



WEEKLY UPDATE MAY 26 - JUNE 1, 2019

THIS WEEK

NO BOARD OF SUPERVISORS MEETING

OTHER AGENCIES DORMANT

LAST WEEK

**ABUSED OWNER CHANGES MIND – BOS RESCINDS
LOTS – GIBSON REBUKES BOARD MAJORITY**

**NEW ENERGY SCAM FOR COUNTY FACILITIES
APPROVED – PG&E WEAKENED JUST A LITTLE
MORE – GOVERNMENTS ARE CHIPPING AWAY**

**CLOSED SESSION TO DEAL WITH APPOINTMENT
OF “INTERIM” PUBLIC WORKS DIRECTOR
COUNTY COUNSEL SAID:
“NO REPORTABLE ACTION”**

**BOS TO RENEWS COUNTY HOUSING GROWTH
LIMITS – BUT THERE IS LITTLE HOUSING
GROWTH TO LIMIT
PLANNING STAFF GIVES AN HONEST RECOMMENDATION**

**SLO COLAB IN DEPTH
SEE PAGE 8**



**THE PRICE OF FREEDOM
BY ANDY CALDWELL**

THIS WEEK'S HIGHLIGHTS

There is no Board of Supervisors Meeting this week. The other agencies are dormant as well. Never fear however. Staffs are engaged in the background, working on a number of proposals including community “no real choice” electric energy aggregation, a new transportation sales tax proposal, agricultural water restrictions, stack-and-pack housing schemes, homeless service centers, implementing higher taxes on new homes, ways to force you out of your car, and many more ways to lower your standard of living and freedom of choice. All of these are rolled out relentlessly over time.

LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, May 21, 2019 (Completed)

Item 9 - Renewed request of the Fessler Family Trust to Rescind the Board's Prior Confirmation (approval) of 12 Residential Lots created in 1901. The Board approved the rescission of its previous approval 4/0. Supervisor Compton was absent. Supervisors Peschong and Arnold were not enthusiastic but indicated that they could not go against the Fesslers' wishes. They also indicated that the County could not afford the legal costs of defending the prior majority decision to approve the lots against the Sierra Club lawsuit.

Gibson took the opportunity to condemn the Board majority for their refusal to listen to their expert legal advice (especially former Chief Deputy County Counsel Tim McNulty). He stated that the "approval of the lots was doomed from the start." He went on to criticize the Board majority for the time and cost of the various meetings involving the staff time and financial costs involved. He underscored his rebuke stating, "My hope is that the Board will be more careful in the future."

Supervisor Hill chimed in with the convoluted thought that it is a "conservative act to not overturn the advice of subject experts." This was an attempt at an allusion to the fact that the three conservative members had voted to recognize the lots.

Supervisors Gibson and Hill were most pleased with the outcome, citing the fear that approval of the lots would beckon a flood of applications for previously created antiquated subdivisions.

Background: The Trust had previously requested that the Board rescind its approval of the 12 lots after the Sierra Club sued the County to block the approval. The County had required that the Trust indemnify the County for any legal costs resulting from its approval.

Subsequently on May 7, 2019, Mr. Fessler appeared at the Board meeting to ask that his requested rescission be ignored. Now, sadly, the Trust is requesting that it be reinstated. It is not known if cost or other factors impacted this decision.

As COLAB reported back on May 7, 2019, in a truly sickening turn of events, the owner was being forced to request that the Board rescind approval of 12 historic residential lots. COLAB pointed out that instead, the Board majority should rescind its decision to require the property owner to fund the costs of any legal challenges to County's original approval. In the name of private property, fairness, and justice, the Board should defend its approval all the way to the US Supreme Court if necessary. The Board should hire expert outside land use counsel to defend its original decision. If the Board of Supervisors requires that applicants indemnify the County against legal costs for defending land use decisions, the Sierra Club can attack almost anything anytime. If the County Board is not willing to

defend its decisions, and can arbitrarily and selectively pick which applicants must contract to pay legal costs, is it not surrendering a huge portion of its authority to outside interveners?

If the Board does not wish to undertake the expense of hiring outside counsel, it is already paying a large group of lawyers to be at work every day whether they are tasked or not. They might as well use one of them on this issue.

See the link below for a more detailed report from the May 7, 2019 Board meeting and control click to open:

http://www.colabslo.org/prior_actions/2019/Weekly%20Update_May-5_May-11_2019.pdf

Item 12 - Request to approve a solar photovoltaic energy services agreement and general terms and conditions with ForeFront Power for the County Operations Center in San Luis Obispo; and adopt a resolution making findings on energy savings. The Board unanimously approved the deal 4/0 with Supervisor Compton absent. This is another Sacramento engineered program designed to drive the investor owned utilities out of business by advantaging new companies to cherry pick and cream off customers from the private sector investor owned utilities which have to provide the base load power and maintain the systems.

Supervisor Gibson noted that this is an example of a business opportunity under the County's Climate Action Plan. Supervisor Peschong noted that it saves the taxpayers money.

Background: The County entered into a 20-year lease with ForeFront, a San Francisco based subsidiary of Mitsui & Co., Ltd., which will install and operate solar panels at the County Service Center off Highway 1. The electricity would be sold to the County for 10 cents per kilowatt hour vs. the current 23 cents charged by PG&E. PG&E is still required to provide the base load energy at night and during cloudy days. The County expects to save \$5 million dollars over the 20 year lease period per the table below:

The project would serve the facilities listed below:

- Maintenance Building 1200
- Main, West, and Women's Jails
- Juvenile Hall
- Jail Trailer
- Honor Farm
- Sheriffs' Detective and Storage Buildings
- Fleet Garage
- Information Services
- Emergency Operations Center (County portion)
- Animal Services

Item 20 - CLOSED SESSION – PERSONNEL (Government Code section 54957). It is the intention of the Board to meet in closed session to: (18) Consider Public Employee Appointment for the Position of Director of Public Works. The Board went into closed session. When it was over County Counsel Rita Neal reported that the Board took “no reportable action.” It is not known what will happen next.

Background: The matter resulted from the reported forced resignation of Public Works Director Colt Eesenwien for allegedly violating County sexual harassment policies. It is expected that the Board will appoint John Diodati, a Deputy Director as interim. This will not be without controversy in the north county, as Diodati was the lead project manager on the controversial AB 2453 water district proposal, which was overwhelmingly rejected by the voters. Diodati is regarded as having been too much of an advocate rather than a neutral public administrator on the district creation issue.

It is also alleged that he is social friends with Supervisor Bruce Gibson and may be susceptible to the Supervisor’s co-optation. Such allegations may be hard to avoid in the County’s quasi-political organizational structure and culture where Board members interact with department heads and even lower ranking staffers randomly and frequently rather than going through their CEO. The latter approach is more common in the advanced council-manager cities, which fully embraced the reform movement and adopted charters that define the roles of the elected and the professional administrators.

Items 23 and 24 - Resetting the County’s Housing Growth Limits. The Board reapproved the limits. But not after someone asked: *Why are we doing this?* To which an honest staffer stated: “We have no idea.” She clarified that the Board had adopted the ordinance in 1992, which is a legal reason. Her first answer was more to the point.

In the end, and in a positive move, the Board seemed to agree and staff was directed to examine the utility of the growth limit and report back.

Background: Since 1992 the County has maintained an overall growth limit (cap) of 2.3 percent (1.8% in Nipomo and 0% in Los Osos) of the number of homes existing in the previous year. The first table demonstrates that so far this year (3 quarters) only 208 homes have been permitted countywide. It also shows an average of only 543 per year for the whole 26 years covered by the chart were built. Note that most of these were built in the 1990’s.

Per the 2nd table below, the number of permits has been well below that average for the period 2006-2019. Most of the permits have been for master planned developments in Nipomo and Templeton.

New Dwelling Units* by Planning Area/Sub Area, 1992-2019

Planning Area/ Sub Area	1992 through June 30, 2018	July 1, 2018 - March 31, 2019	1992 through March 31, 2019
Adelaide	411	7	418
El Pomar-Estrella	1,909	18	1,927
Estero	957	9	966
Huasna-Lopez	226	1	227
Los Padres	13	0	13
Las Pilitas	139	1	140
Nacimiento	1,050	14	1,064
North Coast	1,348	1	1,349
Salinas River	2,221	63	2,284
South County	3,329	60	3,389
Shandon-Carrizo	421	6	427
San Luis Bay	1,429	26	1,455
San Luis Obispo	472	2	474
Total	13,925	208	14,133

*Based on the number of building permits issued for dwelling units subject to the Growth Management Ordinance.

New Dwelling Units* by Planning Area/Sub Area, 2005-2019

Planning Area/Sub Area	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19**
Adelaide	24	12	21	11	3	5	3	2	5	5	4	8	5	7
El Pomar-Estrella	90	53	33	14	9	11	10	20	38	16	28	19	22	18
Estero	19	15	13	6	10	8	3	6	13	8	7	18	6	9
Huasna-Lopez	8	2	6	6	12	10	3	3	11	9	2	8	4	1
Los Padres	2	0	0	0	1	2	1	0	0	0	0	0	0	0
Las Pilitas	0	6	5	2	5	1	3	1	2	1	0	1	1	1
Nacimiento	43	32	18	11	7	9	10	33	50	21	20	25	27	14
North Coast	14	7	9	1	5	0	3	7	2	3	2	0	0	1
Salinas River	99	41	33	36	25	16	15	21	45	60	65	207	74	63
South County	71	34	77	19	17	40	35	114	157	116	113	161	131	60
Shandon-Carrizo	28	28	11	5	2	4	6	2	4	0	4	4	3	6
San Luis Bay	52	22	70	7	15	13	17	34	41	25	30	39	41	26
San Luis Obispo	11	9	11	2	4	4	5	6	9	2	4	10	5	2
Total	461	261	307	120	115	123	114	249	377	266	279	500	319	208

* Based on the number of building permits issued for dwelling units subject to the Growth Management Ordinance.
 **As of March 31, 2019

Given the backlogged housing shortage within the county and statewide, why not junk this ordinance and tell the County staff (everyone), SLOCOG staff, APCD Staff, and LAFCO staff that there will be no more raises except in years where there are 546 or more permits issued? Everyone would be astonished about how fast things would change – pay for performance.

Planning Commission Meeting of Thursday, May 23, 2019 (Completed)

Item 6 - Phase II Amendments – Hearing to consider a request by the County of San Luis Obispo to consider amendments to the Land Use Ordinance, Title 22 of the County Code (LRP2018-00006), and the Coastal Zone Land Use Ordinance, Title 23 of the County Code (LRP2018-00007) as applicable to Cannabis Activities. The proposed amendments will include new definitions, minor text amendments to clarify standards and terminology, modify standards for certain cannabis activities including but not limited to cultivation and nursery, fencing and screening, and expand cannabis manufacturing activities within the Agriculture land use category. The Commission methodically went through the various parts of the ordinance. The Commissioners pretty

much agreed with the staff recommendations except they split on allowing manufacturing on the actual farm. After some debate and clarification they decided to prohibit it in high fire areas only. Both Multari and Brown expressed concerns about industrial uses on ag land.

Some members of the general public, which has not been concerned about the overall development of the ordinances, showed up. There were a few people from Templeton and Creston. When the ordinances were first being developed, the general public showed little interest. It was not until specific applications were proposed in their general areas that people started to object. Interestingly, cannabis industry representatives were not out in force, which is usually the case at these hearings.

The revisions now move to the Board of Supervisors for amendment and/or adoption. Again the Commission was efficient and completed its work in a timely fashion.

Background: Phase II revisions and additions are summarized in the table below:

SUMMARY TABLE – PHASE II ORDINANCE AMENDMENTS

		Attachment 1: Page No.	Attachment 2: Page No.
DEFINITIONS	Add "Cannabis Cultivation Area" as a means to distinguish Cannabis Canopy from additional worker access and canopy spacing.	Page 1 of 34	Page 1 of 42
	Clarify and modify definitions for "Cannabis Hoop Structures", "Cannabis Nursery Canopy", "Cannabis Processing"	Pages 1 thru 2 of 34	Pages 2 thru 3 of 42
	Add "Cannabis Manufacturing" to support proposed expansion of manufacturing on Agriculture land	Page 2 of 34	Page 2 of 42
	Add "Extraction" and "Infusion" to support proposed expansion of manufacturing on Agriculture land	Page 2 of 34	Pages 3 of 42
CANNABIS CULTIVATION	Add clarifying language to Indoor and Outdoor cultivation limitations to define designated and approved cannabis cultivation area.	Page 9 of 34	Page 11 of 42
	Modify "Cannabis transport" standards (ancillary use) for clarification purposes and to mirror State law	Page 10 of 34	Page 12 of 42
	Modify "Screening and Fencing" standards and include additional language to modify standards	Pages 13 thru 14 and Page 16 of 34	Page 16 thru 17 and Page 19 of 42
CANNABIS NURSERIES	Add "Cannabis transport" as an ancillary activity consistent with cultivation	Page 16 of 34	Page 19 of 42
	Modify "Screening and Fencing" standards and include additional language to modify standards	Pages 18 thru 19 and Page 21 of 34	Pages 21 thru 22 and Page 24 of 42
CANNABIS MANUFACTURING	Amend 22.40.070 to allow expanded manufacturing activities within the Agriculture land use category	Pages 23 thru 26 of 34	Pages 28 thru 30 of 42
CANNABIS TRANSPORT FACILITIES	Add cannabis nursery and manufacturing to limitations on use	Page 32 of 34	Pages 36 of 42
COMMUNITY STANDARDS	Amendments to planning area and community standards (regulations specific to certain geographical areas)	N/A	Pages 40 of 42

The actual text changes referenced in the table can be seen at the link below for both the Inland Zoning Ordinance and the Coastal Zoning Ordinance. Control click and when it opens, scroll down, and then click on the ordinance text icons.

<http://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/10223>

Air Pollution Control District (APCD) Meeting of Wednesday, May 22, 2019 (Completed)

In General: This was a pretty light meeting, which included review of the proposed FY 2019-20 operating budget.

Unnumbered Item - Air Pollution Control Officer's (APCO) Report. This was a verbal report which is a standing item on the agenda. The key discussion was the status of the progress in meeting the dust reduction level in the State Park Off Road Riding Area. Apparently the various planned activities such as reducing the riding area, adding plants, and providing a dirt shaker as the vehicles leave the riding area are under way.

The main proposed solution, building a fore-dune closer to the ocean, is a long-term gradual process. Staff indicated everything was on schedule, but barely.

COLAB IN DEPTH

IN FIGHTING THE TROUBLESOME, LOCAL DAY-TO-DAY ASSAULTS ON OUR FREEDOM AND PROPERTY, IT IS ALSO IMPORTANT TO KEEP IN MIND THE LARGER UNDERLYING IDEOLOGICAL, POLITICAL, AND ECONOMIC CAUSES AND FORCES



THE PRICE OF FREEDOM

BY ANDY CALDWELL

This coming Memorial Day weekend, I hope your observation of the same will include a somber but grateful remembrance of the people who died to make and keep you free.

I had the honor of interviewing a Holocaust survivor recently in observation of Holocaust Memorial Day. Alex Hershaft was 5 years old when the Nazis moved into Warsaw. He and his family, along with 400,000 other Jews, were herded into the Jewish section of Warsaw under the penalty of death. Shortly thereafter, walls were erected around the neighborhood, transforming it into a prison camp. Hunger and disease outbreaks took the lives of upwards of 100,000 people during the first year of the Nazi occupation.

Young Alex was lucky enough to be smuggled out of the city by a Russian maid, who risked her life in the process. His mother was fortunate enough to successfully disguise her Jewish identity and survive working in a labor camp in Germany. Unfortunately, the rest of Alex's family, including his father, did not survive the war.

As Mr. Hershaft remarked, a key element of the Nazis' success was gained by way of deception, which prevented a mass revolt among the masses. Holocaust victims were told they were being relocated away from hunger and disease. He mentioned that the Treblinka gas chamber building was decorated with a Star of David, and the inside of the building was disguised as a shower compound. Despots, of course, rely on the gullibility and passivity of their victims and the world at large.

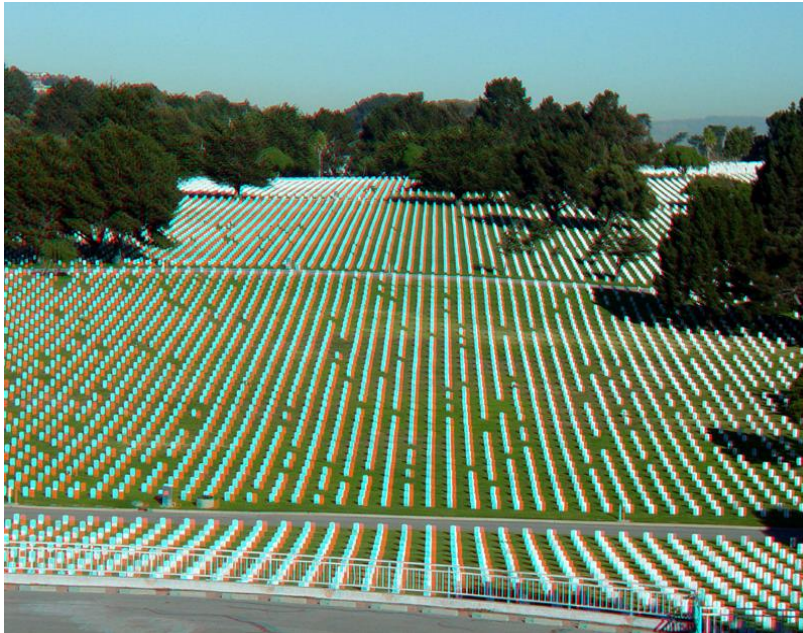
There are a couple of movies we discussed for their accurate portrayal of the suffering of the Warsaw Jews and the Nazi death camps, including "The Pianist" and "Schindler's List." I would encourage every family to watch these movies to help us to never forget. Also, on June 2 and 5, theaters throughout America are going to feature a limited return engagement of the movie "Saving Private Ryan" in celebration of the 75th anniversary of D-Day. Historians indicate this movie features the most authentic depiction of the D-Day invasion ever created. Seeing this movie with your family would be a great way to observe both Memorial Day and D-Day.

I, for one, never want to forget World War II, including my own father's sacrifice in the Pacific Theater. The effort to defeat Hitler and Japan during World War II, and the subsequent war on terror, has cost the lives of hundreds of thousands of Americans. Let us honor their sacrifice.

Relatedly, let us not ignore the fact that there never seems to be a shortage of totalitarian regimes in the world. North Korea, Iran and Venezuela come to mind. And there is no doubt that China wants to rule the world, as it prepares for hegemonic control at the expense of our liberty and freedom. China actually declared war on us years ago, albeit this war has been fought by way of espionage and cyberwarfare, including the theft of our military and technological assets worth hundreds of billions of dollars.

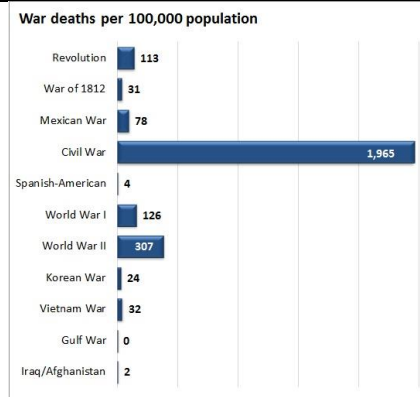
Andy Caldwell is the executive director of COLAB and host of The Andy Caldwell Radio Show, weekdays from 3-5 p.m., on News-Press AM 1290.

MEMORIAL DAY - 2019



**A portion of the Golden Gate National Cemetery South of San Francisco
As near as we can count, there are about 6,000 tombstones in this picture or the equivalent
of more than an infantry brigade. By way of perspective, total casualties include killed in
action, died of disease, died from accidents, and wounded by war:**

Number Killed, Died of Disease, Accidents, & Wounded
Civil War - 1,031,881
WW II - 1,076, 245
Viet Nam - 211,454
Iraq - 36,710
Gettysburg Alone – 51,000



**A VERY SMALL PERCENT OF THE POPULATION CARRIES THE BURDEN IN THE
MODERN ERA**



NOT ALL ARE SOLDIERS



Army Sgt. James J. Regan, 26, of Manhasset, N.Y.; assigned to the 3rd Battalion, 75th Ranger Regiment, Fort Benning, Ga.; died Feb. 9 of wounds sustained when an improvised explosive device detonated near his vehicle while on combat patrol in northern Iraq. He was a three-year lacrosse teammate at Duke University who brought every ounce of effort to his undertakings on the field and off. He starred in lacrosse at the Mineola school and at Duke before he joined the U.S. Army Rangers. He also swam and played baseball while at the University. He had the opportunity to attend law school after graduating but decided to pursue his goal of becoming an Army Ranger. He felt there was a higher calling. That's how committed he was. He was one of those types of kids you'd like to have as your own son. A straight-arrow kid who was a terrific student and athlete. He died at age 26 of wounds sustained when an improvised explosive device detonated near his vehicle while on combat patrol in northern Iraq.

ANNOUNCEMENTS



Disastrous anti-oil bill!!!

Assembly Bill 345, which is working its way through the CA State legislature, proposes to shut down the oil and gas industry in this state based upon the junk science supposition that oil and gas operations pose a health risk to neighboring properties. The bill is part of the effort to “keep oil in the ground” at all costs to our society, and believe me, the cost to keep oil in the ground is tremendous.

Oil and gas operations are an essential component of our energy supply, a mainstay of our economy, a cornerstone of the tax base, and the value of the same is protected by our constitution. That is, oil and gas deposits are privately owned minerals, which can’t be taken away, without just compensation.

I have never quite understood the religious fervor with which extreme environmentalists have attacked the use of natural products including oil, gas, and coal. These products enabled the onset of the industrial revolution which lifted mankind out of millennia of poverty and misery. That is, these fuels vastly improved everyone’s quality of life, extended our life span and saved countless lives in a number of ways, including by way of revolutionizing our ability to grow and store food, and protect us from the elements!

Moreover, the push to replace these lifesaving fuels any time soon with renewables is a pipe dream. This is due to the fact that, despite decades of research and tens of billion dollars invested, we still don’t have the technology available to realistically store wind and solar power for use

throughout the day and night, as these sources can only produce energy for a few hours a day, in limited locales, if that!

Nevertheless, the California State Legislature continues to try and find a way to shut down our oil and gas industry. This is simply reckless. Oil and gas resources in this state are privately owned and the state can't take away the value of this property, known as mineral rights, without compensating the owners of the same.

In addition to being a valuable property right, it goes without saying that oil and gas are an essential energy source for our state. What will we do without locally produced oil and gas? Are we going to import 100% of what we need to fuel our vehicles, planes, trains, factories, and homes? We don't have the infrastructure to do so. How much higher do you want your auto and home fuel bills to go?

The oil and gas industry also represents one of the best paying job sectors in our state. Many of the people employed in this sector of our economy make six figure salaries with only a high school education! Where are they going to find equivalent work?

Finally, the oil and gas sector pays inordinately high taxes. Venoco and Exxon Mobil were the top two tax payers in our county before they were shut down by virtue of the pipeline break three years ago. The county and our local schools are losing millions of dollars in revenue as a result. It is not too early to contact the Governor's office and ask him to be waiting for AB345 with his veto pen!

Andy Caldwell
COLAB



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ON THE LAST PAGE BELOW**



MIKE BROWN ADVOCATES BEFORE THE BOS



VICTOR DAVIS HANSON ADDRESSES A COLAB FORUM



DAN WALTERS EXPLAINS SACTO MACHINATIONS AT A COLAB FORUM

See the presentation at the link: <https://youtu.be/eEdP4cvf-zA>



AUTHOR & NATIONALLY SYNDICATED COMMENTATOR BEN SHAPIRO APPEARED AT A COLAB ANNUAL DINNER



NATIONAL RADIO AND TV COMMENTATOR HIGH HEWITT AT COLAB DINNER

Coalition of Labor, Agriculture and Business
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MEMBERSHIP APPLICATION

MEMBERSHIP OPTIONS:

General Member: \$100 - \$249 \$ _____ Voting Member: \$250 - \$5,000 \$ _____

Sustaining Member: \$5,000 + \$ _____

(Sustaining Membership includes a table of 10 at the Annual Fundraiser Dinner)

General members will receive all COLAB updates and newsletters. Voting privileges are limited to Voting Members and Sustainable Members with one vote per membership.

MEMBER INFORMATION:

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

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Radio Internet Public Hearing Friend

COLAB Member(s) / Sponsor(s): _____

NON MEMBER DONATION/CONTRIBUTION OPTION:

For those who choose not to join as a member but would like to support COLAB via a contribution/donation.
I would like to contribute \$ _____ to COLAB and my check or credit card information is enclosed/provided.

Donations/Contributions do not require membership though it is encouraged in order to provide updates and information.
Memberships and donation will be kept confidential if that is your preference.
Confidential Donation/Contribution/Membership

PAYMENT METHOD:

Check Visa MasterCard Discover Amex NOT accepted.

Cardholder Name: _____ Signature: _____

Card Number: _____ Exp Date: ___/___ Billing Zip Code: _____ CVV: _____

TODAY'S DATE: _____

(Revised 2/2017)