

Tuesday, March 20, 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**

CHAIRPERSON ACHADJIAN REQUESTS A MOMENT OF SILENCE IN MEMORY OF MARILYN BAIN, AN EMPLOYEE OF THE COUNTY CLERK-RECORDER'S OFFICE WHO PASSED AWAY, AFTER A BRIEF ILLNESS, ON MARCH 12, 2001.

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

Mr. Doug Buckmaster: representing Friends of the Ranch Land, addresses Item B-13 indicating the concern about the cost to hire a consultant to do a job that has already been done.

Mr. Clyde Warren: speaks to Item B-13 and encourages its approval; states he has waited 12 years for a zoning change.

Mr. Gordon Hensley: requests a two week continuance so that staff could return with a defined scope of work and give the North Area Advisory Committee a chance to review the staff recommendation; states there is no time line and questions why this is not being done in-house.

Mr. Ken Topping: Manager for the Cambria Community Services District, states the District is on the sidelines in the battle between the Coastal Commission and the Board when it comes to the North Coast Update; feels it is important to have a good EIR and that it be expedited so the North Coast Update can move forward.

Mr. Bill Allen: states he is in favor of the monies being transferred and a consultant being hired on Item B-13; urges approval.

Mr. Bill Warren: states the North Coast Update is frustrating; the EIR has to be done; urges approval.

Ms. Helen May: states she supports Item B-13 including the EIR so the North Coast Update can move forward. **No action taken.**

2 B-1 Consent Agenda Item B-13 is withdrawn for separate action. Item B-29 is withdrawn.
 thru **On motion of Supervisor Ryan, seconded by Supervisor Ovitt, and on the following**
 B-28 **roll call vote:**

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

Consent Agenda Items B-1 through B-28 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-28, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Auditor-Controller Items:

- B-1 Audit report of the Sheriff-Civil Division Trust, **Received and Filed.**
- B-2 Annual rate adjustment for four garbage hauling companies who provide services to the unincorporated areas of the County, **Approved.**

Board of Supervisors Items:

- B-3 Appointment of Eileen Maddux as a District Four Representative to the Children's Services Network Council, **Approved.**
- B-4 Reappoint Robert Bergman as a District One Representative to the Civil Service Commission, **Approved.**
- B-5 Reappoint JoAnn Switzer as a District Five Representative to the Agricultural Liaison Advisory Committee, **Approved.**
- B-6 Allocation of \$500 from Community Project Funds (\$100 from each District) to the Fix "46" Committee to be used to purchase tee-shirts to be sold as part of a safety awareness program, **Approved.**
- B-7 Allocation of \$1,000 from Community Project Funds (District One - \$100, District - Two \$100, District Five - \$800) to the Atascadero High School 2001 Grad Nite Committee to be used for scholarships for the 2001 Safe, Alcohol and Drug free graduation celebration, **Approved.**
- B-8 A journal entry from Community Project Funds (District Two - \$1,900, District Four - \$100) to Budget Unit 2800 - Planning and Building Code Enforcement Division for the Los Osos Community Cleanup Project, **Approved.**
- B-9 Allocation of \$1,000 from District Four Community Project Funds to the Nipomo Area Recreation Association for the "Kids' Day" Celebration on April 21, 2001 at Nipomo Elementary School, **Approved.**
- B-10 Allocation of \$500 from District One Community Project Funds to the Paso Robles Library Foundation to be used to the "Beyond Books" Program at the Paso Robles Library, **Approved.**

General Services Items:

- B-11 Amendment to the fixed asset list for Budget Unit 4161 - Golf Course by adding one automated external defibrillator; and 2) an appropriation transfer in the amount of \$4,500 to fund the purchase, **Approved.**
- B-12 Lease agreement with the Shandon Valley Lions Club, to operate the building referred to as the "log cabin" located in C.W. Clarke Park in the community of Shandon, **Approved.**

Planning Items:

- B-13 1) Contract (Clerk's File) with Design, Community and Environment to assist in the preparation of the North Coast Area Plan update and Environmental Impact Report; and 2) a corresponding budget adjustment in the amount of \$167,000 from coastal grant contingencies; 2nd District, **Withdrawn for separate action.**
- B-14 Authorize service of the Donald Stanton Family Trust notice of partial nonrenewal of a land conservation contract; 1st District, **Approved.**
- B-15 **RESOLUTION NO. 2001-115**, approving an open space agreement with Thomas Allin Rodman, Rosemary Rodman Ricketts and William Noel Rodman, Trustees of the Rodman 1996 Trust, **Adopted.**

Public Works Items:

- B-16 Bid opening report for the Lopez Dam Seismic Remediation Project; 3rd and 4th Districts, **Approved and the Chairperson is instructed to sign contract documents with Ford**

Construction Company Inc. in the amount of \$15,994,200.

- B-17 A right of way agreement, a lease agreement and grant of easement with Kenneth Glick for the Lopez Dam Remediation Project; 3rd and 4th Districts, **Approved.**
- B-18 Agreement authorizing mitigation payment of \$237,725 from the San Luis Obispo County Flood Control and Water Conservation District Zone 3 to the City of Arroyo Grande in lieu of paving a portion of Huasna Road; 3rd and 4th Districts, **Approved.**
- B-19 Agreements reassigning one acre foot per year of water allocation within County Service Area No.12 from Norman and Nancy Blackburn to Jay and Anne-Marie Murrell, **Approved.**
- B-20 **RESOLUTION NO. 2001-116**, amending Resolution No. 2001-61, correcting the date of the special election for the Castle Street Road Improvement Zone to May 8, 2001, **Adopted.**
- B-21 **RESOLUTION NO. 2001-117**, amending the position allocation list for Budget Unit 2900 - Department of Public Works by deleting one Engineer V position and adding one Engineer IV Position, **Adopted.**
- B-22 **RESOLUTION NOS. 2001-118, 2001-199 and 2001-120**, accepting conveyances from Francisco and San Juana Arguijo, Andy and Ophelia Castellanos, Santiago and Rose Arguijo for the widening of Orchard Avenue, Nipomo; 4th District, **Adopted.**
- B-23 The following map:
 - A. COAL 00-0059, a proposed lot line adjustment, adjusting 3 lots into 2 by Alexander Magro, located on Sherwood Drive in the community of Cambria; 2nd District, **Approved.**

Other Items:

- B-24 The destruction of unaccepted bids covering the time period of July 10, 1995 through February 5, 1996, **Approved.**
 - B-25 1) Contract (Clerk's File) with Exigent Computer Group, Inc., for the purchase of an integrated cashiering, indexing and imaging system and related services; 2) amendments to the Clerk-Recorder's and Assessor's fixed asset; and, 3) appropriation transfers from the Clerk-Recorder (\$590,000 from Restricted Revenues) and Assessor (\$29,220 from the Property Tax Administration Program), **Approved.**
 - B-26 Appropriation transfer in the amount of \$33,000 from unanticipated State grant revenue for noxious and invasive weed control projects; All Districts, **Approved.**
 - B-27 Agreement with the Cambria Community Services District for Community Project Funds in the amount of \$25,000 that was approved for funding during the 2000-2001 budget hearings, **Approved.**
 - B-28 **RESOLUTION NOS. 2001-121 and 2001-122**, amending the position allocation list for Budget Unit 3000 - Public Health by adding one limited term half-time Public Health Nurse position, one half-time Communicable Disease Investigator position and one Administrative Services Officer position, **Adopted**; 2) an amendment to the fixed asset list adding a copier; and 3) a corresponding budget adjustment in the amount of \$51,146 from unanticipated revenue, **Approved.**
 - B-29 Submittal by the Assessor of a resolution amending the position allocation list for Budget Unit 2250 - Information Services Division by adding one Limited Term Departmental Automation Specialist I, II or III and a request to approve an appropriation transfer in the amount of \$15,950 from the property tax administration program, **Withdrawn.**
- 3
- B-13 Request to approve: 1) a contract (Clerk's File) with Design, Community and Environment to assist in the preparation of the North Coast Area Plan update and Environmental Impact Report; and 2) a corresponding budget adjustment in the amount of \$167,000 from coastal grant contingencies; 2nd District, is discussed.

Supervisor Bianchi: indicates there is a lack of information and misunderstandings regarding this item and has asked staff to put together a presentation.

Mr. Chuck Stevenson: Planning, hands the Board a map and describes the area subject to the Periodic Review, the area involved in the North Coast Area Plan Update and the Hearst Ranch, all of which are in the Coastal Zone and North Coast Planning Area.

Board Members: discuss various issues, comments and concerns regarding: Hearst Ranch having the ability to come forward and ask for a development project under the Local Coastal Plan; the Periodic Review process should be completed before considering the North Coast Area Plan Update; the financial situation with this Update; the last North Coast Area Plan died on 10/15/1998 when it did not receive final approval from the Coastal Commission; the importance of proceeding with an updated EIR; the need to begin collecting data; the need to discuss the Periodic Review as it relates to Agriculture; Legislation Bill AB640 as it relates to local control; the control by the Coastal Commission versus local control; the issue of fairness for the entire County as it relates to other Area Plans, with Mr. Stevenson and Mr. Bryce Tingle, Assistant Planning Director, responding.

A motion by Supervisor Bianchi to approve the consultant contract for preparation of the North Coast Area Plan Update and EIR in the amount of \$249,451 and a budget adjustment for Budget Unit 2800; \$80,000 increase in Consultant Services funded by a grant award from the Coastal Commission (LCP 99-02, Part B); \$16,506 increase in Consultant Services funded by a grant award from the Coastal Commission (approved December 13, 2000); and a \$70,494 increase in Consultant Services funded by contingencies, dies for lack of a second.

A motion by Supervisor Bianchi to approve the consultant contract for preparation of the North Coast Area Plan Update and EIR and approve the budget readjustment to utilize funds (that this Board has previously approved) and transfer them from one account to the other, dies for lack of a second.

A motion by Supervisor Bianchi to approve the consultant contract for preparation of the North Coast Area Plan Update and EIR, dies for lack of a second.

A motion by Supervisor Bianchi to deny the staff recommendation, is discussed.

Supervisor Ryan: states he will second that motion if language is added to bring funding back through the budget process and bring the contract back after the Board has considered the Periodic Review.

Supervisor Bianchi: indicates she will not amend her motion.

Supervisor Ryan: withdraws his second.

Supervisor Bianchi: withdraws her motion.

A motion by Supervisor Ryan, seconded by Supervisor Ovitt, to direct staff to bring back the funding portion of this item during budget hearings and bring the remainder of this item back to the Board after the Periodic Review, is discussed.

Board Members: discuss various issues, comments and concerns regarding: the item coming back during the budget process; the monies already being appropriated, they just need to be transferred; the Hearst Development issue being unresolved.

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

AYES: Supervisor Ryan, Ovitt, Achadjian
NOES: Supervisor Bianchi, Pinard
ABSENT: None

the Board directs staff to bring back the funding portion of this item during the budget hearings and bring the remainder of this item back to the Board after the Periodic

Review.

Supervisor Ovitt: states he would like to address AB 640.

Mr. James Lindholm: County Counsel, suggests agendaing that for a future date.

The Board concurs and directs that the issue of AB 640 be added to April 10, 2001 meeting.

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C-1 This is the time set for hearing to consider an appeal by Charles and Renate Swanson to the Planning Commission's approval of a project to install a wireless communication facility, located at 1512 Peachy Canyon Road, west of the City of Paso Robles; 1st District.

Mr. Matt Janssen: Environmental Specialist, introduces the item.

Ms. Martha Neder: Planning, presents the staff report; indicating there are two issues: 1) environmental and public safety impacts of the project under the California Environmental Quality Act (CEQA); and, 2) no provisions for, mitigation, specifically limiting roadway access to the secondary road to the Applicants property.

Supervisor Ryan: questions the access road easement and if there is a secondary access to the Applicant's property, with staff responding.

Mr. Tom Madden: Attorney representing the Appellants, states there is a deeded easement; indicates his clients have no objection to the cell site; they are concerned with the access road which in some areas has a 16% grade with a severe drop-off; addresses the definition of "roads" in the County Land Use Ordinance; submits the requirement for this two-way road which is a 18-foot all-weather access road; speaks to the secondary access to the property.

Mr. John Thorton: Applicant, states the easement appears on his grant deed; indicates they are pleased with the Planning Commission's approval; explains the plan for the project; indicates the road is the subject of the appeal; presents the history of the road and the area; indicates this is the most appropriate access and the only one that is ever used; states the road in question is only shared by the Swansons; indicates there is no place on the road where two cars cannot pass safely; describes the kind of car that will be using the road and the frequency of that use; gives the road maintenance history; feels that any road improvements would be unnecessary and extreme; compares both access roads; addresses the need for the communication site and asks the Board to deny the appeal.

Ms. Peggy O'Laughlin: Attorney for Verizon Wireless, states Verizon supports the project; refers to a letter she previously sent the Board in opposition to the appeal; states the Negative Declaration conforms to CEQA; indicates traffic will be minimal and the road is adequate to handle the increase; addresses the easement.

Mr. Bob Hermanson: states he lives adjacent to the Applicant; presents the history of the area regarding the land and road easement.

Mr. Mike Slason: states he is representing Mr. Pete Johnston - Verizon Wireless Center, who could not appear today; supports the project; indicates a cell phone is no longer a luxury; speaks to the number of roadside assistance calls received from cellular users; indicates this cell site would help some of the poor coverage areas of the North County; urges denial of the appeal.

Mr. Mike Chelcson: Phone and Wireless, states he is here on behalf of thousands of customers who experience a "bad spot" in Paso Robles with their cell phones; feels this project would improve the service and urges the Board to support it.

Mr. Larry Hatchett: Verizon Wireless, indicates he is a cell site technician; states the sites are reliable and operate unmanned; indicates most cell site roads are unimproved and compared to others this road is in the top 5%; states the service in Paso Robles needs to be improved and this site will accomplish that.

Mr. Tim Callahan: states this access road is better than most; feels this is a well-sited project with good planning; recommends denial of the appeal.

Mr. Trey Sklar: J.M. Consulting Group representing Verizon Wireless, states they were pleased with the Planning Commission's unanimous decision on this project; indicates Verizon is pleased with the access road; states there are approximately 18,000 Verizon customers in the North County and this site will be a great asset; urges denial of the appeal.

Mr. Eric Greening: states this is the first appeal of a wireless application; questions if a comprehensive review process will be done in the future to look at cumulative impacts; suggests bringing an item back to discuss this issue at a future Board meeting.

Mr. Madden: indicates they do not object to the cell site; hands the Board a copy of a document entitled "Easement Deed" and addresses the one page road agreement that is attached; states the Swansons no longer have a tenant on their property; indicates the Thortons cannot overburden an easement.

Matter is fully discussed and 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

the Board denies the appeal by Charles and Renata Swanson and RESOLUTION NO. 2001-123, resolution affirming the decision Planning Commission and conditionally approving the application of John and Jane Thornton for Development Plan D990282D, adopted.

5 D-1 This is the time set for consideration of a request for temporary funding to the Medical Services Department.

Mr. Larry Hood: Chief Executive Officer for General Hospital, and **Mr. Hank Skau,** Chief Financial Officer, present the staff report and an update on the cash flow situation at General Hospital; indicate they are requesting a line of credit to be paid back by June 30, 2001; states this is not a situation where the Hospital is asking for more funds, it is simply a cash flow issue; speaks to the three-year turnaround plan; addresses the budget for next year; speaks to services the Hospital provides and the funding flows; addresses CMSP funding; describe accomplishments.

Ms. Lisa Millhorn: Business Office Manager, addresses the events that have occurred in the past two years; states there was a computer conversion, staffing problems and the billing was 6 to 12 months behind and today the billing is current; addresses the two main issues they are working on: 1) uninsured patient visits; and 2) pending Medical population.

Mr. Hood: addresses clinic development and introduces Ms. Jan Hicks.

Ms. Jan Hicks: Clinic Administrator, presents an update on the progress of clinic services; states she is working on the hours of operation, the primary care issues and the revisions to forms; thanks the Board for their continued support.

Mr. Hood: speaks to the Department's "re-engineering" of the organization; wants to make sure that every position in the Hospital is necessary.

Supervisors Ryan and Ovitt: discuss various issues, comments and concerns regarding: what was approved by the Board at the Beilenson Hearing under Option #5; patient load; there being no mention of the word "loan" in the staff report, with staff responding.

Mr. Eric Greening: announces that at the last Social Justice Committee of the Unitarian Fellowship of San Luis Obispo County, they reaffirmed support for the continued operation of General Hospital and for affordable health care as a basic human right; addresses the staff report regarding a hard figure being penciled in and not substantiated; feels the action today should be to provide the loan to enable the 3-year turnaround plan to continue as promised; states there has been no work on any Plan "B"; feels a Beilenson hearing would be inappropriate at this time.

Mr. Dean Rollins: General Manager for the San Luis Obispo County Employee's Association (SLOCEA), urges support for this loan; states the issue before the Board is a

cash flow problem; indicates General Hospital has taken steps to meet the goals set by the Board; addresses improvements that have been made; speaks to the effect the nursing shortage has had on the hospital; speaks to the issues of service programs being provided without reimbursement.

Ms. Pam Heatherington: Interim Hospital Authority Board (IHAB) member, states there is a management team in place that believes the County can make their budget obligations and provide medical services to the less fortunate; feels the projected goals can be met; urges the Board to approve the line of credit.

Mr. Tom Barrett: IHAB member, believes the previous management team raised the cost of the hospital; believes this team is doing everything to make the hospital successful; urges the Board to continue moving forward and making the Hospital successful.

Ms. Pat McCoy: Chairperson for IHAB, addresses the information presented by Supervisor Ryan regarding the 3-year turnaround plan - Option #5; states there are good explanations as to why a couple of major initiatives have not been completed; addresses information regarding the budget not getting passed on to the Board and conflicting information being reported; feels IHAB has communicated with the Supervisors that sit on the Hospital Leadership Committee and the Chairperson; states Casey, Inc. has provided quarterly reports; addresses the people served by the Hospital; reminds the Board of their commitment made on March 23, 1999; states there is a new management team that functions as a team and is able to get the job done.

Supervisor Ovitt: states the IHAB and General Hospital Administration need to communicate better with Board members; questions Mr. Sibbach, Auditor-Controller, regarding this transaction being a loan and whether there is the capability of doing a loan, with Mr. Sibbach responding.

Supervisor Ryan: indicates if a motion does not pass to allow this loan, the employees will still be paid; states he will not support any money going to General Hospital until a Beilenson hearing is in place.

A motion by Supervisor Bianchi, seconded by Supervisor Pinard to approve a loan until June 30, 2001 and an appropriation transfer of up to \$1.5 million to the Medical Services Department from the General Fund Contingencies for the current Fiscal Year, fails on the following roll call vote:

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

Supervisor Ovitt: states there is no documentation that this is a loan and nothing to substantiate payback and doesn't see any of the promised milestones happening; states he understands it is not the fault of the existing management team; if money is to be transferred, there must be results.

Supervisor Pinard: states there is no accountability for Plan "B"; closing General Hospital does not mean more money; questions the cost of services rendered without General Hospital.

A motion by Supervisor Bianchi, seconded by Supervisor Pinard to approve a loan of \$500,000 until June 30, 2001 to the Medical Services Department from the General Fund Contingencies, fails on the following roll call vote:

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

Supervisor Ryan: suggests continuing this item until after lunch.

Chairperson Achadjian: continues this matter to the afternoon calendar.

Mr. Michael Passarelli: addresses school violence and solutions to prevent it from happening.

Ms. Rachel Richardson: Tenant Based Rental Assistance, speaks to the success of housing low income families in the County; states they have placed 327 families in four years in all areas of the County; thanks the Board for their support and hope they will continue that support.

Mr. George Layman: addresses road fees and how they work; offers to raise the red-legged frog so the engineers can bulldoze the creeks and clean them out; feels every creek bed is a mess, with Supervisor Ryan responding.

Mr. Eric Greening: indicates while some people look at a creek bed and see a mess other creatures see it as their homes; addresses standardized testing in schools; reminds everyone there is a Nuclear Regulatory Commission (NRC) meeting tonight at the City/County Library to discuss on-site storage at Diablo Canyon.

Ms. Linda Hall: speaks to the “Great American Meat Out”; addresses hoof and mouth disease and the possibility of what could happen if it came to the United States.

Ms. Tina Solomon: states her concern regarding Mission Medical Office coming to Avila Village, with Supervisor Pinard responding.

Mr. Les Goldfisher: states his support for General Hospital. **No action taken.**

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D-1 Consideration of a request for temporary funding to the Medical Services Department, is brought back on for consideration.

A motion by Supervisor Bianchi to authorize the County Auditor-Controller to locate the funding in the appropriate amount as a loan to be paid back by June 30, 2001 to keep the Medical Services payroll going and to make sure the County doesn't violate any rules or regulations, is discussed.

Supervisor Ovitt: states his concern for the line of credit; questions how the Board can be guaranteed payback; wants a contractual situation; states he consulted with Mr. Hood regarding issues in his report; suggests authorizing the Auditor-Controller to establish a line of credit of up to \$1.5 million to be allocated on an “as needed” basis from the Department of Social Services (DSS) existing appropriations and the Auditor-Controller shall report to the Board of Supervisors biweekly on the status of such allocations; the Medical Services Department shall guarantee this line of credit with the following funds to reimburse the DSS funds: 1255 monies at \$500,000, Medi-Cal Settlement monies and Medi-Cal pending clean up.

Supervisor Bianchi: withdraws her motion.

A motion by Supervisor Ovitt, seconded by Supervisor Bianchi to authorize the Auditor-Controller to establish a line of credit of up to \$1.5 million to be allocated on an “as needed” basis from the Department of Social Services (DSS) existing appropriations (Budget Units 3240 & 3250); and the Auditor-Controller shall report to the Board of Supervisors biweekly on the status of such allocations; the Medical Services Department shall guarantee this line of credit with the following funds to reimburse the DSS funds: 1255 monies at \$500,000, Medi-Cal Settlement monies and Medi-Cal pending clean up, is discussed.

Supervisor Ryan: states he will not be supporting a motion that keeps handing money to a department that does not have a viable operation; indicates he will not support appropriating any funds to General Hospital until it moves toward the closing process.

Supervisor Ovitt: states he respects Supervisor Ryan's decision; feels monies are best spent in community care; indicates this keeps the operation going.

Supervisor Bianchi: states on one of the biweekly reports she would like the figure of what it would cost the County to close General Hospital, with staff agreeing.

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

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

the Board authorizes the Auditor-Controller to establish a line of credit of up to \$1.5 million to be allocated on an “as needed” basis from the Department of Social Services (DSS) existing appropriations (Budget units 3240 & 3250) and the Auditor-Controller shall report to the Board of Supervisors biweekly on the status of such allocations; the Medical Services Department shall guarantee this line of credit with the following funds to reimburse the DSS funds: 1255 monies at \$500,000, Medi-Cal Settlement monies and Medi-Cal pending clean up.

8 D-2 This is the time set for a request by Medical Services to approve a contract extension with W.J. Casey, Inc.

Ms. Pat McCoy: Chairperson for the Interim Hospital Authority Board (IHAB), presents the staff report asking the Board to approve the proposed extension to the existing Management Services Agreement.

Supervisor Ovitt: questions the original contract and the termination agreement.

Mr. Warren Jensen, Deputy County Counsel: states the original contract has an option for an extension with a 60-day notice.

Mr. George Layman: questions if the Hospital closes will W.J. Casey, Inc. still be on the payroll, with Supervisor Bianchi responding.

Supervisor Ryan: indicates he will not be supporting this motion.

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, Chairperson Achadjian
NOES: Supervisor Ryan
ABSENT: None

the Board approves the proposed extension to the existing Management Services Agreement.

9 E-1 This is the time set for consideration of General Plan amendments to the San Luis Obispo Area Plan.

Supervisor Bianchi: states she was contacted by a group of residents representing the O’Connor Way area requesting that the County sponsor amendments to the San Luis Obispo Area Plan based on concerns about the allowed uses, traffic, water and sewage disposal; requests that the County initiate the amendments.

Supervisor Ovitt: questions the cost to the County.

Supervisor Ryan: questions how many amendments and their specific nature, with Mr. Bryce Tingle, Assistant Planning and Building Director, responding.

Supervisor Bianchi: states this is not a re-zone, it is an amendment to create standards for that area; this will prevent more development plans coming in and being appealed, which will prevent future costs for the County.

Mr. Tingle: states the Association (O’Connor Way) is focusing on land use limitations and development standards; addresses The Morros Specific Plan.

Ms. Cindy Wallace: states on August 15, 2000 the Board of Supervisors directed staff to work with the community and write a specific plan for the O’Connor Way area; addresses

large projects that are coming to the area and the concerns by the neighbors regarding traffic, water, and sewage disposal; indicates the Association wants to place limitations on uses and put size limitations on the projects.

Mr. Mike Zohns: states the Association is willing to help Planning make the amendments to the San Luis Obispo Area Plan.

Board Members: discuss various issues, comments and concerns regarding: the number of people in the Association; publication of this item; more information on the amendments; more text on the items; cost factors.

Supervisor Bianchi: states this is only the authorization process and is the first step down the long trail.

Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt and unanimously carried, the Board continues said item to April 17, 2001.

10 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. Golf Dimensions, et al.* and 2) *Public Utilities Commission, In re Matter of PG&E.*

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. 4) *Initiation of litigation (Gov. Code, § 54956.9(c).* No. of cases 2.

II. PERSONNEL (Gov. Code, § 54957). It is the intention of the Board to meet in Closed Session to: 5) *Consider Public Employee Complaints or Charges.*

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: Items 1 thru 5 - No public report required because no final action was taken.

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 to March 21, 2001 at 9:00 a.m. in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA., for a Discussion regarding "Complaints or Charges" against Chief Probation Officer John Lum.

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, March 20, 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: 03/23/2001
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