

Tuesday, August 7, 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 A-1 This is the time set for presentation of employee service recognition awards.

Mr. Dale Hanson: Personnel Director, introduces Santos Arrona of his staff to read the names of those employees receiving their **20-year service pins**.

Mr. Arrona: introduces the following employees with Mr. Hanson presenting each with their pin: Nancy Matus - Auditor-Controller's Office; Allen Daniels - General Services; Thomas DeMarco - General Services; James Hickok - General Services; Genevieve Gater - Family Support; Lynda Smith - Mental Health; Bill Wallace - Social Services; Kathleen Neve - Library; James Mulhall - Sheriff's Department; Richard Morales - Medical Services.

25-Year Employee Service Awards, are presented.

Mr. Gere Sibbach: Auditor-Controller, introduces Bill Freedman of his staff; indicates he worked for Social Services when he started with the County and has worked in his office for the past 16 years handling the County's payroll.

Mr. Freedman: thanks the Board for the recognition, the terrific staff he works with, other County employees he has worked with and his wife, who he is celebrating his 25th wedding anniversary with this month.

Mr. Dick Frank: County Assessor, introduces Cory Powell of his staff; states he was hired in 1976 and has worked in the Assessor's Office the entire time; highlights Mr. Powell's duties over the years.

Mr. Powell: thanks the Board for the recognition and speaks to visiting the Courthouse for a class when he was in school and wondering what it would be like to work here.

Mr. John Wade: Director of Information Services, introduces Esther "Esta" Civico and highlights her duties over the past 25 years.

Ms. Civico: thanks everyone for the recognition.

Sheriff Pat Hedges: introduces Richard Neufeld, indicating he is not present today; states he started working in the department in 1976 as a Dispatcher, then as a Correctional Officer, Deputy Sheriff and currently is a Detective.

Mr. Larry Hood: Medical Services Director, introduces Sandra Edmunson, Roy Jensen, Jr., and Jacqueline Mathews, indicating they are not present today; speaks to the various job duties of these employees and accepts on their behalf their service recognition awards.

30-Year Employee Service Awards, are presented.

Supervisor Pinard: introduces Clifford Howe, Jr., Public Works, addressing his job duties over the past 30 years; states he currently supervises the largest division of Public Works; he started as a temporary employee in 1969 and in 1971 became permanent (Mr. Hanson presents Mr. Howe with his service award).

Supervisor Bianchi: introduces Larry Hobson, District Attorney's Office and speaks to his 30 years of law enforcement beginning with the Sheriff's Department and in 1984 moving to the District Attorney's Office as an Investigator; states he is currently the only State and Federally certified polygraph expert in the County; lists his accomplishments over the years including the recent Krebs trial.

Mr. Hobson: thanks the Board for the recognition and indicates that all the accomplishments listed are due to team work and he is proud to be a part of this team.

Supervisor Ryan: introduces Mr. Steve Carnes, Environmental Health and speaks to his accomplishments over the past 30 years.

Mr. Carnes: thanks the Board and states he, too, is part of a great team.

Supervisor Ovitt: introduces Richard Granger, Personnel, who is not present and speaks to his duties over the years.

Chairperson Achadjian: introduces Kimberly Ryan, Medical Services, who is on vacation and states she started working for the Hospital during high school, went on to become a nurse and has been instrumental in many of the changes that have occurred at the Hospital including the start-up of the family care clinic.

Chairperson Achadjian: introduces Darla Martin, Probation, and highlights the departments she has worked in and her current duties in Probation.

Ms. Martin: states it has been a wonderful and exciting 30 years. **No action taken.**

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

Mr. Eric Greening: states he is glad to see Item B-2 on the agenda and addresses several questions he has on this issue; speaks to Item B-37 and his concerns regarding the characterization of this issue in the staff report.

Ms. Pam Marshall Heatherington: ECOSLO, addresses Item B-37 and cautions the Board on terminology used with respect to this.

Mr. Michael Kovacs: speaks to Item B-3 and questions why all these contracts are on the agenda and how much funding is allocated to them; speaks to Item B-31 and questions when the Board is going to stop approving additional staff. **No action taken.**

3 B-37 Consideration of a letter to the Secretary of Interior concerning the impact on public safety services created by the Carrizo Plains National Monument designation, is presented.

Supervisor Ryan: addresses the concerns raised regarding fire and medical calls in the Carrizo Plains area and outlines what the letter is requesting.

Supervisor Ovitt: speaks to the lack of fire equipment in this area.

Supervisor Pinard: addresses her concern to using the monument at Carrizo Plains and feels the motivation is clouded and will not support the letter.

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

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

the Board approves the submission of the letter outlining concerns for the impact on public safety services that the designation of Carrizo Plains National Monument will create and the Chairperson is instructed to sign the letter.

- 4 B-1 Consent Agenda Item B-1 is withdrawn for separate action. Item B-34 is thru amended at the request of Supervisor Pinard to change the staff report and B-37 transmittal. Item B-37 is added to the Consent Agenda, withdrawn for separate action and acted on previously.

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

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

Consent Agenda Items B-1 through B-37 are approved as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda Items B-1 through B-37, as amended, are on file in the Office of the County Clerk-Recorder and are available for public inspection.

Items set for hearing:

- B-1 Introduction of amendments to Title 22 relative to wineries and accessory uses and Title 21 relative to the processing of lot line adjustments and the subdivision review board membership; All Districts, **Withdrawn for separate action.**

Administrative Office Items:

- B-2 Submittal of the County Hazardous Materials Emergency Response Plan and Area Plan (Clerk's File) and the County Hazardous Materials Emergency Plan (Clerk's File), **Approved.**
- B-3 Agreements (Clerk's File) with Community-based Organizations and other agencies that were approved for funding during the 2001-2002 budget hearings, **Approved.**

Auditor-Controller Items:

- B-4 Unannounced cash count report conducted on June 26, 2001 of the Assessor's Office, **Received and Filed.**
- B-5 Unannounced cash count report conducted on June 25, 2001 of the San Luis Obispo County Regional Airport, **Received and Filed.**

Board of Supervisors Items:

- B-6 Request by Board Members to allocate \$2,900 from Community Projects Funds (\$100 each from Districts One, Three, Four and Five and \$2,500 from District Two) to the San Luis Obispo Community Health Foundation to be used for the "HealthWorks!" television programming, **Approved.**

B-7 **RESOLUTION NO. 2001-307**, honoring the 2001 San Luis Obispo County Wine Grower of the Year and **RESOLUTION NO. 2001-308**, honoring the 2001 San Luis Obispo County Wine Maker of the Year, **Adopted.**

B-8 **RESOLUTION NO. 2001-309**, commending the Officer Candidate School Company 223rd Infantry Regiment for 50 years as an Officer Commissioning School, **Adopted.**

General Services Items:

B-9 Increase the change order limit to 10% (the maximum allowable per Public Contract Code) for the final phase of the runway extension project at the San Luis Obispo County Regional Airport, **Approved.**

B-10 **RESOLUTION NO. 2001-310**, amending the position allocation list for Budget Unit 2180 - General Services by retitling an Assistant/Associate Capital Project Coordinator to a Utility Coordinator and setting the associated salary, **Adopted.**

B-11 **RESOLUTION NO. 2001-311**, authorizing execution of a notice of completion for construction of a restroom at Clarke Park, in the community of Shandon; 1st District, **Adopted.**

B-12 **RESOLUTION NO. 2001-312**, authorizing execution of a notice of completion for equipment improvements at the Oceano Airport, **Adopted.**

B-13 **RESOLUTION NO. 2001-313**, authorizing a grant application under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12) for facility upgrades at Lopez Lake Recreation Area and Santa Margarita Lake Regional Park, **Adopted.**

Health Agency Items:

B-14 Request to appoint Derron Dike, Ruth Dickey, Clinton Foster, Nadine Gauthier, Karl Hansen, Patrick Hedges, Rajan Patel, Charmaine Quinlan, and Claudett Rettig and reappoint Rae Belle Gambs, and Robin Heaney to the Mental Health Advisory Board, **Approved.**

B-15 Memorandum of Understanding with AmeriCorps to provide services to youths, through one-to-one mentoring activities, transportation, recreation, and peer counseling services, **Approved.**

B-16 Contract (Clerk's File) with American Care Home to provide social support services for Mental Health clients, **Approved.**

B-17 One month extensions to contracts with Sierra Vista Regional Medical Center and Twin Cities Community Hospital to provide medical services to medically indigent adults and jail inmates, **Approved.**

B-18 Agreement (Clerk's File) with the State Department of Health Services for Medical Administrative Activities (MAA) to provide reimbursement for the administration of the MAA Program for both the Public Health Department and the Lucia Mar School District, **Approved.**

B-19 Two renewal agreements (Clerk's File) with the Economic Opportunity Commission to provide HIV prevention services at a Nipomo youth drop-in center and to the Latino population, **Approved.**

B-20 Agreement (Clerk's File) with the State Department of Health Services, Drinking Water Surveillance Program for fiscal year 2001-02 through 2005-06, **Approved.**

- B-21 Child Health and Disability Prevention (CHDP)/California Children Services (CCS) Plan and budget (Clerk's File) for fiscal year 2001-02, **Approved.**
- B-22 Application (Clerk's File) with the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funding for fiscal year 2001-02, **Approved.**

Planning Items:

- B-23 Amended agreement (Clerk's File) with the Morro Group, Inc. to provide monitoring for the Worldcom Fiber Optic Cable Project; 2nd District, **Approved.**
- B-24 Amended agreement (Clerk's File) with Crawford, Multari & Clark Associates, to revise the Draft Environmental Impact Report for the Estero Area Plan; 2nd District, **Approved.**
- B-25 Agreement (Clerk's File) with Douglas Wood and Associates, Inc. to prepare an Environmental Impact Report for the Agape Church Development Plan; 2nd District, **Approved.**
- B-26 Mitigated Negative Declaration for the Dover Canyon Road Bank Stabilization Project; 1st District, **Approved.**

Public Works Items:

- B-27 Plans and specifications (Clerk's File) for the construction of phase I water system improvements at California Men's Colony near San Luis Obispo, in the estimated amount of \$90,000; 2nd District, **Approved and the County Purchasing Agent is directed to advertise the project and the Director of General Services is authorized to award and execute the construction contract.**
- B-28 **RESOLUTION NO. 2001-314**, providing for a service charge credit/rebate for the landscape maintenance project in County Service Area No. 1A (Galaxy Park, Tract 1898, Nipomo); 4th District, **Adopted.**
- B-29 The following maps:
- A. CO 99-0308, a proposed subdivision resulting in 2 lots by Clyde and Julia Johnson, located on Dana Foothill Road, Nipomo, reject the offer of dedication without prejudice to future acceptance; 4th District, **Approved.**
- B. CO 99-0076, a proposed subdivision resulting in 3 lots by Longs Drug Stores, located on Tefft Street at South Frontage Road, Nipomo, reject the offer of dedication without prejudice to future acceptance; 4th District, **Approved.**
- C. Tract 2272, a proposed subdivision resulting in 7 lots by Christopher Carey, located on Sevada Lane, Nipomo Mesa, reject the offer of dedication without prejudice to future acceptance, **Approved** and **RESOLUTION NO. 2001-315**, to approve an Open Space Agreement; 4th District, **Adopted.**

Social Services Items:

- B-30 Amendments to the bylaws of the Commission on Aging, **Approved.**
- B-31 **RESOLUTION NO. 2001-316**, amending the position allocation list for Budget Unit 3200 - Social Services by adding 2 full time Program Specialists and 3 full time Program Review Specialists and a request to approve a budget adjustment in the amount of \$537,250, for implementation of CalWIN, **Adopted.**

Other Items:

- B-32 Minutes of the June 5, 11, 12, 13 and 19, 2001 Board of Supervisors' meetings, **Approved.**
- B-33 Request by the Sheriff-Coroner to submit an application to the Office of Justice Programs for reimbursement of costs incurred incarcerating undocumented criminal aliens, **Approved.**
- B-34 Amended contract with Arthur Silverstein, D.O., Inc., to increase the annual contract limit to \$250,000 from \$150,000 to provide inpatient and outpatient professional medical services to patients at General Hospital, **Approved as amended.**
- B-35 **RESOLUTION NO. 2001-317**, establishing salaries for fiscal year 2001-02 for the District Attorney Investigators' Unit and **RESOLUTION NO. 2001-318**, District Attorney Investigators Supervisory Unit and approving an associated memorandum of understanding, **Adopted.**
- B-36 **RESOLUTION NO. 2001-319**, amending the position allocation list (PAL) for Budget Unit 2180 - General Services by adding a Supervising Administrative Clerk I position that was inadvertently omitted from PAL, **Adopted.**

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

- B-37 Consideration of a letter to the Secretary of the Interior concerning the impact on public safety services created by the Carrizo Plains national monument designation, **withdrawn for separate action and acted on previously.**

- 5 B-1 Introduction of amendments to Title 22 relative to wineries and accessory uses and Title 21 relative to the processing of lot line adjustments and the Subdivision Review Board membership; All Districts, is presented.

Supervisor Ovitt: presents a copy of page 2 from a staff letter dated January 16, 2001 regarding the existing membership of the Subdivision Review Board (SRB) and the status of the applications heard by the SRB; states he opposes changing the membership of the SRB and does not support dissolving it; wants this deleted from the proposed ordinance.

Supervisor Ryan: states he feels the public will have a "better shake" with the SRB being made up of public members versus County staff.

Ms. Pat Beck: Planning, indicates the item before the Board today is the introduction of the ordinances and the hearing is scheduled for August 21, 2001.

Supervisor Ovitt: indicates he understands that but if the majority of the Board agrees with him then this portion could be deleted today and not heard on August 21st.

Supervisor Bianchi: addresses her concerns to changing the membership of the SRB as it relates to the learning curve for new board members; G000023L of the staff letter references all the districts but hers and she wants this changed to include District 2 (Inland) as there are portions of her district not in the Coastal Zone.

Supervisor Pinard: speaks to the issue and in agreement with comments by Supervisor Ovitt.

Mr. Jim Orton: Deputy County Counsel, addresses several clerical corrections to the ordinances on page B-1-16, B-1-20, B-1-27 and B-1-31, with Supervisor Bianchi adding an additional clerical correction.

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, Pinard, Bianchi**
NOES: Supervisors **Ryan, Chairperson Achadjian**
ABSENT: **None**

the Board directs that Section 21.02.080 of Title 21 remain as currently written and is deleted from the proposed ordinances relating to Title 21.

Matter is further discussed and 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 introduces amendments to Title 22 relative to wineries and accessory uses and Title 21 relative to the processing of lot line adjustments, with the following changes pages B-1-16 and B-1-27, Section 5, 21.02.090 (c) is amended to correct the second line to read: “. . . approved, conditionally approve, . . .”; pages B-1-20 and B-1-31, Section 12, 21.06.026, is amended to correct the titled to read “compiled” instead of “complied” and in the fifth line the word “located” is changed to “locate” (the sections regarding the membership of the SRB were removed by previous Board action) and, the Clerk is instructed to give notice of the hearing date set for August 21, 2001 at 9:00 a.m..

6 C-1 This is the time set for hearing to consider a resolution to vacate a portion of Old County Road in the community of Templeton; 1st District.

Mr. Tim Smith: Right-of-Way Agent, presents the staff report and recommendation.

Supervisor Ovitt: questions the “remainder” and the one way streets.

Mr. Richard Marshall: Public Works, responds to what can occur after this action today is completed.

Mr. Elmer Cherry: adjacent property owner, states if this is approved it will close all but his side of the road; they don’t want the road closed; he has spoken to some of the residents of Templeton and they did not know this was occurring; feels this should go back to the community for their input.

Mr. Glenn Cherry: expands on this father’s comments indicating they want to be on record as not wanting this to occur and want the community to know they didn’t do this; states they thought you couldn’t close a road unless all the affected property owners agreed; addresses their concern to liability issues.

Supervisor Pinard: speaks to the memo they received from Mr. Cherry and whether the he is requesting a continuance.

Mr. Glenn Cherry: responds indicating they would prefer the Board not approve this today.

Ms. Eve Cherry: states they want to know, on the record, what their impacts will be if this road is abandoned; further, indicates they are not the property owners who initiated this.

Mr. Woody Woodruff: states he is the Applicant and owns the property across from the Cherrys; states this was one of the conditions for approval by the

Subdivision Review Board, along with creating a new street (Gibson St.); feels this change will not create any access problems for the Cherrys and is good for the community.

Mr. Marshall: presents a map of the area showing the Woodruff and Cherry properties and the area of the road to be abandoned.

Board Members: address various issues, comments and concerns regarding: the swale on the Cherry property and whether the Cherrys will still have access to Main St., with Mr. Marshall responding.

Mr. Elmer Cherry: speaks further indicating the public is not aware of this change and this item should be postponed and returned to the community.

Supervisor Ovitt: responds indicating this has been before the community several times; the Templeton Area Advisory Group (TAAG) was advised at this; indicates he was at one of the TAAG meetings where this was discussed; further, he believes this will help eliminate some of the problems that have occurred in the area.

Mr. Bob Roos: states he was previously the Chair for TAAG and is still on their traffic subcommittee; states TAAG did hear this but only heard from Mr. Woodruff and not from any other property owners.

Mr. Smith: states this issue came through his division as a condition to complete the development plan; addresses the Cherry's access; states his opinion that this is the right and safe thing to do for the community.

Supervisor Pinard: addresses her concerns, with Mr. Marshall responding.

Supervisor Bianchi: speaks to her concerns and indicates she will not support this item based on limitations it will impose on the Cherrys.

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

AYES: Supervisors Ovitt, Ryan, Chairperson Achadjian

NOES: Supervisors Bianchi, Pinard

ABSENT: None

RESOLUTION NO. 2001-320, resolution vacating a portion of Old County Road County Road No. 5185, in the Town of Templeton, Supervisorial District No. 1, adopted.

7 C-2 This is the time set for hearing to consider a resolution imposing revised road improvement fees in the Templeton Area; 1st District.

Mr. Dave Flynn: Public Works, presents the staff report; indicates there have been no appeals filed since the last update of the Circulation Plan and fees last year; addresses the various improvements they are currently working on for Vineyard Dr., Las Tablas Rd., etc.; changes they are looking at for Main St.; speaks to the proposed increase in the road fees; states the Templeton Area Advisory Group (TAAG) has supported the staff recommendations and has asked that the Florence Street Bridge be given priority.

Supervisor Ovitt: addresses page C-2-23 of the staff report and the change for Vineyard Drive from 5 to 3 lanes and the increased cost; questions the cost of the signal at the Highway 101 interchange; the need to keep the sidewalks for pedestrians; and feels this fee increase is excessive.

Mr. Flynn: responds indicating staff is trying to find the most cost effective ways to make these improvements.

Mr. Bob Roos: TAAG Traffic Subcommittee member, speaks in support of the proposed improvements to Vineyard; is glad to see this update is being done every twelve months; they are concerned about the 17.5% increase to the fees but do understand about the increase in construction costs; TAAG does want to see the Florence Street bridge expedited; two changes they want to see to the report are: (1) the 101 interchange and want to see the original 1991 Plan used, which has Templeton paying for 25% of those fees not 69% like is listed in Table 5 today; and (2) want to see the temporary pedestrian crossing on Las Tablas become permanent.

Mr. Michael Kovacs: questions why this is being done now and suggests if it is not applicant driven it should be removed from the agenda.

Mr. Eric Greening: states this proposal adds a tremendous amount of pavement that will need to be maintained; feels the gas tax should be modified to pay for these improvements/maintenance costs.

Matter is fully discussed and 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 receives and adopts the 2001 Update of the Templeton Traffic Circulation Study as presented in the staff report dated August 7, 2001; and, RESOLUTION NO. 2001-321, resolution of the Board of Supervisors of the County of San Luis Obispo modifying the Road Improvement Fee for all development within portions of the Salinas River, El Pomar/Estrella and Adelaida Planning Areas of the County of San Luis Obispo, adopted. Further, staff is given the following direction: (1) all efforts be made to continue pedestrian crossings on Las Tablas by the hospital (with the where and how many being left up to staff); (2) review and re-evaluate the fee structure on Table 5 with the Templeton Circulation Subcommittee (this is to include all projects as there have been changes over the years); (3) the Florence Pedestrian Bridge be moved forward as fast as it can.

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

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

9 C-3 This is the time set for hearing to consider a resolution granting a variance and modifying certain construction standards of the Coastal Zone Land Use Ordinance in a Flood Hazard Area for a proposed Aircraft Hangar at the Oceano Airport; 4th District.

Mr. Richard Marshall: Public Works, presents the staff report; addresses the request of the Applicant, Mr. John Tucker, for a modification to the Land Use Ordinance construction requirements in flood hazard zones; states Mr. Tucker plans to construct an aircraft hangar and operate a concession for it at the Oceano Airport; addresses the elevation requirements for building in the 100-year flood plain; indicates he is requesting that he be allowed to build without imposing the elevation requirements; addresses the requirements for granting this variance and the letter that is required to be recorded that is addressed to the Mr. Tucker; indicates there is a correction that needs to be made to the proposed resolution, the third "Whereas," #1, the last line needs to be changed to read: ". . . would be for ~~this~~ these two structures ~~only~~."

Supervisor Pinard: asks about adding the "hold harmless" language to protect the

County.

Supervisor Bianchi: agrees this language should be added.

Mr. Jim Orton: Deputy County Counsel, states they could approve the resolution and direct that the language to hold the County harmless be added as approved by County Counsel.

Mr. Eric Greening: addresses his concern to the impacts that flooding runoff would have as it would be mixed with fuel, etc. from the pavement; questions why an obstacle is being created for the flood waters.

Supervisor Bianchi: questions whether there are any provisions to require grease traps for surface runoff, with Mr. Marshall responding.

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 directs that hold harmless language be added as approved by County Counsel to the resolution; the resolution is amended to correct the third "Whereas," #1, the last lines to read ". . . would be for this these two structures only."; and RESOLUTION NO. 2001-322, resolution granting a variance and exception waiving certain construction standards of the Coastal Zone Land Use Ordinance in a Flood Hazard Area, adopted as amended.

10

D-1

This is the time set for introduction of an ordinance establishing the new mandated changes to the Supervisorial district boundaries based on the Census 2000 data; All Districts.

Mr. David Edge: County Administrative Officer, introduces the item and addresses the changes made by the Board at their last meeting on this issue; the recommendation today is to introduce the ordinance and set it for hearing next week; if there are any additional changes made today the ordinance will need to be reintroduced next week and set for hearing on August 21st.

Supervisor Pinard: indicates they have received a couple of additional requests for changes and asks Mr. Edge to address those.

Mr. Edge: indicates there has been a request to move an area outside the City of Arroyo Grande but in the Sphere of Service, in the Printz Road area from District 3 back into District 4; states this census block shows this area has 297 people in it.

Chairperson Achadjian: indicates this request also came from several City officials.

Supervisor Pinard: questions one area near this proposed change and what district it is in, referencing a map entitled Scenario 1C.

Mr. John Kelly: Planning, responds indicating this is inside the City limits and is in the 4th District.

Supervisor Pinard: addresses the request by Cuesta College to alter an area that would move a trustee out of her original trustee area.

Mr. Edge: states that traditionally Cuesta College has followed the same lines as the Supervisorial District lines and indicates with the changes in Country Club, one trustee will be moved out of her area; further, the census tract is too large to alter

the boundaries to address this.

Supervisor Pinard: addresses her concern to moving this person out of her area and suggests leaving the person to represent the area she was in.

Ms. Julie Rodewald: County Clerk-Recorder, states the Cuesta College Board members are elected not appointed and need to live in their trustee area; Cuesta College does have the choice of leaving their boundaries as they currently exist and not changing them to the new Supervisorial lines being proposed.

Supervisor Ryan: addresses a change he wants to make at La Panza Road and Highway 58.

Ms. Chandra Slaven: Planning, states the area Supervisor Ryan is speaking of has a census block of 7 people.

Supervisor Ryan: explains further these folks hook into Creston and the rest of this area is in District 5.

Supervisor Ovitt: does not see the need for any additional changes to what is before the Board today; feels staff has done a good job in preparing these maps.

Mr. Andrew Carter: states he is pleased to see the minor changes being considered today; indicates he is not pleased with what they have done to the City of San Luis Obispo; feels it is a disservice to the City to have it represented by so many Supervisors; asks the Board to reconsider moving the City into one district.

Supervisor Bianchi: responds to Mr. Carter, suggesting that with one Supervisor is one vote and four Supervisors would be four votes on an issue.

Mr. Gary Fowler: addresses the maps currently available through the Clerk-Recorder's Office and it being difficult to see definitive lines on these maps; hopes the County will provide money and/or maps to the Clerk that clearly define the lines between districts; suggests the maps should also show (by using colors) the difference be incorporated and unincorporated areas of the County.

Supervisor Pinard: responds to comments regarding the number of Supervisors representing the City of San Luis Obispo; addresses what the Board looked at with respect to redrawing the lines; looked at removing all lines and starting over and the chaos that turned into; states the goal is to reduce the number of Supervisors representing the City of San Luis Obispo and feel the next redistricting will reduce the number of Supervisors representing the City.

Mr. Edge: expands on comments by Supervisor Pinard.

A motion by Supervisor Ryan, seconded by Supervisor Ovitt to introduce an ordinance establishing the new Supervisorial District boundaries under redistricting and set August 14, 2001 as the date for the public hearing for this ordinance, fails on the following roll call vote:

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

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

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

the Board amends the ordinance to address the changes requested on Printz Road and La Panza & Highway 58 and continues this item to August 14, 2001 to reintroduce the ordinance and sets the public hearing for August 21, 2001 at 9:00 a.m..

11 E-1 This is the time set for consideration of the 2000-01 update of the County Bikeways Plan; All Districts.

Mr. Richard Marshall: Public Works, presents the staff report; highlights areas of the County that have bikeways completed which include San Miguel, Shandon and Avila Beach; areas with bikeways that are moving forward include Templeton, Nipomo and Los Osos; addresses the costs involved in building and maintaining bikeways; highlights the changes to the Plan; comments on the new share the road signs required by the State; addresses the number of bike related accidents over the past year, with the statistics showing that more bicycle accidents are still related to bicyclist error but overall are down from the year before; addresses the staff recommendations.

Supervisor Ovitt: speaks to the Nacimiento Lake Road area and the types of bike lanes proposed for the area.

Supervisor Bianchi: addresses the report and is glad to see staff will be continuing the education programs; states there are areas on Highway 1 that need to be addressed with respect to riding in the curves.

No one appearing and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt and unanimously carried, the Board approves the 2000-2001 Update of the County Bikeways Plan as presented in the staff report dated August 7, 2001.

12 F-1 This is the time set for continued consideration (continued from June 19, 2001) of a request to approve a policy regarding private and quasi-public easements on public park and recreation lands.

Mr. Pete Jenny: Parks Manager, presents the staff report highlighting the last meeting on this, the direction that was given by the Board and suggested changes by Supervisor Ryan; indicates they took the changes back to the Parks & Recreation Commission and received additional public input; based on the discussions with the Commission and the public they have provided two options for the Board's consideration.

Supervisor Ryan: expresses his disappointment in how the two options are being presented today.

Supervisor Ovitt: suggests that in "V" of either option that "and Parks & Recreation Commission" be added in the second line after "Management Division staff."

Mr. Seamus Slattery: Chair for the Avila Valley Advisory Council (AVAC), feels that a policy will be onerous and suggests this has been created before the community has had any say in the specific language; feels there are areas like Avila Beach that have unusual circumstances and will have problems with the policy; states AVAC endorsed the concept of a policy but did not support any specific language.

Mr. Bob Roos: former Parks & Recreation Commissioner, addresses comments by Mr. Jenny and urges the Board to support Option A.

Mr. John Wallace: urges the Board to rethink this policy and bring it back at a later date; has concerns regarding "long" easements that are needed for things like bike trails.

Ms. Dorothy Jennings: District 1 Parks & Recreation Commissioner, reads the Commission's mission statement; feels the public wants this policy and urges the Board to approve Option A.

Mr. George Sullivan: District 5 Parks & Recreation Commissioner, supports the suggested additional language by Supervisor Ovitt to help protect the public's interest.

Mr. Eric Greening: addresses the need for recreational lands; the need to protect wildlife habitat; suggests there is a bigger need to protect the habitat than public utilities.

Ms. Pandora Nash-Karner: Chair for the Parks & Recreation Commission, states the County is very "under-parked"; speaks to what parks offer the citizens and visitors of the County; urges support of Option A.

Supervisor Bianchi: addresses the positions of the three advisory councils in her district.

Supervisor Pinard: addresses the language and concerns about developing trails, etc. and obtaining easements from property owners; concerns about the appeal process; feels more is needed before the policy is approved.

Supervisor Ryan: addresses his concern to language in the policy and feels requests will be denied; comments on the language in Option A.

Mr. Duane Leib: General Services Director, states easement determinations will be looked at as a parks benefit or a public benefit and explains by giving examples of easement approvals that have occurred.

Matter is fully discussed and thereafter, on motion of Supervisor Bianchi, seconded by Supervisor Ovitt, with Supervisors Pinard and Ryan casting dissenting votes, motion carries and the Board authorizes the Parks Division to use the policy entitled Option A, as outlined in the staff report dated August 7, 2001, when reviewing requests for private and public easements on County-managed park and recreation lands.

13 G-1 This is the time set to consider the request to authorize the processing of a general plan amendment (San Miguelito) by extending the Avila Beach Urban Services Line from its present southerly terminus at the former Unocal tank farm to include five parcels totaling approximately 134 acres; 3rd District.

Mr. James Caruso: Planning, presents the staff report and outlines the request; presents photographs of the site and outlines the options before the Board today; states that the Avila Valley Advisory Council (AVAC) supports the request.

Mr. Seamus Slattery: Chair for AVAC, speaks to the request and asks the Board to authorize processing of the amendment.

Mr. Doug Davidson: Canon & Associates and representing the Applicant, states he has been working with staff and AVAC on this for a long time and urges the Board to authorize processing of the amendment.

Supervisor Bianchi: questions where the name Whale Cave Conservancy came from.

Mr. Alec Casanova: responds regarding Whale Cave Conservancy and Pirates Cove.

Thereafter, on motion of Supervisor Pinard, seconded by Supervisor Ryan

and unanimously carried, the Board authorizes processing of G000022M - San Miguelito Partners.

14 G-2 This is the time set for submittal of a resolution recognizing the late Charles G. Wiswell , Airport Land Use Commissioner and consideration of a request by the Airport Land Use Commission to name the San Luis Obispo County Regional Airport passenger terminal building after Charles Wiswell.

Mr. Bill Robeson: Planning and staff to the Airport Land Use Commission (ALUC), presents the staff report, commenting on the contributions by Mr. Wiswell; presents a photograph of the airport terminal.

Mr. Patrick Duncan: friend and co-worker of “Charlie” Wiswell, speaks to the contributions by Charlie over the years; his vision 30+ years ago to bring commuter airlines to the County by starting up Swift Airlines; states when he thinks of Charlie two words come to mind - credibility and integrity.

Ms. Klaasje Nairne: Airport Manager, states she knew Charlie for 11 years and highlights two situations she had where he helped her out; asks the Board to approve naming the passenger terminal after him.

Dr. Bob Tefft: ALUC member, speaks to his association with Charlie, indicating he always had a kind word and was always helping others.

Ms. Karen Harklerode: “Charlie’s” daughter, thanks everyone involved in this recognition; speaks to his vision to start an airline in the County and what he did to start up Swift Air.

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

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

NOES: None

ABSENT: None

RESOLUTION NO. 2001-323, resolution to honor the late Charles G. Wiswell for his contributions to the Community and Aviation in San Luis Obispo County, adopted. Further, the Board directs that the San Luis Obispo County Regional Airport passenger terminal building be named after Charles G. Wiswell.

Chairperson Achadjian: reads the resolution and presents the same to Mrs. Wiswell.

Supervisor Ryan: states he is happy he had the opportunity to know Charlie.

Supervisor Ovitt: speaks to knowing Charlie and that he will be missed.

15 CS Closed Session is cancelled.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L. RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, August 7, 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: August 14, 2001
vms