



WEEKLY UPDATE DECEMBER 22 - 28, 2019

MERRY CHRISTMAS AND HAPPY NEW YEAR



Mystery of winter skies, we thank you in the darkening hour for opening our eyes to see your starlit beauty; for parting the wide heavens to send your gentle light; for offering your word to take our mortal flesh.

This truly human one was promised by those who shared your dream of peace; John the Baptist cleared his way with words of desert fire; Mary and Joseph accepted his coming with tenderness and faith; we know that he draws near again to show us who we really are with honesty and love.

Now we take up the song of hope that we might awaken to his coming among us and the world be touched by the footfall of his glory.¹

11th ANNIVERSARY

COLAB
San Luis Obispo County



DINNER & FUNDRAISER

Steve Hayward
Why Is the World So Crazy,
Can it Be Made Sane Again?

Thursday, March 26
Alex Madonna Expo Center

5:15 pm Social Hour, Open Bar
6:15 pm Filet Mignon Dinner including Wine

\$120 per person | \$1,200 per Table (Reserved Seating for 10)

For tickets, mail your check to:
COLAB SLO: PO Box 13601, San Luis Obispo, CA 93406

Cocktail Attire Optional

For more information
(805) 548-0340 | colabslo@gmail.com



NATIONAL COLUMNIST, REAGAN AUTHOR, & UC BERKELEY CONSERVATIVE SENIOR SCHOLAR WILL INSPIRE OUR RESOLVE



GREAT FOOD, WINE, AND AUCTION ITEMS
STAND UNITED CELEBRATING LIBERTY AND PROSPERITY
SUPPORT COLAB OF SAN LUIS OBISPO COUNTY



THIS WEEK

**NO SUPE'S MEETINGS UNTIL JANUARY 14, 2020
WINTER RECESS**

OTHER AGENCIES HIBERNATING TOO

LAST WEEK

ACCUSATORY MARIJUANA FUSS

ROAD FEE WILL RISE IN 2021

**PASO WATER BASIN WATER PLAN APPROVED
IT WILL NOW BE SUBMITTED TO THE STATE FOR REVIEW**

**2020 APPOINTMENTS TO BOARDS AND COMMISSIONS
COMPLETED – NO CONFLICTS**

SLO COLAB IN DEPTH

SEE PAGE 20

HOMELESSNESS PARALYSIS

**THE MANGER VS THE MONSTER – HOUSING
CALIFORNIA'S HOMELESS**

BY EDWARD RING

CALIFORNIA NEEDS TO TREAT HOMELESSNESS LIKE THE DISASTER IT IS. LET'S PROVIDE HOUSING FIRST

BY JOEL JOHN ROBERTS

SAN FRANCISCO, HOSTAGE TO THE HOMELESS

Failure to enforce basic standards of public behavior has made one of America's great cities increasingly unlivable.

BY HEATHER MAC DONALD

THIS WEEK'S HIGHLIGHTS

No Board of Supervisors Meetings until Tuesday, January 14, 2020

The next scheduled SLOCOG Meeting will be Wednesday January 8, 2020

Local Government Homelessness Paralysis – Here and beginning on Page 20 below

Absent the press of live agenda items from multiple agencies, please use the winter recess respite to think about actually solving the problem of unsheltered homeless people, which include single individuals, families, teens, young adults, veterans, and even lone children. The number of individuals seems to fluctuate between 1250 and 1600 over the years in San Luis Obispo County.

Why are San Luis Obispo County and its 7 cities so paralyzed when it comes to sheltering the homeless?

The real reason is that County and city officials are afraid of NIMBY retaliation and are otherwise paralyzed by the impossible land use and environmental regulations. Homeless

providers constitute a powerful economic lobby that does not want to be put out of business by a real solution.

Clearly, 1600 homeless people is not as large a challenge as is faced by the metropolitan cities with tens of thousands each, or places such as Santa Monica, Santa Rosa, Santa Barbara, or Berkeley, with a reported 5,000 or so homeless people concentrated in these medium sized cities.

Back before the mid-1980's the emphasis was on housing the homeless utilizing a variety of tools including the Section 8 Federal rental subsidy program, rehab of deteriorated older residential buildings into single-room occupancy units (SROs), creation of new SROs through public-private partnerships using tax deductible funding syndications, group homes, mobile homes, and the use of so-called welfare hotels (usually older dilapidated hotels in the inner cities).

By the mid-80s these resources were drying up. For example, the Section 8 program, a massive annual recurring national entitlement, had become so expensive that it could no longer be expanded. The so-called Tax Equity & Fiscal Responsibility Reform Act of 1982 (TEFRA) eliminated the income tax deduction for the creation (by financial syndication) of new SROs. Many of the welfare hotels were unsafe and had to be demolished. Downtown renewal projects tore thousands of them down to provide space for shiny new convention centers, Hyatt Regency Hotels, cultural attractions, sports arenas, and other facilities designed to renew dying city centers, arts districts, and major new retail centers. Witness the development of San Francisco South of Market with the Giants Ball Park with adjacent high-end apartments, condos, new boutique hotels, and retail throughout the neighborhood.

Simultaneously in California, the rapid expansion and intensification of zoning codes and environmental laws such as CEQA and the Coastal Act, combined with the rise of a class of environmentally indoctrinated city council members and county supervisors, ignited the logarithmic escalation of housing costs which further doom those at the bottom of the ladder.

These circumstances were then impacted by the massive social decay engendered by the proliferation of literally hundreds of thousands of individuals who suffered from the ravages of value relativism beginning the 1960's and continuing through today. This phenomena of "do your own thing; I'm Ok, You're Ok; live for today; drop out; don't strive for success; and all the rest have savaged several generations. Worse yet, they underpinned the acceptability of alcohol abuse and a variety of consciousness altering narcotics.

Staggering under these self-inflicted forces, local governments and states decided that it was impossible to house the homeless. Instead, they took the easier way out of treating alcohol and drug abuse, not to mention crime, as diseases that could be cured through social work, mental health programs, and psychotropic medicines (more drugs). Thus we entered the age of therapeutic homeless treatment and therapeutic criminal justice. As things got worse, the jails couldn't hold all the inmates.

It's so bad that now a thief can steal up to \$950 of someone's goods and not even be arrested and incarcerated. They get a citation instead.

In California all of this failed policy has become a growing disaster, which elected and appointed officials say can only be mitigated by massive new taxation. This is then levied on the proportionally dwindling number of lawful productive citizens who only want to mind their own business and try to survive.

The therapeutic, no behavioral standards, value relativistic effort has been an unmitigated failure.

As noted above, SLO County and its 7 cities are not faced with the problems on the scale of the major metropolitan areas. They still suffer them to a degree due to their multi-decade buy-in by politically correct city councilors who took the underlying value Kool-Aid.

If this were a disaster caused by a massive earthquake, pandemic disease, or economic collapse (which may be on its way), governments would house tens or even hundreds of thousands of displaced refugees in tent cities, mobile homes, and FEMA houses which exist for such a purpose. Illegal immigrants are already being housed in such facilities. Why not our own homeless citizens (some of whom are veterans)?

For years COLAB has been proposing that the County undertake direct action to:

Zone in some homeless mobile home parks.

Set up parks for the homeless people who have RVs.

Promote the construction of SRO buildings.

Zone in tiny house parks.

Enforce community behavioral standards on the streets, in the parks, in the creek beds, in the libraries, and everywhere else. You can't sleep out, harass other people, or store all your junk in public places or on private property. If you are 18 years old to 65 years old, and unemployed or unemployable, and able to walk, you must work each day doing maintenance of public areas, roadsides, public bathrooms, etc., or be institutionalized. Why should vagrants on SSI, General Relief, or other welfare and who are able bodied not be required to contribute?

Provide services in these settings:

Why not acquire or produce FEMA Disaster Houses outside of Federal control and costs? The plans already exist. There are suppliers. Assign Ann Gillespie from Public Works to figure it out. Tell the Department Heads to assign whomever she needs to help her. Tell Planning to zone in the sites. Request the Governor to suspend CEQA and the other obstacles, as this is an emergency. If Newsome won't help, call Trump.



FEMA emergency houses

Replace the 100 illegal marijuana farms in California Valley with several homeless centers such as the one in the picture below. From an environmental standpoint, the huge solar plants take up much more space and have not bothered the rats, weasels, and reptiles. We hear they are thriving in the shade produced by the solar panels. The contractor could actually plant some trees.

Similarly, a center could be developed on State land at the Camp San Luis National Guard base and/or federally owned land at Camp Roberts. In fact, there are scores of existing barracks buildings which are rotting away at both facilities.



A FEMA refugee center



Kitty is well fed. Her owner is mobile enough to ride the bike and pull the wagon. He is mentally functional enough to buy Peets coffee and Starbucks coffee where he hangs out for much of the day next to a bookstore

Why isn't he on the downtown cleaning crew?

Laptop or other electronic device?
If he were housed and supervised he might become productive. But what if he refuses?

If it continues as in Santa Monica, Berkeley, Santa Rosa, Ventura, etc. – it becomes epidemic.

Please see page 20 in the **COLAB In Depth** section for some very pertinent articles on the failure of public policy.

Photo courtesy of the UC Berkeley College of Environmental Design – perhaps an oxymoron



LAST WEEK'S HIGHLIGHTS

Unscheduled Item - Accusatory Marijuana Fuss. A significant portion of last Tuesday's Board meeting was hijacked when a large crowd of cannabis cultivators, their employees, and consultants showed up to complain about the sunset of cultivation abeyance.

Abeyance refers to a provision of the County's cannabis ordinance which allows applicants for permits who signed up at the beginning of the process to continue to operate while they are working to obtain their permits.

Fifty-one speakers, led by cannabis entrepreneurs Helios Dayspring and erstwhile SLO Progressives Co-Chairman, community organizer, and political consultant Nick Andre, packed

the room and lashed the Board of Supervisors for not moving to extend the abeyance provision past its impending sunset date of December 31, 2019.

Note that when we went to check on Andre's SLO Progressive status on the website, which had been very elaborate, we found it has been suspended.

Account Suspended

This Account has been suspended.

Contact your hosting provider for more information.

Perhaps it was shut down to mute the relationship of the SLO Progressives and Andre and their candidates, including 3rd District Supervisor Adam Hill, 5th District Supervisor candidate Ellen Beraud, and 1st District Supervisor candidate Stephanie Shakofsky from the cannabis industry. Beraud and Shakofsky have been trying to have it both ways. On the one hand they are criticizing the existing Board majority for being too easy on marijuana grows while at the same time complaining that the permitting process is too slow and costly.

On the other hand, it may be that some Democrats within the SLO Progressive group, which took over the SLO Democratic party 3 years ago, have figured out that identification with national, State, and local progressive radicals will be a disaster at the ballot box both in the March 2020 primary and the November general election. The country is fed up with them and sees them as promoting socialism and the destruction of capitalism and freedom, along with our basic culture.



The SLO Progressive Facebook Account, however, is still very active and is promoting Beraud, Media-Care for all, and the usual litany.

In any case, the 51 speakers, including many employees of Dayspring and other marijuana farms, are naturally very concerned about losing their jobs. The emotional appeal of losing a job at Christmastime was repeated ad nauseum.

The Sheriff and County Planning Director pointed out that there were a number of applicants who had code violations and should not be permitted to continue the process. In effect they are illegally growing, processing, and selling cannabis without a permit. Every time the abeyance ordinance is extended, they can keep operating, don't have to pay the taxes, and exist essentially unregulated.

There is a 2nd group which has received approval of the permits subject to conditions, some of which require completion of heavy capital investment before their permit actually becomes live.

Supervisors Arnold and Compton have pointed out that it's not the County's fault that they have not complied with their permit conditions.

Hill and Gibson moved to set a special Board meeting during which they would advocate for the extension of the abeyance provision. Even before the lengthy testimony, Arnold and Compton were opposed. After being beaten up for 3 hours, they were even more resolved to prevent it. In the end Supervisor Peaching reasoned that the applicants who have code violations or who have been approved but have not complied with their conditions should not benefit from the abeyance, but those who signed up, continue to follow the procedures, and are diligently attempting to get through, should be given some consideration.

On this account the issues will be scheduled on the January 14, 2020 Board meeting for further consideration. The Sheriff and Code Enforcement will go easy in the intervening weeks until the policy is sorted out.

The January 14th meeting should be a doozy.

Board of Supervisors Meeting of Tuesday, December 17, 2019 (Completed)

Item 13 - Submittal of a resolution approving 1) the January 1, 2020 – December 31, 2022 Memorandum of Understanding and side letters between the County of San Luis Obispo and the Deputy Sheriff's Association Law Enforcement Unit, Non-Safety Law Enforcement Unit, and Dispatcher Unit, 2) the January 1, 2020 – December 31, 2022 Memorandum of Understanding and side letters between the County of San Luis Obispo and the Deputy Sheriff's Association Supervisory Law Enforcement Unit, and 3) amendments to the San Luis Obispo County Employees Retirement Plan Appendices. The Board adopted a new 3-year labor agreement which covers corrections deputies, dispatchers, certain supervisors, and some non-sworn safety personnel.

The contract appears fair to both the County and the employees. The costs are summarized in the table below:

Item	Fiscal Year 2019-20	Fiscal Year 2020-21	Fiscal Year 2021-22	Fiscal Year 2022-23 and Annual Ongoing
Wages	\$0	\$346,207	\$1,021,631	\$1,350,848
Pension	\$217,913	\$441,711	\$453,625	\$459,656
Healthcare	\$11,700	\$38,100	\$64,500	\$76,200
Uniform Allowance	\$32,040	\$64,080	\$64,080	\$64,080
Standby, Court On-Call, and Court Call-Back Pay	\$13,891	\$27,782	\$27,782	\$27,782
Assignment Pays	\$3,704	\$7,509	\$7,711	\$7,814
Total Increases to Current Costs	\$279,249	\$925,388	\$1,639,329	\$1,986,379

Longer Term Issue: As salary, employee health insurance, and pension costs relentlessly grow, how does the County develop a long-range revenue plan that integrates capital investment, water development, land use, and economic development?

With Diablo closing, with growing threats to close Ocean Dunes off-road riding and camping, and in the absence of concrete replacement economic development, the risk to County services and employees grows day by day.

Item 19 - Road Fee Ordinance. The Board unanimously continued the annual road fees per the table below for 1 year. The road fees are exactions levied against new development to help cover the cost of the traffic impacts generated by that new development. In this item the fees are stated to be not increasing. **Item 36** below places the fees on an annual index (automatic pilot) tied to a Southern California Engineering News Record Construction Cost Index.

FEE SUMMARY TABLE

FEE AREA	CURRENT AND RECOMMENDED FEES			ADVISORY COUNCIL REVIEW	ACCOUNT BALANCE (AS OF 7/1/18)	NO. OF PERMITS SUBJECT TO ROAD FEES	FEES RECEIVED	INTEREST	EXPENSES	ACCOUNT BALANCE (AS OF 6/30/19)	MAJOR WORK EFFORT
	RESIDENTIAL (PER PHT)	RETAIL (PER PHT)	OTHER (PER PHT)								
Los Osos	\$4,106	\$2,023	\$3,112	Nov 2019	\$40,893	10	\$20,530	\$1,116	\$1,231	\$61,308	<ul style="list-style-type: none"> Traffic Signal – South Bay Blvd. at Nipomo Avenue Major Update in Progress
North Coast Area A	\$527	\$262	\$403	Sept 2019							N/A
Area B	\$992	\$262	\$403								
Area C	\$1,267	\$262	\$403		\$37,067	3	\$3,025	\$750	\$743	\$40,099	
Area D	\$586	\$262	\$403								
Area E	\$282	\$262	\$403								
San Miguel	\$6,148	\$6,148	\$6,148	Nov 2019	\$604,629	39	\$238,466	\$14,855	\$20,000	\$837,950	Major Update in Progress
South County Area 1	\$12,011	\$3,336	\$5,133	Sept 2019	\$219,371	23	\$244,222	\$7,167	\$453	\$470,307	Tefft Street Interchange Mesa at Tefft Traffic Signal
Area 2	\$10,048	\$4,539	\$6,983		\$3,758,469	82	\$959	\$71,739	\$159,950	\$3,671,217	Los Berros Road Widening
Templeton Area A/B	\$8,462	\$8,462	\$8,462	Sept 2019	\$914,887	51	\$295,955	\$15,051	\$441,448	\$784,445	Vineyard Interchange Debt Service Main Street Interchange
Area C	\$8,462	\$8,462	\$8,462		\$1,694,223		\$169,662	\$34,545	\$8,537	\$1,889,893	
State Route 227	Fees Calculated per Individual Projects			n/a	\$0	1	\$85,911	\$516	\$0	\$86,427	State Route 227 at Los Ranchos Road and Buckley Road

L:\Transportation\2019\December\BOS\Circulation Study 2019\Att 2 - Fee Summary Table 2019.doc

Item 20 - State Groundwater Management Act Update (SGMA): This is a bi-monthly report on the status of County and allied agencies’ efforts to comply with SGMA content requirements and deadlines. The Board received the report on consent without comment. The County and other agencies appear to be on schedule. In fact and per **Item 33** below, the Paso Basin Ground Water Management Plan (GSP), sometimes called the Salinas Basin Plan, was on the agenda and approved and forwarded to the State Department of Water Resources (DWR) for approval, modification, or rejection. Plans for the listed basins are well underway or completed.

1) Cuyama Valley (DWR No. 3-013, “Cuyama”)

- (2) Salinas Valley – Paso Robles Area (DWR No. 3-004.06, “Paso”)
- (3) Salinas Valley – Atascadero Area (DWR No. 3-004.11, “Atascadero”)
- (4) San Luis Obispo Valley (DWR No. 3-009, “San Luis Obispo”)
- (5) Los Osos Valley – Los Osos Area (DWR No. 3-008.1, “Los Osos”)
- (6) Los Osos Valley – Warden Creek (DWR No. 3-008.2, “Warden Creek”)
- (7) Santa Maria River Valley – Santa Maria (DWR No. 3-012.01, “Santa Maria”)
- (8) Santa Maria River Valley – Arroyo Grande (DWR No. 3-012.02, “Arroyo Grande”)

The actual report is clear and comprehensive. For a look at your particular basin, click on the link:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/11325>

When it opens, click on the tab:

County Groundwater Basin Summaries and Key Updates on SGMA Efforts

Budget Status:

Budget Status Update for SGMA Program

as of 10/31/2019

The table below represents the County's SGMA Program FY 2019-20 Budget and expenditures by basin. Given the complexity of each basin's approach to funding the GSP development, this table does not attempt to depict the multi-year program costs or cost sharing/in-kind services contributed by partner agencies. See footnotes for other key elements of basin funding approaches.

Basin ^{(2), (3)}	GSP Development Phase Duration in Fiscal Years ⁽⁴⁾	Current Fiscal Year Budget Status ⁽¹⁾			Total SGMA Costs to Date (7/1/17 - Current)
		FY 2019-20 Budget	FY 2019-20 Costs to Date	Remaining FY 2019-20 Budget	
SGMA Program		2,745,425.80		\$ 2,745,425.80	
Los Osos Basin	FY 17/18-19/20		\$ 2,209.58	\$ (2,209.58)	\$ 73,346.83
Cuyama Basin	FY 17/18-19/20		\$ 2,748.70	\$ (2,748.70)	\$ 67,830.05
Paso Basin	FY 17/18-19/20		\$ 92,979.76	\$ (92,979.76)	\$ 979,842.87
San Luis Obispo Basin	FY 17/18-21/22		\$ 255,564.19	\$ (255,564.19)	\$ 369,835.09
Santa Maria Basin	FY 17/18-21/22		\$ 1,620.29	\$ (1,620.29)	\$ 46,162.05
Atascadero Basin	FY 17/18-21/22		\$ 1,736.03	\$ (1,736.03)	\$ 7,008.72
County General Fund (GF) Contribution Total		\$ 2,745,425.80	\$ 356,858.55	\$ 2,388,567.25	\$ 1,544,025.61
Flood Control Zone General (FCZ) Contribution Total			\$ 337,309.43		\$ 2,315,717.43
SGMA Program Total (GF + FCZ)			\$ 694,167.98		\$ 3,859,743.04

Footnotes:

- ⁽¹⁾ Expenses shown in the table were incurred in the General Fund (FC 20101). The table also reflects the expenses of in-kind services provided by the Flood Control District in support of the SGMA Program during the GSP Development Phase.
- ⁽²⁾ Estimates do not reflect total costs of SGMA compliance in each basin, as each basin may be comprised of multiple funding sources (e.g. in-kind services provided by partner agencies).
- ⁽³⁾ Five of the six basins received conditional award of State SGMA grant funding. Grant recipient varies by basin and the benefit to offset the County's cost sharing contribution depends on basin-specific cost sharing allocations among partner agencies. The grant funding offsets GSP costs throughout the GSP Development Phase (i.e., over the next 3-5 years, depending on the basin GSP deadline). The Budget Status will be updated to reflect grant reimbursement once Grant Agreements are in place, and the County receives its respective share of reimbursements.
- ⁽⁴⁾ This column briefly notes the GSP Development Phase timeframe based on SGMA's regulatory deadline applicable to each Basin.

Item 23 - Submittal of a resolution approving the July 1, 2019 – June 30, 2021 Memorandum of Understanding between the In-Home Supportive Services Public Authority Governing Board and the United Domestic Services Workers of America,

AFSCME Local 3930, AFL-CIO. The labor agreement with the union that represents home health care aides under the In Home Supportive Services (IHSS) program was approved on consent without comment.

Background:

Social Workers within Department of Social Services (DSS) receive applications from persons requesting IHSS services and visit the home of the applicant. During this visit, facts are gathered concerning the individual's/family's finances, the degree of disability, the available alternative resources and the assessed needs. Eligibility for services is based on two primary factors: 1) financial threshold including available alternative resources, and 2) the degree of disability. When an individual is deemed eligible for services, "domestic and related" activities such as grocery shopping, cooking, clean-up and housework may be provided. It also may include "personal care" services such as dressing, bathing and bowel-and-bladder care or "protective supervision" services for persons who cannot safely be left alone.

The State pays the counties a substantial portion of the cost but is considering cutbacks that would increase county expenditures. The cost of this labor contract is only about \$54,000 but might grow in the future.

Item 31 - Appointments to Boards and Commissions for 2020. The board members were in accord on this item, which has not always been the case in the past. The CSAC, Econ Vitality Commission, LAFCO, and CAPSLO are important in terms of major countywide policy formulation.

Background:

Remember that the Supervisors already serve by law on the Boards of the SLOCOG, APCD, and Waste Management Authority. The amount of meeting material that they must master in addition to the Board of Supervisors agenda and committee work is extensive. On top of all this they have their political rolls and ceremonial community rolls.

This renders them heavily staff-dependent and gives staff substantial influence in policy formulation.

Item 32 - Hearing to consider a Temporary Commercial Outdoor Entertainment License Application for events to be held at the Avila Beach Golf Course and Resort (ABR).

Request continuance to March 24, 2020. The matter was continued due to sudden Coastal Commission intervention. The write-up stated in part:

On November 19, 2019, your Board scheduled a public hearing for the Temporary Commercial Outdoor Entertainment License Application for events to be held at the Avila Beach Golf Course and Resort (ABR). The public hearing is required by Chapter 6.56 of County Code for consideration of the license application by your Board.

On November 26, 2019, the ACTTC received a request from the applicant to continue the public hearing for approximately 90 days in order to address comments the County received from the California Coastal Commission, specifically, concerns related to 1) the applicability of the Commission's original jurisdiction for this license; 2) how the permit is being processed under the County's Local Coastal Plan; and 3) whether a coastal development permit is required. Should your Board grant this continuance, a new hearing date will be scheduled for March 24, 2020.

There have been concerts at the site for years. Suddenly the Coastal Commission has decided to take an interest. It is not known what exact complications may arise, but it's certainly trouble ahead.



Item 33 - Hearing to consider 1) submittal of a resolution adopting the Paso Robles Subbasin Groundwater Sustainability Plan (GSP) (Clerk's Filed) for the Salinas Valley – Paso Robles Area Subbasin (“Paso Basin”), approving Amendment No. 1 to the Memorandum of Agreement regarding preparation of a GSP for the Paso Basin, authorizing the Director of Public Works to serve as Plan Manager and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA); and 2) direct staff to conduct a staffing analysis and return to the Board with recommendations for GSP implementation. The Board approved the plan unanimously.

Background:

The Groundwater Sustainability Plan (GSP) is required by the State Groundwater Management Act of 2014 (SGMA). It must demonstrate to the State Department of Water Resources how the County, several water districts, and the City of Paso Robles will cooperatively bring the basin into balance by 2040. The deadline for submitting the Plan is January 31, 2020. Reportedly there is agreement between the staffs of various participating agencies on the content, implementation management financing, and schedule.

The link to the draft is:

<https://www.slocounty.ca.gov/getattachment/4e2e5996-0476-47a1-917f-666990de59c6/Paso-Draft-GSP-Volume-2-Ch-7-12.aspx>

When it opens, scroll down to Table of Contents Page iii and click on Chapter 9. It will open and contains the key Plan actions.

The fundamental problem to be solved is that more water is being pumped out of the basin than is flowing in from various sources. The two tables below summarize the gap. This means that the key action in the GSP is to require reduced pumping of 13,400 acre-feet per year, or about 18%. Unless the vineyards can reduce their pumping through best practices and technology, reductions could be imposed. The key required action would then be following some portion of their production.

Table 6-3. Estimated Historical (1981-2011) Annual Groundwater Inflows to Subbasin

Groundwater Inflow Component ¹	Average	Minimum	Maximum
Streamflow Percolation	26,900	2,000	126,000
Agricultural Irrigation Return Flow	17,800	10,700	29,100
Deep Percolation of Direct Precipitation	12,000	300	45,400
Subsurface Inflow into Subbasin	10,100	4,900	14,300
Wastewater Pond Percolation	3,400	2,400	4,400
Urban Irrigation Return Flow	1,200	300	2,200
Total	71,400		

Note: All values in AF

Table 6-4. Estimated Historical (1981-2011) Annual Groundwater Outflow from Subbasin

Groundwater Outflow Component	Average	Minimum	Maximum
Total Groundwater Pumping	72,400	48,200	102,900
Groundwater Discharge to Streams and Rivers from Alluvial Aquifer	7,300	4,300	11,800
Subsurface Flow Out of Subbasin	2,600	2,300	3,000
Riparian Evapotranspiration	1,700	1,700	1,700
Total	84,000		

Note: All values in AF

The Plan calls for ameliorating some portion of this potential reduction through a variety of projects including:

1. Groundwater recharge enhancement – spreading basins, slowing the flow in rivers and streams so that more water percolates into the ground, and so forth.
2. Use of tertiary treated sewer water from the City of Paso Robles.
3. Use of Nacimiento Project water.
4. Use of State Project water.

The acquisition of the water and the design and construction of the works for pumping and distributing it will cost tens of millions of dollars, which will have to be assessed and paid for by the users.

Potential Friction Was Muted: During a periodic SGMA update several months ago, the Paso Basin Wine Alliance and a representative of the El Pomar Water District asserted that the Paso Basin GSP ignored agricultural interests. Simultaneously, the State Board of Food and Agriculture (which has no role in water management) sent a letter to the County repeating the same charges. Additionally, the SLO New Times ran a multi-column article amplifying the assertions.

During the Board meeting of that week, Supervisor Gibson, echoed by Supervisor Hill, stated that the GSP was inadequate. His remarks suggested that it was not precise enough and did not provide real solutions. He promised to detail his concerns when the GSP was up for final approval. During this meeting, Gibson expressed reservations but ended up voting for the plan. He opined that the State probably would not approve it. Since he is pals with the State Resources Secretary, who knows what backdooring will take place on this one?

Fifth District Supervisorial candidate Ellen Beraud has made the same charges in various forums and on her campaign website. She has not provided any specifics. In part the site states:

North County's groundwater management is in crisis. With no plan or meaningful oversight in place, water levels continue to drop and threaten the health of the aquifer. Instead of approving a thoroughly researched management plan in 2013, the incumbent led the Board of Supervisors to approve the use of millions of General Fund taxpayer dollars to subsidize the water needs of a few politically well-connected land owners. As our North County groundwater basins continue to decline, we can't afford another term of inaction. We desperately need a transparent groundwater management plan that fairly and sustainably protects our county's most precious resource. By implementing carefully considered, reasonable, and equitable water policy, we can both promote economic growth, and preserve our water supply for generations to come.

Item 36 - Hearing to consider adoption of the attached ordinance amending Title 13 to provide for an annual index adjustment in the Road Improvement Fee Programs and exempting affordable housing units from road improvement fees. (Also see Item 19 above, which is related). The Board approved the new fee system unanimously.

Road fees are levied on new construction and building additions in various parts of the unincorporated county per the map below. The amendments would provide for annual increases based on a formula and would exempt very low income housing developments from having to pay the fees. The fees are accumulated over the years and then used to help pay for road and related improvements in the area where fees were levied.

13.01.055 – Fee adjustments by the County

(a) The road improvement fee shall be automatically adjusted each year following the first year after the effective date of this Section. The adjustment shall be calculated by the Public Works Department, based on the increase or decrease in the Engineering News Record Construction

Cost Index for the 20-city average for the three (3) year period ending June 30 of the preceding calendar year.

(b) In addition, adjustments to the road improvement fee may be approved by the Board of Supervisors to reflect more accurate cost estimates of providing the specified public improvements based upon a more detailed analysis or design of the previously identified public improvements.

(c) Fee adjustments shall take effect as of March 1st of each year after adjustments have been approved, after the effective date of this section. Adjusted fee amounts will be posted to the public within a reasonable time of their effective date.

13.01.056 – Exemptions

Affordable housing units meeting the definition of extremely low-income, very low-income, and lower-income, as set forth in Land Use Ordinance Section 22.12.070 and Coastal Zone Land Use Ordinance Section 23.04.094.

The fees will be based on the report from the Southern California Engineering News Record. A sample is presented in the table below:

ENR - Construction Cost Index (20-city avg)		
YEAR	INDEX	% CHANGE
2012	9291	-
2013	9542	2.70%
2014	9800	2.70%
2015	10039	2.44%
2016	10337	2.97%
2017	10703	3.54%
2018	11069	3.42%

The new fee increases will be applied to the existing rates (which are detailed in this item for easy public and Board access) on page 18 below.

The main disadvantage for the public is that these fees will now be on automatic pilot. It is not clear if they will have to be adopted each year by the Board on the public agenda. If not, the Board escapes any public scrutiny, and the formula will drive the rates inexorably upward as construction cost increases are driven upward by bans on quarries, bans on oil (the key component in asphalt), transportation cost increases due to SB-1, and all the prior gas and diesel taxes.

COLAB objected to the automatic pilot provision last week, and there is some chance that the Board may consider adding a provision to have an annual review of the rates as they change. If they don't, no one will have any idea what is going on or when and where they should complain. Apparently, fees for subdivisions have been on this system for some time and were increased on May 3, 2019.

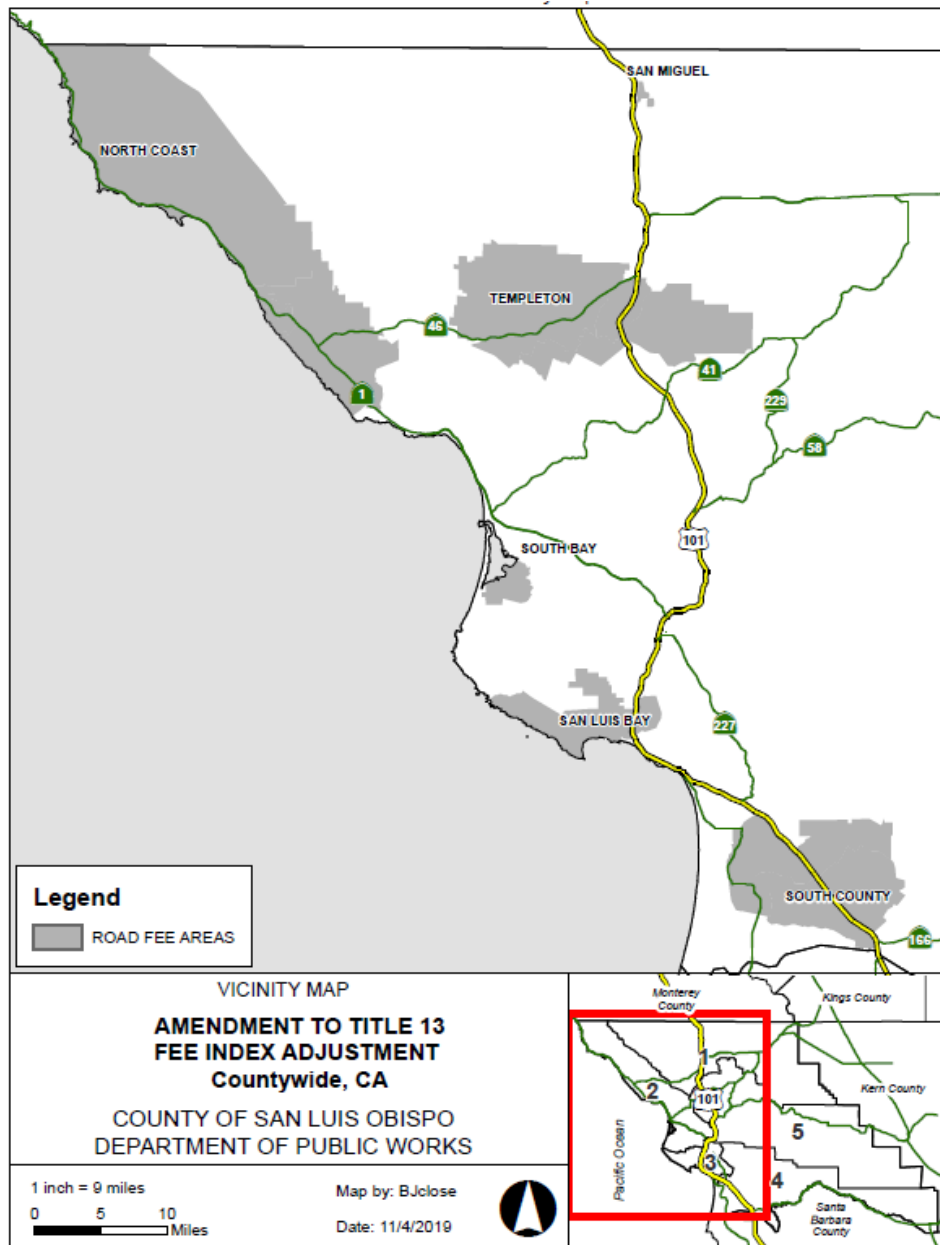
The Board should have rejected this item and should send it back to the drawing board. Moreover, we have constantly advocated for shifting more of our local tax dollars over to roads

and other capital investment. Instead, the current budget reduced the amount of local tax dollars and supplanted them with SB-1 tax increase dollars.

Enough is enough. The Board should have rejected this item and should adopt strong capital investment policies and pay for them as a priority, instead of using tax increases disguised as fees.

Just what is the County’s overall strategic revenue plan for the next 5 years – that is, what is the Board doing to grow revenue naturally from the economy? Oh right, let a nuclear plant that generates \$22 million in taxes and \$1 billion in economic activity close and turn the site into a tax eating natural preserve.

ROAD IMPROVEMENT FEE SCHEDULE					
Last BOS adjustment 12/12/2017					
cost per peak hour trip					
AVILA VALLEY					
Residential					\$3,846
Residential Secondary Unit					\$2,564
Retail					\$3,846
Other					\$3,846
NORTH COAST					
	A	B	C	D	E
Residential	\$527	\$992	\$1,267	\$586	\$282
Residential Secondary Unit	\$351	\$661	\$845	\$391	\$188
Retail	\$262	\$262	\$262	\$262	\$262
Other	\$403	\$403	\$403	\$403	\$403
LOS OSOS					
Residential					\$4,106
Residential Secondary Unit					\$2,737
Retail					\$2,023
Other					\$3,112
SAN MIGUEL					
Residential					\$6,148
Residential Secondary Unit					\$4,099
Retail					\$6,148
Other					\$6,148
SOUTH COUNTY					
	Area 1		Area 2		
Residential	\$12,011		\$10,048		
Residential Secondary Unit	\$8,007		\$6,699		
Retail	\$3,336		\$4,539		
Other	\$5,133		\$6,983		
TEMPLETON					
	Area A		Area B		Area C
Residential	\$8,462		\$8,462		\$8,462
Residential Secondary Unit	\$5,641		\$5,641		\$5,641
Retail	\$8,462		\$8,462		\$8,462
Other	\$8,462		\$8,462		\$8,462
STATE ROUTE 227 CORRIDOR TRAFFIC MITIGATION PROGRAM					
Requires entering into agreement with the Department. Fee determined on a case-by-case basis as determined by the applicant's civil engineer and approved by the Department of Public Works.					
FEES BASED ON SUBDIVISION AGREEMENTS					
Tract 1063	\$5,216	1	Tract 2629	\$4,421	1
Tract 1094	\$5,216	1	CO 00-086	\$7,733	1
Tract 1660	\$9,506	1	CO 00-236	\$7,908	1
Tract 1724	\$7,292	1	Tract 2637	\$5,431	1.3
Tract 1910	\$2,926		Tract 2637	\$3,249	1.4
Tract 1933	\$4,889	1,2	Tract 2647	\$5,431	1
Tract 1990	\$3,212		Tract 2779	\$3,831	1
Tract 2162	\$7,414	1	Naci Adel	\$2,876	1
Notes:					
1. Subject to annual adjustment based on Caltrans Construction Cost Index (Second Quarter numbers), last updated 5/3/2019					
2. Must also pay South County Area 2 RIF					
3. Roads					
4. Drainage					



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

CALIFORNIA NEEDS TO TREAT HOMELESSNESS LIKE THE DISASTER IT IS. LET'S PROVIDE HOUSING FIRST

BY JOEL JOHN ROBERTS

For the past 23 years, I have led a statewide homeless services and housing development agency. In Los Angeles, I have interacted with four mayors, three cycles of county supervisors, and dozens of city council members.

During this period, the approach to the growing issue of homelessness has been predictable. Political efforts and resources to sufficiently fund services or build housing were always limited.

Granted, leaders tried to slow down this human epidemic.

They proposed and passed housing bonds, 10-year plans, various initiatives and homeless counts. They created task forces, appointed homeless leaders and created the Los Angeles homeless services authority, a joint county and city agency.

Ten years ago, a strategy that shifted funds toward moving people into permanent housing and then linking them with services became popular. It is called housing first, and it became the establishment's favorite approach to solving homelessness.

This year, with tents flooding our streets like a natural disaster hit, and with hundreds of millions of taxpayer dollars spent, the public is beginning to question the establishment's approach to solving homelessness.

A recent [Los Angeles Times](#)'s survey found that 66% of respondents believed Los Angeles officials ineffectively spent hundreds of millions of taxpayer dollars.

To no surprise, the public is getting restless. My agency has been contacted by numerous community leaders—business and faith—asking how we can shake up traditional approaches to addressing homelessness.

The end of 2019 could very well be a precursor for things to come.

Recently, Peter Lynn, the [head of law Homeless services authority resigned](#). He is one of the smartest leaders in this field, and oversaw record numbers of people being housed. But his five-year tenor was difficult in the current political environment.

On the federal level, the head of the US Interagency council on homelessness, Matthew Doherty, was recently [fired by the trump administration](#). He was another cutting-edge leader who advocated for housing first.

Already there is talk of breaking the Los Angeles homeless services authority into regional agencies, or turning it into a joint powers authority like the metropolitan transportation authority. And trump appointed a controversial new interagency council on homelessness leader, [Robert Marbut](#), who believes housing is the fourth priority, not the first.

Now, the Supreme Court is considering blowing up local ordinances that allow people to live on the streets, if there is not enough shelter.

Some might say it's time to shake up the establishment's approach to homelessness. Some shaking up in California might be good, as long as it's not an earthquake.

We certainly need to respond to homelessness like it is a natural disaster. That means not building a limited number of permanent buildings for shelters, but setting up enough temporary structures immediately, perhaps on county and city property, to get people off the streets now. If thousands of people became homeless because of an earthquake, it wouldn't take officials long to set up temporary shelter.

Shaking up how we build permanent homes should also be in the mix.

A half a million-dollar studio apartment for one homeless person feels like a design-by-committee solution.

Let's ignore established ways of building, and re-look at land acquisition. Public land should be donated, not sold to nonprofit developers. And there must be different forms of construction material, more cookie-cutter designs, and designs for shared-tenant housing.

Shaking up also means looking at who is homeless, and why our society is allowing them to become homeless.

There is a disproportionate percentage of people of color who are homeless. African Americans consist of more than 40% of the homeless population, yet only represent 13% of the general population. Shaking up means looking at homelessness as an equity issue, as well.

So did the establishment fail in dealing with homelessness? Yes and no.

Yes, the establishment never invested enough resources into services and housing the last two decades. But the failure is also not in the housing first approach—because the answer to homelessness is simple. People without homes need a home.

Joel John Roberts is chief executive officer of [path and path ventures](#), statewide homeless services and housing development agencies, joelr@epath.org. He wrote this commentary for Calmatters.

THE MANGER VS THE MONSTER – HOUSING CALIFORNIA’S HOMELESS

BY EDWARD RING

And she brought forth her firstborn son, and wrapped him in swaddling clothes, and laid him in a manger; because there was no room for them in the inn.” – [Luke 2:7](#)

Advocates for the homeless frequently invoke biblical passages in order to appeal to the Christian compassion that still guides the hearts of most Americans, whether they are religious or secular. “No room at the inn,” is a phrase the American Left relies upon to justify everything from open borders and immigration amnesty to affordable housing and homeless shelters.

But what sort of inn? An inexpensive manger that is warm, dry, and safe? Or an overbuilt monstrosity? Both options are warm, dry, and safe, but the monster is so grossly expensive that only a few find shelter.

California’s policies currently favor these overbuilt monstrosities, with the biggest losers the homeless. The average cost for “permanent supportive housing” in California is now easily in excess of a half million per unit.

A recent audit in the City of Los Angeles estimated the average cost at \$550,000 per unit. According to a program overview released by the Santa Clara County’s Office of Supportive Housing, their average cost is in excess of \$500,000 per unit. In San Francisco, according to a report released by the Bay Area Council Economic Institute, over \$700,000 per unit. Across the Bay in Alameda County, a 2018 report released by the City of Oakland discloses average costs of over \$600,000 per unit. On Federal property in Los Angeles County, remodeling an existing building to provide permanent supportive housing is estimated to cost over 900,000 per unit. But the champion of all monstrosities is

in Venice Beach, California, where developers propose to construct housing for the homeless at a cost of approximately \$1.4 million per unit.

Dubbed by its opponents as “The Monster on the Median,” this building is set to occupy three acres of city owned property located in the heart of Venice Beach. The land is currently used for public beach parking, as well as periodically hosting farmer’s markets and craft fairs. If these three acres were zoned for mixed use commercial development, they would sell for around \$100 million. Any rational policymaker would either leave this property alone, allowing it to remain one of the last scraps of publicly accessible open spaces in Venice Beach, or sell it to a commercial developer.

Instead what is being proposed is a 140 unit “community project,” a concrete blockhouse with a three acre footprint that will rise over the residential neighborhoods of Venice Beach like the fortress of an occupying army, which is not an entirely inaccurate metaphor. At an estimated construction cost of around \$700,000 per unit, and including the value of the land, the total project cost of this monstrosity will exceed \$200 million. This is an astonishing, criminal waste of public money. To house every one of the City of Los Angeles’s estimated 60,000 homeless in structures like this monster would cost taxpayers around \$100 billion. That will never happen. What’s going on?

It doesn’t require a cynic to recognize that something’s rotten: The incentive to build monsters instead of mangers is because with these monsters, project developers and financiers have a larger monetary denominator to work with. *Much* larger. That’s more budget to accommodate overhead, fat consultancy contracts, huge payoffs to litigators, hefty payments to the public sector for permits and fees, lucrative deals with subcontractors, and the promise of endless additional work since at this rate, and at this cost, the problem will never get solved. But how is this ever justified morally?

Here’s where one of the more insidious manifestations of socialist ideology comes into play. Like all socialist principles, it reeks with compassion but is utterly impractical if not nihilistic in the real world. Building homeless housing and low income housing on some of the most expensive real estate on earth is to fulfill the ideals of “inclusionary zoning.” Relying on “scientific studies” that defy common sense, the role of inclusionary zoning is to “encourage the development of affordable housing in low poverty neighborhoods, thereby helping foster greater social and economic mobility and integration.”

“Greater social and economic mobility and integration.”

In practice, this means if you work hard your entire life to live in a neighborhood where your children can go to decent schools and feel safe walking the streets, if you skip vacations and take on a 2nd job to pay off an astronomical mortgage, it does not matter. If you lose the inclusionary zoning lottery, prepare to have an apartment house dumped onto the lot where your neighbor’s single family home

just got demolished. Then, while investors pad their profits with property tax exemptions for creating “inclusionary” housing, prepare to have this property occupied by tenants who pay little or no rent out of their own earnings – if they work at all – because *your* taxes will be paying their rent for them. Prepare for them to openly consume drugs and watch your belongings since petty theft and heroin use is now decriminalized in California.

That is what happened to Venice Beach. And it’s coming to your neighborhood.

There is nothing compassionate about this. In the real world, people congregate in low income neighborhoods because they have low incomes. This is where developers build, at no cost to taxpayers, de facto low income, market housing. This is where charities build and operate shelters, because they are affordable. And when people are fortunate enough to be able to afford to move from low income neighborhoods to middle income neighborhoods or beyond, they expect to be rewarded for their efforts, not have to wonder if the Homeless Industrial Complex will destroy their new neighborhood.

The obligations of compassion don’t end when the Homeless Industrial Complex is finally forced to build inexpensive mangers instead of overwrought monsters. What if baby Jesus was born in a barn filled with addicts injecting heroin and smoking methamphetamine? What if the three wise men didn’t have to bring gifts, because gangs of thieves had set up lucrative criminal enterprises to pay for their drugs, and instead of the hospitality of the innkeeper providing food, King Herod dispensed free government meals?

Compassionate Christians who reelect these corrupt politicians should imagine that scene defining their next Christmas pageant. And while this all sounds horribly cruel during the holiday season of giving, true cruelty is to accept the solutions currently being pursued. They are wasting billions while suffering only increases.

These are the tragic consequences of a perfect storm of flawed legislation and court rulings. In California, the practical effect of Prop. 47, sold to voters in 2014 as criminal justice reform, has been to decriminalize possession of hard drugs and petty theft. At the same time, court rulings such as *Jones vs. City of Los Angeles* prohibit law enforcement from relocating or detaining anyone camping in a public space unless they can offer them “permanent supportive housing.” The final straw is the “housing first” regulations originating at HUD during the Obama administration that require virtually all federal grant money get spent on housing, rather than also on parallel treatment for substance abuse and mental health.

Tolerate vagrancy, drug use and petty crime. Permit an alliance of developers, service nonprofits, and government bureaucrats to hijack and waste every dollar taken from taxpayers to help the homeless, abetted by useful idiots who believe this impossible, toxic intersection of futile, corrupt strategies somehow constitutes “compassion.” The result? Billions have been spent, additional billions will be spent, and the population of homeless in California, already numbering over 130,000, will only get bigger and more unmanageable.

This is the fraud presided over by supposedly compassionate politicians such as California governor Gavin Newsom and Los Angeles Mayor Eric Garcetti. Hiding behind supposedly compassionate principles such as “inclusionary zoning” they are spending billions of dollars to construct monstrous housing boondoggles where homeless people will be given “permanent supportive housing” in order to “integrate with the community.” At the same time, California’s unsheltered homeless, the majority of whom are either mentally ill, substance abusers, criminal predators, or all three, shall be subject to minimal expectations.

Perhaps it’s time for the Homeless Industrial Complex bureaucrats to construct one of these housing monsters on the park property immediately adjacent to Gavin Newsom’s gubernatorial mansion. Isn’t that sort of “integration” the logical endpoint of “inclusionary zoning?” Perhaps these monstrosities should follow Gavin Newsom, and every other wealthy liberal who pushes these scams – and they are scams, designed to enrich the Homeless Industrial Complex, not to help the less fortunate – to the streets where they live and the schools where their children learn.

Instead of into the neighborhoods of hard working families, let California’s completely unaccountable homeless come en masse to the exclusive, “low poverty” enclaves of the liberal elites who engineered this crisis. Let them come, with all the lawless behaviors that California’s liberal laws enable. Let them urinate in your hedges, defecate on your lawn, shoot heroin and smoke methamphetamine in plain sight, beg, bellow, fight, rape, mug, murder, and, of course, steal everything that isn’t nailed down or under armed guard.

This is *exactly* what happened to Venice Beach. Fact. Where’s the difference?

And yes, we know, some of the homeless just need a helping hand. So how does it help the virtuous homeless when we fail to police the predators among them?

Isn’t it funny how politicians like Gavin Newsom are willing to impoverish the taxpayers with tens of billions in housing bonds that have not even begun to solve the problem, and leave unchallenged laws and court rulings that turn their state into a magnet for lunatics, addicts, predators, perverts and bums,

and destroy neighborhoods across the state with “inclusionary zoning,” but make sure to leave their own streets and schools untouched by this growing nightmare.

Nothing about California’s homeless policies today qualifies as genuine compassion, because compassion has to be rational. Compassion has to have a winning strategy, not become an endless, losing war. California’s housing for the homeless policy is corruption masquerading as compassion.

If Gavin Newsom, Eric Garcetti and all the rest of them cared about the homeless, they’d build the modern day equivalent of mangers, warm, dry and safe, located in more affordable neighborhoods. They’d defy HUD’s preposterous “Housing First” mandate, rallying compassionate reformers in every Continuum of Care agency in the U.S. to back them up. They would use the money they saved to actually help the homeless in every way – managing their mental illness, treating their addictions, training them for jobs. That would be compassion worth its name, and worthy of the season.

* * *

Edward Ring is a co-founder of the California Policy Center and served as its first president. This article originally appeared in the California Globe.

SAN FRANCISCO, HOSTAGE TO THE HOMELESS

Failure to enforce basic standards of public behavior has made one of America’s great cities increasingly unlivable.

BY HEATHER MAC DONALD

Everyone’s on drugs here . . . and stealing,” an ex-felon named Shaku explains as he rips open a blue Popsicle wrapper with his teeth. Shaku is standing in an encampment of tents, trash, and bicycles, across from San Francisco’s Glide Memorial Church. Another encampment-dweller lights a green crack pipe and passes it around. A few paces down the street, a gaunt man swipes a credit card through a series of parking meters to see if it has been reported stolen yet.

For the last three decades, San Francisco has conducted a real-life experiment in what happens when a society stops enforcing bourgeois norms of behavior. The city has done so in the name of compassion toward the homeless. The results have been the opposite: street squalor and misery have increased, even as government expenditures have ballooned. Yet the principles that have guided the city’s homelessness policy remain inviolate: homelessness is a housing problem; it is

involuntary; and its persistence is the result of inadequate public spending. These propositions are readily disproved by talking to people living on the streets.

Shaku's assessment of drug use among the homeless is widely shared. Asked if she does drugs, a formerly homeless woman, just placed in a city-subsidized single-room-occupancy (SRO) hotel, responds incredulously: "Is that a trick question?" A 33-year-old woman from Alabama, who now lives in a tent in an industrial area outside downtown, says: "Everyone out here has done something—drugs, you name it." On Sutter Avenue, a wizened 50-year-old named Jeff slumps over his coffee cup at 7:30 AM, one hand holding a sweet roll, the other playing with his beard. A half-eaten muffin sits next to him on a filthy blanket. "I use drugs, alcohol, all of it," he tells me, his eyes closed, as a pair of smiling German tourists deposit a peach on his blanket. Last night it was speed, he says, which has left him just a "little bit high" this morning. "The whole Tenderloin is for drugs," Jeff observes, before nodding off again.

An inadequate supply of affordable housing is not the first thing that comes to mind when conversing with San Francisco's street denizens. Their behavioral problems—above all, addiction and mental illness—are too obvious. Forty-two percent of respondents in the city's 2019 street poll of the homeless reported chronic drug or alcohol use; the actual percentage is likely higher. The city relentlessly sends the message that drug use is not only acceptable but fully expected. Users dig for veins in plain view on the sidewalk; health authorities distribute more than 4.5 million syringes a year, along with Vitamin C to dissolve heroin and crack, alcohol swabs, and instructions on how to best tie one's arm for a "hit." Needle disposal boxes have been erected outside the city's public toilets, signaling to children that drug use is a normal part of adult life. Only 60 percent of the city's free needles get returned; many of the rest litter the sidewalks and streets or are flushed down toilets.



The city dispenses free needles to addicts, who often dispose of them, still filled with heroin and blood, on the streets. (ERIC RISBERG/AP PHOTO)

Drug sellers are as shameless as drug users. Hondurans have dominated the drug trade in the Tenderloin and around Civic Center Plaza and Union Square since the 1990s. They congregate up to a dozen a corner, openly counting and recounting large wads of cash, completing transactions with no attempt at concealment. Most of the dealers are illegal aliens. One might think that city leaders would be only too happy to hand them off to federal immigration authorities, but the political imperative to safeguard illegal aliens against deportation takes precedence over public order. Local law enforcement greets any announced federal crackdown on criminal aliens with alarm.

Curious to test the Hondurans' threshold of suspicion, I made repeated inquiries along Hyde Street about the going rate for a dose of fentanyl, the city's up-and-coming drug of choice. To get a quote, I would have to show the money, I was told. I offered \$8, not wanting to overpay, and was directed down the block. At the corner of Hyde and Golden Gate, steps away from the UC Hastings law school, I struck a deal at \$16. The seller took the cash halfway up the block and exchanged it with a skinny, bare-chested man covered with tattoos, who handed him a small Ziploc bag containing a crumbly white pellet. "Hey, baby, remember me!" my seller crooned as he handed me the packet.

Further down Hyde, a 36-year-old man in a plaid shirt, with sandy hair and blue eyes, sat on the sidewalk slouched against a car as he searched unsuccessfully for a vein in his right wrist. Switching to his left hand, he managed to draw blood into the syringe, marking a vein. I asked him to verify that I was indeed sold fentanyl. Was I a cop? He asked, accepting my response at face value. He would have to taste my purchase to confirm its authenticity, he said, honorably breaking off just a few grains rather than popping the whole pill in his mouth. (His forbearance was wise: at two grams, the pellet could have been lethal if ingested all at once, depending on its purity.) "Can I ask you how much you paid?" the addict asked groggily. "Motherfucker!" he burst out when told. "You'd ordinarily get much less than that for 20 fucking dollars. It's because you're new." The junkie, originally from Seattle, begged for my stash so he could sell it to his own customers or take it himself. "If I was sober, I wouldn't want you to give it to me," he said, "but my problem now is that I only have five fucking dollars and I want to go to Big 5 [a sporting-goods store] because someone stole my backpack."

The brazenness of the narcotics scene has worsened since the passage of Proposition 47, another milestone in the ongoing effort to decriminalize attacks on civilized order. The 2014 state ballot initiative downgraded a host of drug and property crimes from felonies to misdemeanors. (See "[The Decriminalization Delusion](#)," Autumn 2015.) Local prosecutors and judges, already disinclined to penalize the drug trade so as to avoid contributing to "mass incarceration," are even less willing to initiate a case or see it through when it is presented as a misdemeanor rather than a felony. San Francisco officers complain that drug dealers are getting neither jail time nor probation. Drug courts have closed in some California cities, reports the *Washington Post*, because police have lost the threat of prison time to induce addicted sellers like the Seattle man into treatment. The number of clients in San Francisco drug court dropped from 296 in 2014 to 185 in 2018, a decline of over 37 percent.

Mental illness is the other obvious condition afflicting the homeless that makes the question of affordable housing secondary. Thirty-nine percent of the homeless polled in the 2019 street

survey said that they suffered from psychiatric conditions; the actual percentage is probably higher. Outside the Red Coach Motor Hotel on Eddy Street, a small, dusty man in a white T-shirt is waving his arms in the middle of the street, his pants hanging down, and smartphone in hand. He yells at passersby: “I’m too fucking polite, fuck you, you take my kindness for weakness. I don’t know why you’re laughing at me. I don’t feel that way about women, but I’m the bitch!” After lunging toward me, he wheels around and continues up Polk Street, screaming and gesticulating. Two male tourists from Greece, who landed in San Francisco just hours before, observe: “We don’t have so many problems in Greece.”

Mental illness is not always so overt. A man in a Stanford University sweatshirt is lying on a grimy apricot-colored blanket on Van Ness Avenue, eyes closed, mechanically putting pieces of muffin into his mouth. Realizing that he is being observed, he sits up, centers his sunglasses on his head, and reaches for a pack of Pall Malls. Timothy, 47, says he served time in a Texas hospital for the criminally insane, following a domestic violence incident. He has been banned for life from banking with Wells Fargo after getting into a “disagreement” with a teller; Bank of America is also off limits, after he got into a “disagreement” with a manager who insulted him in Hebrew, he says. He is barred from a local shelter for getting into yet another “disagreement,” this one with someone who stole his diver’s watch. He is on probation for attacking a health worker in the San Francisco Veterans Administration hospital. He was recently in jail for brandishing a loaded BB gun in a Red Lobster restaurant. At present, however, he is affable and well-spoken. Asked why he doesn’t move to a cheaper housing market, where his \$1,100 monthly VA benefits and eligibility for a large VA home loan would go far, he responds: “Because I love this place! San Francisco is an international, tolerant, peace-loving community that is often imitated but never duplicated.” He appreciates the leeway given him for his lifestyle. “If I lay down like this in Fremont?” he asks rhetorically, referring to a city across the East Bay. It is questionable whether Timothy’s presence on the streets is conducive to public safety.

When the mentally ill abuse drugs, their risk of violence increases. But assault seems to have been normalized in San Francisco, at least when committed by the homeless. Wallace Lee is part of a neighborhood coalition trying to stop the placement of a shelter on the Embarcadero, the city’s tourist-friendly waterfront. “Anyone who has lived in San Francisco for five years has either been attacked by a homeless person or has a friend who has been attacked,” he says. Members of his protest group have stopped mentioning such assaults in public hearings, however, since doing so brings on accusations that they are “criminalizing homelessness.”

In October 2015, three gutter punks—youth who roam up and down the West Coast colonizing the sidewalks and panhandling—robbed and shot to death a 23-year-old Canadian woman in Golden Gate Park and killed a 67-year-old man a few days later after stealing his car. They were high on meth. The incident appears to have produced no perturbations in San Francisco’s thinking or policy. In August 2019, a 25-year-old homeless addict viciously attacked a woman entering her Embarcadero apartment, after demanding that she let him inside so that he could kill the “robot”—a female concierge—at the reception desk. The presiding judge initially refused repeated requests to hold the suspect in pretrial detention. The San Francisco supervisors may be unwilling to back policies that would help prevent such violence, but they *have* found time to ban city agencies from stigmatizing the perpetrators of such violence by using words like “felon”

or “offender.” Under language guidelines passed in August 2019, criminals and ex-cons will henceforth be known as “justice-involved” persons or “returning residents.”

The elderly poor, in particular, suffer from the city’s surrender to street lawlessness. Crescent Manor is a beautifully restored Beaux-Arts SRO for seniors and the mentally disabled; murals of bathing beauties, flying ducks, and fish grace its lobby. The residence lies across from the headquarters of the Coalition on Homelessness, San Francisco’s most fearsome advocacy group. Say this for the Coalition: it lives by its principles. Outside its red door is a rancid encampment of umbrellas, lawn chairs, tarps, and backpacks. An obese woman sits on an overturned bucket, her bare buttocks hanging over the side; other women lean against the building’s wall, nodding off; a man walks by with his pants falling off. Someone spits on the sidewalk. The Crescent Manor day clerk gestures toward the throng. “See these dudes out here shooting up without a care in world? Our elderly are scared to go out. They don’t know what kind of drugs these people are on. They don’t like people leaning up against our building. Our seniors pay rent. It doesn’t matter how much they pay—they pay rent.” But elderly tenants apparently have less clout than street vagrants in San Francisco. (In August 2019, the Coalition announced that it had lost its lease and would be moving a few blocks down Turk Street, where it will undoubtedly attract another encampment.)



San Francisco’s encampments generate up to six tons of trash daily. (ARIC CRABB/MEDIANEWS GROUP/BAY AREA NEWS/GETTY IMAGES)

The city enables the entire homeless lifestyle, not just drug use. Free food is everywhere. Outreach workers roam the city, handing out beef jerky, crackers, and other snacks. At the encampment across from Glide Memorial Church, a wiry man in a blue denim jacket announces that day’s lunch selection at the church’s feeding line, to general approbation: fried chicken. He triumphantly brandishes a half-eaten leg before tossing it into the street. Susan, a 57-year-old Canadian who lives in an encampment on Willow Alley, itemizes the available bounty while

rolling a cigarette: free dinners and movies; the microwave ovens at Whole Foods; free water at Starbucks. The homeless position themselves outside coffee shops in the morning for handouts of pastries and java. If those handouts don't materialize, there's always theft. A barista at the Bush and Van Ness Starbucks says that someone steals food and coffee at least every other day. "We are not allowed to do anything about it," she says. "The policy is we can't chase them."

The city's biannual homeless survey claims that "food insecurity" is a pressing problem, but the homeless don't act like food-deprived people. Uneaten comestibles litter the sidewalks and gutters. A typical deposit of detritus outside an office building on Turk and Market includes an unopened one-pound bag of California walnuts, a box of uneaten pastries, an empty brandy bottle, a huge black lace bra, a dirty yellow teddy bear, one high-heeled red suede boot, and a brown suede jacket. A dapper man named Ralph has appointed himself the unofficial cleaner of the block where Glide Memorial Church sits. He has never seen anyone throw something in the trash, rather than toss it on the ground. "They're not interested in doing anything for themselves," he says.

The homeless are also wired. Most vagrants have smartphones, which they use to barter goods. They use free Wi-Fi or steal passcodes. In the entrance to San Francisco's central library on Civic Center Plaza, a bent man with a bike repeatedly tries to plug his phone into an outlet while muttering incoherently. A sign announces that the outlet is not working. Two patrol guards politely try to direct him inside the library, but he wanders off, still muttering. "I offered to have him use an outlet inside; his time could have been better spent finding one that works," one of the guards sighs.

The combination of maximal tolerance for antisocial behavior, on the one hand, and free services and food, on the other, acts as a magnet. "San Francisco is the place to go if you live on the streets," observes Jeff, the 50-year-old wino and drug addict. "There are more resources—showers, yeah, and housing." A 31-year-old named Rose arrived in San Francisco from Martinez, northeast of the city, four years ago, trailing a long criminal record. She came for the benefits, including Vivitrol to dull the effect of opiates, she says woozily, standing outside a huge green tent and pink bike at Golden Gate and Hyde, surrounded by the Hondurans.

Suggesting that some of the homeless are making a choice is heresy in official circles. Longtime San Francisco pol Bevan Dufty, formerly director of the Mayor's Office of Housing Opportunities, Partnerships and Engagement, now president of the BART board of directors, says that it is "B.S." to call people service-resistant. "The lies that people tell are disgusting—'people don't want services,' 'they come here to be homeless.' These lies are to make you blame the victim."

Actually, it's the homeless themselves who suggest that their condition has a large voluntary component. Jeff has been offered housing by numerous outreach workers and could come off the streets if he wanted to, he says. A man standing outside the city's latest shelter prototype, known as a Navigation Center, says that he was offered housing four times but always turned it down. "I don't know if I didn't want to give up drugs, but I could've went in way before now." Vanessa, a heavily mascaraed trans woman, came from Denver a year ago at the invitation of a friend because "everyone comes here," she says. Though she has been attacked and her tents burned,

she still lives at the Willow Alley encampment rather than accepting housing. Her fellow camper Susan explains: “Teams come to talk to us, but they can only do so much.” Susan has been taken to a Navigation Center, but it felt like a jail, she says: “I’m claustrophobic.” In fact, the Navigation Centers are designed to be maximally accommodating. Residents can come and go as they please, order meals at any time of the day, and bring their pets, partners, and possessions (known in shelter parlance as the Three Ps).

A bike patrol officer in Union Square confirms the challenge of persuading people to get off the streets. Belying the advocates’ characterization of the police as oppressors, he approaches an encampment on Powell Street as a supplicant. “Good morning, ma’am. It’s 8:45 AM. Rise and shine! Y’all need any resources from me?” Doris, a short 51-year-old with greasy gray hair, a leather jacket, and white sneakers, asks in blurred syllables for a few more minutes to sleep, which the officer grants. “You try to help, but the majority of time, people refuse,” he says. As Doris stuffs dirty comforters, cell-phone chargers, and cookies into a stolen trash bin, she observes: “I’m going to be honest: some of us are so addicted, we are so into our addictions, that we end up being comfortable being homeless.” Doris estimates that she spends \$40 a day on crack, vodka, and other substances. She adds penitently: “But we need to start respecting our neighbors and stop littering.”

The advocates’ fallback position to their “service resistance is a lie” conceit is that services have to be “relevant to where people are,” which means that services should come with no rules or restrictions. It is not for the people destroying the social compact, however, to decide whether they will deign to accept the help that taxpayers are offering, when refusing that help destroys everyone else’s quality of life. Up and down the West Coast, Third World diseases associated with lack of sanitation—including typhoid, typhus, and hepatitis A—are breaking out in and around encampments. In 2018, San Francisco officials received more than 80 calls a day reporting human feces on sidewalks and thoroughfares. The city’s encampments generate up to six tons of trash daily, including needles still loaded with heroin and blood. The stench of the streets lingers in the nostrils for hours.

Elevating the alleged rights of the homeless over those of the working public has cost billions in government outlays, with nothing to show for it. Mayors have come and gone; agencies have been renamed, task forces convened, ten-year plans rolled out, and section chiefs, liaison officers, and operations-support teams added to existing bureaucracies and seeded into new ones, while the “unsheltered” count continues to rise—up 17 percent from 2017 to 2019 alone, to 8,011. San Francisco continues to puzzle over the reason. Is it lack of city-created affordable housing, as the advocates and politicians maintain? No other American city has built as much affordable housing per capita, according to the Bay Area Council Economic Institute. From 2004 to 2014, the city spent \$2 billion on nearly 3,000 new units of permanent supportive housing, which comes with drug counseling and social workers. More have been constructed since then, and thousands more are in the works, along with more shelter beds.

Is San Francisco not spending enough generally, as the advocates and politicians maintain? Its main homelessness agency—currently dubbed the Department of Homelessness and Supportive Housing and dedicated to an allegedly novel mission: “helping homeless residents permanently exit the streets”—commands a \$285 million budget. Add health services and sanitation, and you

get a \$380 million annual tab for homelessness, according to the city's budget analyst. That figure is wildly under the mark, leaving out criminal-justice costs, welfare payments, and repairing infrastructure deterioration, among other expenditures. But even assuming the conservative \$380 million, that works out to \$47,500 a year per homeless person.

So what have been the missing elements in this flood of spending? A commitment to a single standard of behavior for all and an insistence that rights carry with them reciprocal responsibilities. San Francisco's response to crimes against the public order has been fleeting, at best. The most sustained period of enforcement came under Mayor Frank Jordan, a former city police chief, in the early 1990s. (See "[San Francisco Gets Tough with the Homeless](#)," Autumn 1994.) An initiative called Matrix paired police officers with social workers to try to coax the homeless into shelter and housing; the police enforced 18 quality-of-life laws against such behaviors as aggressive panhandling, loitering, and public drug sales. Matrix initially targeted a large encampment in Civic Center Plaza, but the public response was so positive that the program spread citywide. Shelter- and service-resistance were already evident, however; only a small fraction of the homeless accepted shelter or remained housed.

San Francisco's progressive self-image soon trumped common sense, and in 1996, at the urging of the Coalition on Homelessness, voters turned Jordan out of city hall in favor of former state assembly speaker Willie Brown. Brown had run on a compassion platform, but he soon came to repudiate it, observing with amazement that many of the homeless didn't actually want to come off the streets. Since then, most enforcement initiatives have proved abortive. In 2010, voters passed an ordinance allowing police officers to cite people on their own recognizance for blocking sidewalks and streets. It has rarely been used. (See "[The Sidewalks of San Francisco](#)," Autumn 2010.)

In 2016, voters defied the Coalition on Homelessness again and approved Proposition Q, which allowed sanitation workers to clear encampments after a 24-hour notice and an offer of shelter. It, too, went largely unused until supervisor Mark Farrell, installed as an interim mayor in January 2018, vowed to start applying it. "You can offer services, you can offer shelter and housing to people and at a certain point, as a city we need to draw the line and say 'this is a service-resistant population, we need to take down those tent encampments because they are unhealthy for the entire city of San Francisco,'" he said in 2018. Farrell was succeeded as mayor by London Breed in July 2018, however, and the Prop. Q power returned to limbo status.

Yet evidence has been abundant that law enforcement restores civic order. Before the 2016 Super Bowl, then-mayor Ed Lee announced that the homeless were simply "going to have to leave. . . . We'll give you an alternative. We are always going to be supportive. But you are going to have to leave the streets." And for the relevant period, the streets downtown were markedly cleaner. In spring 2018, a viral video of flagrant drug use in the Powell Street subway station prompted the authorities to increase police patrols there. The monthly tally of needles picked up by BART cleaners in the station dropped from 1,519 in July 2018 to 166 in May 2019, according to the *San Francisco Chronicle*, and the drug scene there has abated. (Part of the drop in the needle count may be due to the increasing popularity of fentanyl, which can be smoked.) In April 2019, BART began posting more officers inside transit stations to deter the rampant farebeating that was costing taxpayers \$25 million to \$35 million annually and enabling a large

homeless population in the subway system. Ticket sales rose 10 percent, police calls fell 50 percent, and 30 percent more riders put value on their existing cards, belying the claim that beleaguered turnstile jumpers are simply too poor to pay. Areas of new development in San Francisco, like Mission Bay, home to several new hospitals, have not had a vagrancy problem because vagrancy has not been tolerated there.



Last year, San Francisco officials received more than 80 calls a day reporting human feces on sidewalks and thoroughfares. (JIM WILSON/THE NEW YORK TIMES/REDUX)

San Francisco is not going to solve its street squalor unless it commits to a foundational principle: street living is not allowed, period. Set up camp, conduct your bodily functions in public, litter, loiter, use and sell drugs—all these illegal behaviors will result in a law-enforcement response, if only just moving someone along. Establishing that principle focuses the mind, bringing urgency to the task of creating places where people can get the help they need. The chimerical goal of building more affordable housing in the city for the “unsheltered” population would have to be discarded; its primary usefulness was to guarantee that the homeless remain on the streets, serving as a fund-raising bonanza for the activists and as a tool of the political Left. A unit of affordable housing in San Francisco costs between \$600,000 and \$800,000, depending on the materials used; building housing for all 8,000 homeless individuals would cost up to \$6.4 billion, a third of the city’s budget. Permanent supportive housing for the entire homeless population would cost another \$200 million annually. Yet according to a 2018 study by the National Academy of Sciences, such service-rich housing decreases the time that recipients spend homeless by only one to two months a year.

No one has an entitlement to live in the most expensive real-estate market in the country, certainly not on the public dime. It is not even clear why any given city is morally obligated to provide housing to someone who starts living on its streets, even if that city’s culture of permissiveness led to the vagrant’s decision to camp there. But assuming such an obligation, the money that San Francisco spends trying to house the homeless locally could go much further outside its boundaries; the millions saved could go to mental health and addiction services. Clean-and-sober campuses, serving an entire region, could be built on abandoned or undeveloped

land in industrial zones and rural areas. California's cities and counties should pool resources for these facilities, since the vagrancy problem is fluid. The bare-bones campuses must be immaculately maintained, safe, and disciplined, so that residents learn habits of self-control. Everyone should work.

Even if it were possible to slash local housing costs—one developer has proposed factory-constructed, modular micro-units at a still-pricey \$240,000 a unit—keeping people who should be striving for sobriety in easy proximity to drugs is no recipe for rehabilitation. Shaku, the ex-con camping across from Glide Memorial Church, notes that “San Francisco offers a lot of resources. If you're serious, you can get help. But when you get out of prison, you're right in the middle of the drug markets.”

Residential neighborhoods should not have to accept the risk of shelters. People who have worked their way up the housing ladder have a right to expect stable neighbors. In San Francisco, however, openly opposing such facilities unleashes a torrent of abuse from the advocates and their political allies. At a hearing in April 2019, a member of the residents' group opposing a new Navigation Center on the Embarcadero said that he decided to speak at the hearing only after being called “a racist, a bigot, [and] class elitist” for not wanting to give up his backyard to the drug trade and untreated mental illness. The advocates' insistence on larding homeless housing through every part of a city, no matter the real-estate costs, is their revenge on the bourgeois values that they despise.

The homelessness industry loudly protests any abandonment of the local housing ideal. “San Francisco must invest fully in housing that keeps impoverished families in our city,” Jennifer Friedenbach, executive director of the Coalition on Homelessness, said in 2018, objecting to a program that subsidizes apartments for single mothers outside the city. Impoverished families are the “city's lifeblood,” according to Friedenbach. That is a disputable proposition. The advocates' fallback position is that moving people outside the place where they currently claim homelessness severs the ties that can get them back on their feet. There is no evidence supporting this proposition. (San Francisco also provides bus tickets to about 800 individuals a year to rejoin family or friends elsewhere, an initiative that should be expanded as much as possible.)

Providing the mentally ill with the “liberty” to decompose on the streets is cruelty, not compassion. Several California state legislators have introduced legislation to make involuntary treatment and commitment easier. Yet the draft law is estimated to cover a mere eight individuals in San Francisco, by requiring, over the previous year, eight previous emergency visits to a hospital, as well as the patient's refusal of voluntary outpatient services. Another proposed bill that dispenses with the voluntary-outpatient service requirement would cover only 35 individuals. The standard for getting the mentally ill into treatment must be rationally related to the need. More facilities for reinstitutionalization should be constructed; they, too, should be built where land is cheapest and taxpayer resources can provide the most care for the dollar.

The legal framework for responding to crime and vagrancy must also change. Proposition 47 should be amended or repealed to restore to police the ability to make arrests for most property crimes and for what used to be drug felonies. Reinstitutionalizing the severely mentally ill would free up jail space for ordinary criminals; at present, many of the untreated mentally ill end up in

county jails after committing crimes, where they fail to receive needed long-term assistance. The city's prosecutors and judges also must start taking low-level offenses seriously. Since 2016, judges in the San Francisco Superior Court have stopped issuing warrants when someone cited for a public-disorder misdemeanor skips a court date. Such enforcement, according to court personnel, criminalizes poverty. But the rule of law does not have an income threshold; its application should be universal. The enforcement or nonenforcement of norms sends important signals to individuals about what society expects of them.

The litigation onslaught from the homeless-industrial complex in every city with a significant street-anarchy problem is endless. But a 2018 ruling from the Ninth Circuit—comprising the Western states—was particularly crippling to order maintenance. The Ninth Circuit panel ruled that jurisdictions could not enforce anti-camping ordinances at night if they did not provide enough shelter beds for their entire street population. The panel drew on a pair of Supreme Court cases from the 1960s that held that government could not criminalize a status—such as the status of being a drug addict—without running afoul of the Constitution's Eighth Amendment ban on cruel and unusual punishment. Criminal statutes must instead target voluntary acts, such as using or selling narcotics, the Supreme Court ruled in those 1960s cases. The 2018 Ninth Circuit decision, *Boise v. Martin*, extended this reasoning to protect public encampments. (An earlier Ninth Circuit case, *Jones v. Los Angeles*, had reached the same result, but that decision lost its precedential value when the parties settled.) Being homeless was a status or involuntary condition over which a person has no control, the *Boise v. Martin* panel held. If the state cannot criminalize homelessness (because homelessness is an involuntary condition), the state also cannot criminalize the inevitable consequences of that condition. Sleeping in public is one of those inevitable (and uncriminalizable) consequences, since sleep is a biological necessity. Only if a municipality has available shelter capacity for everyone on the street may that municipality cite someone for occupying a public sidewalk or thoroughfare in the evening. The *Boise* ruling triggered an increase in encampments across the Ninth Circuit, as officers backed off of enforcement.

Boise v. Martin was a patent case of judicial activism in the pursuit of a favored policy agenda. The decision discounted facts that stood in the way of its desired conclusion. But the ruling's most serious problem was the declaration that homelessness is an involuntary condition that the sufferer has no capacity to control or change. Numerous personal decisions go into being homeless, such as not moving to a cheaper housing market, refusing offered services, or breaking ties with friends or family members who might be able to provide accommodation. The concept of agency is already under assault in the legal academy; should more courts pick up on this trend, much of the criminal law would have to be discarded. A dissenting Ninth Circuit judge in a subsequent appeal of the case noted that if cities cannot ban sleeping in public, because sleeping is an inevitable concomitant of being human, they also cannot ban defecating in public. The majority chose not to respond to this logical inference.

In July 2019, Theodore Olson, a Washington lawyer best known for his work on the 2000 electoral case of *Bush v. Gore*, announced that his firm, Gibson, Dunn & Crutcher LLP, was seeking Supreme Court review of *Boise v. Martin*. If the Court grants review, Olson should challenge not just the specific holding banning encampment ordinances but the constitutional jurisprudence underlying the decision as well. The Eighth Amendment speaks only of

punishment; it is a mistake to use it as a restriction on the substantive criminal law. Moreover, the conduct versus status distinction that grew out of that mistake is, in many instances, philosophically incoherent.

If San Francisco wanted to give its homeless addicts their best shot at stability, it would go after the open-air drug trade with every possible tool, including immigration law, however unlikely such a change of course is. The San Francisco Police Department should send information regarding drug-trafficking suspects to Immigration and Customs Enforcement agents, so that ICE can arrest illegal-alien dealers for deportation. Proving illegal status is easier than busting a drug-trafficking operation. Though California law bans state law-enforcement officials from honoring ICE requests to deliver illegal-alien convicts to ICE custody, the Los Angeles and Orange County Sheriff Departments have created workarounds that San Francisco should use. If advocates insist that the main driver of homelessness is insufficient housing, they should stop trying to increase the state's huge illegal-alien population—currently somewhere between 2.2 million and 2.6 million—which competes for housing and drives up costs. At a Board of Supervisor hearing in June 2019, single mothers organized by the Coalition on Homelessness demanded in Spanish that they be given federal Section 8 housing vouchers, rather than the shelter apartments they were currently occupying. Some of those single mothers were undoubtedly in the country illegally. Taxpayer subsidies should go to citizens, not individuals who are defying the rule of law.

The stories that the homeless tell about their lives reveal that something far more complex than a housing shortage is at work. The tales veer from one confused and improbable situation to the next, against a backdrop of drug use, petty crime, and chaotic child-rearing. Behind this chaos lies the dissolution of those traditional social structures that once gave individuals across the economic spectrum the ability to withstand setbacks and lead sober, self-disciplined lives: marriage, parents who know how to parent, and conventional life scripts that create purpose and meaning. There are few policy levers to change this crisis of meaning in American culture. What is certain is that the ongoing crusade to normalize drug use, along with the absence of any public encouragement of temperance, will further handicap this unmoored population.

The viability of cities should not be held hostage to solving social breakdown. Carving out a zone of immunity from the law and bourgeois norms for a perceived victim class destroys the quality of urban existence. As important, that immunity consigns its alleged beneficiaries to lives of self-abasement and marginality. Tolerating street vagrancy is a choice that cities make; for the public good, in San Francisco and elsewhere, that choice should be unmade.

Heather Mac Donald is a contributing editor of City Journal and Thomas W. Smith Fellow at the Manhattan Institute. Her articles have appeared in the Wall Street Journal, The New Republic, and the New York Times.

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