

Tuesday, February 6, 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 Harry L. Ovitt, Shirley Bianchi, Peg Pinard, Michael P. Ryan and Chairperson K.H. 'Katcho' Achadjian

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON ACHADJIAN.

SUM AGN

1 ADD Request to consider adding an item to the Closed Session agenda, is presented.

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

AYES: Supervisors Ovitt, Ryan, Bianchi, Pinard, Chairperson Achadjian

NOES: None

ABSENT: None

the Board determines that the need to add an item arose subsequent to the 72-hour noticing requirement of the Brown Act and the Board adds "10) Sheriff v. Civil Service Commission and 11) Public Utilities Commission, In re Matter of PG&E" to Closed Session.

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

AYES: Supervisors Ovitt, Bianchi, Pinard, Ryan, Chairperson Achadjian

NOES: None

ABSENT: None

presentation of employee service recognition awards, approved.

Mr. Frank Freitas: Interim Personnel Director, introduces and presents their 20 year service pins to Ellen Carroll; and Susan Wilkison, Ronald Abrams, Pamela Dudley, William Hallum, Linda Markey, Cecilia Hastie, Steven Tate, Kathleen Huggins, Julie Sanders, Nancy Millis (were not present).

Mr. Philip Lowe: District Attorney's Office, indicates Ms. Ailene Evans is not present today and he accepts this award in her behalf for 25 years of service; presents a brief working history on Ms. Evans and thanks her for her dedication and hard work.

Chief Deputy Greg Slane: Sheriff's Department recognizes Mr. Dennis Waltz for 25 years of service; presents a brief history on Mr. Waltz and thanks him for his experience and dependability.

Chairperson Achadjian: reads a brief history on James B. Lindholm, County Counsel, during his 30 years of service.

Mr. Lindholm: thanks the Board for the recognition; states it doesn't seem like 30 years because the job is interesting and comes with a verity of problems; it's a pleasure to work with the Board, staff and clients.

Chairperson Achadjian: reads a brief history on Mr. James Davis, Information Services recognizing his 30 years with the County.

Mr. Davis: states he came to San Luis Obispo in 1965 to attend Cal Poly and never left; feels he was fortunate to find a challenging job in the County.

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

AYES: Supervisors Ovitt, Bianchi, Pinard, Ryan, and Chairperson Achadjian

NOES: None

ABSENT: None

RESOLUTION NO. 2001-40, proclaiming February 2001 as “National Meat Month” in the county of San Luis Obispo, Adopted.

Supervisor Ovitt: reads the resolution and presents the same to Ms. June Kester.

Ms. Kester: San Luis Obispo Cattlewomen’s Association, thanks the Board for the recognition; presents the Board with a stick of beef jerky; and on behalf of the Board presents the Food Bank Coalition with five \$50.00 certificates to buy beef.

Mr. Jim Kemper: Food Bank Coalition, thanks the Board and Cattlewomen for their involvement.

3 BPC This is the time set for members of the public wishing to address the Board on items set on the Consent Agenda.

Mr. John Wade: Information Services Director, addresses Item B-15 honoring Robert Moss upon his retirement; states he publicly wants to thank Mr. Moss for his hard work and dedication; indicates he will be missed and wishes him well.

Sheriff Pat Hedges: addresses Item B-24 regarding the Spay Day Promotion; indicates the improvements that have taken place; believes the number of euthanasia will continue to decrease; thanks the communities for doing their part. **No action taken.**

4 B-1 Consent Agenda Items B-32 and B-33 are added to the Consent. **On motion of**
thru **Supervisor Ryan, seconded by Supervisor Ovitt, and on the following roll call vote:**
B-33

AYES: Supervisors Ryan, Ovitt, Bianchi, Pinard, Chairperson Achadjian

NOES: None

ABSENT: None

Consent Agenda items B-1 through B-33 are approved as recommended by the County Administrative Officer and as amended by this Board.

Said Consent Agenda Items B-1 through B-33, 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 installation of pool filters and controllers at various County pools and a request to approve a corresponding budget adjustment in the amount of \$71,000; All Districts, **Approved and the Clerk is instructed to give notice of the bid opening set for February 22, 2001 at 3:00 p.m..**

Administrative Office Items:

B-2 Additions to the adopted 2001 Legislative Platform for San Luis Obispo County, **Approved.**

B-3 **RESOLUTION NO. 2001-41, accepting the exchange of property tax revenue and annual tax increment for Annexation No. 64 to the City of San Luis Obispo (Aero Vista); 3rd District, Adopted.**

Board of Supervisors Items:

- B-4 Request by Chairperson Achadjian to re-appoint Douglas LeSage as the District Four Representative to the Fish and Game Fine Committee, **Approved.**
- B-5 Allocation of \$1,000 from Community Project Funds (District Two - \$400, District Three - \$200, District Four- \$400) to the Music and the Arts for Youth (MAY) Program for costs associated with presenting two world class musicians to county school age children in March and April, 2001, **Approved.**

General Services Items:

- B-6 Budget adjustment in the amount of \$32,500 from unanticipated revenue to fund a new maintenance project, Countywide Coastal Accessway Master Plan; 2nd, 3rd and 4th Districts, **Approved.**
- B-7 Budget adjustment in the amount of \$200,000 from unanticipated revenue to fund a new maintenance project for the rehabilitation of the Dana Adobe; 4th District, **Approved.**
- B-8 **RESOLUTION NO. 2001-42**, amending the position allocation list for Budget Unit 2300 - Garage, implementing a reorganization, **Adopted.**
- B-9 **RESOLUTION NO. 2001-43**, amending the position allocation list for Budget Unit 2180 - General Services and Budget Unit 2950 - Airports by deleting two Senior Account Clerk positions and adding one Accounting Technician position and one Accountant I, II or III position, **Adopted.**
- B-10 **RESOLUTION NO. 2001-44**, authorizing a grant application under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 for the refurbishing of play equipment at Clarke Park in the community of Shandon, **Adopted.**

Health Items:

- B-11 Amendment (Clerk's File) to the AIDS master agreement and related Memoranda of Understanding (Clerk's File) with the State Department of Health Services, and a related budget adjustment for Budget Unit 3000 - Public Health in the amount of \$159,498 from unanticipated revenues, **Approved.**
- B-12 Agreements (Clerk's File) with the Children and Families Commission providing funding for programs promoting early childhood development, **Approved; and RESOLUTION NO. 2001-45**, amending the position allocation list for Drug and Alcohol Services and Public Health Departments by adding eleven limited term positions; **Adopted;** and 3) related budget adjustments in the amount of \$369,455 from unanticipated revenue, **Approved.**
- B-13 **RESOLUTION NO. 2001-46**, implementing Proposition 36, the Substance Abuse and Crime Prevention Act of 2000, **Adopted.**

Information Services Division Items:

- B-14 **RESOLUTION NO. 2001-47**, amending the position allocation list for Budget Unit 2250 - Information Services by adding one Department Automation Specialist position to provide services to the City of Arroyo Grande and a request to approve a adjustment in the amount of \$19,846 to fund the position, **Adopted.**
- B-15 **RESOLUTION NO. 2001-48**, honoring Robert Moss upon his retirement after twenty-six years of service, **Adopted.**

Medical Services Items:

- B-16 Contract (Clerk's File) with Kris Parton, R.N. to provide nursing services at General Hospital,

Approved.

- B-17 Contract (Clerk's File) with the California Department of Corrections for Medical Services to provide inpatient/outpatient and emergency care for inmates at General Hospital, **Approved.**
- B-18 Agreements (Clerk's File) with the Children and Families Commission providing funding for programs promoting early childhood development, **Approved; and RESOLUTION NO. 2001-49**, amending the position allocation list for Medical Services by adding 2 positions, **Adopted.**

Public Works Items:

- B-19 Agreement with Dokken Engineering, Inc., to provide consulting services for the Las Tablas Road/State Route 101 Interchange project study report, and 2) a corresponding budget adjustment in the amount \$90,500; 1st District, **Approved.**
- B-20 Transfer equipment and authorize refunds for accumulated equipment replacement to the Los Osos Community Services District from County Service Area No. 9, Los Osos Services; 2nd District, **Approved.**
- B-21 **RESOLUTION NO. 2001-50**, approving a proposed wastewater assessment district in the Los Osos Community Services District, **Adopted.**

- B-22 The following maps:

- A. CO 99-0001, a proposed subdivision resulting in 3 lots by Robert and Alberta Lewis, for property located on Ramada Drive, north of the community of Templeton; 1st District, **Approved.**
- B. Tract 1785-Unit 1, a proposed subdivision resulting in 7 lots by Andrew Charnley, for property located on Florence Street, Templeton, reject the offers of dedication for public utility easement and storm drain easement without prejudice to future acceptance, **Approved**, and **RESOLUTION NOS. 2001-50 thru 2001-54**, accepting the offer of dedication for road widening, accepting the relinquishment of access rights along Florence Street, Old County Road, Finch Street and Lincoln Avenue and approving mitigation and open space easement agreements, **Adopted.**

Sheriff-Coroner Items:

- B-23 Two agreements (Clerk's File) with the City of Paso Robles for the continuation of services provided by the Animal Service Division, **Approved.**
- B-24 **RESOLUTION NO. 2001-55**, proclaiming February 14, 2001 through March 31, 2001 as San Luis Obispo County Spay Day Promotion - 2001 and February 27, 2001 as "Spay Day USA 2001", **Adopted.**

Social Services Items:

- B-25 Contracts (Clerk's File) with Cuesta College, Economic Opportunity Commission, Goodwill Industries, and Lucia Mar Unified School District for the CalWORKs Incentive Grant Program in the amount of \$257,074, **Approved.**
- B-26 Contract (Clerk's File) with Career Training Center to provide medical office training to CalWORKs participants, **Approved.**
- B-27 Appropriation transfer in the amount of \$10,300 from the Social Services Gift Trust Fund to purchase special needs for children and adults, **Approved.**

Other Items:

- B-28 Minutes of the December 5, 12, and 19, 2000 Board of Supervisors' meetings, **Approved.**
- B-29 **RESOLUTION NO. 2001-56**, amending the position allocation list for Budget Unit 2561 - District Attorney Family Support Division by adding one Child Support Program Manager position and one Child Support Ombudsperson position and deleting one Family Support Officer III position, **Adopted.**
- B-30 **RESOLUTION NO. 2001-57**, approving an agreement exempting Bonita Homes, Inc., an affordable residential project in San Miguel from the Growth Management Ordinance; 1st District, **Adopted.**
- B-31 Unannounced cash count and limited review of the Probation Department conducted on December 28, 2000, **Received and filed.**

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

- B-32 **RESOLUTION NO. 2001-58**, approving an agreement with Andrew and Clair Fetyko exempting an affordable residential project located on 2nd and Estrella Street, Shandon from the Growth Management Ordinance; 1st District, **Adopted.**
- B-33 **RESOLUTION NO. 2001-59**, approving an agreement with Andrew and Claire Fetyko exempting an affordable residential project located on 3rd and Cholame Street, Shandon from the Growth Management Ordinance; 1st District, **Adopted.**

- 5 C-1 This is the time set for hearing to consider a resolution establishing a zone
& within County Service Area No. 21 for road improvements and a resolution
- C-2 proposing the adoption of a special tax in the Hillview Place Road Improvement Zone (Nipomo); 4th District; and, hearing to consider a resolution establishing a zone within County Service Area No. 21 for road improvements and a resolution proposing the adoption of a special tax in the Shandon Area Road Improvement Zone; 1st District.

Mr. Rob Livick: Engineering, presents the staff report indicating staff wants to do the annex process first.

Supervisor Ryan: questions if this will be a mail out election, with Mr. Livick responds.

Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt and unanimously carried, the Board withdraws the resolutions forming a road improvement zone within CSA No. 21, for Hillview Place Rd and Shandon Road and calling for a special tax election within the proposed road improvement zone due to procedural compliance issues within the resolutions; directs staff to proceed with annexation of the special tax zone to CSA-21 and bring these items back to the Board for public hearing once the required procedural compliance issues have been resolved.

- 6 C-3 This is the time set for hearing to consider a resolution establishing a zone within County Service Area No. 21 for road improvements and a resolution proposing the adoption of a special tax in the Castle Street Road Improvement Zone (Cambria); 2nd District.

Mr. Rob Livick: Engineering, presents the staff report and recommendation.

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

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

ABSENT: None

RESOLUTION NO. 2001-60, resolution creating the Castle Street Road Improvement Zone withing San Luis Obispo County Service Area No. 21, Adopted.

- 7 C-3 **Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ryan and on the following roll call vote:**

AYES: Supervisors Bianchi, Ryan, Ovitt, Pinard, Chairperson Achadjian

NOES: None

ABSENT: None

RESOLUTION NO. 2001-61, Mailed Ballot Election - County Service Area No. 21, Castle Street Road Improvement Zone a resolution calling for a special election in the Castle Street Road Improvement Zone of County Service Area No. 21 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 Road Improvement Services, Adopted.

- 8 C-4 This is the time set for hearing to consider a resolution establishing a zone within County Service Area No. 21 for road improvements and a resolution proposing the adoption of a special tax in the Ashley Lane Road Improvement Zone (Cambria); 2nd District.

Mr. Rob Livick: Engineering, presents the staff report and recommendation.

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

AYES: Supervisors Bianchi, Ryan, Ovitt, Pinard, Chairperson Achadjian

NOES: None

ABSENT: None

RESOLUTION NO. 2001-62, resolution creating the Ashby Lane Road Improvement Zone within San Luis Obispo County Service Area No. 21, Adopted.

- 9 C-4 **No one appearing and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ryan and on the following roll call vote:**

AYES: Supervisors Bianchi, Ryan, Ovitt, Pinard, Chairperson Achadjian

NOES: None

ABSENT: None

RESOLUTION NO. 2001-63, Mailed Ballot Election - County Service Area No. 21, Ashby Lane Road Improvement Zone a resolution calling for a special election in the Ashby Lane Road Improvement Zone of County Service Area No. 21 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 Road Improvement Services, Adopted.

- 10 C-5 This is the time set for hearing to consider a resolution approving the amended Housing and Community Development Participation Plan.

Mr. Tony Navarro: Planning, presents the staff report and recommendation.

Mr. Michael Winn: questions the difference between an urban county and rural county, with Mr. Navarro responding.

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, Ovitt, Ryan, Chairperson Achadjian

NOES: None

ABSENT: None

RESOLUTION NO. 2001-64, resolution approving the San Luis Obispo County Community Participation Plan as amended, Adopted.

- 11 C-6 This is the time set for hearing to consider an appeal by Robert James Garing of the Subdivision Review Board's decision to approve a lot line adjustment between 2 existing lots that will not result in any new lots, located on the south side of Hi Mountain Road, approximately 4.2 miles of Lopez Drive east of Lopez Lake; 4th District.

Mr. John McKenzie: Planning, indicates the Applicant and the Appellant have submitted letters requesting a continuance of this item; staff is requesting a continuance to April 3, 2001.

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

AYES: Supervisors Bianchi, Ovitt, Pinard, Ryan, Chairperson Achadjian

NOES: None

ABSENT: None

Said hearing is continued to April 3, 2001 at 9:00 a.m..

- 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) *County of San Luis Obispo v. Mercer*, 2) *Atascadero Mutual Water Co. v. County of San Luis Obispo*, 3) *Coalition for Rural Preservation v. County of San Luis Obispo*, 4) *San Miguel Sanitary District v. County of San Luis Obispo*, 5) *Virgin v. County of San Luis Obispo*, 6) *DSA v. County of San Luis Obispo*, 10) *Sheriff v. Civil Service Commission*, and 11) *Public Utilities Commission, In re Matter of PG&E*.

B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9) 7) 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.

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: 9) *Property Description: LaGrande Beach subdivision, Oceano Dunes*, Parties with whom negotiating: *Gordon McDaniels*, State Real Estate Division, Instructions to Negotiator will concern: *Price, Terms and Conditions*.

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

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: **(SUPERVISOR PEG PINARD IS NOW ABSENT.)** the Board discussed the items listed on the Closed Session agenda and indicates there is one matter left to discuss today which is: *County of San Luis Obispo v. Mercer* and the Board goes into Open Public Session.

(SUPERVISOR PEG PINARD IS NOW PRESENT.)

- 13 D-1 This is the time set for submittal of the 1999-2000 year end report on Department goals and

performance measures.

Ms. Deb Hossli: Administration, presents the staff report; indicating this report is the first step toward creating a comprehensive Service, Efforts and Accomplishments (SEA) report for the County; states this report sets the stage for shifting the County's focus from "process" to "results"; states in time the SEA report will provide more meaningful data.

Supervisor Ovitt: commends the efforts of staff and looks forward to the next level.

Supervisor Bianchi: concurs with Supervisor Ovitt; states writing a report like this is difficult and there is now a foundation to build on; feels it is a good document that people can read and understand County Government.

Mr. David Edge: County Administrator, addresses the effort to shift the organization based "paradigm"; states it is critical to show the public the results of any given program and it gives people the opportunity to make a decision about whether or not those outcomes are important enough to them for that program to continue.

No one appearing and thereafter, on motion of Supervisor Ryan, seconded by Supervisor Bianchi and unanimously carried, the Board receives and files the report as outlined in the staff report dated 2-06-01.

14 CS The Board announces it will be going back 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) *County of San Luis Obispo v. Mercer*, 2) *Atascadero Mutual Water Co. v. County of San Luis Obispo*, 3) *Coalition for Rural Preservation v. County of San Luis Obispo*, 4) *San Miguel Sanitary District v. County of San Luis Obispo*, 5) *Virgin v. County of San Luis Obispo*, 6) *DSA v. County of San Luis Obispo*, 10) *Sheriff v. Civil Service Commission*, and 11) *Public Utilities Commission, In re Matter of PG&E*.

II. B. Conference with Legal Counsel - Anticipated Litigation (Gov. Code, § 54956.9) 7) *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.

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: 9) *Property Description: LaGrande Beach subdivision, Oceano Dunes*, Parties with whom negotiating: *Gordon McDaniels*, State Real Estate Division, Instructions to Negotiator will concern: *Price, Terms and Conditions*.

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

Thereafter, the Board goes into Open Public Session.

15 PC This is the time set for members of the public wishing to address the Board on items not set on the Agenda.

Ms. Ann Ream: San Luis Obispo Arts Council, states 2001 is the year of "Arts"; indicates they have something planned for every month; February is Art and Design month; states this month they will be celebrating arts around daily life; addresses the Airport Public Art Project; states there were 18 submissions; a selection group of seven chose the winner Ms. Sandra K. Johnson.

Ms. Johnson: states the airport is an exciting place to design; presents examples of the work that she will display at the airport.

Ms. Ream: thanks the County for encouraging and understanding public art. **No action taken.**

16 CS Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: Items 1 thru 11 - No public report required because no final action was taken.

17 PC This is the time set for members of the public wishing to address the Board on items not set on the Agenda.

Ms. Wendy Most: addresses the De Groot home; indicates she realizes this is a State issue however, urges the Board to do whatever they can to help; states this home has saved the County financially.

Mr. Richie Ray Walker: speaks to the process of the Court of Appeal; addresses the need for the appropriation of monies for the Law Library.

Ms. Sandi Sigurdson and Ms. Kate Norton: San Luis Obispo County Symphony, present a CD from the symphony and thank the Board for their support.

Ms. Linda Hall: presents an update on her mission to retrieve documents regarding the accountability of two men who worked for Wildlife Services; states she sent a letter to Sacramento requesting information. **No action taken.**

18 D-1 Submittal of the 1999-2000 year end report on Department goals and performance measures is brought back on for public comment.

Mr. Eric Greening: feels this is a wonderful report to bring the public up to speed on what the different departments are doing; in general it sets a positive tone; offers a few suggestions regarding the report including hiring a biological staff member. **No action taken.**

19 PC Submittal of the 1999-2000 year end report on Department goals and performance measures is brought back on for public comment.

Mr. Eric Greening: feels this is a wonderful report to bring the public up to speed on what the different departments are doing; in general it sets a positive tone; offers a few suggestions regarding the report including hiring a biological staff member. **No action taken.**

20 C-7 This is the time set for continued hearing (continued from 01/16-01) to consider amendments to the General Plan Land Use Element and Local Coastal Plan; 1) **G990005M** - a request by Martin Sanders to amend the San Luis Bay Area Plan; 2) **G990019T** - a request by San Luis Golf and Country Club to amend the San Luis Obispo Area Plan/Los Ranchos Edna Specific Plan; and 3) **G990004L** - a request by the County to amend the Land Use Element/Local Coastal Plan and Land Use Ordinance (Coastal) relative to vacation rentals; All Districts.

Ms. Kami Griffin: Planning, presents the staff report; hands out letters that have been received since the initial hearing held in January; addresses the length of stay regarding the vacation rentals; indicates she is available for questions.

Board Members: discuss various issues, comments and concerns regarding: enforcement of the length of stay for vacation rental; changing it to one stay per seven days; whether the Transfer Occupancy Tax collected is based on the amount of the rental, with staff responding.

Ms. Cindy Steidel: states she supports an ordinance which defines and regulates the use of transient rental properties in residential neighborhoods.

Ms. Cynthia Beeger: states she supports vacation rentals and owns one; states the people who have rented from her have always shown respect for their home; indicates she is pleased with her property management company.

Ms. Janet Huff: Cambria Vacation Rentals, reads a letter from a former renter responding to a complaint.

Mr. Norman Fleming: states he is in support of the advisory councils; addresses the four day minimum stay; feels the residents need a measure of protection.

Mr. Martin Verhaegh: pleads for the protection of the residences against vacation rentals.

Mr. Jeff Edwards: addresses the position of the advisory councils; states it is not accurate to say they voted to unanimously support the four-day minimum stay; asks the Board to reconsider the four day stay and change it to a three day minimum stay within seven days.

Mr. Richard Watkins: President of Central Coast Management Association, speaks to improvements in business practices; states they favor the three-day minimum stay; states they are willing to make any reasonable effort to meet the terms of the amendment.

Mr. Donald Archer: addresses profit making vs. quality of life; states property owners are entitled to peace and quiet in their homes; addresses enforcement; feels a one-week minimum stay should be required; feels the total number of vacation rentals per community should also be limited.

Ms. Jan Lewis: states the residents are not taken seriously; urges a limitation clause be added to the ordinance regarding rental time frame; require no less than four-day rentals; addresses a ballot measure to ban vacation rentals completely.

Ms. Linda Hall: addresses the State Legislature's definition of temporary rentals; indicates the City of Carmel decided to go with this definition and put a ban on vacation rentals for anything less than 30-days and found they were making more money with less effort.

Board Members: discuss various issues, comments and concerns regarding: enforcement issues; the policy of neighboring counties, the response by the advisory councils; and, requiring one stay per seven days, with staff responding.

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

AYES: Supervisors Bianchi, Pinard, Chairperson Achadjian

NOES: Supervisors Ovitt, Ryan

ABSENT: None

RESOLUTION NO. 2001-65, resolution to amend the San Luis Obispo County General Plan-Land Use Element, and Land Use Element/Local Coastal Plan, to adopt an ordinance entitled "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.

AYES: Supervisors Bianchi, Pinard, Chairperson Achadjian

NOES: Supervisors Ovitt, Ryan

ABSENT: None

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 2933, an ordinance amending Title 23 of the San Luis Obispo County code, the Coastal Zone Land Use Ordinance Chapter 23.08 relating to residential vacation rentals, adopted.

- 22 C-7 **Thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt and on the following roll call vote:**

AYES: Supervisors Bianchi, Pinard, Chairperson Achadjian

NOES: Supervisors Ovitt, Ryan

ABSENT: None

the reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 2934, 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.

(SUPERVISOR MICHAEL P. RYAN IS NOW ABSENT.)

- 23 D-1 Submittal of the 1999-2000 year end report on Department goals and performance measures is brought back for public comment.

Mr. Michael Kovacs: states this document should be the most important document by the County and it's not; questions if these are goals by staff for staff or for the entire County; states he does not see campaign promises in the document; addresses County growth. **No action taken.**

(SUPERVISOR MICHAEL P. RYAN IS NOW PRESENT)

- 24 E-1 This is the time set for consideration of a status report regarding the State Coastal Commission's Periodic Review of the Local Coastal Program for San Luis Obispo County.

Mr. Vic Holanda: introduces the item; indicates there is a 20 page executive report, a 360 page report that came in on Friday and an appendix to that report came in today; states the Coastal Commission will be here next Thursday for their meeting which will focus on the Periodic Review of our Local Coastal Plan (LCP) and other County issues.

Supervisor Pinard: questions how many coastal jurisdictions have a LCP; indicates it is her understanding that a LCP is required by law and has heard of no ramifications for those jurisdictions that don't have a LCP in place and yet instead of the Coastal Commission going after the jurisdictions that have not complied they are reviewing San Luis Obispo's LCP; feels this review is project specific.

Supervisor Ryan: states it is not uncommon for their report to come in at the last minute; feels this County has been singled out and it is project specific.

Ms. Pat Beck: Planning, presents the staff report; defines "Periodic Review"; states the report includes 150 recommended changes; states the next step will be to review and continue to move forward with this document; stresses the need for public input; staff will return to the Board with recommendations and if the current schedule holds true recommendations will be brought back in May.

Board Members: discuss various issues, comments and concerns regarding: a time extension to allow for public review; the location of the May Coastal Commission meeting.

Mr. Ken Topping: General Manager of the Cambria Community Services District (CCSD), addresses the time needed by the CCSD to respond to the document; feels there are many local concerns; indicates he would like to get the North Coast Advisory Committee together with the CCSD and discuss build-out reductions; urges a time extension and local workshops.

Ms. Joy Fitzhugh: addresses her concerns that 59 pages on agriculture are represented by a page and a half in the Executive Summary; agrees with an extension of time and a requests that public workshops be held.

Supervisor Bianchi: asks staff to explain a Certificate of Compliance, with response.

A motion by Supervisor Ovitt, seconded by Supervisor Ryan to ask for a time extension of 90 days, is discussed.

Supervisor Ovitt: asks staff if there is anything else that needs to be done.

Mr. Holanda: urge constituents and advisory groups to submit letters stating their concerns; states there needs to be time to review and analyze the report, so an appropriate response can be prepared.

Ms. Beck: states the meeting is being held locally to give the public opportunity to attend the meeting.

Matter is fully discussed and thereafter, on motion of Supervisor Ovitt, seconded by Supervisor Ryan and unanimously carried, the Board requests an extension of 90 days from the Coastal Commission to allow time to review their document's .

Supervisor Pinard: asks if there is anything else staff needs from the Board.

Mr. Holanda: indicates the Board could take formal action to request that workshops be conducted locally.

Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ryan and unanimously carried, the Board directs staff to request that the Coastal Commission hold public workshops/ outreach programs locally.

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, February 6, 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/Cherie Aispuro,
Deputy Clerk-Recorder

DATED: 02/08/2001

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