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## COLAB SAN LUIS OBISPO COUNTY

WEEK OF MARCH 6, - 12, 2016



COLAB <sup>7th</sup> ANNUAL  
San Luis Obispo County

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Santa Barbara County Board of Supervisors Chair

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6:15 PM - Filet Mignon Dinner including Wine

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## **THIS WEEK**

### **IT'S HERE**

**COLAB DINNER THIS FRIDAY MARCH 11<sup>TH</sup> -  
5:15 PM MADONNA EXPO - CALL 805 548-03040  
FOR TABLES AND INDIVIDUAL TICKETS**

**THE DA WAS RIGHT ALL ALONG:  
THE COUNTY SHOULD PAY HIS LEGAL BILL  
(SEE PAGE 3)**

**BOS TO CONSIDER LAURA'S LAW PROGRAM**

**PLANNING COMMISSION TAKES UP PHILLIPS  
66 RAIL SPUR AGAIN ON FRIDAY MARCH 11<sup>TH</sup>**

**REGULAR COMMISSION MEETING ON  
THURSDAY MARCH 10<sup>TH</sup>**

**PASO WATER VOTING CLOSES TUESDAY  
MARCH 8<sup>TH</sup> - COMPLEX VOTING FORMULA  
CAUSING CONFUSION**

## **LAST WEEK**

**SLOCOG MEETING WEDNESDAY MARCH 2<sup>ND</sup>  
(Laying Groundwork For A Sales Tax Increase Locally)**

# SLO COLAB IN DEPTH

(SEE PAGE 11)



## FASCISM AT CAL STATE UNIVERSITY LOS ANGELES

### **BEN SHAPIRO BANNED BY CAL STATE PRESIDENT & THEN ATTACKED BY MOB** (WHICH INCLUDED SOME FACULTY MEMBERS)

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### **WHY HAVE UNIVERSITIES BEEN OVERTAKEN BY MOB RULE?**

#### **THIS WEEKS HIGHLIGHTS**

**County Should Have Paid DA's Legal Bill - It was really the County's Per State Statute.**

**The District Attorney Was Right All Along.** Readers will remember that the District Attorney expended about \$2,500 on outside counsel to assist him in a dispute with the County CEO, County Counsel, and Human Resources Director over standby time payments to rank and file Deputy DA's. These officials determined that such payments had not been approved as part of a labor contract and should be discontinued. The DA did discontinue the payments, but, in the belief that they were legal and proper, engaged outside counsel to help him with the issue.

Subsequently, the Board, led by Supervisor Bruce Gibson, refused to pay the \$2,500 legal bill, claiming that the District Attorney did not have the authority to hire outside counsel without Board approval. The Auditor Controller, who has the legal authority to make such decisions, actually recommended the payment.

In the end, the Board refused to authorize the payment of the bill, and the DA was forced to pay it from personal funds.

This week Santa Barbara County has an item on its agenda to update circumstances when department heads and other officials may purchase goods and services with County issued credit cards within certain limits. Interestingly, the Santa Barbara Auditor lists matters contained in Section 29601 of the Government Code as one of the eligible expenditures. (Note that the appropriateness of the expenditure is not even an issue.)

29601. The following expenses of the district attorney and the Sheriff are county charges:

(a) Traveling and other personal expenses incurred in criminal cases arising in the county and in civil actions and proceedings in which the county is interested.

(b) All other expenses necessarily incurred by either of them:

(1) In the detection of crime. Except as to violations of Section 23152 of the Vehicle Code, this section does not apply to the detection of those crimes declared to be misdemeanors by the Vehicle Code.

(2) In the prosecution of criminal cases, and in civil actions and proceedings and all other matters in which the county is interested, or in which any officer or employee, or former officer or employee, of the county is a defendant in an action for damages instituted for any act performed by him or her in good faith in furtherance of his or her duty while in the employ of the county and in which the district attorney is authorized to represent him or her.

Certainly, clause (2) above is a specific command to all counties to allow district attorneys to make expenditures when they are representing their employees in “all other matters in which the county is interested.” In this case he was defending the County’s past practice (over decades) of paying employees for standby time. Santa Barbara County caps these and other expenditures at \$3,500. Otherwise they would have to go through the normal purchasing process or Board as required.

The DA should be reimbursed.

#### **Board of Supervisors Meeting of Tuesday, March 8, 2015 (Scheduled)**

**Item 2 - Monthly Drought Report.** The drought continues as of March 2, 2016. It is not known as of this writing if major rains, which are forecast for Saturday March 5<sup>th</sup>, will have a major impact. It is critical that the Sierra Nevada snow pack be reinforced after a warm, dry February.

## March 2016 Report

### Reservoir Levels (% of capacity):

Reservoir	% of Capacity	Current Acre Feet Storage
Nacimiento	22%	83,600
Whale Rock	35%	13,683
Lopez	29%	14,305
Salinas	13%	3,027

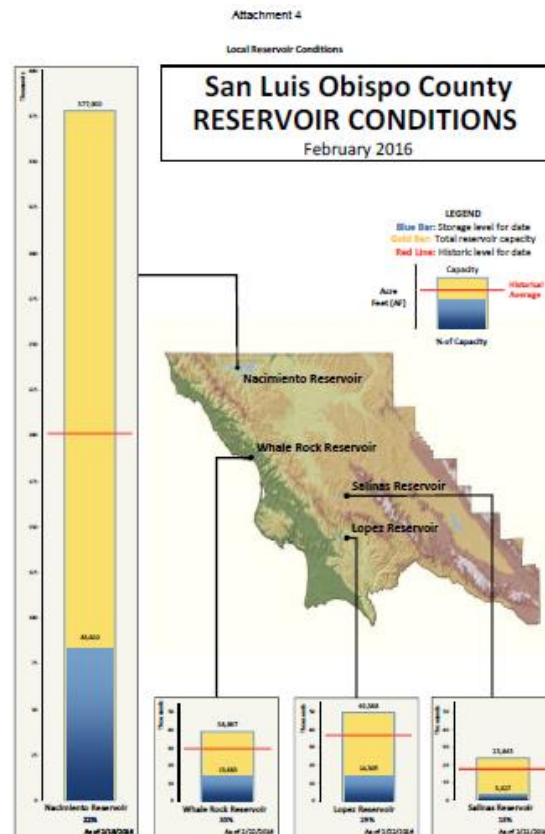
Source: [www.slocountywater.org](http://www.slocountywater.org) County of San Luis Obispo

## February 2016 Report

### Reservoir Levels (% of capacity):

Reservoir	% of Capacity	Current Acre Feet Storage
Nacimiento	21%	78,785
Whale Rock	35%	13,809
Lopez	29%	14,204
Salinas	13%	3,094

Source: [www.slocountywater.org](http://www.slocountywater.org) County of San Luis Obispo



**Item 23 - 2nd Quarter Financial Report.** The report indicates that projected revenues are generally performing as expected. Problem areas include revenue shortfalls in Services, Foster Care, State Transportation Road Assistance funds, and the Golf Program. The Board letter



indicates that these funds can be balanced from categorical reserves or transfers from other programs and will not impact the general fund local tax dollars or general fund reserves.

The road program could lose about \$1.7 million in state formulaic aid, which would mean that there would be 11 miles of thin overlay maintenance which would not occur. The write-up does not indicate how this might impact the County's overall pavement condition index.

**Item 25 - Laura's Law: Mandatory Treatment for Certain High Risk Mental Patients.<sup>1</sup>**

Late last year the Board directed staff to investigate the feasibility of the County implementing a program which would require certain high risk mental patients to enter a mandatory treatment program. At that time the staff had pointed out that there were several alternative potential program levels related to intensity and breath.

Readers may remember that the issue is quite controversial because it involves the government compelling individual citizens to undergo various forms of treatment. This raises constitutional issues since the compulsory treatment is not the result of a trial. Relatedly, there are many historical (and perhaps current) examples of totalitarian regimes in various places using mental health as an excuse to deprive people of their civil rights and personal safety.

On the other hand, society is continuously confronted with the incidents of people with a history of mental illness committing violent acts against people they know or against random individuals. Many mass murder cases are perpetrated by individuals (usually younger men) who have displayed a pattern of mental instability and anti-social behavior in the past. In this regard the Isla Vista/UCSB community has suffered a number of tragic episodes over the years. It seems SLO County has been spared so far.

The staff report seems to avoid this whole debate and focuses on the difference in the cost of a County-run program versus a contract program. Part of the write-up states in this regard:

*Staff met with the Board Committee, comprised of Supervisors Hill and Arnold, on December 7, 2015 and February 8, 2016 to review progress made on the tasks.*

*The proposed program and budget would support staffing to provide intensive services to up to ten individuals at any time Staff met with the Board Committee, comprised of Supervisors Hill and Arnold, on December 7, 2015 and February 8, 2016 to review progress made on the tasks.*

*The proposed program and budget would support staffing to provide intensive services to up to ten individuals at any time by adding program capacity to Transitions Mental Health Association's (TMHA) current Full Service Partnership (FSP) program. Development of initial community outreach, training, court documents and supports, as well as an evaluation and*

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<sup>1</sup> **Laura's Law** is a California state law that allows for court-ordered assisted outpatient treatment. To qualify for the program, the person must have a serious mental illness plus a recent history of psychiatric hospitalizations, jailings or acts, threats, or attempts of serious violent behavior towards [self] or others. The word "assisted" skirts the issue and more accurately could be "mandated".

*reporting process will be managed by County staff, with client outreach and treatment services provided through an expansion to TMHA in their current FSP program.*

*As budget refinements were developed, it became increasingly clear that a County operated program would not be cost effective or efficient. The County does not currently run FSP programs for adults, as it is contracted out to TMHA; therefore, the levels of staffing to implement a new free standing FSP to support an AOT program would be more expensive and less efficient than adding capacity to the current TMHA program. We determined that both administratively and programmatically a contracted program would be more cost effective. TMHA has also already proven specialized experience in managing outreach and treatment programs including peer support, which is an essential element in AOT.*

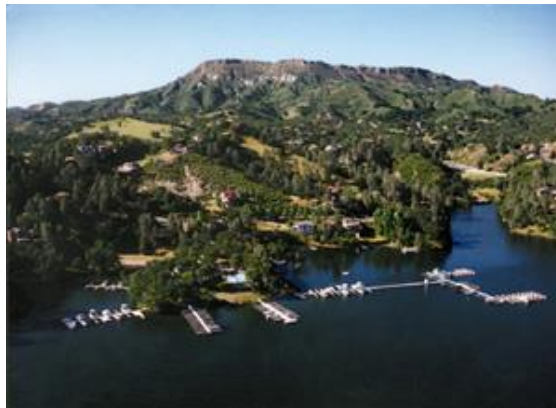
*Staff worked closely with TMHA to identify streamlined costs for an AOT program. Elements that could be reduced or eliminated have been, while still keeping service integrity. Total annual net program cost, including outreach, treatment, housing, and County Counsel costs, is now estimated at \$442K compared to \$643K identified in November. The budget for just treatment and outreach is now estimated at \$23K per client per year compared to November's budget estimate of \$44K per client per year. The reasons for the reduced costs are described in the Financial Considerations section below.*

The staff report presents alternative budgets and then closes by requesting the Board to determine if it wishes to go forward.

We would expect some public interest in this one.

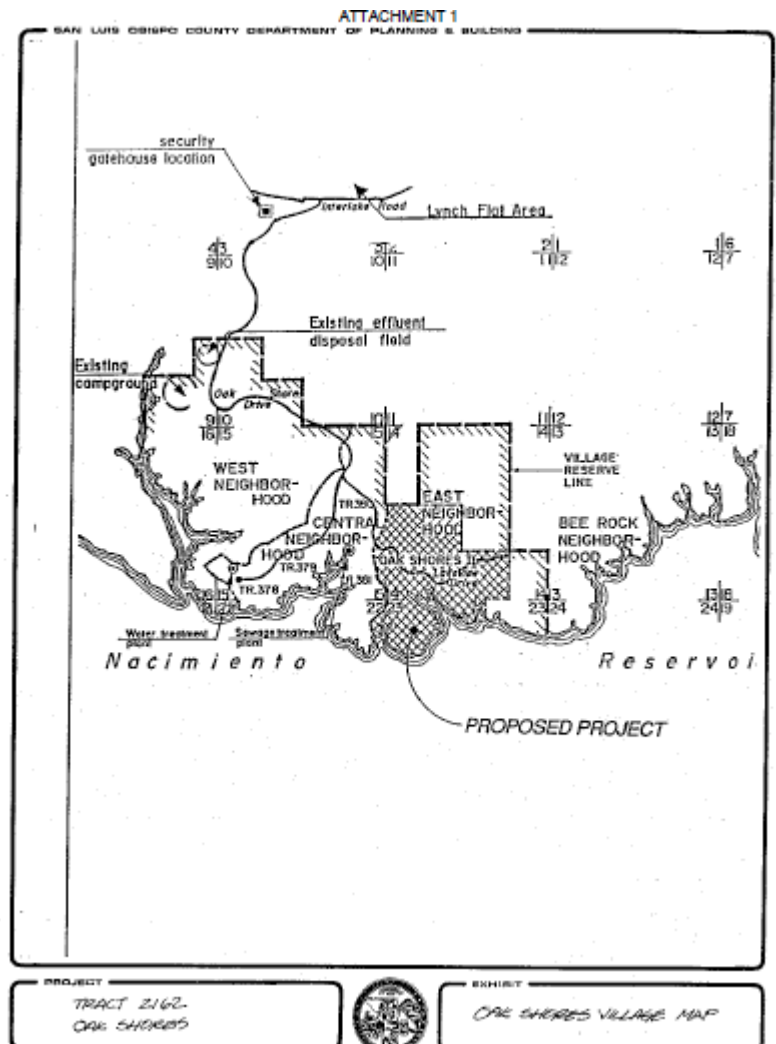
#### **Regular Planning Commission Meeting of Thursday, March 10, 2016 (Scheduled)**

**Items 3, 4 and 5 - Requests by applicants of previously approved projects for time extensions.** It is interesting that these are bunched together during the same meeting. In each case the conditions of approval are so complicated that the applicants need additional time to work on them. The projects have been the subject of repeated extensions. One goes back to 1996.



One of the projects contains a 345 lot subdivision at Lake Nacimiento.

In this case the staff recommends approval for all 3 extensions. One is a large 345 lot subdivision on Lake Nacimiento.



**Special Planning Commission Meeting of Friday, March 11, 2016 - Phillips 66 (Scheduled).**

As of this writing no separate agenda materials have been posted for this special meeting. Thus the rules and format for the day are not clear. It is expected that the Commission will hear continued public testimony for and against the proposed project. Intelligence sources indicate that the enviro-socialist radicals from around the state will be back in force to counteract the large number of proponents who appeared on February 25<sup>th</sup>. The meeting starts at 9 AM. The Commission does not wish citizens who have spoken previously to speak again. They will no doubt be looking for known violators. It will be harder for them ferret out those whom they don't know or can't remember. Our position is that if you spoke on the February 4<sup>th</sup> -5<sup>th</sup> hearing but did not speak on the 25<sup>th</sup> you are good to go because the project changed from the original scope (5 trains per week down to 3). If you spoke on the 25<sup>th</sup>, you spoke to the project as then and now constituted and probably should not go again. On the other hand, we have heard of some



devotees who bring a change of clothes and adjust their hairdo. A speaker slip trading market also appears to have emerged.

## LAST WEEK'S HIGHLIGHTS

### No Board of Supervisors Meeting on Tuesday, March 1, 2016 (Never Scheduled)

There was no meeting.

### San Luis Obispo County Council of Governments Meeting of Wednesday, March 2, 2016 8:30 AM (Completed)

**In General:** This was a special meeting because as the gasoline tax declines due to price reductions for gasoline and other State formulaic issues, grants from the State Highway Improvement Program to SLOCOG are being reduced and SLOCOG must revise the program (already reduced) that it had adopted in December.

*The purpose of this report is to respond to the direction provided by the California Transportation Commission (CTC) after the CTC modified the 2016 State Transportation Improvement Program (STIP) Fund Estimate on January 21st. The revised Fund Estimate reduces the STIP by \$800M, or approximately 30% of the five year capital improvement program. The CTC has requested all Regional Transportation Planning Agencies (RTPAs) modify the funding transmittals made in December by each respective RTPA. SLOCOG's pro-rata share of the 2016 STIP reduction is \$7.3m.*

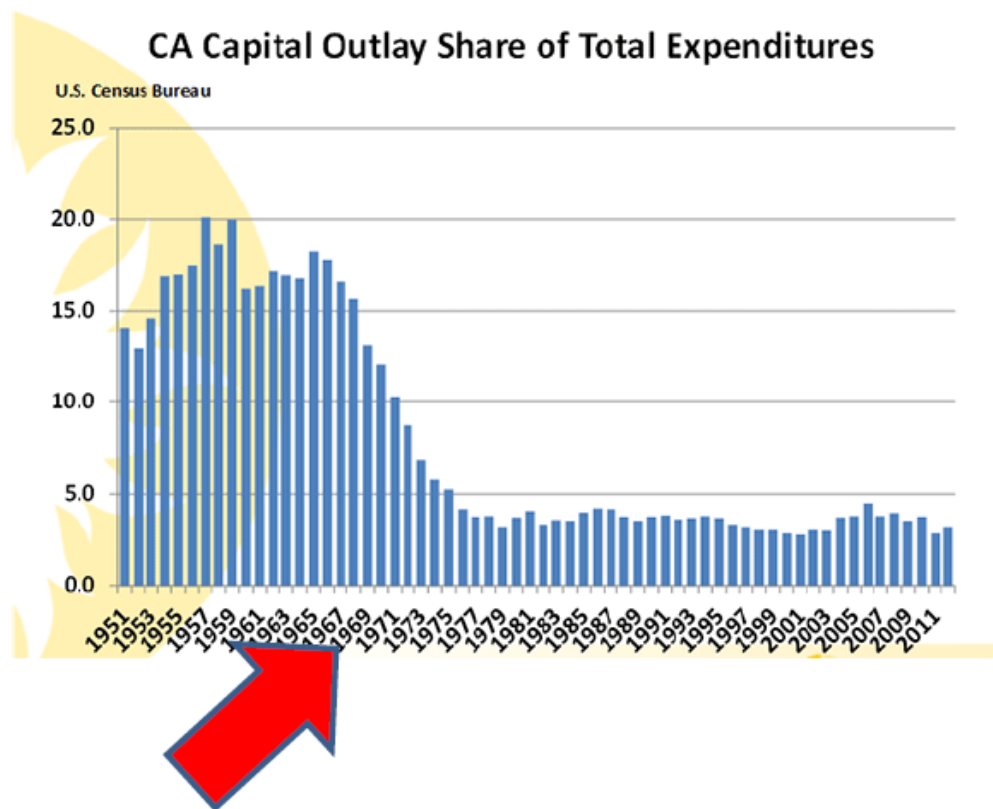
In the end the SLOCOG Board voted to try to preserve the funding for the Briscoe Road project.

Depending on the CTC's action, it is likely that planned improvements at either the Highway 101/46 ramps in Paso or the Brisco Road/101 intersection south of Arroyo Grande will be de-programmed.

During the meeting breaks we talked to several of the Directors, and it is planned that each of the 7 cities and the County Board of Supervisors will be asked to authorize their SLOCOG representative to vote for the placement of a countywide measure on the November 2016 ballot to authorize an increase in the sales tax dedicated to transportation. Approval would require a two-thirds vote of those voting.

**Context:** As we have pointed out before, government ongoing costs for salaries and benefits have risen exponentially over the decades, savaging the ability of the State, counties, and cities to invest in new infrastructure as well as maintenance.

Mass transit has also eaten at road maintenance dollars. The proposed Fresno bullet train station is illustrated to the right. Valley trains to Sacramento and San Francisco are shown platformed to the left. An LA to San Francisco express is shown speeding through the station in the middle. A south bound local is shown platformed to the far right.



The red arrow points to the year when California government employees were first allowed to unionize. Proposition 13, which is often blamed, didn't pass until 1978 and did not bite in until 1979, long after the shift away from capital expenditures occurred.

# SLO 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.

**Los Angeles State University first banned Ben Shapiro, then relented and charged the sponsors a security fee. A mob attempted to prevent the audience from attending. In the end Shapiro had to be escorted out of the auditorium by 10 police officers to protect him from crowd violence. Shapiro was the keynote speaker at the COLAB Annual Dinner/Fundraiser in March 2015. Check out the article below:**

## Campus Protesters Try to Silence Conservative Speaker, Demand College President's Resignation

By Natalie Johnson

February 26, 2016

Student protesters swarmed California State University, Los Angeles to barricade the entrances of a theater where conservative commentator Ben Shapiro was set to deliver a speech about censorship and diversity on college campuses.

Led primarily by the school's Black Student Union and Black Lives Matter chapter, the hundreds of demonstrators, including some professors, poured into the Student Union building Thursday afternoon to block other students from attending the event.

**COLAB NOTE: Those professors are State of California public employees paid with your tax dollars (LA State President William Covino, who made \$377, 228 in 2014 with pay and benefits, wanted to ban Shapiro).**



Many in the dense crowd of protesters shoved and shouted at attendees who tried slipping through the doors.

Protesters barricaded entrances to a theater where Ben Shapiro was giving a lecture Thursday afternoon. (Photo: Jacqueline Pilar/Young America's Foundation)

Members of the conservative Young America's Foundation, host of the [event](#), called "When Diversity Becomes a Problem," said they were forced to sneak groups of four to five in the back door leading directly to the theater to avoid catching the attention of protesters who hadn't yet obstructed the last entrance.

Amy Lutz, a program officer at YAF, said the group was able to funnel roughly 100 students into the theater on the CSU-LA campus before protesters surrounded the entrances, preventing anyone from entering or leaving for the duration of Shapiro's speech.

"It was frightening. I felt like we were hostages in this room, because we couldn't get out," Lutz told The Daily Signal.

She said more than a dozen police officers stayed inside the theater, ordering attendees to stay put until the crowd dissipated. A demonstrator pulled the fire alarm midway through the lecture, but Shapiro carried on with his remarks despite the shrill noise and pounding at the doors.

"Here's my message to the bloviating jackasses outside: Toughen up, you spoiled brat snowflakes, if you actually want a better world," Shapiro, editor-in-chief of The Daily Wire, said to cheers.

Police escorted Shapiro out of the theater at the end of his speech, citing "safety concerns."



“

Much of the crowd moved from the theater to the executive's office to hold a sit-in and demand the resignation of CSU-LA's president, William Covino, for allowing Shapiro's appearance.

Lutz said the reaction from the protesters underscores a troubling problem among universities across the United States. She said:

Not only is free speech under attack, but it's also very difficult to be a conservative on a college campus. It's very difficult to speak up, and a lot of students choose to be silent because they know in extreme cases, like this one at CSU-LA, people will aggressively fight back if they choose to speak their mind.

Melina Abdullah, a professor and chair of pan-African studies at the university, took to Twitter and encouraged students to protest Shapiro's appearance, calling his event "hate speech." She claimed police were sent to arrest students for protesting.

Emily Jashinsky, a spokeswoman for YAF, told The Daily Signal that tens of thousands of viewers tuned in to Shapiro's [speech online](#) Thursday night. She said the level of interest illustrates that the country is "growing increasingly frustrated" with censorship on college campuses.

On Monday, Covino [emailed](#) YAF members informing them he had canceled Shapiro's appearance for security reasons, opting for a "more inclusive event" highlighting speakers with "differing viewpoints on diversity."

The university president reversed his decision Thursday, hours before Shapiro's speech was supposed to begin, when YAF refused to reschedule.

"I strongly disagree with Mr. Shapiro's views. But if Mr. Shapiro does appear, the university will allow him to speak," Covino said in a prepared statement provided to The Daily Signal by YAF. "We will make every effort to ensure a climate of safety and security."

Jashinsky said YAF was "disgusted" by the president's response. She said:

This was absolutely no occasion for celebration. This president [Covino] grudgingly embraced the concept of free speech. This is the president of a public university, who in his statement doesn't condemn attacks his own professors have made on their students.

One of those attacks, she said, came from a professor who threatened to wrestle roughly a dozen YAF members for inviting Shapiro to speak.

"[Covino] doesn't condemn any of the hostility toward conservative students," Jashinsky said. "It should have been a full-throated endorsement of free speech, regardless of whether he agrees or not with what's being said."

Hacker, who was on campus during the protests, said he is waiting for a response from the university to a [letter](#) he sent Monday to its counsel.

The letter demands that the university rescind an "unconstitutional" \$621.50 fee slapped on YAF to pay for security officers because of the event's "controversial" nature.

"The university engaged in viewpoint discrimination against these conservative students, and it shouldn't have done that," Hacker said. "You can't put a price tag on the view of somebody's speech."

*Natalie Johnson is a news reporter for The Daily Signal and a graduate of The Heritage Foundation's Young Leaders Program. This article first appeared in the Daily Signal which is a publication of the Heritage Foundation.*

Take a look at Shapiro's wonderful biting speech at the link below:

<http://livestream.com/YAF/events/4870270>

## **Why Have Universities Been Overtaken by Mob Rule?**

By Arthur Milikh



Student groups have asserted control of many university campuses across America. Without even resorting to force, they have successfully compelled the resignation of [presidents](#) and [administrators](#), the [firing](#) and [hiring](#) of faculty, and drastic changes to university curricula, [among other things](#).

University after university gives in to these demands, or at least [pretends](#) to do so. Only a [few](#) university presidents or administrators have spoken in defense of their own institutions or universities in general.

The former rulers of universities cannot defend themselves because they no longer understand the university's purpose. Rather than ordering young minds, administrators have been ordered to resign. Having become convinced that universities service non-intellectual ends like multiculturalism, social justice, and pre-professionalism, presidents and administrators have little authority outside bookkeeping, job-placing, and safe space-creating.

They have forgotten that among the university's highest purposes is preserving reason and free inquiry and making this spirit respectable to the public at large in a regime too often disposed to worship the power of public opinion and utility. Where else could this spirit live in our republic? In the mindlessness of popular culture? In fact, presuming that the mind requires protection for free inquiry, the institution of tenure makes sense only in this view. Tenure was not always understood as a sinecure for conference-going and activist data-mining.

Intolerance for free speech among student groups reveals their disregard for reason. Any opposition to or skepticism of their cause is met with anger, threats, and possibly physical harm. This is because free speech honors man's rational faculty,

presuming it is the genuine commonality among human beings. But if one considers oneself as primarily belonging to an aggrieved group, one shares feelings with that group alone, and of course common enemies.

Looking to [Europe](#), one sees how free speech can decline. There, the [power of the law](#) is leveraged in favor of the loudest, angriest factions against those speaking freely. In America, for now, free speech is controlled by public opinion only through shame, rather than force.

The Progressive pieties connected to social justice have contributed to the current anarchy. Progressivism has undermined the universities because it [doesn't believe](#) in liberal education. Liberal education's ends are independence, freedom, and self-rule, while progressivism points toward learning what properly to hate and overcoming it. Most universities do not question the puzzling formulation "social justice"—they teach the methods and the temperament to bring it about.

As such, progressive pieties often foreclose respect for humility, decency, and honest inquiry. Rather than persuading the mind, they command and shame it. Liberal education to the contrary requires a spirit of reverence aiming to liberate the mind from prejudice—the prejudices of birth, public opinion, one's own distorted and inflated opinions of oneself—in preparation for citizenship.

The societal implications of these doctrines are great, for our regime's justification is rational. We cannot know about natural rights through feeling. We cannot understand the Constitution through feeling. We cannot understand the necessary habits of character to sustain regime through feeling.

If the standard of reason is denied, how then does one judge justice other than by succumbing to the loudest, angriest voice? Justice judged by intensity of feeling means the angriest have the highest claim to rule, a standard unbecoming of a civilized nation.

Moreover, these doctrines undermine the very thing that created the conditions for their existence. By constantly flirting with the idea that free speech should be silenced, the factions behind these doctrines are prepared to take away rights from others. What therefore happens to individuals if, goaded on by these own doctrines, a new barbarism emerges that cares little about freedom of speech and therefore about protecting universities, which are in effect their safe spaces?

The perspective of anger is incapable of understanding our nation's needs and its common good. Neither is it capable of creating productivity, decency, self-respect, or political freedom. A public whose passions are its sole animating feature is unsuited for rule by laws.

*Arthur Milikh is assistant director of the B. Kenneth Simon Center for Principles and Politics at The Heritage Foundation. This Article first appeared in the February 26, 2016 Daily Signal, a publication of the Heritage Foundation.*

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*Confidential Donation/Contribution/Membership-q*

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