

Tuesday, May 8, 2001

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 and Chairperson K.H. 'Katcho' Achadjian

ABSENT: Supervisors Harry L. Ovitt and Michael P. Ryan

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON ACHADJIAN.

SUM AGN

1 Added **Mr. David Edge:** County Administrative Officer, indicates there is a need to add an item to the Closed Session.

Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Pinard, with Supervisors Ovitt and Ryan being absent, motion carries and the Board determines that the need to add an item to the Agenda arose subsequent to the 72-hour noticing requirements of the Brown Act and adds the following to the Closed Session: Terms and Conditions of the lease of land in Avila for the Marine Institute with Russ Kiessig and the County's Negotiator, Duane Leib.

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

AYES: Supervisors Pinard, Bianchi, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

presentation of employee service recognition awards, Approved.

Mr. Dale Hanson: Personnel Director, introduces and presents 20-year service pins to Terry R. Moreno, Auditor-Controller, Jerome L. Holata, Assessor, Alan E. Massicotte, Information Services, Vicki M. Shelby, Clerk-Recorder, Julie L. Rodewald, County Clerk-Recorder, Michele Goula, District Attorney, Raymond T. Uder, Public Works, Janet B. Dorsey, Health Agency, Wendy H. Giggy, Mental Health, Leisa J. Marrs, Sheriff-Coroner, and Richard C. Fuller, Sheriff-Coroner.

25-year service recognition awards are presented.

Mr. Kirk Kidwell: Assessor's Office, introduces Dick Frank, County Assessor, who is receiving recognition for 25-years of service as an elected official; gives a brief list of Mr. Frank's achievements over the years; states he was the President for the California Assessor's Association in 1997 and has continued to actively participate in the Association; addresses the high quality Assessment Roll that is produced yearly and this County has the lowest filings of Assessment Appeal Applications of any comparable county; further, recognizes Mr. Frank's family for all their support.

Mr. Hanson: presents Mr. Frank with a desk clock.

Mr. Frank: thanks Mr. Kidwell for his kind words; states the office of the Assessor doesn't usually win any popularity contests; states he has received a lot of support from the public and has the greatest staff working for him.

Mr. Patrick Lieser: Information Services, introduces Mr. James McLaughlin, indicating he works the afternoon shift in the computer room; highlights his

years of service.

Mr. Hanson: presents Mr. McLaughlin with a desk clock.

Mr. Lee Collins: Social Services Director, introduces Beverly Estes and speaks to her service in the Department and thanks her for sharing 25-years with the County.

Mr. Hanson: presents Ms. Estes with a desk clock.

Ms. Estes: thanks the Board for the recognition and states she loves this County and the Department of Social Services.

Sheriff Pat Hedges: introduces Greg Slane, Chief Deputy, indicating he was hired in 1975 and laid off the same year; he was later rehired and has gone through the ranks and is one of two Chief Deputies which are second in command to the Sheriff; cites one of his experiences when Chief Deputy Slane was the Public Affairs Officer and the service he provided to the media when a commercial airline crashed in the County.

Chief Deputy Slane: thanks the Board for the recognition; indicates he works in a great County with great employees.

Mr. Hanson: presents Chief Deputy Slane with a desk clock.

30-year service recognition awards are presented.

Chairperson Achadjian: introduces Janet Amanzio, Mental Health and speaks to her 30-years of service; indicates she progressed from a staff nurse, to a mental health therapist, to Nurse II in charge of the inpatient unit, to a program chief and program supervisor; her current role is Clinical Program Manager for all adult services.

Dr. Dale Wolff: Mental Health Director, thanks Ms. Amanzio for her years of service.

Ms. Amanzio: speaks to her 30-years with the County and everyone she has worked with has been great.

Mr. Hanson: presents Ms. Amanzio with a watch.

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

AYES: Supervisors Pinard, Bianchi, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

RESOLUTION NO. 2001-177, proclaiming May 7-13, 2001 as “Juror Appreciation Week” in the County of San Luis Obispo, adopted.

Supervisor Pinard: reads the resolution and presents the same to Ms. Debbie Norrie, Superior Court.

Ms. Norrie: thanks the Board for their continued recognition of jurors; expresses the Court’s appreciation to the citizens in the County for their service as jurors; outlines what they do for jurors to make them comfortable during their service; asks the Board to hang a banner over the Board Chambers for the week, with the Board members agreeing to do that.

4 A-2-B **Thereafter, on motion of Supervisor Pinard, seconded by Supervisor**

Bianchi, and on the following roll call vote:

AYES: Supervisors Pinard, Bianchi, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

RESOLUTION NO. 2001-178, proclaiming May 2001 as “Water Awareness Month” in the County of San Luis Obispo, adopted.

Supervisor Bianchi: reads the resolution and presents the same to Mr. Roger Brett.

Mr. Brett: thanks the Board on behalf of all water professionals for the recognition and presents each Supervisor a bottle of tap water from Los Osos.

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

AYES: Supervisors Pinard, Bianchi, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

RESOLUTION NO. 2001-179, resolution proclaiming May 6-12, 2001 as “Small Business Week” in San Luis Obispo County, adopted.

Chairperson Achadjian: reads the resolution and presents the same to Mr. David Spaur.

Mr. Spaur: thanks the Board on behalf of the Central Coast Development Corporation.

6 B-1 This is the time set for members of the public wishing to address the Board
thru on items set on the Consent Agenda.
B-32

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

Consent Agenda Item B-6 is amended to include additional information and replace the resolution. Item B-13 is amended to correct the cover sheet to reflect District 2 not District 5. Item B-14 is amended to correct the Agenda Transmittal letter, Summary section, to reflect that the term expired March 7, 2001 not March 7, 2005. Item B-16 is continued to May 15, 2001. Item B-18, pages B-18-8 and B-18-9 are the time line and map for B-17 and are removed from B-18 and added to B-17. Item B-17 and B-31 are continued to May 15, 2001 as a 4/5th vote is required for approval of these items.

On motion of Supervisor Bianchi, seconded by Supervisor Pinard, and on the following roll call vote:

AYES: Supervisors Bianchi, Pinard, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

Consent Agenda Items B-1 through B-32 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-32, 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 retrofit of the Main Jail West

housing doors in San Luis Obispo); All Districts, **Approved and the Clerk is instructed to give notice of bid opening set for May 21, 2001 at 3:00 p.m..**

B-2 Plans and specifications (Clerk's File) for the construction of curb ramps at various County locations; 2nd, 3rd and 4th Districts, **Approved and the Clerk is instructed to give notice of bid opening set for June 7, 2001 at 3:00 p.m..**

B-3 Plans and specifications (Clerk's File) for the slurry seal of various County roads; 1st and 5th Districts, **Approved and the Clerk is instructed to give notice of bid opening set for June 7, 2001 at 3:00 p.m..**

B-4 Plans and specifications (Clerk's File) for bridge deck sealing of various County bridges; 1st, 2nd, 3rd and 4th Districts, **Approved and the Clerk is instructed to give notice of bid opening set for June 7, 2001 at 3:00 p.m..**

Auditor Controller Items:

B-5 Investigation report for the February 22, 2001 theft of \$175 cash and one hundred seven \$10 vouchers from Public Health's Johnson Avenue Office in San Luis Obispo, **Received and Filed.**

B-6 **RESOLUTION NO. 2001-180**, to remove the unitary roll from the Teeter Plan beginning with the 2001-02 fiscal year, **Adopted as amended.**

Board of Supervisors Items:

B-7 Request by Board Members to allocate \$494 from Community Project Funds (District Three - \$100; District Four - \$394) to the Edna Area Group to be used for monthly meeting expenses, **Approved.**

B-8 Request by Board Members to allocate \$400 from Community Project Funds (\$200 each from Districts Two and Four) to the Coastal San Luis Resource Conservation District to be used to publish the Arroyo Grande Valley agricultural history and the Resource Conservation District, **Approved.**

B-9 Request by Board Members to allocate \$750 from Community Project Funds (\$250 each from Districts Two, Three and Five) to the San Luis Obispo High School Class of 2001 Sober Grad Night Committee to provide scholarships for 15 students to attend the event, **Approved.**

B-10 Request by Board Members to allocate \$1,500 from Community Project Funds (\$250 each from Districts Two and Four and \$1,000 from District Three) to the Judkins Middle and Ocean View Elementary Schools for expenses relating to the "Destination Imagination" extracurricular, **Approved.**

B-11 Request by Supervisor Ryan to allocate \$360 from District Five Community Project Funds to the Santa Margarita Lions Club to be used to pay the cost of renting the Santa Margarita Community Hall, **Approved.**

B-12 Request by Chairperson Achadjian to approve a journal entry from District Four Community Project Funds to Budget Unit 2180 - General Services to pay the rental fee for the Vets Hall for use by the Special Olympics for the annual Tip a Cop Dinner, **Approved.**

B-13 Request by Supervisor Bianchi to approve a journal entry from District Five Community Project Funds to Budget Unit 4126 - Parks for rental of the South Bay Community Park for the Los Osos Family Fest, **Approved as amended.**

B-14 Request by Supervisor Ovitt to reappoint Dave Sears as a District One

Representative to the Templeton Public Cemetery District, **Approved as amended.**

General Services Items:

- B-15 Budget adjustment in the amount of \$26,700 from one Superior Court Capital project to another, **Approved.**
- B-16 Policy regarding private and quasi-public easements on public park and recreation lands, **Continued to May 15, 2001.**
- B-17 Bid opening report for the construction of the Heritage Ranch Fire station and a request to approve a corresponding budget adjustment in the amount of \$472,500; District, **Continued to May 15, 2001 as amended.**
- B-18 **RESOLUTION NO. 2001-182**, authorizing execution of a notice of completion for the Atascadero Health Clinic remodeling project, **Adopted as amended.**

Health Agency Items:

- B-19 Grant award agreements (Clerk's File) with seven community coalitions to provide substance abuse prevention services using federal grant funds, **Approved.**
- B-20 **RESOLUTION NO. 2001-182**, amending the position allocation list for Budget Unit 3070 - Mental Health deleting one full-time Psychologist and one full-time Staff Psychiatrist positions and adding two half-time Psychologist and two half-time Staff Psychiatrist positions, **Adopted.**

Planning Items:

- B-21 Agreement (Clerk's File) with the Morro Group, Inc., to prepare an expanded initial study for the new County Government Center; All Districts, **Approved.**
- B-22 Agreement (Clerk's File) with Rincon Consultants to prepare an Environmental Impact Report for the Biddle Ranch Agriculture Cluster Subdivision project; 4th District, **Approved.**
- B-23 Local Government Planning Survey response; All Districts, **Received and Filed.**
- B-24 **RESOLUTION NO. 2001-183**, approving and accepting an open space agreement granting an open space easement with Erich Russell, located on San Marcos Road in the community of San Miguel; 1st District, **Adopted.**

Public Works Items:

- B-25 **RESOLUTION NO. 2001-184**, to levy assessment for Flood Control Zone 16 (Nipomo and Shandon areas); 1st and 4th Districts, **Adopted.**
- B-26 **RESOLUTION NOS. 2001-185 and 2001-186**, to levy assessment for Flood Control Zone 1 and 1A (Arroyo Grande/Oceano area); 4th District, **Adopted.**
- B-27 **RESOLUTION NO. 2001-187**, to levy assessment for Flood Control Zone 4 (Santa Maria River Levees); 4th District, **Adopted.**
- B-28 **RESOLUTION NO 2001-188**, authorizing an application for a safe drinking water loan to fund the design and construction of upgrades at the Lopez Water Treatment Plant, Flood Control Zone 3; 3rd and 4th Districts, **Adopted.**

B-29 The following map:

A. CO 97-0090, a proposed subdivision resulting in 4 lots by Newdoll Construction, Ida Place, one block east of Tefft Street in the community of Nipomo, reject the offers of dedication without prejudice to future acceptance and order the abandonment of part of the prior alignments of Ida Place and Martha Lane; 4th District, **Approved.**

Other Items:

B-30 **RESOLUTION NO. 2001-189**, authorizing and directing development, implementation and maintenance of a corporate compliance program for Medi-Cal and Medicare programs, **Adopted.**

B-31 1) an appropriation transfer in the amount of \$22,230 from the Civil Process Fee Trust Fund to Budget Unit 2590 - Sheriff-Coroner; and 2) an amendment to the fixed asset list for a replacement copier and for the purchase of a computer workstation and supplies, **Continued to May 15, 2001.**

B-32 Contract with French Hospital Medical Center to provide diagnostic medical imaging services to patients at General Hospital, **Approved.**

7

C-1 This is the time set for hearing to consider a resolution authorizing the extended service of local park, recreation, or parkway facilities and services in County Service Area No. 18 (San Luis Obispo Country Club Area); 4th District.

Mr. Will Clemens: Public Works, presents the staff report indicating this item and the next item on the agenda are related and he will give the report for both; addresses the request for landscaping services on the median that was previously maintained by the members of the community; presents photographs of the site and a map outlining the proposed zone to be created (Zone A).

Supervisor Pinard: asks if the County will contract for this maintenance service if it's approved, with Mr. Clemens responding that they will.

Ms. Joanie Brown: Country Club Drive resident, indicates that she found County staff very easy to work with and thanks them for their help; states an informal poll of the neighbors showed 78% in support of this request.

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

AYES: Supervisors **Bianchi, Pinard, Chairperson Achadjian**

NOES: None

ABSENT: None

RESOLUTION NO. 2001-190, resolution authorizing the extended service of local park, recreation, or parkway facilities and services in County Service Area No. 18, adopted.

8

C-2 This is the time set for hearing to consider the formation of a zone of benefit within County Service Area No. 18 (San Luis Obispo Country Club Area) for local park, recreation, or parkway facilities and landscaping services; and 2) a request to call a special tax election in the proposed Zone A of County Service Area No. 18; 4th District.

Mr. Will Clemens: Public Works, states he has nothing to add to the staff report.

Ms. Joanie Brown: states when the neighbors started looking into this there

were several options and this was the best one.

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

AYES: Supervisors Pinard, Bianchi, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

RESOLUTION NO. 2001-191, resolution creating Zone “A” within San Luis Obispo County Service Area No. 18, adopted.

9 C-2 **Thereafter, on motion of Supervisor Pinard, seconded by Supervisor Bianchi and on the following roll call vote:**

AYES: Supervisors Pinard, Bianchi, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

RESOLUTION NO. 2001-192, Mail-Ballot Election - County Service Area No. 18, Zone “A” a resolution calling for a special election in Zone “A” of County Service Area No. 18 of San Luis Obispo County for the purpose of submitting to the voters of the zone a measure for imposition of a special tax for local park, recreation, or parkway facilities and services, adopted.

10 C-3 This is the time set for continued hearing (continued from April 17, 2001) to consider an appeal by David Clopton for fee adjustment for road improvements associated with the construction of a single-family residence on Casa Real Place, Nipomo; 4th District.

Mr. Richard Marshall: Public Works, presents the staff report, outlining what they have done to try to get the word out to the public on fees that have changed; addresses the appeal and recommends denial of the same.

Mr. David Clopton: presents a packet of information outlining what has occurred; indicates he is building a single family residence; his discussions with the County for this process; the fees he was originally quoted, the change to those fees in October 2000, with the effective date of the change to occur in December 2000; addresses his concern to the lack of notification for those fee changes and feels there were three or four opportunities to have received notification of this increase.

Mr. Marshall: addresses the increase and it being significant due to the delay in the Update coming back to the Board.

Mr. Jesse Hill: Nipomo Community Advisory Council Chairperson, addresses why this issue did not go to their Council; addresses his concern to the precedent that could be set if this appeal is granted, specifically as it relates to the Woodlands project.

Chairperson Achadjian: addresses the issue and questions whether there is any possibility of reaching a middle ground, with Mr. Marshall responding and further indicating that the building permit was not taken out until January 2001 and these fees went into effect in December 2000.

Mr. Clopton: states he feels he began the process for his permit back in September 2000 and was told at that time he would have to get in line for the permit; states grading was done on the property in 1999.

Matter is fully discussed and thereafter, on motion of Chairperson

Achadjian, seconded by Supervisor Pinard, with Supervisors Ovitt and Ryan being absent, motion carries and the Board denies the appeal.

11

C-4

This is the time set for continued hearing (continued from March 6, 2001) to consider an appeal by Vons Companies, Inc. of the Planning Commission's decision to deny a request for a freeway identification sign on the northwest corner of Tefft Street and Highway 101 for the Vons gas station and future visitor serving tenant, located at 525 Tefft Street in the community of Nipomo; 4th District.

Mr. Jay Johnson: Planning, presents the staff report and recommends denial of the appeal.

Chairperson Achadjian: questions the various types of signage used with Mr. Johnson responding.

Mr. Greg Peters: representing the Vons Company, addresses their attempts to get this sign; indicates they are trying to get into the gas business and other gas stations have some type of signage on the freeway; speaks to a packet of information he presented Mr. Jesse Hill.

Chairperson Achadjian: addresses the issue indicating the public has fully supported this store being built in every aspect except the signs.

Mr. Jesse Hill: Nipomo Community Advisory Council Chairperson, presents a copy of an article from the *Santa Maria Times* dated April 30, 2001 regarding signs; speaks to signage that Cal Trans provides on the freeways and feels this is the best advertisement for Vons.

Board Members: address the issue of signs.

Mr. Peters: gives his closing comments.

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

AYES: Supervisors Chairperson Achadjian, Pinard, Bianchi

NOES: None

ABSENT: Supervisors Ovitt, Ryan

the Board denies the appeal and RESOLUTION NO. 2001-193, resolution affirming the decision of the Planning Commission and conditionally approving the application of Vons Companies Incorporated for Development Plan D970183D, adopted.

12

CS

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

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

A. Conference with Legal Counsel - Existing Litigation (Gov. Code, § 54956.9(a).) (Formally initiated) (1) *In re Bankruptcy of PG&E* and (2) *Bennett v. County of San Luis Obispo*.

B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9.) (3) *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 REAL PROPERTY NEGOTIATOR (Gov. Code §54956.8) It is the intention of the Board to meet in Closed Session to have a conference with its Real Property Negotiator concerning the following: (5) Property Description: *Terms and Conditions of the lease of land in Avila for the Marine Institute*; Parties with whom negotiating: *Russ Kiessig*; County's Negotiator: *Duane Leib*.

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

Thereafter, the Board goes into Open Public Session.

(SUPERVISOR PEG PINARD IS NOW ABSENT.)

- 12 SP The Board does now adjourn to 1865 Restaurant, San Luis Obispo for a luncheon with Coastal San Luis Resource Conservation District. **No action taken.**

(SUPERVISOR PEG PINARD IS NOW PRESENT.)

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

Mr. Bob Blair: states he is speaking as an individual; addresses a recent trip he took to Nevada and feels a lot of progress is occurring in that State (roads are repaired, affordable housing, etc.); feels a lot of money is being wasted in our area on the red-legged frog and other endangered species; suggests there are areas of Nipomo that are in poor shape and need to be fixed up; feels money is being wasted on these endangered species and a better use of this money would be improvements in Nipomo.

Ms. Dolly Frederick: President of the County Retired Employees Association, presents copies of a letter they previously submitted to the Board on November 6, 2000; indicates this letter addresses the contribution by the County toward insurance premiums and is asking the Board to assist them in increasing this amount; states they want "a helping hand not a handout."

Mr. Eric Greening: thanks the Board for the recent discussions on MTBE; indicates the focus has been on underground leakage and feels that surface leakage needs to be addressed, specifically leakage from water craft vehicles that are allowed on lakes that provide drinking water.

Ms. Sharron Williamson: presents information on the Friends of Oceano Dunes that support keeping the dunes open; states the ramp in Oceano needs to be graded; indicates she was able to get over 65 signatures on a petition in support of this grading and keeping the Dunes open in two hours this morning.

Ms. Pam Marshall-Heatherington: ECOSLO, addresses her concern regarding the potential oak tree removal at Diablo Canyon and was dismayed to discover that there is nothing in place to manage this type of a situation; wants PG&E to be required to hold a public hearing on this before they cut down any trees; believes they can eliminate cutting these trees if they clear out the brush below them.

Ms. Linda Hall: addresses a prior concern she has regarding the two people under Wildlife Services contract with Environmental Health; comments on information she previously requested and never received; and, her concern about the total lack of accountability by these two people.

Supervisor Bianchi: responds to Ms. Hall indicating that staff requested information from her that has never been received in order to respond.

Ms. Peggy Wilson: states the Oceano Community Services District has the issue of Redevelopment on its upcoming agenda and she hopes to be able to report next week that they do not want to be included in this; addresses her concerns regarding Redevelopment and indicates there are two books out on this issue.

Mr. Brett Richardson: addresses a flaw he believes exists in the Estero Area Plan Update as it relates to Los Osos, the building moratorium and public participation on the Advisory Council. **No action taken.**

14 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.

15 C-5 This is the time set for hearing to consider an appeal by David Marshall of the Hearing Officer's decision to approve a Minor Use Permit to allow the construction of a single family residence, located on the east side of Sherwood Drive, approximately 250 feet south of Wedgewood Street, Lodge Hill, Cambria; 2nd District.

Mr. Matt Janssen: Planning, introduces the item, indicating this is the third appeal that has come before the Board on residential permits in the Lodge Hill area; states the residential design plan for this area is due out in approximately one month.

Ms. Karen Nall: Planning, presents the staff report; addresses the issues of the appeal and staff's response to the same.

Mr. David Marshall: Appellant, presents a packet of information and outlines the same; indicates he looked at the issue of the TDC (Transfer of Development Credit) Program and feels it is difficult for staff to administer a program that has not been finalized; speaks to the prior lot line adjustment on this property that changed it from three parcels to two; comments on how he believes the foot print and gross structural area should be handled.

Dr. Alex Magro: Applicant, states he is building a single family residence in Marine Terrace; he has complied with all the current rules/laws without any variances to them; speaks to the size of homes near his property; feels Mr. Marshall filed this appeal because one window of his home will be obstructed when his home is built; feels most of Mr. Marshall's comments do not relate to his project and he should not be used as a test case for changes to the rules.

Ms. Linda Hall: addresses her history as a realtor in this area as it relates to the TDC Program.

Mr. Bob Blair: speaks to the issue and against the appeal.

Mr. Marshall & Dr. Magro: each give their closing comments.

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

AYES: Supervisors Bianchi, Pinard, Chairperson Achadjian

NOES: None

ABSENT: Supervisors Ovitt, Ryan

the Board denies the appeal and RESOLUTION NO. 2001-194, resolution affirming the decision of Hearing Officer and conditionally approving the application of Alex Magro for Minor Use Permit/Coastal Development Permit D990305P, adopted.

16

D-1 This is the time set for consideration of amendments to the Land Use Ordinance and Coastal Zone Land Use Ordinance to clarify that low or moderate income owner-builders may qualify for an exemption from the Growth Management Ordinance provisions.

Mr. Dana Lilley: Planning, presents the staff report and requests that the Board authorize processing of a County-initiated Land Use Ordinance/Coastal Zone Land Use Ordinance amendment to clarify that low or moderate income owner/builders may qualify for an exemption from the Growth Management Ordinance in order to build their own home.

Ms. Pam Adame: states she lives in San Miguel and urges the Board to support this request.

Mr. Eric Greening: speaks to the issue and concerns about removing resources through the growth management of the Resource Management System.

Ms. Linda Hall: addresses the problems she sees with respect to affordable housing in the Cambria area.

Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Pinard, with Supervisors Ovitt and Ryan being absent, motion carries and the Board authorizes processing of a County-initiated Land Use Ordinance/Coastal Zone Land Use Ordinance amendment to clarify that low or moderate income owner/builders may qualify for an exemption from the Growth management Ordinance in order to build their own home.

17

E-1 This is the time set for continued consideration (continued from April 17, 2001) of a request to consider General Plan amendments to the San Luis Obispo Area Plan.

Supervisor Bianchi: presents the report and request to authorize processing of this amendment request as outlined by the residents of O'Connor Way to the San Luis Obispo Area Plan.

Ms. Cindy Wallace: representing the neighborhood association, indicates they are excited about the possibility of this.

Mr. James Johnson-Hill: representing Agape, questions where projects in the works stand if this goes forward; questions why the County would pay for this processing; asks to be part of the process.

Ms. Wallace: states they will send notification of meetings to all property owners in the area and that will include Agape.

Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Pinard, with Supervisors Ovitt and Ryan being absent, motion carries and the Board directs that the County initiate processing of the proposed amendments to the San Luis Obispo Area Plan on behalf of the property owners.

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, May 8, 2001, 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: 5/10/01

vms