

Tuesday, December 14, 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 A-1 **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. 2004-394, resolution commending Janet Haley for 26 years, 10 months and 13 days of dedicated service to the County of San Luis Obispo, adopted.**

**Chairperson Ovitt:** reads the resolution and presents it, along with a plaque, to Ms. Haley.

**Ms. Haley:** thanks the Board for the recognition; thanks Ms. Julie Rodewald, County Clerk-Recorder, for being the "best boss"; states she's worked with a lot of good people over the years.

**Ms. Julie Rodewald:** County Clerk-Recorder, speaks regarding the number of years she has worked with Ms. Haley and outlines her work history with the department; states she will be missed.

**Chairperson Ovitt:** states he has known Ms. Haley most her career and thanks her for her service to the County.

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

**Ms. Cathy Marvier:** representing the Friends of the Library for the Shell Beach Library, presents a plaque to Supervisor Pinard for her dedication to the library, making her an honorary Friends member.

**Mr. Jesse Arnold:** thanks the folks in the County who voted in favor of Measure Q; provides a breakdown of how the various parts of the County voted on this measure.

**Mr. Michael Kovacs:** speaks to the libraries and curtailing hours here and believes the public has been "stabbed in the back" again by the Board; wants to know when the Board is going to start listening to the public instead of the staff.

**Mr. Erik Benham:** states he is asking for a special meeting of the Board before the end of the year for the Maria Vista tract map, before Supervisors Ryan and Pinard are off the Board; addresses all the problems he has had with County staff and the Nipomo Community Services District; comments to the "outrageous bond" they have had to paid; addresses the extensive cost to him with all the delays he's had on his map.

**Mr. Jesse Hill:** presents a packet of information, a photograph and speaks regarding the Dana House and Quimby Fees; addresses the Nipomo Advisory Group wanting some of the fees that have been collected in this area to purchase property.

**Mr. Paul Hood:** Executive Officer for LAFCO, presents Supervisor Ryan with a Certificate of Appreciation, from the California Association for LAFCO.

**Chairperson Ovitt:** states this is the last meeting for Supervisors Pinard and Ryan and presents each with a plaque for their service; thanks them for all their work.

**Supervisor Ryan:** thanks Ms. Debbie Arnold, his Legislative Assistant, for all her work and assistance and presents her with a bouquet of flowers; speaks to the amount of work involved when you become a Supervisor; commends the various folks who represented his district on the Civil Service Commission, Fish & Game Fines Committee, Planning

Commission and Parks and Recreation Commission; thanks the public for the opportunity to serve.

**Supervisor Pinard:** states she is finding it sad to leave as she has always enjoyed serving the public; thanks the Planning Commission for all they do; thanks the Department heads for all their work; thanks the public for the opportunity to serve. **No action taken.**

3

A-2 **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

**presentation of employee service recognition awards, approved.**

**Mr. Richard Greek:** Personnel Director, introduces the item and the following **20-Year employees:** Marc Mohler - General Services (not present); Bonnie Tognazzini - Sheriff-Coroner (not present); Debra Hernandez - Sheriff-Coroner (not present); Rob Reid - Sheriff-Coroner, with Ms. Mary York, Personnel, presenting those present with their 20-year pin.

**25-Year Employees, are presented.**

**Mr. Duane Leib:** General Services Director, introduces Phillip Haley (not present) and provides a brief history of his employment with the County and thanks him for his service.

**Ms. Janette Pell:** Information Technology Director, introduces Richard Rivera and provides a brief background on his duties and the changes in technology over the years.

**Mr. Rivera:** thanks everyone for the recognition.

**Mr. Pat Hedges:** Sheriff-Coroner, introduces Mark Jennings (not present) outlining his history and promotions out at the County Jail and commends him for his service; introduces Mr. Peter Hodgkin (not present) and addresses his prior law enforcement background before joining the Sheriff's Department; speaks to the respect Mr. Hodgkin has gained with his coworkers and commends him for his service.

**30-Year Employees, are presented.**

**Chairperson Ovitt:** introduces Robert Hamm, General Services and provides a brief background on his service to the County as a Park Ranger; indicates that Mr. Hamm will also be retiring on 12/31/2004.

**Mr. Hamm:** states it has been an honor to work for the County; he has worked with a lot of great staff and it "has been a great ride."

**Chairperson Ovitt:** introduces Larry Koznek, General Services (not present) and provides a brief background on his service, promotions and duties with the County.

**Chairperson Ovitt:** introduces Bonno Kroeze, General Services Park Ranger; provides a brief background on his duties, promotions and his current duties as a supervisor.

**Mr. Kroeze:** thanks the Board for the recognition; states it's been an interesting 30 years; indicates he has worked with a lot of good people.

4

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:** addresses Items B-14 and 15 and is glad to see money going to support musical opportunities for students; addresses Item B-41 and is glad to see the watershed program moving forward but has several concerns and cites those for the record.

**Mr. Scott Baker:** Counsel for the Heritage Ranch Homeowners Association, addresses Item B-38-E (Tract 1990) and their concern to approving this today; believes they are not complying with the conditions of the tentative map and failure to submit CC&R's for the proposed development in accordance with County ordinance and policy; presents his comments in writing for the record.

**Ms. Linda Richey:** General Manager for the Heritage Ranch Homeowners Association, speaks to Item B-38-E; addresses a document they presented the Board today with a 2002-2004 time line on the Ranch and the improvements that have occurred during that time; states the Applicant's for Tract 1990 have put 2 sets of CC&R's together and they

want this changed.

**Mr. Babak Naficy:** speaks to Item B-26 and the legal fight that Robert and Susan Klein won regarding this project; suggests the Board owes an acknowledgment to his clients on this.

**Mr. Phillip Toriello:** comments on Item B-16 and thanks Supervisor Pinard for her support of this program.

**Mr. Robert Klein:** presents a copy of a portion of Judge Hilton's ruling regarding Item B-26; suggests this shows that the County cannot violate/break the law and get away with it.

**Ms. Sue Klein:** comments on Item B-26 and thanks those Supervisors who supported their position from the beginning and to those Supervisors who didn't support their position "shame on them."

**Mr. Michael Kovacs:** comments on Items B-3 and B-5 and his concern to the continual increase in salaries; concerns that the Budget Policies don't address streamlining; commends the Board for Item B-13 and cutting a position.

**Ms. Minke Winkler Prins:** President of the Youth Symphony, speaks to Item B-14, providing a background that created the need for the additional teachers and violas; presents a copy of the *Journal - The Magazine of the Central Coast (December 2004)* that features the Youth Symphony.

**Supervisors Pinard and Achadjian:** acknowledge the work and effort of the Kleins, with respect to Item B-26. **No action taken.**

- 5 B-1 Consent Agenda Item B-14 is amended to add to the title on the cover sheet the program costs thru include the viola teacher and the purchase of three violas. Item B-25-B is withdrawn for separate B-45 action. Item B-25-J is withdrawn. Items B-41, B-42, B-43, B-44, B-45 are added to the Consent Agenda.

**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

**Consent Agenda Items B-1 through B-45 are approved as recommended by the County Administrative Officer and as amended by this Board.**

Consent Agenda Items B-1 through B-45, 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 earthquake damage repairs to various off-system County roads in Oceano; 4<sup>th</sup> District, **Approved and the Clerk is instructed to give notice of bid opening set for January 13, 2005 at 3:00 p.m..**

B-2 Plans and specifications (Clerk's File) for the construction of a new playground for Santa Margarita Community Park in Santa Margarita; 5<sup>th</sup> District, **Approved and the Clerk is instructed to give notice of bid opening set for January 20, 2005 at 3:00 p.m..**

Administrative Office Items:

B-3 **RESOLUTION NOS. 2004-395, 2004-396, 2004-397,** (Clerk's File) adopting the Memorandum of Understanding with The San Luis Obispo County Employees' Association (SLOCEA), Public Services, Supervisory and Clerical Units, **Adopted.**

B-4 **RESOLUTION NOS. 2004-398, 2004-399, 2004-400, 2004-401, 2004-402,** (Clerk's File) reviewing the conflict of interest codes for various County Departments, Local Government Agencies, Commissions/Boards and School Districts, **Adopted.**

B-5 Fiscal year 2005-06 budget goals and policies, **Approved.**

B-6 Board of Supervisors meeting calendar for 2005, **Approved.**

Auditor-Controller Items:

B-7 Rate adjustment of 2.51% for the garbage hauling services provided by Mid State Solid Waste & Recycling Company, Paso Robles Country Disposal and San Miguel Garbage Company effective February 1, 2005. **Approved.**

B-8 Interim rate adjustment of 8.0% for San Luis Garbage Company in areas of the Airport, Rolling Hills, Country Club, Evans Road, Davenport Creek areas and 3.42% in rural areas around the City of San Luis Obispo effective March 1, 2005, **Approved.**

Behavioral Health Items:

B-9 Contract (Clerk's File) with Enn Mannard, M.D. to provide psychiatric services for Mental Health, **Approved.**

B-10 Renewal contract (Clerk's File) with Marlene M. Cordero, M.D. to provide psychiatric services for Mental Health, **Approved.**

B-11 FY 2004-05 contract (Clerk's File) with Maxim Healthcare Services, Inc. to provide nursing and psychiatric technician services to Mental Health, **Approved.**

B-12 Request to designate Rose A. Drago, M.D., Behavioral Health Services Medical Director, as Chief of Staff of the Psychiatric Health Facility and Thomas P. O'Malley, MFT, Behavioral Health Services Administrator, as Interim Chief Executive Officer of the Psychiatric Health Facility, **Approved.**

Board of Supervisors Items:

B-13 **RESOLUTION NO. 2004-403**, amending the position allocation list for Budget Unit 2000 – Board of Supervisors, by deleting a Supervising Administrative Clerk II-Confidential and adding a Secretary-Confidential position, **Adopted.**

B-14 Request by Board Members to allocate \$4,200 from Community Project Funds (District One - \$100, District Two - \$500, District Three - \$3,500, District Four - \$100) to the San Luis Obispo County Youth Symphony for two free-of-charge viola classes for approximately 15 students, **Approved as amended.**

B-15 Request by Board Members to allocate \$2,000 from Community Project Funds (District Two - \$500, District Three - \$1,250, District Four - \$250) to Music and the Arts for Youth to fund visiting artist programs at various schools throughout the County in the 2004-05 school year, **Approved.**

B-16 Request by Supervisor Pinard to allocate \$5,000 from District Three Community Project Funds to the Avila Beach Community Foundation for costs associated with holding the junior lifeguard program during the 2005 summer, **Approved.**

B-17 **RESOLUTION NO. 2004-404**, honoring Stanley J. Kirk, **Adopted.**

B-18 Request by Supervisor Ovitt to reappoint Jenele Buttery to the Assessment Appeals Board, **Approved.**

B-19 Request by Supervisor Pinard to appoint Jeffrey R. Stein to the Bicycle Advisory Committee, **Approved.**

B-20 Request by Supervisor Ryan to recognize George Sullivan for his service as the Fifth District's Parks Commissioner, **Approved.**

B-21 Request by Supervisor Ryan to recognize Debbie Arnold for her service as the Fifth District's Legislative Aide, **Approved.**

General Services Items:

B-22 Lease agreement (Clerk's File) with RKE Properties II for office space located at 1103 Toro Street in San Luis Obispo, for Mental Health Services, **Approved.**

B-23 Request to terminate and approve various agreements (Clerk's File) with Community Health Centers of the Central Coast to accommodate the provision of medical services in County owned space in San Luis Obispo and Atascadero, **Approved.**

Planning and Building Items:

B-24 **RESOLUTION NO. 2004-405**, approving agreements (Clerk's File) for mitigation for lot line adjustments COAL 02-0186 with Leila K. Harrington and Jeffrey B. Simpson for

property located at 1237 "L" Street in the community of San Miguel; 1<sup>st</sup> District, **Adopted**

B-25 Submittal of 11 resolutions (Clerk's File) approving land conservation contracts, amended contracts and a farmland security zone contract pursuant to the California Land Conservation Act of 1965:

- A. **RESOLUTION NO. 2004-406**, Nelson Cuevas (AGP2004-00003) – Request to enter into a land conservation contract on 80 acres within a recently approved agricultural preserve, located on the eastern side of Pleasant Road about 1200 feet south of Cross Canyon Road; 1<sup>st</sup> District, **Adopted**.
  - B. Tim Winsor(AGP2003-00009) – Request to amend an existing land conservation contract to add 120 acres, located at the northern terminus of Red Mountain Road on the northern side of San Simeon Creek Road; 2<sup>nd</sup> District **Withdrawn for separate action**.
  - C. **RESOLUTION NO. 2004-407**, Carrasco, L.P. (AGP2003-00006) – Request to enter into a Farm Land Security Zone Contract on 121.5 acres within a recently approved Farm Land Security Zone, located at 2710 Ranchita Canyon Road, approximately one mile from the intersection of Estrella Road and Ranchita Canyon Road; 1<sup>st</sup> District, **Adopted**.
  - D. **RESOLUTION NO. 2004-408**, Arthur L. Von Dollen (AGP2003-00008) – Request to rescind a land conservation contract and simultaneously enter into a new contract to reflect a lot line adjustment, located along Lowed Canyon Road south of and bordering the Monterey County line, about 4 miles northeast of San Miguel; 1<sup>st</sup> District, **Adopted**.
  - E. **RESOLUTION NO. 2004-409**, Robert T. O'Dell (AGP2003-00008- same file number as Von Dollen) – Request to rescind a land conservation contract and simultaneously enter into a new contract to reflect a lot line adjustment, located between Vineyard Canyon Road and Mahoney Canyon Road south of and bordering the Monterey County line about one half mile northeast of San Miguel; 1<sup>st</sup> District, **Adopted**.
  - F. **RESOLUTION NO. 2004-410**, Michael Grissom (AGP2003-00004) – Request to rescind a land conservation contract and simultaneously enter into a new contract, thereby adding 3 acres and removing 2 ½ acres to reflect a lot line adjustment, located about three miles east of the town of Creston along Ryan Road; 5<sup>th</sup> District, **Adopted**.
  - G. **RESOLUTION NO. 2004-411**, Glenn and Eve Cherry (AGP2003-00005) – Request to rescind a land conservation contract and simultaneously enter into a new contract to reflect a lot line adjustment, located on the western and eastern sides of Avenales Ranch Road approximately ¾ of a mile south of Pozo Road and about 3 ¾ miles east of Pozo; 5<sup>th</sup> District, **Adopted**.
  - H. **RESOLUTION NO. 2004-412**, Michael Drucker (AGP2004-00001) – Request to enter into a land conservation contract on 160 acres within a recently approved agricultural preserve, located on the northeastern corner of the Estrella Road and Pleasant Road intersection about 5 ½ miles northeast of Paso Robles; 1<sup>st</sup> District, **Adopted**.
  - I. **RESOLUTION NO. 2004-413**, Judith B. Friend (AGP2004-00004) – Request to enter into a land conservation contract on 128 acres within a recently approved agricultural preserve; located on the western side of Branch Mountain Road at Gaviota Trail on the western edge of California Valley four miles south of the intersection of Soda Lake Road and Highway 58; 5<sup>th</sup> District, **Adopted**.
  - J. Surrey Six Holdings, LLC, (AGP2004-00002) – Request to enter into a land conservation contract on approximately 211 acres within a recently approved agricultural preserve, located on the northern and southern sides of 10<sup>th</sup> Street, approximately 0.8 of a mile west of San Miguel; 1<sup>st</sup> District, **Withdrawn**.
  - K. **RESOLUTION NO. 2004-414**, Grether Enterprises (A020001A) – Request to enter into a land conservation contract within an existing agricultural preserve on 240 acres located on the northwestern side of Highway 46 northwest of the intersection of Highway 46 and Lucy Brown Road, approximately 2 miles north of Shandon; 1<sup>st</sup> District, **Adopted**.
- B-26 **RESOLUTION NO. 2004-415**, vacating, setting aside and rescinding the approval of Minor Use Permit (D980119P) including the approval of the mitigated negative declaration for Minor Use Permit; 4<sup>th</sup> District, **Adopted**.

B-27 Contracts (Clerk's File) for special consulting services with Douglas Wood & Associates, Inc., LaJoie Planning Services and The Morro Group, Inc., **Approved**.

B-28 Amended agreement (Clerk's File) with Morro Group, Inc. to revise the Draft Environmental Impact Report for the Busick Tract Map; 4<sup>th</sup> District, **Approved**.

Public Health Items:

B-29 1) Renewal agreement (Clerk's File) with the State Department of Health Services for the Community Challenge Grant Program to reduce adolescent pregnancy; and 2) authorize the Health Agency Director to sign future amendments and/or agreements for the program, **Approved**.

B-30 Renewal agreement (Clerk's File) with the State Department of Health Services, Office of AIDS, to provide housing related services to people with HIV, **Approved**.

B-31 1) Two renewal agreements (Clerk's File) with the State Department of Health Services to continue to fund Bioterrorism Preparedness and Response activities in FY 2003/04 and 2004/05; and 2) amendments to the fixed asset listing for BU 3000, Public Health adding various related equipment in the amount of \$15,500 required to protect staff working with microbial agents of bioterrorism; and 3) the creation of a maintenance project entitled – Health – San Luis Obispo – Upgrade Public Health Laboratory; and 4) a corresponding budget adjustment in the amount of \$323,500 from unanticipated revenue to fund the fixed assets, a maintenance project, staffing and associated expenses for a consultant specializing in laboratory design, **Approved**.

Public Works Items:

B-32 Amended agreement (Clerk's File) with Wood Rodgers for engineering services required to prepare plans, specifications and estimates for the Las Tablas Road and State Route 101 interchange interim improvements design and extending the agreement to November 1, 2005 (P12A182); 1<sup>st</sup> District, **Approved**.

B-33 Amended agreement (Clerk's File) with Rajappan and Meyer Consulting Engineers for engineering services required to prepare environmental documents, plans, specifications and estimates for the Willow Road extension and State Route 101 interchange (P12A153 and P12A189) and extending the contract to February 28, 2006; 4<sup>th</sup> District, **Approved**.

B-34 Amended contract (Clerk's File) to extend the term of feasibility study for the sale of 15-acre feet of County Service Area No. 16 (Shandon) State Project Water to County Service Area No. 12 (Avila Valley) on behalf of Dr. John DeVincenzo; 1<sup>st</sup> and 2<sup>nd</sup> Districts, **Approved**.

B-35 Memorandum of Understanding (Clerk's File) with the South County Area Transit for the operation of the Avila Beach Trolley; 3<sup>rd</sup> District, **Approved**.

B-36 Property tax reductions required for Special Districts totaling \$1,692,935, as a result of the State Budget Package for FY 2004-05; All Districts, **Approved**.

B-37 Request to authorize: 1) continued processing of an application with California Public Utilities Commission for At-Grade Pedestrian Crossing of Union Pacific Railroad Tracks in San Miguel in the vicinity of 16<sup>th</sup> Street; and 2) to proceed with development of a Memorandum of Understanding with Union Pacific Railroad; 1<sup>st</sup> District, **Approved**.

B-38 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. COAL 04-0049, a proposed lot line adjustment of 2 lots, that will not result in any new lots by Maxine M. Manry, 8<sup>th</sup> Street, Templeton; 1<sup>st</sup> District, **Approved**.

B. CO 99-0108, a proposed subdivision resulting in 2 lots, by Robert & Ann Bollay, Squire Canyon Road, San Luis Obispo fringe; reject the offer of dedication without prejudice to future acceptance; 3<sup>rd</sup> District, **Approved**.

C. CO 03-0474, a proposed subdivision resulting in 2 lots, by William & Sandra Murphy, State Highway 41 at Poco Road, east of Atascadero; reject the offer of dedication without prejudice to future acceptance; 1<sup>st</sup> District, **Approved**.

D. CO 03-0073, a proposed subdivision resulting in 2 lots, by William & Patricia Hunt, State Highway 41, east of Atascadero; reject the offer of dedication without prejudice to future acceptance; 1<sup>st</sup> District, **Approved**.

E. Tract 1990, Phases I & II, a proposed subdivision resulting in 237

lots, by Tract 1990 LLC, Nacimiento Lake Drive, west of Paso Robles; reject the offer of dedication without prejudice to future acceptance, **Approved; RESOLUTION NOS. 2004-416 and 2004-417**, (Clerk's File) to approve two open space easement **agreements; RESOLUTION NOS. 2004-418 and 2004-419**, (Clerk's File) to approve two agreements for payment of road improvement fees; and, **RESOLUTION NOS. 2004-420 and 2004-421**, (Clerk's File) to approve two agreements of mitigations; 1<sup>st</sup> District, **Adopted**.

F. CO 03-0343, a proposed subdivision resulting in 2 lots by Leon D. McCaslin Family Trust, Homestead Road, east of Templeton, **Approved; RESOLUTION NO. 2004-422**, (Clerk's File) to accept the offer of dedication for road widening; 1<sup>st</sup> District, **Adopted**.

G. Tract 2559, a proposed subdivision resulting in 68 lots by Petersen Ranch LLC, Petersen Ranch Road, Templeton; reject the offer of dedication for roads without prejudice to future acceptance, **Approved; RESOLUTION NO. 2004-423**, (Clerk's File) to approve an agreement for acquisition of real property interests; **RESOLUTION NO. 2004-424**, Clerk's File) to approve an open space easement agreement; and, **RESOLUTION NO. 2004-425**, (Clerk's File) to approve an agreement for reimbursement; 1<sup>st</sup> District, **Adopted**.

H. CO 03-0369, a proposed subdivision resulting in 4 lots by Michael Bravo, Green Place, Nipomo Mesa; reject the offer of dedication without prejudice to future acceptance, **Approved; RESOLUTION NO. 2004-426**, (Clerks' File) to accept the relinquishment of access along El Campo Road; 4<sup>th</sup> District, **Adopted**.

B-39 **RESOLUTION NO. 2004-427**, from Pension Trust amending Section 1.16 "Final Compensation of the Retirement Plan" of the contract with Superior Court, **Adopted**.

B-40 Request from the Clerk-Recorder to approve five appointments to the Upper Salinas Las Tablas Resource Conservation District Board of Directors, **Approved**.

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

B-41 Request from Public Works to approve funding an agreement between the County Flood Control & Water Conservation District and the Coastal San Luis Resources Conservation District for the Arroyo Grande Creek Water Shed Assessment and Flooding Alternatives Analysis in the Arroyo Grande Creek Area in the community of Oceano; 4th District, **Approved**.

B-42 **RESOLUTION NO. 2004-428**, (Clerk's File) reviewing the conflict of interest codes for the Office of the County Assessor, **Adopted**.

B-43 Request by Supervisor Ovitt to appoint Lewis Rowe as a District One Representative to the San Miguel Public Cemetery District, **Approved**.

B-44 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 2456, a proposed subdivision resulting in 43 lots, by Nipomo Village LLC and Nipomo Village Homeowners' Association, Frontage Road, Nipomo; 4th District, **Approved**.

B. CO 99-0057, a proposed subdivision resulting in 2 lots, by James J. and Geri T. Hill and John Galuppo, El Pomar Drive, east of Templeton; 1st District, **Approved**.

B-45 **RESOLUTION NO. 2004-429**, authorizing the Planning Director to accept and execute Caltrans documents relating to administering Agency-State Agreement No. 05-5949, Procedures for Federal Aide Funding of County Planning Projects, **Adopted**.

6 B-25-B Tim Winsor (AGP2003-00009) – Request to amend an existing land conservation contract to add 120 acres, located at the northern terminus of Red Mountain Road on the northern side of San Simeon Creek Road; 2<sup>nd</sup> District, is presented.

**(SUPERVISOR SHIRLEY BIANCHI DISQUALIFIES HERSELF FROM THIS ITEM DUE TO A CONFLICT OF INTEREST AND LEAVES THE BOARD CHAMBERS.)**

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

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

**RESOLUTION NO. 2004-430, resolution approving third amendment to Land Conservation Contract pursuant to the California Land Conservation Act of 1965, adopted.**

**(SUPERVISOR SHIRLEY BIANCHI IS NOW PRESENT.)**

6

C-1 This is the time set for continued hearing (continued from October 26, 2004) to consider upholding the appeal by Donna Dietrich and Gray Gorham and submittal of a resolution reversing the Subdivision Review Board's disapproval of a vesting tentative parcel map for Parcel Map CO03-0224 (S030027P) located at 2860 Stagecoach Road, at the northeastern corner of Stagecoach Road and Creston Road, in the El Pomar-Estrella planning area; 1<sup>st</sup> District. (Additional information was added to this item at the beginning of the meeting.)

**Ms. Susan Callado:** Planning, presents the staff report; outlines the changes based on the Board's direction from the last meeting; makes corrections to several of the conditions.

**Ms. Toby Osgood:** representing the Applicant, states they are in agreement with the revised conditions.

**Ms. Maria Lorca:** representing Creston Citizens for Ag Land Preservation, presents a packet of information for the record; asks that the Board not approve this application and not allow this use on Agriculturally zoned land; presents a map showing agricultural land in TDC (Transfer of Development Credit) Receiver Areas.

**Mr. Eric Greening:** agrees with comments by Ms. Lorca; addresses his concerns when "marginal" agricultural land is used as the reason for a change in zoning and the use of TDC's; his concern that this area is not represented by any advisory group; feels this is the wrong direction to go.

**Supervisor Bianchi:** questions whether this application was processed before or after the Board initiated changes to TDC's in Agricultural zoning, with Ms. Kami Griffin, Planning, responding that it was before those changes were initiated by the Board.

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

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

**the Board upholds the appeal and amends the conditions as follows: Approved Project - #1 is amended to correct the first sentence to read: "This approval authorizes the division of a 40.31 acre parcel into two parcels of approximately 20 acres each using one Transfer of Development Credit."; under Access and Improvements #1 is deleted and #3 is amended to read: "The intersection of Stagecoach Road and Creston Road be designed and constructed in accordance with the California Highway Design Manual and fronting the property."; and, **RESOLUTION NO. 2004-431, resolution reversing the decision of the Subdivision Review Board and conditionally approving the application of Donna Deitrich and Gary [sic] Gorham for a vesting tentative parcel map for Parcel Map CO 03-0224, adopted as amended.****

C-2 This is the times set for hearing to consider an appeal by Arnold Klintworth of a decision of the Subdivision Review Board (SRB) to approve a conditional certificate of compliance (C02-0053/S980292C) for a 2.4 acre parcel in the Agriculture Land Use Category located on the southeast corner of Union Road and Highway 46, approximately 1.5 miles east of Geneseo Road, approximately 8 miles east of the City of Paso Robles, in the El Pomar-Estrella Planning Area; 1<sup>st</sup> District.

**Ms. Elizabeth Kavanaugh:** Planning, presents the staff report; addresses the issues raised in the appeal and staffs' response to each; recommends denying the appeal and upholding the SRB recommendation; addresses an additional condition being recommended by the Agricultural

Commissioner regarding a solid block wall and reads it into the record.

**Ms. Toby Osgood:** representing the Applicant, states they are doing this in conjunction with a request by and working with the City of Paso Robles; presents the history of how this parcel was created; believes this can be approved as they are requesting and suggests a modified condition as she believes the conditions are too complicated for the action.

**Ms. Meg Williamson:** City of Paso Robles, states the City does support the request by the Applicant and the language in the condition by Ms. Osgood.

**Supervisor Bianchi:** refers to page C-2-13, at the top of the page, and corrects "Accessor" to "Assessor"; questions the language of the conditions and how those are interpreted in the future if any changes occur to ordinances/code sections that are referenced.

**Supervisor Ryan:** addresses his concern to the additional condition suggested by the Agricultural Commissioner's staff; concerns to the conditions and how they will be enforced in the future.

**Mr. Larry Kelly:** Planning, addresses the proposed condition by the Agricultural Commissioner and how they handle changes to ordinances etc. imposed in conditions such as these.

**Chairperson Ovitt:** addresses the issue and believes the conditions could be much simpler.

**A motion by Supervisor Ryan, seconded by Supervisor Achadjian to partially uphold the appeal and amend the conditions to reflect the condition read by Ms. Osgood with a minor modification, is discussed.**

**Mr. Jim Orton:** Deputy County Counsel, refers the Board to the resolution and changes that will need to occur in the text.

**The motion maker and second amend their motion to include the changes suggested by County Counsel and thereafter, on motion of Supervisor Ryan, seconded by Supervisor Achadjian and on the following roll call vote:**

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

**the Board partially upholds the appeal and amends Exhibit B - Conditions to read as follows: "#1. Prior to the issuance of construction permits for the parcel, the applicant shall demonstrate that proposed development is in a manner consistent with agricultural zoning, the current County Ordinance and guidelines for development."; and, amends the text of the resolution as follows: in the title of the resolution the word "affirming" is changed to "modifying" and on the second page of the resolution #5, the first line the words "hereby denied" are changed to "upheld in part" and in the second line the word "affirmed" is changed to "modified" and RESOLUTION NO. 2004-432, resolution modifying the decision of the Subdivision Review Board and conditionally approving the application of Arnold Klintworth for a conditional Certificate of Compliance C02-0053/S980292C, adopted as amended.**

C-3 This is the time set for hearing to consider the annual review of the Public Facilities Fees Program for 2003-04 Fiscal Year; All Districts.

**Ms. Pat Beck:** Planning, presents the staff report; addresses the major overview they are doing on this program but has not been completed; staff is planning to bring it back in three to four months for the Boards' review; based on the changes they are working on staff is not recommending any increase in the fees at this time.

**(SUPERVISOR MICHAEL P. RYAN IS NOW ABSENT.)**

**Mr. Michael Kovacs:** speaks to the consistent increase in fees that occurs; addresses his concern to the loss of services at the libraries and the need to keep them open for the public.

**(SUPERVISOR MICHAEL P. RYAN IS NOW PRESENT.)**

**Mr. Robert Beedle:** wants the fees returned to the areas where they are collected.

**Mr. Jesse Hill:** presents information for the record and discusses the table showing the fees accumulated for the various areas of the County.

**Mr. Michael Winn:** addresses bringing these fees into conformance with the law and what it says as part of the update on this program.

**Supervisor Achadjian:** speaks to a meeting that is being set up in Nipomo regarding the park fees.

**Mr. Pete Jenny:** Parks Manager, states they have given dates to the advisory committee and are waiting to hear back from them.

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

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

**RESOLUTION NO. 2004-433, resolution of the Board of Supervisors of the County of San Luis Obispo reviewing the Public Facilities Fees and the "San Luis Obispo County Public Facilities Financing Plan for Unincorporated Area Facilities," adopted.**

C-4 This is the time set for hearing (introduced on December 7, 2004) to consider an ordinance that will replace Chapter 6.48 of the County Code in its entirety with a new Chapter 6.48 entitled Cable System Regulatory Ordinance; and approve a Cable System Franchise agreement with Charter Communications Properties, LLC; All Districts.

**Mr. Mark Sullivan:** Public Works, presents the staff report outlining the update to the ordinance on cable systems and the franchise agreement with Charter Communications; states this has been a long process to get this before the Board.

**Supervisor Pinard:** questions the amount of public access that will be available with Mr. Sullivan responding.

**Mr. Ray Johnson:** Economic Vitality Commission, speaks to the need for a strong franchise; believes that broadband through the internet is the future; urges the Board to approve both the ordinance and the franchise agreement.

**Ms. Leslie Bearce:** states she is a founding member of PEG and Channel 2 and indicates she is glad to see the move toward more community programming.

**Mr. John Kert:** states he is one of the producers on Channel 2 and thanks the Board and Charter for creating the channel for community programming; urges the Board to support the staff recommendations.

**Ms. Sylvia Biddle:** Charter Public Access for San Luis Obispo and Santa Barbara Counties, thanks the staff for all their work in helping to bring this forward today; highlights several of the features of the agreement.

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

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

**the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3052, an ordinance of the County of San Luis Obispo to supersede Chapter 6.48 of the San Luis Obispo County Code regarding Cable Television, adopted. Further, the Board approves the Cable System Franchise Agreement between the County of San Luis Obispo and Charter Communications Properties, LLC and the Chairperson is instructed to sign the same.**

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:

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

**A. [sic] Conference with Legal Counsel - Existing Litigation (Gov. Code §54956.9(a)) (Formally initiated) (6) *United States of America v. AAB Vetco Gray, Inc., et al. (Casmalia Site Steering Committee)* and (7) *Cambria Community Services District v. County of San Luis Obispo, Covell, Ralph, et al.***

**A. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, §**

**54956.9.)** (1) 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. (2) 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: (3) Negotiator's Name: Santos Arrona, Gail Wilcox, Ellen Aldridge, Name of employee organization: San Luis Obispo County Probation Peace Officers' Association; (4) Negotiator's Name: Santos Arrona, Gail Wilcox, Avery & Associates, Name of employee organization: District Attorney Investigators Association; and, (5) 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, the Board goes into Open Public Session.

SP **Chairperson Ovitt:** states that the Board's Secretary is also retiring this month and introduces Twila Arritt and presents her with a plaque for her service to the County and Board of Supervisors.

**Supervisors Bianchi, Achadjian, Ryan and Pinard:** all thank Ms. Arritt and indicate they are sad to see her leave. **No action taken.**

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 because no final action was taken.

C-5 This is the time set for hearing to consider the status of the Resource Management System, 2004 Annual Resource Summary Report; and request for Board direction on changes in the administration of the Growth Management Ordinance, Title 26 of the County Code; All Districts.

**Mr. John Hand:** Planning, presents the staff report; presents a graph showing growth in the unincorporated area of the County; addresses changes in the levels of severity from 2003 to 2004 as follows: **Water** - San Miguel Community Services District (CSD) from OK to Level II; Nipomo Mesa - change from Recommended Level II to Certified Level II; addresses the various water agencies and the number of conservation measures they have in place; **Sewage** - no changes; addresses changes he will need to make to the staff report on page C-5-55 to update the description of the Los Osos sewer and on page C-5-57 to update the interim moratorium; highlights the changes to **Roads** for Las Tablas Road, Nacimiento Lake Drive, Main Street - Cambria and Vineyard Drive; changes to **Schools** for Cayucos Elementary School, San Luis Obispo High School, Paso Robles Elementary Schools, Santa Margarita Elementary School and Nipomo High School; **Air Quality** - no change; recommends approval with the suggested changes.

**Ms. Kim Murry:** Planning, addresses the demand for multi-family housing in the Nipomo area which have been greater than that for single family dwelling allotments; states they are looking for direction from the Board to address this.

**Supervisor Achadjian:** states he wants a separate action taken on the Nipomo issue as he wants this portion brought back in February or later and does not want this action to affect either the Woodlands project or Summit Station.

**Mr. Jerry Bunin:** Government Affairs Director for the Home Builders Association, refers to their December 2, 2004 letter and states they support the direction this is going in order to make the allotments more flexible.

**Mr. Michael Winn:** President of the Nipomo CSD, states he is encouraged by Supervisor Achadjian's request to separate out this issue and continue the Nipomo portion of this.

**Mr. John Brantingham:** states based on Supervisor Achadjian's request he will hold his comments at this time.

**Mr. Eric Greening:** supports the recommendation by Supervisor Achadjian; does not support a Certified Level II for water in the Nipomo Mesa area.

**Mr. Ken Bornholdt:** representing the Woodlands project, addresses his letters of December 10, 2004 and December 14, 2004 and the three changes he proposed to the RMS and places copies of each in the record; states they are asking that the RMS be consistent with the approval the Board made on November 2<sup>nd</sup> with respect to the Resource Capacity Study and the certification of the level of severity at that time for the Nipomo Mesa; they support the idea of preceding with the hearing but not with the Woodlands since they have done their water supply verification; and to make that clear they request the language they have provided be included and ask that any future hearings exclude the Woodlands.

**Mr. Jon Seitz:** counsel for the Nipomo CSD, supports continuing this as recommended by Supervisor Achadjian; addresses the Level III for the Nipomo Mesa as determined in Judge Comar's decision and his interpretation of this; states the CSD has adopted an ordinance limiting

water supply within the District; they have set development standards for the water supply since this report; they are looking at supplemental water; the District is going through rate studies right now that considers a more aggressive tiered rate; and there is also consideration a water conservation coordinator.

**Mr. Jesse Hill:** addresses the ruling by Judge Comar; wants to make sure that projects in the pipeline are not held up by any of this.

**Mr. Bob Blair:** addresses his concern to all these changes and that their eventual effect will shut off the economy.

**Mr. Brad Brechwald:** speaks in support of the staff recommendation.

**A motion by Supervisor Achadjian, seconded by Supervisor Bianchi to approve the staff recommendation but remove the RMS issues for the Nipomo Area and make sure that the prior language approved by this Board be incorporated into this document, is discussed.**

**Supervisor Achadjian:** questions the agreement between Woodlands and the Nipomo CSD.

**Mr. Bornholdt:** indicates there is a written memorandum of understanding between the Woodlands and the Nipomo CSD to cooperate and that includes supplemental water and whatever they can do to coordinate, cooperate, well monitoring, etc. and they are in the process of implementing these with the District; whatever the Board decides today will not affect that agreement.

**Supervisor Achadjian:** clarifies his motion and wants to include the recommendations in Mr. Bornholdt's letter.

**Mr. Bornholdt:** refers to his letter dated December 10, 2004 and Items 1, 2, and 3 and what they are requesting be included in today's action.

**Mr. Hand:** addresses the items in the letter and suggests the changes to the map are not appropriate for this document but are appropriate for the map that appears in the Growth Management Ordinance and suggests Items 1 and 2 not be included but agree some language regarding the Woodlands is appropriate to add.

**Supervisor Bianchi withdraws her second as she doesn't support adding the language in Mr. Bornholdt's letter to this motion.**

**Supervisor Achadjian restates his motion to approve the staff recommendation with the exception of the Nipomo RMS and include the three items in Mr. Bornholdt's letter, with Supervisor Ryan seconding the motion.**

**Supervisor Bianchi:** questions why the language by Mr. Bornholdt needs to be included, with Supervisor Achadjian responding.

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

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

**the Board approves the 2004 Annual Resource Summary Report and directs staff to continue implementation of ongoing programs and to initiate work on new approved programs with the RMS issues for the Nipomo Area being removed and continued to a future date and the following language regarding the Woodlands Project is included: (1) change the map on page 10 to show the boundaries of the Woodlands area, shade it and label it "Woodlands area" on the face of the map; (2) add a note to the map on page 10 which states: "Woodlands (shaded area) Specific Plan Area is not part of the Nipomo Mesa Area."; and, (3) add a new paragraph at the end of the section on page 11 that states: "The Woodlands is the only project that has proved its 20-year water supply, namely, dependable safe yield under the new State Water law. The Board of Supervisors certified the Woodlands' verification and, in fact, was further validated by the recent court decisions in the Santa Maria water litigation. In view of the years of work, including, planning, analysis, Board findings, and court decisions, any changes to the level of severity for the Nipomo Mesa, either now or in the future, should not apply to the Woodlands Village."**

**Matter is further discussed and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Ryan and unanimously carried, the Board approves the staff recommendation to allow for adjustments between the two categories (single family and multi-family) but not more than 70% of the unused Category 2 (single family**

dwelling).

- C-6 This is the time set for continued hearing (continued from December 7, 2004) to consider proposed amendments to the San Luis Obispo County Land Use Ordinance, the Land Use Element, the Coastal Zone Land Use Ordinance, and the Land Use Element and Local Coastal Plan of the General Plan and The Woodlands specific plan: A: (G030014W)- A request by Joan Schlund and C3J, LP/Clyde to amend the Land Use Ordinance by removing the 10-acre minimum parcel size restriction on a 43-acre site with the Residential Rural Land Use Category and B: adopt all amendments previously given tentative approval on November 23 and December 7, 2004.

**G030014W, is presented.**

**Mr. Jim Lopes:** Planning, presents the staff report outlining the request by the Schlund's to remove a 10-acre minimum parcel size restriction; presents a site map and aerial photograph of the property; addresses the land use issues; outlines the Templeton Area Advisory Councils (TAAG) concerns and the Planning Commission recommendation to deny the request.

**Ms. Jamie Kirk:** representing the Applicant, presents a CD of her powerpoint presentation; outlines their request; provides photographs of the site; comments on the concerns raised by TAAG; requests that the restriction be removed from this property.

**Mr. Charles Smith:** states he lives on the property east of this site; has questions regarding access; presents a photograph of the site as seen from his property.

**Ms. Dorothy Jennings:** representing TAAG, addresses their concerns to this project.

**Chairperson Ovitt:** indicates he spoke to Ms. Kirk at the break and she agreed to continue this matter and work with TAAG on their concerns.

**Ms. Kirk:** asks that there be some parameters set as to what they should be looking at.

**Chairperson Ovitt:** states he was comfortable with only seven units on this property; doesn't have a problem with the fact that Rural Residential can qualify for TDC's; believes these are the two parameters that need to be worked with.

**Thereafter, on motion of Chairperson Ovitt, seconded by Supervisor Bianchi and unanimously carried, the Board continues G030014W off calendar to allow the Applicant and TAAG to work out their issues.**

**Ms. Kami Griffin:** Planning, states that the Board needs to take final action today on all the tentative actions they took on November 23<sup>rd</sup> and December 7<sup>th</sup>; presents a packet of information showing changes that need to be made to the resolution and ordinances in today's packet.

**Mr. Ken Bornholdt:** representing Woodlands, states they support the recommendations by staff.

**Ms. Griffin:** addresses the tentative actions taken on Summit Station.

**Mr. Derek Bell:** states he has a second family living in his home and wants the Board to move forward and remove the restrictions in the Summit Station area.

**Ms. Kathy Beck:** believes that the water problems in Nipomo do not affect the folks in Summit Station and wants this request to move forward.

**Ms. Diane Brandt:** urges the Board to move forward with the change for Summit Station and doesn't feel they should have to wait until the Nipomo Community Services District (NCSD) finds supplemental water.

**Ms. Annette Johnson:** states she lives with her daughter and they want to be able to put a secondary dwelling on this property.

**Ms. Kai Lynch:** states they have property in Summit Station, had a building permit they had to let lapse; they are now ready to build again and want to do that and keep the modular they have on the property.

**Mr. Tim Murphy:** wants the restrictions removed from this area as he wants to build homes on his property to keep his sons in the area.

**Mr. David Lopez:** states he agrees with prior comments and wants to build a secondary residence to keep his family here.

**Mr. Michael Job:** urges the Board to move forward with this and remove the restrictions; states he would agree to putting money into a fund to pay to upgrade the water system in the future.

**Mr. Jon Seitz:** counsel for the NCSD, presents a copy of his December 13, 2004 letter for the record and highlights the same; states they are agreeable to lifting the restrictions if supplemental water is available for new buildings; believes the EIR is "fatally flawed"; addresses annexation issues related to supplemental water.

**Ms. Sylvia Blakey:** urges the Board to move forward with this.

**Mr. Bob Blair:** speaks to the number of folks living in this area that aren't in need of NCSD water; states they want their zoning restored in this area and it doesn't have anything to do with water.

**Mr. Michael Winn:** representing the NCSD, addresses the water issues for this area; their belief that the EIR for this is "fatally flawed"; asks that this item be tabled to the next cycle of amendments to allow them time to address the various issues they have.

**Mr. Gale Gascho:** presents written information for the record and provides a brief history on what occurred here in 1993.

**Mr. James Lindholm:** County Counsel, addresses Supervisor Ryan's prior disqualification on voting on the DeVincenzo amendment due to a conflict of interest and states that because he did remove himself previously he will be able to vote on the overall adopting resolution and ordinances for all the requests without having to disqualify himself again.

**Supervisor Achadjian:** questions what flow requirements by CDF are with Mr. Robert Lewin, CDF/County Fire, responding that if the system were developed today they would be required to have 1,000 gallons per minute.

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

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

the Board amends the resolution to correct references throughout that read "FEIR" to read "FEIR, Supplemental EIR and Addendum"; on Exhibit G950006M:B the following language is deleted from d(3): "using species endemic to the area"; on Exhibit G030017S:A, language is added in B right before it says page 15 that reads: "Page 11: Make necessary adjustments to Table 1 - Project Land Use Acreage" and, RESOLUTION NO. 2004-434, resolution to amend the San Luis Obispo County General Plan, Land Use Element and Land Use Element/Local Coastal Plan, the Land Use Ordinance, Title 22 of the County Code, Coastal Zone Land Use Ordinance, Title 23 of the County Code and the Woodlands Specific Plan and to adopt ordinances entitled "an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040G9 relating to subdivision and secondary dwellings in the Summit Station Road Area," "an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance, Section 22.104.040C5 relating to secondary dwellings in the Almira Park Area," "an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.104.040C6 relating to Parcels 040-271-0380, 039, 040 (\*\*Clerk's note: this ordinance is was not adopted and not have been included in the title of the resolution)" and "an ordinance amending specific sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code and the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the County Code" and to approve environmental documents, adopted as amended.

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

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

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3053, an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance Section 22.112.040G9 relating to subdivision and secondary dwellings in the Summit Station Road Area, adopted.

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

<b>AYES:</b>	<b>Supervisors</b>	<b>Ryan, Achadjian, Bianchi, Pinard, Chairperson</b>
--------------	--------------------	--

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. 3054**, an ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance, Section 22.104.040C5 relating to secondary dwellings in the Almira Park Area, adopted.

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

AYES: Supervisors Ryan, Achadjian, 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. 3055**, an ordinance amending specific sections of the San Luis Obispo County Land Use Ordinance, Title 22 of the County Code and the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the County Code, adopted.

on 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 to Monday, January 3, 2005 at 12:00 p.m. for the purpose of swearing in the newly elected Supervisors.

**E. L. RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, December 14, 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/Vicki M. Shelby,  
Deputy Clerk-Recorder

December 21, 2004