Drive Road Improvement Zone; 2nd District, **Adopted.**
- B-37 **RESOLUTION NO. 2004-219**, providing for a service charge credit/rebate for the landscaping maintenance project in County Service Area No. 1A (Galaxy Park, Tract 1898, Nipomo); 4th District, **Adopted.**
- B-38 **RESOLUTION NO. 2004-220**, to levy assessments for Flood Control Zone 4 (Santa Maria River Levees); 4th District, **Adopted.**
- B-39 **RESOLUTION NO. 2004-221 and 2004-222**, levying assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area); 4th District, **Adopted.**
- B-40 **RESOLUTION NO. 2004-223**, levying assessment for Flood Control Zone 16 (Nipomo, San Miguel, and Shandon Areas); 1st and 4th Districts, **Adopted.**
- B-41 The following parcel map has been received and has satisfied all the conditions of approval that were established in the public hearing on it tentative map: CO 02-0374, a proposed subdivision resulting in 2 lots, by Scott and Raquel Rowan, Rick and Fran Simonini, Chesapeake Place, Nipomo Mesa; 4th District, **Approved.**

Other Items:

- B-42 Minutes of the Board of Supervisors meetings of May 11, 18, and 25, 2004, **Approved.**
- B-43 Amended lease agreement with Roger and Juanita Brown, Trustees of the Brown Family Trust, extending the lease through July 31, 2008 allowing Public Health Tobacco and First Five Children and Families Commission to remain in office space located in San Luis Obispo, **Approved.**
- B-44 **RESOLUTION NO. 2004-224**, setting the salary for the Supervising Property Transfer Technician, **Adopted.**
- 4 C-1 This is the time set for hearing to consider a resolution authorizing the addition of delinquent service charges for County Service Areas Nos. 1 (Old Galaxy - Nipomo - Sewer/Waste Disposal, Lighting and Drainage Service) to the 2004-05 Property Tax Bills; 1st and 4th Districts.

**Ms. Straith Smith Zanartu:** Public Works, presents the staff report and recommendation.

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

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

**RESOLUTION NO. 2004-225, resolution of the Board of Supervisors acting as the Governing Board of San Luis Obispo County Service Area No. 1 (Old Galaxy - Nipomo) - Sewer/Waste Disposal, Lighting and Drainage Service, resolution verifying delinquent service changes and confirming report, adopted.**

- 5 C-2 This is the time set for hearing to consider a resolution confirming amended assessments for the North Mesa A.D. (Road District) San Miguel A.D, “A” (Water District) and San Miguel A.D. “B” (Water District); 1st and 4th Districts.

**Ms. Straith Smith Zanartu:** Public Works, presents the staff report and recommendation.

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

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

**RESOLUTION NO. 2004-226, resolution confirming and ordering amended assessments for the North Mesa A.D. (Road District), San Miguel A.D. “A” (Water District) and San Miguel A.D. “B” (Water District), adopted.**

- 6 C-3 This is the time set for hearing to consider a resolution (Clerk’s File) authorizing the collection of service charges within County Service Areas 1, 1-A, 1-F, 7-A, 18 and 21; All Districts.

**Ms. Straith Smith Zanartu:** Public Works, presents the staff report and recommendation.

**Ms. Linda Hall:** states this item is confusing and asks for clarification relating to the service changes, with Ms. Zanartu responding.

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

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

**RESOLUTION NO. 2004-227, resolution of the Board of Supervisors acting as the Governing Board of the San Luis Obispo County Service Area (CSA) Nos. 1 (Old Galaxy Park and Tract 1690 - Nipomo); 1-A (Galaxy Park and Tract 1898 - Nipomo); 1-F (New Galaxy - Nipomo); CSA 7-A (Oak Shores); 18 (San Luis Country Club Estates); and 21 (Cambria, Road Improvements) confirming report and directing the collection of annual service charges on County Tax Roll, adopted.**

- 7 C-4 This is the time set for hearing to consider an appeal by R. Burke Corporation of the Planning Commission’s disapproval to allow expansion of an existing construction

storage yard and the establishment of a concrete crushing and recycling use in the commercial service land use category on Farmhouse Lane in the San Luis Obispo Planning Area; 3rd District.

**Mr. John McKenzie:** Planning, hands the Board “raw notes” from the Planning Commission meetings of March 25<sup>th</sup> and April 22<sup>nd</sup>; presents the staff report; describes the proposed expansion project, the crushing process and surrounding uses; states the Planning Commission recommended on a 3-2 vote the denial of this request due to its industrial nature and incompatibility with the surrounding residential area; presents slides of the area and discusses the issues of the appeal.

**Ms. Carol Florence:** Oasis Associates representing R. Burke, urges the Board to overturn the decision of the Planning Commissions decision based on: 1) recycling is a State and Countywide goal; 2) recycling is an allowable use within the commercial service zone; 3) the Burke property is a much larger and recently approved 58 acre commercial subdivision whose approval was based on a rigorous environmental review and are bound by specific mitigation measures; 4) the applicant is committed to improving the situation and being a good neighbor; and 5) the applicant is committed to strictly adhering to the proposed conditions and mitigation measures and is willing to sunset the recycling component should he fail to perform accordingly; feels solutions to address the potential conflicts have been analyzed, identified and are now part of the project description.

**Board Members:** discuss various issues, comments and concerns regarding: definition of “enclose”; noise; dust; traffic; hours of operation; paved roads and where the non potable water be obtained, with staff and Ms. Florence responding.

**Mr. Bud Wampler:** urges the Board’s approval of this expansion; feels this facility will give the public a choice of where to disburse materials and the Board has the authority to mitigate any problems.

**Ms. Cherisse Troesh:** addresses the importance of this type of facility; states she speaks as a recycling advocate and urges the Board’s approval.

**Mr. Roy Ogden:** addresses the distinction between the type of use Mr. Burke is asking for today compared to what was approved for the original development; states crushing concrete in the viewshed of Highway 227 next to this residential area is unacceptable; feels this is not the right place for this recycling process; addresses the issues of the appeal.

**Mr. Jim Grammar:** states he speaks on behalf of the residents; indicates the homes are less than 500 feet from the project; states Mr. Burke has already engaged in this use; he has personally called to request the late night and early morning noise stop; believes the Planning Commission did their homework because this project is not compatible with the area and urges the Board to uphold the decision.

**Ms. Florence:** states they have worked with neighbors with regard to other projects to make the project compatible; indicates there is another component to having mitigation measures and that is monitoring.

**Board Members:** discuss various issues, comments and concerns regarding: the year the homes were built in the area; the importance of recycling; monitoring; requiring paved roads; is this the right place for recycling; the approval of the tract map; if approved the traffic should be required to be on a paved road; pollution; require a sunset on the approval of 7years from the time they have met the conditions to start recycling; violations occurring on the property; allowable uses under Commercial Services zoning, with staff responding.

**A motion by Supervisor Ryan, seconded by Supervisor Bianchi to partially uphold the appeal; require the roads leading to and from the property to be paved; the project only be approved for 7 years with the land use**

**application being terminated after that time and requiring a new application and the 7 years would start when the conditions are met and they are open for business; and the crushing operation hours would be 8:00 a.m. to 5:00 p.m. and return to the Board on July 20, 2004 for final action, is discussed.**

**Supervisor Bianchi:** states she would like to add that the applicant be required to reimburse the Planning Department on real time billing for any enforcement investigations or actions.

**Supervisor Ryan:** states he would only agree to that if they were found in violation.

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

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

**the Board tentatively partially upholds the appeal; requires the roads leading to and from the property to be paved; the project be approved for 7 years with the land use application being terminated after that time and requiring a new application and the 7 years would start when the conditions are met and they are open for business and the crushing operation hours would be 8:00am. to 5:00p.m.; the applicant will be required to reimburse the Planning Department on real time billing for any enforcement investigation or actions if violation occurs and return to the Board on July 20, 2004 for final action at 9:00 a.m..**

- 8 D-1 This is the time set for a submittal of the Certificate of Sufficiency - An Initiative Petition to establish a County ordinance prohibiting the growing of genetically engineered organisms in San Luis Obispo County.

**Ms. Janet Haley:** Deputy Registrar of Voters, presents the staff report and recommendations.

**Supervisor Pinard:** questions what the preference of the Clerk's Office is relating to the deadline.

**Ms. Haley:** states if the Board plans on placing this on the ballot it would be better to do that today so staff can proceed in calling for arguments; the goal of the Elections Division is to get the sample ballots out to the voters at the earliest possible date that is allowed by law.

**Mr. Noah Smukler:** states there is a broad range of support for this item; feels it needs to be put on the ballot and go through the democratic process.

**Ms. Laura Lopez:** urges the Board to vote to have this initiative put on the ballot today so that they may receive a measure number and begin campaigning; urges the Board to start the democratic process.

**Mr. Mike Zelina:** urges the Board to adopt the initiative today; states this will give the County Clerk's office enough time to process; indicates there is no reason to wait to start this democratic process.

**Ms. Pamela Heatherington:** states the process of getting this initiative on the ballot will let the people of the County decide whether genetically engineered organisms should be grown in this County; states the gathering of signatures in such a short time is an amazing demonstration of democracy in action; indicates volunteers

are ready to begin the campaigning process; urges the Board to put this initiative on the ballot today.

**Ms. Teresa Campbell:** states the people want to decide on issues for themselves and feels any delay would serve no purpose; indicates the campaign process must begin; thanks the Clerk's office for validating the signatures in three days; urges the Board to put the initiative on the ballot today.

**Mr. David Weisman:** addresses the achievement and commitment of the volunteers; urges the Board to place the initiative on the ballot.

**Ms. Meranda Leonard:** states they have worked very hard to gather these signatures; discusses why she feels this initiative is good for the County; thanks the Clerk's Office for their timely turnaround and urges the Board to put the initiative on the ballot today.

**Ms. Daniela Arnon:** urges the Board to honor the will of the people and proceed with the democratic process.

**Reverend C. Hite:** states Genetically Engineered Organisms are one more risk for the County; addresses contaminated food sources; speaks to by-products and pestilents; urges the Board to consider the risks in their decision.

**Mr. Otto Schmidt:** urges the Board to uphold the wishes of the more than 1 in 12 of the 144,593 registered voters in the County; allow the democratic rights; let the people speak in November.

**Mr. Eric Greening:** states he agrees with all of the previous speakers who have encouraged the Board to put this initiative on the ballot today; give the Clerk's Office a reasonable time frame for responding to it; addresses public participation.

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

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

**RESOLUTION NO. 2004-228, a resolution calling for placement of an initiative measure to establish a County ordinance prohibiting the growing of genetically engineered organisms in San Luis Obispo County on the November 2, 2004 General Election Ballot, adopted.**

9 CS The Board announces it will be going into Closed Session regarding:

**I. PENDING LITIGATION (Gov. Code, § 54956.9.)** It is the intention of the Board to meet in Closed Session concerning the following items:

**A. Conference with Legal Counsel - Existing Litigation (Gov. Code, § 54956.9(a).) (Formally initiated)** 1) *AT&T v. County of San Luis Obispo*, 2) *MCI WorldCom v. County of San Luis Obispo*, and 3) *Vestal 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 2. 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.

**II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code, § 54957.6.)**



It is the intention of the Board to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: 6) Negotiator's Name: Santos Arrona, Gail Wilcox Name of employee organization: Deputy Sheriff's Association; 7) Negotiator's Name: Santos Arrona, Gail Wilcox, Ellen Aldridge Name of employee organization: San Luis Obispo County Probation Peace Officers' Association; 8) Negotiator's Name: Santos Arrona, Gail Wilcox, Avery & Associates Name of employee organization: District Attorney Investigators Association; 9) Negotiator's Name: Santos Arrona, Gail Wilcox, Avery & Associates Name of employee organization: SLOCEA.

**Chairperson Ovitt:** 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 through 9 were discussed and no public report is required because no final action was taken, and the Board goes into Open Public Session.

10 C-5 This is the time set for hearing to consider proposed amendments to the Growth Management Ordinance, Title 26: LRP 2003-0009, request by the County to maintain the Countywide growth rate at 2.3%, the Nipomo Mesa Area rate at 2.3% and the Cambria growth rate at 1%; allow 10 -15 % of the total annual allotments for any one developer in the Nipomo Mesa area; and carryover 97 unused allotments from the previous year's annual allotment; All Districts.

**Ms. Kim Murry:** Planning, presents the staff report; states the ordinance included in the Board's packet reflects the action taken by the Board on June 22, 2004; states she is available for questions.

**Supervisor Bianchi:** discusses a definition of grandfathered meters.

**Ms. Murry:** discusses the difference between grandfathered and replacement meters.

**Mr. Eric Greening:** states he protests the separation of the Board's actions on growth rates and not having the Water Resources Advisory Committee's recommendation that the Nipomo area water supply level of severity be moved from 2 to 3; questions if the growth rate could be lowered.

**Mr. Jerry Bunin:** Government Affairs Director for the Home Builders' Association, states they support the staff recommendation and urges the Board to take a new look at the entire Growth Management system.

**Mr. David Watson:** King Ventures, states they support the staff recommendation; agrees with Mr. Bunin and appreciates the Board's consideration.

**Ms. Linda Hall:** addresses Cambria's water rights and active service meters.

**Supervisor Bianchi:** states she would like a future discussion regarding grandfathered meters in Cambria.

**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, Pinard, Ryan,  
Chairperson Ovitt  
**NOES:** None  
**ABSENT:** None

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and **ORDINANCE NO. 3029**, an ordinance amending Title 26 of the San Luis Obispo County Code, The Growth Management Ordinance, Section 26.01.070, adopted.

- 11 C-5 Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Achadjian, and on the following roll call vote:

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

**RESOLUTION NO. 2004-229**, resolution of the Board of Supervisors of the County of San Luis Obispo approving the carry over of 10% of the maximum allotment from the previous year to make those unused allotments available for distribution in the Fiscal Year 04-05, resulting in an additional 97 units countywide (with 14 of these occurring in the Nipomo Mesa Area and 4 in the community of Cambria), adopted.

- 12 C-6 This is the time set for hearing to consider an ordinance amending Title 22 (Land Use Ordinance): 1) G020012, a request by Steve and Rene Troesh; and 2) G02008M, a request by Robert Anderson; 4th District.

**Ms. Kami Griffin and Mr. Brian Pedrotti:** Planning, presents the staff report for G020012N - Troesh, G020008M - Anderson, and LRP 2003-0003 - County of San Luis Obispo.

**Mr. Karen Brooks:** APCD staff, states they support the Troesh project indicating it will be an alternative to backyard burning.

- 13 C-6 Matter is fully discussed and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and on the following roll call vote:

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

**RESOLUTION NO. 2004-230**, resolution to amend the San Luis Obispo County General Plan, Agriculture and Open Space Element, and Land Use Element, and to Adopt Ordinances Entitled “An Ordinance Amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040C relating to the Troesh Property”, “and Ordinance Amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040G relating to the Anderson Property”, and “An Ordinance Amending Specific Sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code” and to approve

**Environmental Documents,  
adopted.**

14            C-6    **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and on the following roll call vote:**

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

**the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3030, an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040C relating to the Troesh property, adopted.**

15            C-6    **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and on the following roll call vote:**

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

**the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3031, an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040G relating to the Anderson property, adopted.**

16            C-6    **Thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and on the following roll call vote:**

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

**the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3032, an ordinance amending specific sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code, 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, July 13, 2004, 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: 7/22/2004  
cla

