



**COLAB SAN LUIS OBISPO COUNTY**



**WEEK OF MARCH 8-14, 2015**

 **COLAB** <sup>6th</sup> **ANNUAL**  
San Luis Obispo County

# **DINNER & FUNDRAISER**

## **BEN SHAPIRO**

**Keynote Speaker**

Shapiro, a provocative and biting national political commentator, is editor at large of *Breitbart News*, hosts the daily radio show *Morning Answer* and is a *New York Times* best selling author.

**Thursday, March 26th**

**Alex Madonna Expo Center**

**5:15 pm** Social Hour, No Host Cocktails

**6:15 pm** Filet Mignon Dinner including Wine

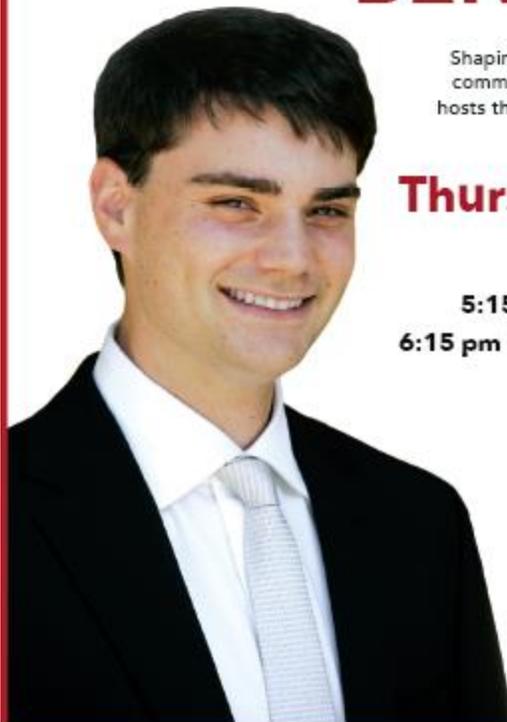
\$125 per person / \$1,100 per table of ten  
Reserved seating for Tables of Ten

**For tickets, mail your check to:**

COLAB SLO, PO Box 13601  
San Luis Obispo, CA 93406

For more information call: (805) 548-0340  
or email to colabslo@gmail.com

**Cocktail Attire Optional**



**CALL 805 548-0340 –RESERVE YOUR TABLE/TICKETS**

# CUESTA PROJECT LABOR AGREEMENT DOA (OUTSIDE CONTROL REJECTED)

## WILL SUPERVISORS POLITICIZE THE TOURISM MARKETING DISTRICT?

## WILL SUPERVISORS ENDORSE YET ANOTHER WEALTH TRANSFER SCHEME? (VIA YOUR CABLE TV/INTERNET SERVICE BILL)

## HOW MANY WINDMILLS ON YOUR STREET?

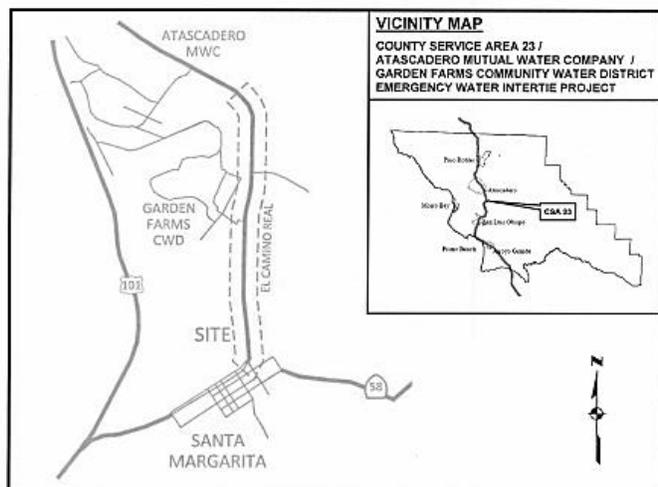
**No Board of Supervisors Meeting on Tuesday, March 3, 2015 (Not Scheduled).** There was no meeting. For whatever reason none had been scheduled.

**Board of Supervisors Meeting of  
Tuesday, March 10, 2015  
(Scheduled)**

**Item 13 - Request to authorize the  
Director of Public Works to  
execute the Emergency and  
Imminent Community Water  
Assistance Grant (ECWAG)  
Document and accept funding**

**from the United States Department of Agriculture (USDA) for the Intertie Project between  
County Service Area 23 (CSA23)/Atascadero Mutual Water Company (AMWC)/Garden  
Farms Community Water District (GFCWD); and authorize a budget adjustment in the  
amount of \$500,000 to appropriate the revenue and replenish reserves. District 5**

As stated in the board letter, this project has the benefit of allowing Lake Nacimiento water and/or Paso Basin water to serve as an emergency backup for the Garden Farms area and Santa Margarita (Service Area 23) via the AMWC system. The larger policy implication is that the County is knitting together a growing network of interconnections which will ultimately increase its control over land use and future development.

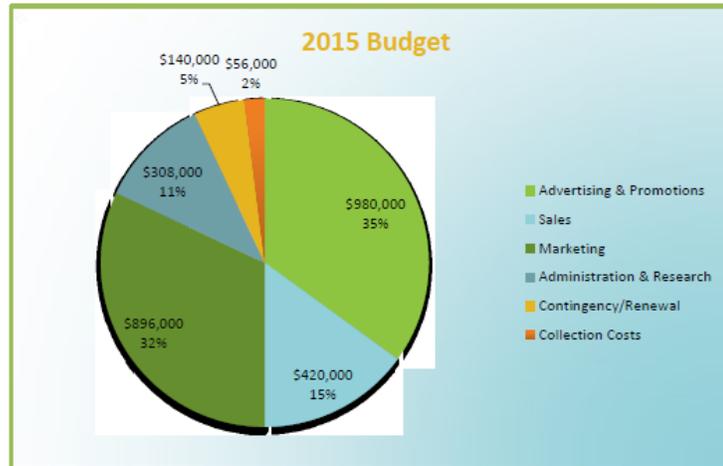


The write-up states in part: *The Intertie Project will construct a 2.5-mile, 8-inch water pipeline along El Camino Real to interconnect the CSA 23, AMWC and GFCWD water systems. The proposed connections will give CSA 23 access to additional water supply sources that can supplement or supply drinking water in the event of drought or emergency.*

**Item 22 - Hearing to consider public testimony regarding the establishment of the San Luis Obispo County Tourism Marketing District (TMD) within the County of San Luis Obispo and levy of assessments.** The action here is to conduct a legally required protest hearing of lodging businesses to determine if they support the creation of a tourism marketing district. The Board letter states in part:

*The purpose of today’s public meeting is to receive oral and written protests by the owners of lodging businesses with the proposed district. If there is written protest from owners of lodging businesses within the proposed district, that pay 50% or more of the proposed assessment, the assessment shall not be imposed. The applicants may reapply to form the proposed TMD after a period of one year.*

**Area Served:** *The SLOCTMD will include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of the cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo, and the unincorporated portions of the County of San Luis Obispo.*



*As used herein the term “lodging business” means all businesses which pay transient occupancy tax in each respective jurisdiction.*

**Financial Impact:** *The proposed 1% assessment would be levied on the paid rent charged per occupied room per night, with consecutive stays of 30 days or more excluded. Revenue raised by this assessment is projected to be \$2.8 million per year for the initial five (5) year term that it will be collected. In addition, the County and cities may charge an administrative fee – up to 2% of the amount collected – to cover any costs associated with administering the TMD in their respective jurisdictions.*

**Some Questions:**

- a. How does this relate to the existing San Luis Obispo Visitors and Conference Bureau to which the County contributes \$325,845 per year?
- b. The TMD proponents forecast that the district will be generating \$2.8 million per year within five years, which will be expended to promote hotel stays in San Luis Obispo County.

c. When the matter was first considered last month, Supervisor Gibson demanded that the County be given two appointments to the TMD Board of Directors. New language has been proposed to provide this. One of the slots is to be appointed is to be a member of the lodging industry. The second is to be “at large.” These could be nice patronage slots as promotional “marketing” trips, dinners, and other events are ramped up. So when the travel writers’ convention is in Maui, folks will have to go. In the professional world of travel reciprocity, County Supervisors may enjoy the courtesy connections which obtain deeply discounted premium rooms in hotels in other parts of the country - like a nice suite at the Hyatt Sacramento during CSAC meetings.

Who knows what pressures will be placed on the other Board members of the TMD?

The proponents have developed a fairly detailed plan of how they would spend the money and what benefits they expect. It can be found at the website:

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/4433/TWFuYWdlbWVudCBEaXN0cm1jdCBQbGFuIDgtMjEtMTQgQU1FTkRFRCAyLTEwLTE1LnBkZg==/12/n/41206.doc>

**County FY 2014-15 Second Quarter Financial Report.** The report indicates that, notwithstanding some ups and downs, the overall fiscal year budget is on track. Essentially, departments which are experiencing unanticipated higher expenditures or lower than expected departmental revenues are balancing by maintaining some staff positions vacant or use of reserves.

Golf course revenues continue down due to lack of play.

The SLO County Airport has recovered from several years of revenue decline and is projected to increase its fund balance (reserves).

**Item 24 - Cable Provider Shakedown – Consideration of a letter to the Federal Communication Commission supporting the public benefit of affordable high-speed internet service for all low-income households.** A staffer in the County Administrator’s office has placed an item on the agenda to consider sending a letter to the Federal Communications Commission and other agencies recommending that Comcast Cable be required to provide deeply discounted internet service to poverty populations in its key service areas. This requirement would be imposed in exchange for Federal approval of Comcast’s proposed acquisition of Time Warner Cable and portions of Charter Cables service area. This is a disturbing agenda item for two reasons:

1. It comes from a staffer in the CAO’s office who is not identified by title or rank. Moreover it does not come from the CAO himself, his deputy, or another official. Are all 2,600 County employees allowed to place matters on the Board of Supervisors agenda?
2. More seriously, the item is a proposal to require a private sector business corporation to provide discounted service to a selected portion of the population. The core proposal includes the following provisions:

*For your consideration, are 5 recommendations that would be required if the FCC approves the Comcast-Time Warner Cable-Charter corporate consolidation.*

*1. **Include All Low-Income Households:** Extend Comcast's Internet Essentials to all low-income households, not just those with school children. Require Charter and all companies resulting from corporate mergers or acquisitions to offer a similar affordable offer to all low-income households. **Low-income seniors, people with disabilities and returning veterans** are not covered today.*

*2. **Set Performance Goals:** Set a goal for Comcast to increase Internet Essentials subscribership for expanded eligible households to reach 45% in 2 years, and to continue the program until 80% adoption is achieved in **all low-income neighborhoods in each major market** within the combined service territories. Set a similar goal for Charter and all other companies.*

*3. **Capitalize an Independent Fund and Coordinate with States:** Work through and collaborate with states that have an adopted plan to close the Digital Divide. **In states, such as California, that are major Comcast-Time Warner Cable markets and have a strategic plan to close the Digital Divide, require them to dedicate a sufficient amount to an independently-managed fund to engage experienced community based organizations, libraries and schools to assist in achieving the 45% subscription sign-ups and overall 80% adoption rate.** Apply this same approach to states that become dominant Charter markets. The management of such a fund should be selected by a state agency through an open competitive process.*

*4. **Establish an Advisory Oversight Committee:** Establish a national advisory oversight committee to provide feedback and input to the FCC in monitoring performance and progress. The program has been riddled with problems and there is a lack of transparency on data regarding eligibility and progress. There must be a reliable process and mechanism for public accountability.*

*5. **Offer Stand-Alone Internet Service:** Require Comcast, Charter and other merged companies to offer all consumers the opportunity to purchase stand-alone Internet access at a reasonable rate instead of being forced to pay for bundled services.*

**Technology Has Changed:** Historically regulated utilities such as electric companies were subjected to rate regulation because they are natural monopolies. Thirty-five years ago when cable service was exclusively by wire, the companies were treated as natural monopolies and were granted exclusive operating areas by government franchise. The wires were often placed on poles above or next to the public right of way or underground in the public right of way (streets). In exchange for receiving franchises, the cable companies funded public, educational, and government programming and assigned channels. Suddenly, city council members and county supervisors became TV personalities, and meetings became longer and longer. Now of course, internet service is provided not only by wire, but by orbiting satellites and ground based wireless transmitters and repeaters. Competition is significant, and except for actual cable, there are no franchises and no way for governments to extract tribute.

- a. Why should the government be allowed (let alone encouraged) to single out selected segments of the population for discounted internet service?
- b. The impact of such a requirement will be for the cable companies to charge the paying customers more to offset the cost and loss. This is essentially a naked wealth redistribution program.
- c. The satellite and wireless based companies will not be subjected to such a regulation, thereby giving them a government enforced business advantage over the cable companies.
- d. Why would the San Luis Obispo County Board of Supervisors go on record to support such a wealth redistribution program?
- e. If the Federal Government, State of California, or the Board of Supervisors believe that such a program is important they should have the guts to appropriate the money and have all citizens share in the burden, not just one industry. They should have the guts to be accountable for their policies.

**Item 25 - Executive Session.** The Board will consider various litigation matters in the closed session meeting. Two of these are noteworthy:

**a. Mesa Community Alliance v. California State Department of Parks and Recreation.** This is the suit by the Mesa dust activists. The County is also named along with the Air Pollution Control district (APCD) to limit or abolish riding sooner than later. The anti- dunes/ recreational riding plaintiffs are petitioning the Court to push the State and APCD. They assert the studies, measurements , and tests are taking too long. Their case was advanced two weeks ago, when the Superior court found that they had enough justification for the issue to proceed. The County owns a portion of the dunes, which riders must cross to enter the State Park property. If the plaintiffs can obtain a judgment that shuts the County portion down, even on a temporary basis, the whole park would be shut down. This in turn would have a severe negative impact on the economics of the five cities region and beyond.

**b. Steinbeck Vineyards #1, LLC, et al., v. County of San Luis Obispo, et al.** This one is the Quiet Title action by hundreds of Paso Basin overlayers who are requesting the Court to confirm their primary Constitutional water rights. The County and other water appropriators are opposing them in court. It is not known if this is a status report to the Board or if something has happened in the case which requires Board action and direction to County Counsel.

**Item 26- Hearing to consider a request by the County of San Luis Obispo to 1) amend sections of Titles 21, 22 and 23 to comply with federal law requirements of the Federal Emergency Management Agency (FEMA); and 2) to amend portions of the Framework for Planning (Inland), Part I of the Land Use and Circulation Elements (LUCE), the Carrizo, North County, San Luis Obispo, and South County Area Plans, Part II of the LUCE, the**

**Official Maps, Part IV of the LUCE, the Conservation and Open Space Element, Title 22 (the Land Use Ordinance), and the Rules of Procedure to Implement the California Land Conservation Act of 1965 in order to encourage the development of certain renewable energy projects through a Renewable Energy Streamlining Program (RESP).** Item 26 is confusing because it actually sets up a public hearing on two distinct and separate sets of unrelated amendments to the Land Use Element of the County's General Plan (LUCE). It also contains detailed unrelated technical and policy amendments to the zoning ordinances.

The staff should have set this up as two distinct and separate agenda items. One deals with technical amendments required by the Federal Emergency Management Agency (FEMA) to conform the LUCE and implementing zoning ordinance sections to FEMA flood insurance requirements and other disaster prevention and recovery concerns. Failure to amend the relevant sections could jeopardize the County's ability to receive FEMA disaster assistance funds after an earthquake, flood, or other event. Similarly failure to adopt the amended provisions could result in a surcharge to County residents on their flood insurance policies and/or even inability to obtain flood insurance.

**Renewable Energy Streamlining Program (RESP):** The other portion of the hearing is a recommendation to amend the LUCE and related zoning ordinance provisions to streamline the permitting for "green energy" facilities, such as wind generation and solar generation. Presently, even small installations require at the minimum a minor land use permit. The idea is to downshift the requirement so that instead of a discretionary use permit, applicants (in some cases) could apply for a ministerial "over the counter permit."

**Some Issues:**

1. Adding to the confusion is a section in the Board letter which says:

*RECOMMENDATION*

*It is recommended that the Board:*

- 1. Hold the public hearings on the amendments recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff reports.*
- 2. Take tentative action on the flood hazard amendments heard today with final action occurring on March 24, 2015.*
- 3. Continue RESP amendment hearing to March 24, 2015 in order to take final action on that date.*

So is the hearing on the RESP not going to be on March 10<sup>th</sup> and then held de novo on March 24<sup>th</sup>? Or is March 10<sup>th</sup> a first reading or what?

2. The portion of the Board letter pertaining to the RESP is relatively short and spends much of its effort justifying the program. The accompanying map, which purports to show where the streamlined energy projects may be sited, is small and blurred, and it does not adequately describe the potential.

3. There are 33 attachments to this agenda item, containing hundreds of pages of detail, recommendations, and language. It is doubtful that the Supervisors, let alone the public, can study and absorb all this in the 5 days which will have elapsed from the point at which the agenda was published and the Tuesday Board meeting. The staff needs to provide a more comprehensive summary about what the ordinance really means on the ground. Is the ultimate vision stack-and-pack houses with windmills on top, as illustrated to the right?



4. Given that solar arrays and windmills can have significant visual impact, the staff should prepare some “for example” drawings or simulations of what the various tiers (allowances for size and scope of the facilities) would actually look like (size, massing, density, etc.) prior to the consideration or the revisions by the Board and public.



5. It’s nice that the County is “streamlining” permitting in the case of green energy facilities . But what about other important and badly needed developments, such as apartment houses and affordable single family homes?

6. There is likely to be a PowerPoint presentation on this one, but the public won’t see it in time for the March 10<sup>th</sup> meeting because it has not been included with the other 33 attachments. Why is one more attachment so difficult?

Back to the 50’s?

**Cuesta College Board of Trustees Meeting of Wednesday, March 4, 2015 - 4 PM at the College (Completed)**

**Proposed Project Labor Agreement Dead On Arrival:** The Trustees received a presentation from the SLO County Builders’ Exchange detailing the problems inherent in project labor agreements PLAs. In the end there was not even a motion for adoption of the PLA. There were numerous speakers in opposition. A key point was that the Trustees, in promoting Measure L (the \$277 million bond measure), never even hinted that such a device was contemplated.

Congratulations to Leslie Halls, Executive Director of the SLO County Builders Exchange, for leading the successful effort to protect SLO County-based contractors and jobs. Also congratulations to the SLO County Action Team (SLOCATS) for publicizing the issue, organizing communications, and their forceful commentary.

**Background:** The College Trustees were considering entering into a project labor agreement (PLA) with the large construction trade unions that would require that construction firms bidding on the \$277 million job and sub-contracts would have to be union contractors. This means that they must give hiring preference to tradesmen who are union members. Only if the unions cannot provide sufficient workers, can contractors use non-union help. The effect is to exclude local labor and local contractors and import tradesmen (journeymen and apprentices) from Los Angeles and beyond. We talked to an electrician at one of the solar farms who was from New Orleans.

**Planning Commission Meeting of Thursday, March 12, 2015 (Cancelled).**

The previously scheduled meeting has been cancelled.

**CHECK OUT ONE OF OUR WAY COOL AUCTION ITEMS FOR THE COLAB DINNER FUNDRAISER ON MARCH 26<sup>TH</sup> - THIS AND MANY MORE**

**STAY FOR 8 AT LODGE IN THE HIGH SIERRAS**



**THE LAKE OUTSIDE YOUR CABIN AT A PRISTINE 7,500 FT. ELV.**

**YOUR DECK**



**A REAL RESTAURANT TOO**

