

Tuesday, August
2, 2005

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, Jerry Lenthall, K.H. 'Katcho' Achadjian, James R. Patterson and Chairperson Shirley Bianchi

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON SHIRLEY BIANCHI.

SUM AGN

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

AYES: Supervisors Achadjian, Patterson, Ovitt, Lenthall,
Chairperson Bianchi

NOES: None

ABSENT: None

RESOLUTION NO. 2005-218, resolution recognizing August 2005 as "Clark Center Volunteer Appreciation Month" in San Luis Obispo County, adopted.

Supervisor Achadjian: reads the resolution and presents the same to Mr. Frank Jarrett, President of the Clark Center Association.

Mr. Jarrett: thanks the Board for the recognition and speaks to the essential role that the volunteers play at the Center.

Ms. Michelle Dee: Executive Director at the Center, thanks the various volunteers for all their help; states this is their fourth anniversary and highlights some of the events scheduled.

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

Dr. Larry Foreman: states he is an ER physician for Arroyo Grande and French Hospitals and he is looking for help for children who use ATV's; wants help getting the laws changed with regard to children riding these vehicles.

Chairperson Bianchi: questions whether there is support by other Board members to bring this issue back for a discussion on a future agenda with the other Board members agreeing.

Mr. David Edge: County Administrative Officer, asks Dr. Foreman to provide him with a list of issues for discussion when this item comes back to the Board.

Mr. Jesse Arnold: comments on Golden Rice a genetically engineered crop and his concern to its use in third world countries by bio-tech industries. **No action taken.**

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

AYES: Supervisors Achadjian, Patterson, Ovitt, Lenthall,
Chairperson Bianchi

NOES: None

ABSENT: None

presentation of employee service recognition awards, approved.

Mr. Richard Greek: Personnel Director, introduces the 20 year employees, with Ms. Mary York, Personnel, presenting their service pins.

Ms. Jan Hendrix - Agricultural Commissioner, Mr. Rusty Hall - Agricultural Commissioner, Ms. Jan Wilson - Assessor, Ms. Betty Mahoney - Auditor-Controller, Mr. Mike Cannon - Auditor-Controller, Ms. Sharon Friedmann - Behavioral Health, Mr. Lewis Texeira - General Services, are present.

20 year employees that were not present - Brooks Measures - Child Support Services and Rita Fraysier - Clerk-Recorder.

25-Year Employee Recognition Awards, are presented.

Mr. Tom O'Malley: Behavioral Health, introduces Mr. Brad Sunseri, providing a background of his service to the children of the County and presents him with his service award.

Mr. Sunseri: states that he has had a great time with all he has worked with and that this is an "awesome job."

Mr. David Edge: County Administrative Officer, introduces Mr. Duane Leib, General Services Director, addresses his accomplishments before and after coming to the County; addresses the loyalty of the staff who work for Mr. Leib; speaks to Mr. Leib's personal accomplishments; presents him with his service award.

Mr. George Rosenberger: Assistant Director of General Services, states he has worked with Mr. Leib his entire 25 years; outlines what services the department provides and thanks Mr. Leib for his service and friendship.

Mr. Leib: thanks everyone and is "humbled" by all the comments; states he couldn't do his job without the incredible staff he has working with him; highlights the various managers and staff who help him.

Mr. Leib: introduces Mr. Charles Lowe and highlights his service to the County at Lopez Lake; comments on his promotions over the years and the duties he currently performs and presents him with his service award.

Mr. Lowe: states he has the best job as he works at a lake/park every day; speaks to the enjoyment his job brings him.

Mr. Leib: introduces Mr. Daniel Peters (who is not present) and provides a brief history of his employment with the County.

25 year employee not present - Ms. Bobbie Hurd - Child Support Services.

30 Year Employee recognition Awards, are presented.

Chairperson Bianchi: introduces Mr. Santos Arrona of the Administrative Office, and speaks to his duties over the past 30 years which primarily deal with labor relations; speaks to his activities in the community and his involvement with EOC.

Mr. Edge: addresses Mr. Arrona's years of service and his ability to handle labor negotiations; states he is glad to have him as part of this team and presents him with his service award.

Ms. Gail Wilcox: Assistant County Administrative Officer, speaks to all the knowledge Mr. Arrona has and how she has appreciated that and his demeanor during negotiations.

Ms. Biz Steinberg: EOC Director, speaks to Mr. Arrona's years of service to

EOC and what a role model he is for all.

Mr. Arrona: thanks everyone for the recognition and the kind words.

Chairperson Bianchi: introduces Mr. Bob Botta, General Services and provides a brief history of his employment with the County and his previous work history, with Ms. Mary York, Personnel, presenting Mr. Botta with his service award.

Mr. Botta: thanks all for the recognition; speaks to all the changes he's seen over the years; thanks all the great people he works with.

Chairperson Bianchi: introduces Brock (John) Carter and provides a brief history of his work as a Park Ranger starting in Avila Beach, with Ms. York presenting his service award.

Mr. Carter: thanks all for the recognition; has enjoyed his years of service and is looking forward to a few more years.

Chairperson Bianchi: introduces Mr. William Mahin, General Services; provides a brief history of his employment as a Park Ranger, with Ms. York presenting him with his service award.

Mr. Mahin: states it's been a pleasure to come to work every day and thanks all for the recognition.

Mr. Leib: comments on the work of Mr. Botta, Mr. Carter and Mr. Mahin; indicates that Mr. Roland Granger, General Services, is also scheduled today for recognition of his 30 years and couldn't be here today; provides a brief history of his employment with the County and his work in the Reprographics division.

4 B-PC This is the time set for members of the public wishing to address the Board on matters set on the Consent Agenda.

Dr. Greg Thomas: Public Health Officer, addresses Items B-10, B-11 and B-12 that are resolutions for three Public Health employees that are retiring; highlights each employee's history with the County. **No action taken.**

5 B-1 Consent Agenda item B-6 is amended to correct the terms of appointment and to thru reference Health & Safety Code Section 9024(b). Item B-21 is added to the Consent B-21 Agenda.

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

AYES: Supervisors Achadjian, Ovitt, Lenthall, Patterson, Chairperson Bianchi
NOES: None
ABSENT: None

Consent Agenda Items B-1 through B-21 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-21, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Administrative Office Items:

B-1 Submittal of the responses to the 2004-2005 Grand Jury Report regarding jails and holding cells, **Approved.**

B-2 Submittal of the responses to the 2004-2005 Grand Jury Report regarding investigations into the alleged use of excessive force by the Sheriff Department,

Approved.

Behavioral Health Items:

B-3 1) Renewal contract (Clerk's File) in the amount of \$2,387,000 with Family Care Network, Inc. to provide mental health services in four existing programs; and 2) a corresponding budget adjustment in the amount of \$742,500 which is offset by revenues, **Approved.**

B-4 1) Contract (Clerk's File) with Child Development Center to provide mental health services to 65 children at the Child Development Center; and 2) a corresponding budget adjustment in the amount of \$117,453, **Approved.**

Board of Supervisors Items:

B-5 Request by Supervisor Bianchi to appoint Bruce Gibson to the San Luis Obispo County Planning Commission, **Approved.**

B-6 Request by Supervisor Ovitt to reappoint Nancy Curtis-Dubost, William E. Dodd and David J. Osgood to the Adelaida Public Cemetery District, **Approved as amended.**

B-7 Request by Supervisor Ovitt to reappoint Adrienne P. Hawkinson as a District One representative to the Commission on the Status of Women, **Approved.**

Planning and Building Items:

B-8 **RESOLUTION NO. 2005-219**, approving and accepting an open space agreement (Clerk's File) granting an open-space easement to the County by James W. & Johanna A. Townsend; 2nd District, **Adopted.**

B-9 **RESOLUTION NO. 2005-220**, accepting an avigation easement from Daniel J. & Laura J. Morefield for property located near the Oceano County Airport; 4th District, **Adopted.**

Public Health Items:

B-10 **RESOLUTION NO. 2005-221**, commending Lillian Aanerud upon her retirement after 17 years of service, **Adopted.**

B-11 **RESOLUTION NO. 2005-222**, commending Diane Ayers upon her retirement after 15 years of service, **Adopted.**

B-12 **RESOLUTION NO. 2005-223**, commending Janet Santacqua upon her retirement after 11 years of service, **Adopted.**

Public Works Items:

B-13 **RESOLUTION NO. 2005-224**, amending the County Traffic Regulation Code for the establishment of no parking and/or limited parking zones on Sheffield Street and Burton Drive, Cambria; Posada Lane, Ramada Drive and Florence Street, Templeton; Cemetery Road, San Miguel; and Fiero Lane near San Luis Obispo; 1st, 2nd and 3rd Districts, **Adopted.**

B-14 **RESOLUTION NO. 2005-225**, amending the County Traffic Regulation Code with regard to stop intersection control on Sage Avenue at Nipomo Avenue and Santa Ynez Avenue at Mountain View Drive, Los Osos; Osage Street at Eucalyptus Road, Nipomo; Bee Rock Road at Interlake Road and Shadow Canyon Road at York Mountain Road in North County; and I Street at Yerba Buena Street in Santa Margarita; 1st, 2nd, 4th and 5th Districts, **Adopted.**

B-15 The following Parcel Map has been received and has satisfied all the conditions of approval that were established in the public hearing on its Tentative Map: CO 03-0455, a proposed subdivision resulting in 2 lots, by Barbara Rooker,

near Printz Road, north of Arroyo Grande; 4th District, **Approved.**

Social Services Items:

B-16 Three service contracts (Clerk's File) in support of services provided by the Child Welfare Services and the CalWORKS programs for Fiscal Year 2005-2006, **Approved.**

B-17 **RESOLUTION NO. 2005-226**, approving the direct transfer of Children's Trust Fund monies from the County Auditor's Office to the San Luis Obispo County Child Abuse Prevention Council effective July 1, 2006, **Adopted.**

Other Items:

B-18 Letter to Governor Arnold Schwarzenegger regarding the Property Tax Administration Program (County Assessor's Office), **Approved.**

B-19 Request from the Clerk-Recorder's office to destroy County Board of Supervisors files that have been microfilmed, **Approved.**

B-20 Mitigated Negative Declaration (General Services) and initial study for the proposed .5 mile four-foot wide, multiple use park trail located in the Lopez Lake Recreation area, **Approved.**

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

B-21 **RESOLUTION NO. 2005-227**, recognizing the new Morro Bay Marine Mammals Rescue and Triage Center, **Adopted.**

6

C-1 This is the time set for hearing to consider six County initiated Notices of Nonrenewal of Land Conservation Contracts; 2nd & 5th Districts. This item was amended at the beginning of the meeting to reflect that there were two separate hearings as follows: (A) County of San Luis Obispo (A010003C) serves notice of nonrenewal of the land conservation contract on 5 property owners within the E.N. Perry, et al. contract involving 453 acres, located on San Luisito Creek Road about 1200 feet northeast of the intersection of San Luisito Creek Road and Highway 1 about three miles east of the City of Morro Bay; 2nd District; and, (B) County of San Luis Obispo (A020006C) serve a notice of nonrenewal of land conservation contract on Bernard H. and Elizabeth S. Duveneck for a 20 acre parcel remaining under contract after the County acquired the majority of the property through a Public Lot application for use as a future passive park, located on the north side of Vaquero Drive on the eastern side of the Salinas River about a half mile northeast of Templeton; 1st District.

A010003C - E.N. Perry, et al., is presented.

Mr. Terry Wahler: Planning, presents the staff report on Perry; addresses the recommendation by the Ag Preserve Review Committee recommendation to file the notices and to also pursue legal action to reconvey the properties that resulted in a violation of the terms of the land conservation contract back to their previous status.

Chairperson Bianchi: opens the floor to public comment without response

Supervisor Patterson: questions the request to pursue legal action.

Mr. James Lindholm: County Counsel, responds that any discussion regarding potential legal actions should be discussed in Closed Session.

Thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Achadjian and unanimously carried, the Board directs staff to file the five notices of nonrenewal for the land conservation contract for the property owners within the E. N. Perry, et al. ownership.

A020006C - Bernard H. and Elizabeth S. Duveneck, is presented.

Mr. Wahler: presents the staff report explaining that the portion of the Duveneck property that was donated to the County for a passive park resulted in the remaining 20 acres no longer being eligible for the program; highlights the recommendation.

No one appearing and thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Patterson and unanimously carried, the Board directs staff to file the notice of nonrenewal for the land conservation contract on property owned by Bernard H. and Elizabeth S. Duveneck.

7

C-2 This is the time set for hearing to consider an appeal by Linde Owen of the Planning Commission's decision to approve a Development Plan/Coastal Development Permit (DRC2004-00148) for the Rotary Club of Los Osos/Bonaire Investments to allow an illuminated community reader board sign located at 1319 Los Osos Valley Road at the southwest corner of Los Osos Valley Road & South Bay Boulevard in the community of Los Osos; 2nd District.

Ms. Kerry Brown: Planning, presents the staff report and presents a photograph of what the sign would look like and where it would be located; addresses the issues of the appeal and staff's response to the same; presents copies of two emails staff received for the record.

Board Members: question landscaping requirements and whether there are any requirements as to what can or cannot be displayed on signs, with Ms. Brown responding.

Ms. Linde Owen: Appellant, addresses her concerns and doesn't feel the community had enough opportunity to review this; believes the sign does move and the color is bright; thanks Mr. Gary Dove for all his help in trying to resolve her concerns; asks that her appeal be upheld.

Mr. Gary Dove: representing the Applicant (Rotary Club), states this is an electronic sign and presents photographs showing what it will look like; outlines what they want to offer the community; shows other lighted signs that are currently on the street; outlines what this board will offer the community.

Supervisor Achadjian: states he is also a Rotarian and checked with the Fair Political Practices Commission (FPPC) to see if he had a conflict of interest because of his membership and the FPPC has indicated that his membership has no dollar value so there no conflict.

Ms. Della Haight: thinks this sign is "ugly" and it's not needed and urges the Board to uphold the appeal.

Ms. Annie Mueller: Executive Manager of the Los Osos Chamber of Commerce, presents a letter in support of the sign and urges the Board to deny the appeal.

Ms. Shar Gregory: Rotary member, urges support for the sign; highlights all the positive things Rotary does for the community.

Mr. Jerry Gregory: urges support of this "gift" to the community; states this did go through the local process and to the Advisory Council.

Ms. Julie Tacker: questions the cost associated with using the sign and the colors of the lights to be used; feels this should go back to the community for clarification of these issues; urges the Board to deny the project.

Mr. Jim Godfrey: South Bay Community Center, asks that the appeal be denied; believes this sign will help keep the community up on events that will be occurring; states that nonprofit organizations don't pay to use the sign.

Ms. Carolyn Mueller: speaks in support of the sign and urges denial of the appeal.

Mr. Bruce Buel: states as a member of the community and a Rotarian he is asking that the appeal be denied; speaking as the General Manager of the Los Osos Community Services District if this is approved he will be asking the District Board to use it.

Ms. Janet Jeffery: indicates this will be a state-of-the-art sign and supports its approval.

Mr. Chris Gardner: states he does not support this sign as he feels it takes away from the beauty of the town.

Mr. Dove: gives his closing comments and urges the Board to support this sign being used.

Ms. Owen: gives her closing comments; feels this needs more review by the community; does not believe this is the right location for this sign.

Board Members: address various issues, comments and questions regarding: the number of times the Advisory Council heard this item; whether Code Enforcement would get involved if there was a violation of the sign; confidence that the Rotary Club will handle this sign appropriately, with staff and Mr. Dove responding.

A motion by Supervisor Lenthall, seconded by Supervisor Ovitt to deny the appeal and uphold the decision of the Planning Commission, is discussed.

Supervisor Achadjian: questions whether the Board can waive the filing fees by the Rotary Club as they are nonprofit, with staff responding that the Board has that authority.

The motion maker and second amend their motion to waive the filing fees by the Rotary Club for this application and thereafter, on motion of Supervisor Lenthall, seconded by Supervisor Ovitt and on the following roll call vote:

AYES:	Supervisors Lenthall, Ovitt, Achadjian, Patterson, Chairperson Bianchi
NOES:	None
ABSENT:	None

the Board denies the appeal and RESOLUTION NO. 2005-228, resolution affirming the decision of the Planning Commission and conditionally approving the application of the Rotary Club of Los Osos/Bonaire Investments for Development DRC 2005-00148, adopted. Further, the Board waives the filing fees for the application by the Rotary Club.

8 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) Los Osos Community Services District v. Julie Rodewald and Santa Maria Water Conservation District v. City of Santa Maria.

B. Conference with Legal Counsel B Anticipated Litigation (Gov. Code, §54956.9.) 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. (4) 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:

(5) Negotiator's Name: *Santos Arrona, Gail Wilcox, Avery & Associates*, Name of employee organization: *District Attorney Investigators Association*; (6) Negotiator's Name: *Santos Arrona, Gail Wilcox, Avery & Associates*, Name of employee organization: *Deputy Sheriffs Association*; (7) Negotiator's Name: *Santos Arrona, Gail Wilcox*, Name of employee organization: *Management/Confidential*.

Chairperson Bianchi: opens the floor to public comment.

Mr. John Snyder: addresses the settlement agreement with Santa Maria Water Conservation District; speaks to the copies of the stipulation he provided the Board members; addresses his letter of August 1, 2005 to Supervisor Achadjian outlining their concerns to this stipulation.

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 and the Board goes into Open Public Session.

9 D-1 This is the time set for presentation of the 2005 Children Services Network Summary Report.

Ms. Amy Gilman: Diringer and Associates, presents the staff report and outlines the report they prepared and the key findings; addresses the poverty levels in the County versus the State levels; comments on child care, it is expensive and the quality is lacking; addresses the number of abuse cases reports annually and the number of reoccurrences of these cases; addresses teen pregnancy rates being at a lower level than the State; inadequate prenatal rates are higher than at the State level; addresses substance abuse in pregnant mothers and throughout the pregnancy; breast-feeding rates are high in the County; there is an increasing reliance on Medical for children; binge drinking is still a concern even with declining rates; tobacco use by children is declining but still high; indicates that one in four children are overweight or at the risk of being overweight; the risk of depression among children is high; mental health services are only able to meet approximately 27% of the estimated needs; math and reading scores among children in school are above the State average; presents statistics on students with a weapon at school; presents a graph showing the average monthly juvenile hall population and percent of juvenile hall detainees on psychotropic medication; addresses the recommendations of the Children's Services Network.

Mr. Lee Ferraro: Private Industry Council, states this is a very good report; shows there are still a lot of problems and there is a need for more work but there has been a good start to address issues.

Ms. Biz Steinberg: Director for EOC, states this is a good report; comments on the Healthy Kids Program that was started in the County; this report shows there are still a lot of problems that need to be addressed.

Mr. Eric Greening: speaks to the various transportation issues he believes should be included in this report; concerns regarding cars starting up near schools and the emissions from the same; would like SLOCOG involved with the Kids First and asks the Board to look at this as members of SLOCOG.

Chairperson Bianchi receives and files this staff report.

10 C-3 This is the time set for hearing to consider an appeal by Charles & Marilyn

Knollenberg of Grande Mobile Manor of a decision of the Mobilehome Rent Review Board regarding denying a rate increase.

Mr. Larry Booth: Auditor-Controller's Office, presents the staff report and outlines the decision by the Rent Review Board; highlights the two options before the Board today.

Mr. Charles Knollenberg: states he feels the ordinance is unfair to park owners; addresses the current rents in the park; feels he should be allowed to use comparable properties to establish rents; asks the Board to approve his request for an increase in the rents.

Ms. Carol Cordrey: states she lives in space 25 and reads a statement (copy presented for the record) concerning the impacts of a rent increase on those living in the Park that are low income or on fixed incomes.

Ms. Brenda Witcher-Page: addresses her concern to the discussion by the owner about trying to annex this property into the City and if that occurs it would take this park out of rent control; this is a big concern to the seniors living in the park.

Ms. Barbara Gladden: reads more of Ms. Cordrey's letter and addresses the intimidation factors and fears by the seniors in the park.

Mr. Knollenberg: gives his closing comments; responds to comments by the public; states he wants to continue to run this park and is not doing anything to threaten these tenants.

Board Members: address various issues, comments and questions regarding: rental control and where it is applied; the City of Arroyo Grande is not interested in annexing property into the City; whether the Rent Board would hear this issue again.

Mr. Gere Sibbach: Auditor-Controller and Chairperson for the Rent Review Board, explains what the Rent Board looked at and that they would hear his matter again with complete information.

Mr. Tim McNulty: Deputy County Counsel, outlines what the Rent Review Board heard and what they based their decision on.

Matter is fully discussed and thereafter, on motion of Supervisor Achadjian, seconded by Supervisor Lenthall and unanimously carried, the Board ratifies and adopts the decision and findings of the Mobilehome Rent Review Board as outlined in the staff report dated August 2, 2005.

- 11 E-1 This is the time set for consideration of a request to authorize the processing of a General Plan Amendment application (G010004M-San Luis Obispo Marketplace Associates, LLC) to amend the San Luis Obispo Area Plan of the Land Use Element, and the Land Use Ordinance by: (1) Changing the land use category on an approximately 131-acre site from Agriculture to Commercial Retail (47 acres), Residential (4 acres), Business Park (Commercial Service/Retail) (13 acres), and Open Space (55 acres). the remainder of the property will be used in public streets and the interchange; and, (2) Modifying or deleting Section 22.108.050.a.1 and 2. of the Land Use Ordinance setting community wide standards that: 1) Restrict development within the Urban Reserve Line to all uses allowed for the Agriculture land use category until such time as the property is annexed to the City of San Luis Obispo, and 2) Require residential developments to provide on-site conventional subsurface wastewater disposal systems rather than wastewater treatment packaged plants until annexation and city services are provided.

Mr. Victor Holanda: Director of Planning and Building, introduces the item

and outlines what occurred two years ago when it was at the County level and was referred to the City; the referendum and ballot measure that occurred that overturned the decision of the City to approve the project; now the Applicant is requesting that this come back to the County for consideration.

Ms. Kami Griffin: Planning, provides a brief background on this request and an overview of what the Applicant is requesting today; addresses the applicable policies; the goals of the Land Use Ordinance; Planning Area Standards that apply; states various departments and agencies have expressed concerns regarding this project and here to address those concerns.

Mr. Richard Marshall: Public Works, addresses their concerns to the transportation impacts of a County application versus a City application; none of the roads surrounding this property are County maintained roads; concerns regarding the handling of water and wastewater for the project; concerns regarding flooding and groundwater resources.

Mr. Curt Batson: Environmental Health Director, indicates their concern relates to water and wastewater service and they feel this should be provided by the City.

Chief Dan Turner: County Fire/CDF, addresses their concern to response time by his Department indicating the nearest stations are at the Airport and on Highway 1; comments regarding on-site water needs for fire protection.

Mr. Bob Lilley: Agricultural Commissioner, addresses their concerns relating to the conversion of this land from agriculture as is it is productive now; the resources continue to be important as this has prime soil, good groundwater resources, good coastal climate and is adequate in size and conversion from agriculture continues to be a major concern; last they believe conversion of this land from agriculture is a direct violation of Agriculture and Open Space Policy #24.

Mr. Gere Sibbach: Auditor-Controller, addresses the potential financial impacts to the County if this project moves forward; states the Applicant, in their original request, asked the County to consider a financing plan for the Prado Road interchange which would commit the County to an approximate \$12 million interchange project using sales tax revenues; addresses his concerns to this request.

Ms. Griffin: outlines the three options before the Board today.

Mr. John Mandeville: Community Development Director for the City of San Luis Obispo, addresses their position that this should be developed under City jurisdiction; indicates the City can provide the services, but it needs to be developed under City Standards; the City will approve this as it did previously and that decision was overturned by the referendum; they would like to see this returned to the City for an application without any reduction in open space.

Board Members: question housing for this proposal and what the Airport Land Use Commission (ALUC) review included.

Mr. Michael Draz: City of San Luis Obispo staff, indicates the ALUC approval included approximately 30 housing units.

Mr. Bill Robeson: Planning and ALUC staff, outlines what the Committee reviewed regarding this project.

Mr. Vic Montgomery: RRM Design and representing the Dalidio Project, provides a brief overview of the proposal and requests processing of this request.

Mr. Gary Fowler: doesn't believe this should go back to the City; speaks to

having potential space in this project for a senior center; urges the Board to support Options 2 or 3.

Mr. Michael Kovacs: does not want the Board to authorize this application for processing; the voters said no to this; the County should be looking at developing business development that create higher paying jobs.

Mr. Lee Ferrero: Private Industry Council, indicates he would prefer to see this processed through the City; addresses the increased tax benefits to local government and school districts if this is approved.

Mr. Eric Greening: urges the Board to deny this request; this site should be urged to continue agriculture through organic farming; asks that the Board not ignore the voters.

Ms. Wendy Scalise: speaks in support of the request and for “smart growth”; it is ideal to be able to work and shop in the same area.

Ms. Patti Andreen: addresses the original request and recommendations from 2002 on this proposal; feels the public doesn’t have a “buy-in” for this project; needs more “dialog” with the public.

Mr. Terry Mohan: Save-SLO Group member, urges the Board to reject this request; states the voters have already rejected it; the project should go back to the City.

Ms. Johanna Rubba: urges the Board to deny processing this request; addresses her concern to traffic impacts and changes to the character of the community.

Ms. Deborah Cash: Administrator for the SLO Downtown Association, wants the project kept in the City to help protect the downtown businesses; wants assurances that any development on the perimeter of the City is evaluated as to its impacts on the downtown area.

Ms. Jennifer Leupo: states she is representing an environmental public interest group and they support Option 1 to not authorize this for processing.

Ms. Christine Mulholland: states she is speaking as a private citizen; the City did approve this plan and the voters rejected that plan through a special election; any impacts from this project will be on the City not the County; urges the Board to approve Option 1.

Ms. Andrea Miller: urges the Board to not authorize this for processing as the votes have already said they don’t want this.

Ms. Monica Ohlhausen: addresses the number of times the Dalidio’s have worked to address concerns and they deserve this chance; urges the Board to authorize processing.

Ms. Linda Kirn: states this area has always had a problem with shopping and urges the Board to support Option 3.

Mr. Ron Rusconi: urges the Board to authorize the processing of the application and allow it to go through the process.

Mr. Bob Shanbrom: speaks in support of Option 1 and not authorizing processing.

Thereafter, on motion of Supervisor Lenthall, seconded by Supervisor

Ovitt and unanimously carried, the Board agrees to continue the meeting past 5:00 p.m..

Mayor Dave Romero: states he understands the frustration by the Dalidio family but believes this should be developed in the City.

Mr. Montgomery: states that the idea of a green design is a good one; they will be looking for fresh ideas with new perspectives if this is processed through the County.

Supervisor Patterson: states they have heard many reasons why this should be processed through the City; comments on the County's policy to preserve Ag land; addresses his concerns to the traffic, water, wastewater, etc.; his biggest concern is the County processing an application that should really be done through the City.

Supervisor Lenthall: addresses the issue and the housing needs in the County; doesn't feel this is closing the door to the City if the processing is allowed to begin through the County.

Chairperson Bianchi: addresses her concerns to this; is willing to support having Mr. Montgomery work with the "anti-Marketplace" folks, the City, County and the various agencies to see what can be worked out.

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

AYES: Supervisors Lenthall, Ovitt, Achadjian
NOES: Supervisors Patterson, Chairperson Bianchi
ABSENT: None

the Board authorizes G010004M for processing.

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 2, 2005, 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 17, 2005/vms