



**WEEKLY UPDATE
MAY 24 - 30, 2020**

THIS WEEK

**COVID LOCKDOWN REOPENING BEGINS
GOLDILOCKS SHAM: IS IT TOO HOT, TOO COLD, OR JUST RIGHT?
NO!
GOLDILOCKS HAS ALREADY BEEN EATEN BY THE BEARS**

NO BOARD OF SUPERVISORS MEETING

**APCD MEETING
SCIENTIFIC ADVISORY GROUP REPORT ON MITIGATION EFFORTS BUT
IT'S NOT IN THE PACKAGE – COULD CONTAIN NASTY SURPRISES**

PLANNING COMMISSION MEETING

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**DAN DOW'S OPEN LETTER TO THE FAITH
COMMUNITY REGARDING WORSHIP SERVICES
DURING REOPENING PLAN
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**THE UN-BUDGET PRESENTED
OMITS COVID LOCKDOWN REVENUE IMPACTS AND WILL REQUIRE
PIECEMEAL REDO – BOARD ANESTHETIZED BY PRESENTATION**

**3RD QUARTER FINANCIAL REPORT
MANY PROBLEMS PRIOR TO COVID-19 DEVASTATION**

**PENSION STUDY – RATES WILL HAVE TO RISE
BAD NEWS FOR NEXT YEAR'S BUDGET**

PARKS AND GOLF REVENUES TANK/BAIL OUT

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**TWO CALIFORNIAS: FULL GOVT. PAYCHECKS VS.
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Welcome to Gov. Newsom's tyrannical California government

BY KATY GRIMES

CAN WE SUE OUR WAY OUT OF QUARANTINE?

BY LARRY SALZMAN

**THE DELUSIONAL PREMISES OF ALEXANDRIA
OCASIO-CORTEZ**

AOC has become part of a rich, grasping, intergenerational gang of parasites who build their careers and their bureaucratic empires by spouting racist, quasi-Marxist trash to keep down the people they claim to care about.

BY EDWARD RING

THIS WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting on Tuesday, May 26, 2020 (Not Scheduled)

There will be no meeting on May 26th, as it is both a 4th Tuesday and the day after a national holiday. The next scheduled meeting is Tuesday June 2nd. The following week (June 8th) schedule contains several days devoted to review of the Proposed FY 2020-21 Budget.

You can read all 577 pages at:

[https://www.slocounty.ca.gov/getattachment/Departments/Administrative-Office/Administrative-and-Budget-Services/PageElements/Download-the-Budget/FY-2020-21-Recommended-Budget-Whole-book-Final-\(1\).pdf.aspx?lang=en-US](https://www.slocounty.ca.gov/getattachment/Departments/Administrative-Office/Administrative-and-Budget-Services/PageElements/Download-the-Budget/FY-2020-21-Recommended-Budget-Whole-book-Final-(1).pdf.aspx?lang=en-US)



GOLDILOCKS COVID-19 REOPENING

The State and the counties hope that they have got it just right. That is, society will start phased opening and the COVID infection rate will continue declining. This in turn will permit further reopening, and so on. This is the COVID-19 government Goldilocks approach to unwinding the total societal quarantine.

One problem is that the damage may already be so great that the government-created proverbial economic bears have already eaten Goldilocks and stuck us with a huge protracted recession or worse. Many businesses may not come back.

A second problem is that the plans do not allow a robust reopening. Instead they will just prolong the agony and drive the economy deeper into recession.

A third problem is that the virus might start to come back sooner or later. Many officials, including Governor Newsome, have opined that the society cannot open fully until there is a preventative vaccine, development of which could take many months, if ever.

A fourth problem is that resurgence of the virus will result in the reinstalling of the lockdown. Instead, the governments should plan geographic and vulnerability sector quarantines instead of shutting everything down. For example, about half of SLO County's infections took place in Paso Robles. The County data does not tell us where in Paso Robles. However, there is considerable on-the-ground experiential reporting that suggests that it was in the sector west of Highway 101 and railroad and north of 24th street. There is a high concentration of old and new apartment houses in this area, where the higher densities promoted the spread.

Why shut down Nipomo, SLO, and the coastal sections, which had relatively few cases?

In the meantime the County has subordinated itself to the State phasing schedule and rules. Officials fear that if they don't, the State will withdraw various forms of financial aid to the County and punish individual businesses which are not in compliance with fines and license revocations. The County Sheriff and District Attorney do not seem too keen on carrying out enforcement on behalf of the state.

At this point the County should develop expert data on the damage to various classes of business. For example, large big box stores have been allowed to stay open while smaller stores have been shut down. Liquor stores and pot shops could stay open but not florists, clothing boutiques, and cosmetic stores, even though the big stores could sell these products along with everything else. Here both the State and the County have picked and chosen in violation of the Constitutional equal protections. *All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws* - 14th Amendments.

The 4th Amendment is relevant as well:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws

Likewise the 5th Amendment pertains:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Certainly the State and County have violated all 3 clauses by imposing a blanket quarantine on the whole county on the basis of a virus infection which was concentrated in one small area and was only spotty or nil over most of the County's 3,500 sq. miles.

Similarly by picking and choosing among entities about which could remain open, they have violated the law and deprived many people of their rights.

Worse yet, by banning public assemblies and religious services, even where medically prescribed protective measures could be used, they violated the law and peoples' rights. See the related article on page 19 below, which describes some successful law suits that have taken place so far.

In these regards the County should obtain expert economic and legal assistance to develop a class of victims. A legal case should be prepared and the County should fund the lawsuit in the US District

Court for redress, compensation, and penalties against the Governor of California and the State Health Department. After all, they support every other type of boutique aggrieved hustler who comes along, from phony Native American tribes to self-inflicted homeless addicts.

How about supporting heretofore productive businesses and citizens?

SOME RESTAURANTS, IN-STORE SHOPPING, AND OTHER BUSINESSES CAN PARTIALLY OPEN BUT THERE ARE REQUIREMENTS AND REPORTING FORMS

San Luis Obispo County is officially the [29th California county to meet the State's criteria](#) to move faster through [Stage 2 of California's Resilience Roadmap](#).

"Today, we take an important step forward under the State's Resilience Roadmap," said Wade Horton, County Administrative Officer and Emergency Services Director.

Now that San Luis Obispo County has met certain State criteria in containing Coronavirus Disease 2019 (COVID-19), in-store shopping and dining in restaurants can start with some modifications. (NOTE: Per the State's [COVID-19 Industry Guidance for Dine-In Restaurants](#), the State approval does not include the opening of bars, brew pubs, breweries or wineries, except for those with sit-down, dine-in meal service. Those without sit-down, dine-in meal service can continue with curbside sales.)

"This is a significant milestone that our community has worked very hard to achieve," said Dr. Penny Borenstein, County Health Officer. "I encourage businesses to plan and prepare for re-opening, make changes within the workplace, and adjust practices by further training employees and helping educate customers."

Under the State's Resilience Roadmap, Stage 2 expansion is phased in gradually. Some communities may move through Stage 2 faster if they are able to show greater progress. Counties [that have met the readiness criteria](#) and worked with the California Department of Public Health can open more workplaces. Before reopening, all facilities must:

- *Perform a detailed risk assessment and implement a site-specific protection plan*
- *Train employees to limit the spread of COVID-19*
- *Implement individual control measures and screenings, disinfecting protocols and physical distancing guidelines*

Local businesses that are currently open or planning to reopen can now find a “Ready to Reopen” toolkit at [EmergencySLO.org/reopen](https://www.emergency.slo.org/reopen) to show how the business is reopening safely under the State’s public health guidance. The toolkit includes a printable, single page “Readiness to Reopen” Self-Evaluation & Certification Form for businesses to fill out and keep on site to acknowledge compliance with the State’s Resilience Roadmap and related public health guidance specific to their industry. It also includes an “Open and Safe” sign that businesses can print and display.

“We want to help the public easily identify which businesses are being responsible and safe,” said Dr. Borenstein. “We know that as we begin to reopen the community, people will naturally be wary about returning to work or their favorite retailers and restaurants, or other businesses, and this will hopefully put their minds at ease.”

Prior to reopening, SLO County business owners or managers must complete and sign the COVID-19 Self-Evaluation & Certification Form for each facility. By signing this form, the business owner or manager acknowledges compliance with the State’s Resilience Roadmap and more specifically indicates that they understand and are implementing State guidance applicable to their industry to help workplaces reopen and operate safely.

County or City officials, business employees, and customers may request to review the form during random compliance checks, so businesses should retain a signed copy of the completed form on site at all facilities or business locations.

Local businesses can find State criteria for reopening based on their specific industry by visiting [EmergencySLO.org/reopen](https://www.emergency.slo.org/reopen).

San Luis Obispo County Air Pollution Control District (APCD) Board Meeting of Wednesday, May 27, 2020 (Scheduled)

Item C-2: Scientific Advisory Group Presentation on Oceano Dunes Mitigation Efforts. There is no actual report in the agenda package. Apparently the APCD Board and public will find out what it’s about in real time during the meeting. This is problematical for preparing analyses and questions in advance. The write-up states in part:

The Scientific Advisory Group (SAG), established pursuant to Stipulated Order of Abatement 17-01, will make a joint presentation to the Board and public on the status of mitigations, monitoring, modeling, and future plans to control dust from the Oceano Dunes State Vehicular Recreation Area.

And

The Scientific Advisory Group (SAG), established pursuant to Stipulated Order of Abatement 17-01, will make a joint presentation to the Board and public on the status of mitigations, monitoring, modeling, and future plans to control dust from the Oceano Dunes State Vehicular Recreation Area.

There is no telling from the agenda item what trouble lurks here. Along with the Integrated Waste Management Authority (IWMA), the APCD is another boutique agency controlled by some parochial and loony city council members (who look to their “boss” Supervisor Bruce Gibson for direction) which has outlived its usefulness, if it ever had any.

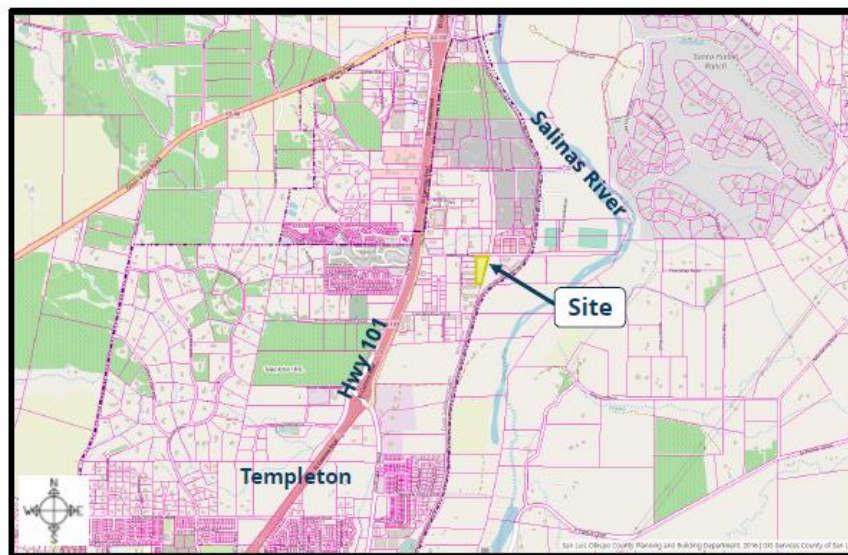
More to Come: Starting next year, the Central Coast Power Authority (nee Monterey Community Power) will start handing out patronage contracts, jobs, projects, and rebates. It will be the super agency for the progressive left to take over more control. Law firms, environmental consultants, engineering firms, lobbyists, insurance agencies, PR firms, not-for-profits, green energy hucksters, and other vendors will all have to “straighten up” and play the game with campaign contributions and loyalty in order to share in the spoils. San Luis Obispo County, one of the last holdouts, has not joined. In June, yet another feasibility study will be presented to the Board of Supervisors. The pressure will be immense.

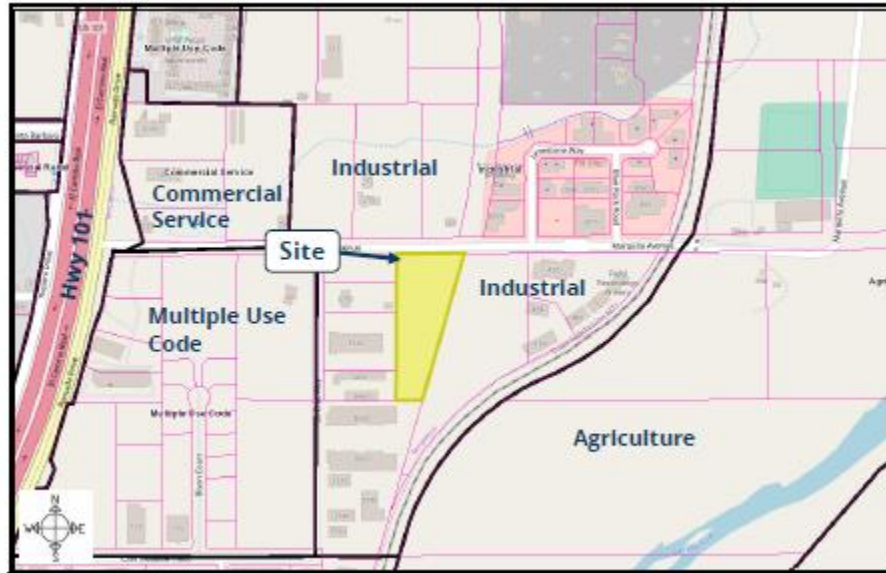


The public should not be seduced by the siren lure of supposed green energy and \$1.39 per month cheaper electricity. This will be the IWMA or APCD on steroids.

Planning Commission Meeting of Thursday, May 28, 2020 (Scheduled)

Item 4: Hearing to consider a request by Mike English for a Conditional Use Permit (DRC2019-00164) for the construction of three (3) commercial warehouse buildings containing four (4) units totaling approximately 51,980- square-feet for wine storage as well as 110 onsite parking spaces used for vehicle storage. The project will result in the disturbance of the entire 2.82-acre parcel. The proposed project is within the Industrial land use category and is located at 320 Marquita Avenue in the community of Templeton. The project will include wine storage and vehicle storage and may include indoor cannabis growing (subject to a separate permit) in the future.





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LAST WEEK'S HIGHLIGHTS

SLO Pension Trust Meeting of Monday, May 18, 2020 (Completed)

Item 9 - 2020 Actuarial Experience Study Results - Presentation by Paul Wood, Plan Actuary of Gabriel Roeder Smith - (Discuss, Direct Actuary and Staff as necessary – recommend

Approval). The Pension Trust Board received the presentation and formally and unanimously accepted the report. Its contents become the basis for future valuation decisions and rate charges to the County and its employees. In a separate follow-on, item the Board determined that maintaining an assumption rate of 7% is too risky (too high) and that eventually reaching 6% would be prudent. (See Item 10 below.)

In this regard the Board expressed a plan to reduce the rate by 12.5 basis points for next year and then another 12.5 the following year.

Background: The current assumption rate is 7% (the projected long term interest rate). The Pension Board will not be adopting the rate until its June meeting; however, the reality is that the County will have to contribute substantially more in pension payments in the next fiscal year. **Item 10**, immediately below, discusses rate-setting options in more detail.

The Triennial Actuarial Experience Study is a very detailed and comprehensive analysis of the actual experience compared with the system's current assumptions. It also looks forward and makes projections. On the basis of the analysis, it recommends new updated assumptions. The Pension Trust Board may accept or modify the assumptions, which the actuaries will then apply to setting the system's actuarial valuation and ultimately the rates necessary to cover the obligations of the system to current and future retirees.

The unfunded liability is likely to increase even more due the decline in the stock market.

The report is full of comprehensive financial information which you cannot see in other reports, such as annual salary increases, payroll growth, history of salary increases, history of average annual salary increases, rate assumptions. These and much more are included at the website:

<https://www.slocounty.ca.gov/Departments/Pension-Trust/Board-of-Trustees-Meetings/BOT-Meeting-Documents/Agendas/2020/05-May-18-2020-Agenda-Board-Materials-BoT-v1.aspx>

Item 10 - Actuarial Valuation – 2020 Actuarial Assumptions Approval - (Discuss, Direct Actuary and Staff as necessary – Recommend Approval). The Board unanimously approved a 12.5-point reduction in the assumption rate for next year from 7% to 6.875%. They also indicated their intent to reduce it another 12.5 basis point the next year to 6.750%.

Based on the 2020 Actuarial Experience Study, SLOCPT's Actuary recommends changes to major assumptions noted above. The Discount Rate is a highly sensitive assumption and is recommended by the Actuary to be in a range of 6.400% to 7.000%. The approved Discount Rate will determine the resulting Actuarially Determined Contribution (ADC) rate increase.

The summary impacts of the choices are displayed in the table below:

Contributions as a % of pensionable pay	7.000% Discount Rate	6.875% Discount Rate	6.750% Discount Rate
Total Normal Cost	20.53%	21.04%	21.58%
UAAL Amortization	<u>25.97%</u>	<u>26.88%</u>	<u>27.80%</u>
TOTAL ADC	46.50%	47.92%	49.38%
Current Charged Rate	44.32%	44.32%	44.32%
Difference in Charged Rate to ADC = Recommended Rate Increase *	2.18%	3.60%	5.06%
UAAL \$ millions	\$720	\$753	\$787
Funded Ratio	66.3%	65.3%	64.3%

This will simply add to the County's budget problems, which are now exacerbated by the destruction caused by the government-imposed COVID-19 lockdown.

Board of Supervisors Meeting of Tuesday, May 19, 2020 (Completed)

Item 1 - COVID-19 Status Report. There was a verbal report by the County Health Officer. Much of the discussion dealt with the estimate that the County will be able achieve the metrics required by the Governor's 4-stage plan to begin reopening businesses and other facets of society. There were at least 30 people who called in and exhorted the Board in one way or another to get reopening moving fast. Some were emotional and some called for the Board to defy the State and open up everything at once.

The Board is not keen on defying the Governor and believes that the State will attack businesses that open in violation by lifting various types of licenses and imposing fines. Obviously, this opens up the larger area of constitutional rights and leadership choices for everyone. At this point most officials hope the gradual reopening works and the problem eventually goes away.

It is not known at this point how much residual economic damage will remain in terms of permanently lost jobs and permanently shuttered businesses.

A real threat is that the virus might ramp up as a result of reopening or of its natural seasonal and or genetic characteristics.

Several of the speakers favor the lockdown because it has closed the Oceano Dunes riding area. They admonished the Board to do everything in their power to keep the Dunes shut down. These speakers were the usual enemies of state Parks and off road recreation.

Item 30 - Submittal of the FY 2019-20 Third Quarter Financial Status Report and request to approve various financial actions as detailed in Section 4 (one or more actions require 4/5 votes). The Board received the report without much comment. The staff stated that there will be a problem but its exact dimensions are not known. It should be a busy June as the data is developed.

Since the State collects the sales tax for itself and the localities and then subvenes (sends back) the local amount back, it takes a while to do the sorting and paying. Unless the County has a contact at the State Franchise Tax Board who can provide a tip, it might take a while to learn how bad it is.



Back in the day, The City of Berkeley had cultivated a guy at the State who could find out. They gave him a case of Scotch for Christmas each year. They did the same for the County Assessor's office on the property tax estimates. It made it more accurate and easier to project the key revenues sooner.

At the time, Berkeley's budget guy was a street kid from Brooklyn who, while visiting, wandered into Berkeley City Hall one day by mistake. He got some minor job and worked his way up. He worked fast and knew how to cut through and get stuff done. He was part of the brain trust of Berkeley officials and SF investment bankers who invented the certificates of participation (COP's) debt financing tool to get around debt issuance voting requirements. The City Manager at the time eventually became the Vice-Chancellor for Finance and Administration at UC Berkeley. The Athletic Department, among others, reported to him. These guys had sky box seats for football and mid-court for basketball. The City had a sky box at the Oakland A's Stadium, the Raider's games, and private in terminal parking at the Oakland Airport.

A select crowd was always welcome at the Washbag (Washington Square Bar and Grill in SF) where Willie Brown, sometimes Herb Caen, and a gaggle of investment bankers held court at Friday happy hour – big ice cold on the rocks martinis. The guys wore hardcore dark pinstriped suits.

Background: The third quarter report covers 3/4ths of the 2019-20 fiscal year – July 1, 2019 through March 31, 2020. Even though the COVID lockdown did not start impacting finances until mid-March 2020, there were already a number of accumulated problematic issues which existed prior to the lockdown. The largest ongoing problem is the County policy of not budgeting for some labor negotiations and then funding the shortfall from its contingency account and/or chance expenditure underruns in some departments. This rolling retro-active budgeting has been sliding along for years. Now, and with the prospective large shortfalls in revenues for the 4th quarter of this year and larger shortfalls next year, the chickens have come home to roost. There will be little contingency left from the current year to help with the huge revenue shortfalls that will occur next fiscal year.

Requested General Fund Contingencies

Department	Amount
Balance as of March 31, 2020	\$10,267,127
Sheriff-Coroner	
Unbudgeted salary and benefit and overtime expenses	\$-4,217,041
Health Agency – Behavioral Health	
Unbudgeted expenditures	-\$1,288,566
Social Services – Foster Care and Adoptions Assistance	
Unbudgeted expenditures	-\$983,370
Social Services – General Assistance	
Unbudgeted expenditures	-\$200,349
Parks and Recreation – Golf Courses	
Maintain adequate cash balance	-\$485,000
Projected balance at year end	\$3,092,801

3RD QUARTER ISSUES

Issue

Sheriff : Unbudgeted salary and benefit and overtime expenses of \$4.7 million

Planning and Building: \$1.8 million revenue shortfall.

Court operations: \$852,000 revenue shortfall

Behaviorial Health: \$1.4 million revenue shortfall.

Social Services – General Assistance: \$331,000.

Social Services – Foster Care and Adoptions – combined revenue shortfall and higher expenditures: \$1.4 million.

Parks and Rereation golf revenue shortfall – General Fund portion: \$485,000.

Parks and Recreation – Regional Parks revenue shortfall: \$1.6 million.

Library unbudgeted slarty increases: \$210,000.

Los Osos Sewer System: Insufficient revenues : unknown.

Item 31 - Parks System Revenue Shortfalls. The Board approved the loans and transfers to the Parks Department. Some members were concerned about the 5-year payback term for the loans. They probably figure that in the end they will never be paid back and the General Fund will simply eat all or part.

Background: As we projected back on April 12, 2020, the lockdown obliterated parks revenues in camping, day fees, and golf. Golf was already in trouble anyway. The Board approved the request to make substantial loans from the General Fund to allow the system, which is primarily run on fees, to survive until June 30, 2020. The County has announced that it will open some facilities to County residents only. It is not known how this might impact the budget going forward from this point and on into next fiscal year. Reportedly, the County is strongly advising potential visitors to the County parks and private facilities such as hotels to stay away. The fear is that the visitors from LA and the San Joaquin Valley will bring COVID-19 into the County.

Item 32 - Submittal of the Proposed FY 2020-21 Annual Operating Budget and Five-Year Capital Improvement Budget. This is the Un-Budget. It will be reviewed on June 8, June 10, and if more time is needed, during the week of June 15th. The annual budget is the most important annual policy document for any governmental entity. It is not simply a compilation of revenues and expenditures. Importantly, through the deployment of those revenues and expenditures, the budget operationalizes the overall policies of the governing body. Legally, California counties are administrative subdivisions of the State, and as such, have limited authority over many programs which are delegated to them by the State. In effect, the counties are retail units for many State and Federal programs. One might think of the County as a giant Sears or passenger railroad with a line of products, delivery mechanisms, systems, pricing, and culture that are largely controlled by its corporate franchisor.

Like many corporations which have died, such as Sears, Xerox, Yahoo, Kodak, Pan Am, Tower Records, and others, the State and counties have roots that lie frozen in late 19th and early 20th Century organizational culture models. To survive, they need endless tax and fee increases, which are ultimately secured by governmental force. Separate from their ostensible purpose of providing public health, safety, justice, and some services, they have become patronage machines for the enhancement of pensions, endless pay raises, contractor overruns, permitting consultants, specialist lawyers, environmental rackets (including green energy schemes, all “electric” fleets, community choice aggregation, banning natural gas, etc.), and literally millions of dependents.

The annual budget presentation and adoption process by the peoples’ elected representatives has become a sterile ritual without rigor, challenge, or controversy. In the case of SLO County, the budgets are reviewed and adopted within a few hours. The sessions are love fests where the Supervisors praise the staff for their excellent work.

This Year’s Submission – The Un-Budget

The County staff has presented the Budget as if the COVID-19 impacts were not happening. The rationale is that the COVID lockdown did not begin until March 12th, the last month of the 3rd financial quarter. The staff rationalizes it on the basis that actual data about the negative revenue impact of the lockdown did not occur until the end of the 3rd quarter. Accordingly, they say they did not have time to calculate the potential impacts for the FY 2019-20 4th quarter or Fiscal Year 2020-21.

What Are the Impending Deficits on Both FY 2019-2020 and FY 2020-2021?

You would think someone would have made some estimates by now and would have described a few scenarios. During the meeting staff volunteered that the combined total of the two fiscal years could be between \$34 million and \$50 million. There was no analysis to show the break between the fiscal years. The derivation by revenue source was very vague.

All this is troubling, in that the staff could have pretty much projected which revenues would be sensitive to reductions resulting from the shutdown. We listed some of these back on April 12, 2020 and suggested that staff prepare some scenarios for reductions at different levels.

In the near term the severity will depend on the economic damage done thus far locally and statewide. Going forward, it will depend on how fast the State and County reopen and then how fast customers come back. Again and as we have suggested, the County should have a project team assessing the economic impacts daily, just as it has its COVID-19 team measuring the impacts of the virus.

How many people are on unemployment insurance, week in and week out?

How many businesses are shuttered?

What are sales tax collections?

What are TOT tax collections – hotel and short-term rentals?

What is hotel occupancy?

How are property tax payments flowing?

How are airline boardings recovering?

Other Indicators for Unincorporated County and 7 Cities:

Building permits for new structures in sq. ft.

Kilowatt-hours of electricity consumed per month

Automobile sales per month

Home sales per month

Cal Poly enrollment on campus – starting September

Business licenses new and renewed by month

Non-renewed business licenses by month

Revenue	2020 Budget
Sales Tax	\$11,780,000
TOT Tax	11,181,886
Camping Fees	3,999,052
Building Pmt. fees	1,973,956
Plan Check Fees	1,902,437
Property Trans tax	3,497,500
Land use permits	2,617,494
Prop 172 Sales tax	26,598,563
Traffic School fees	\$1,300,000
Total	\$64, 850,888

A 30% decline in these fees and taxes would necessitate a \$19,455,266 reduction in the FY2020 -21 budget for next year when the full impact could be realized. Current year reductions during March and the 4th quarter will be less but will also have an impact. The State is allowing businesses to defer sales taxes.

The data could be presented in tabular and graphic form as well as cartographically using the County’s geographical information

systems (GIS). It should be noted that in addition to the revenues listed to the left, the County will lose millions in formula sales tax subventions which are tied to mental health, probation, and clinical health.

Local Agency Formation Commission Meeting (LAFCO) of Thursday, May 21, 2020 (Completed)

The meeting contained a light agenda, covering the adoption of its FY 2020-21 annual operating budget and status reports on various studies.

A portion of the meeting was devoted to briefing the Commission on its responsibility to restrict urban sprawl and restrict conversion of agricultural land to urban use. The law, which created LAFCO’s all over the State, is called the Cortese/Knox/Steinberg Act. Its prime purpose is to promote orderly development and “prevent urban sprawl.” Thus the bias against suburban living, free standing homes, and distinct communities is baked in. In actuality, much of the best agricultural land is next to cities because that is why the cities located there in the first place.

The entire system needs to be revamped to preserve the prime land next to the cities and to allow new development in the hilly less fertile areas.

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

TWO CALIFORNIAS: FULL GOVT. PAYCHECKS VS. FULL UNEMPLOYMENT

Welcome to Gov. Newsom's tyrannical California government

BY KATY GRIMES,

A headline today reads, "To soften blow of state worker pay cuts, California might suspend \$2,600 health deductions."

Gov. Gavin Newsom proposed reducing state workers' pay by 10 percent on Thursday in his May Budget revision, as the state faces a \$54 billion deficit. Almost immediately, Newsom's administration offered to eliminate state workers' health insurance premiums from their paychecks to ease the 10% pay cut.

The poor "non-essential" state employees who have been receiving full paychecks for the last 8 weeks for staying home are upset they are facing a 10% pay cut. Well, their labor unions are. "Gov. Gavin Newsom's administration could offer some relief from potential pay cuts for state workers by temporarily eliminating one of the paycheck deductions workers see each month, according to an Association of California State Supervisors web post," the Sacramento Bee [reported](#).

This is a textbook moment for California taxpayers in Soviet-style government. Gov. Newsom has not offered any "relief" for the 4.5 million who lost their jobs due to his statewide shutdown order, but for the select government workers, he's falling all over himself to take care of them.

Is the Golden State, once known as the land of opportunity, turning into Soviet California?

We were told in early March to "flatten the curve." We flattened the curve, but are now told we need to find the cure for COVID-19 before we can go outside again. There is no cure for the flu or the common cold. This is hogwash and most people know it is. This strain of flu seriously impacted elderly people in nursing homes. Those are the people we should have been protecting – not closing schools, businesses, parks and beaches, and then [sending COVID-19 patients to nursing homes](#) to infect and kill the elderly.

"We're all in this together," nearly every public service announcement on radio and television says. But the 4.5 million and more unemployed aren't even mentioned in Newsom's daily press briefings, except to chastise them for wanting to go back to work, or to the beach for some fresh air.

We are not all in this together.

Newsom is looking like a caricature of the Premier of the Soviet Union as he stands before the television camera talking daily about the fourteen hoops we must jump through to reopen the state. He tells us to get use to the idea of a "new normal," where tyrannical local government officials order the masses to wear masks in public, socially distance, and wait in long lines at grocery stores.

The unemployed masses are holding anti-lockdown protests, but are repeatedly described in the media as “selfish” for wanting to go back to work, or be able to get outside and exercise. Being forced to lockdown in your home without a source of income and depleted cupboards and refrigerators is exactly what will make desperate people protest in America. And those most supportive and even giddy for the ongoing lockdowns are receiving full paychecks or pension payments. Who is selfish? Who is self-absorbed and righteous? Certainly not the unemployed.

Gov. Newsom and tyrannical Mayors appear to be enjoying this moment of total control over the lives of Californians a little too much. They keep moving the goal posts for re-opening.

Los Angeles Mayor Eric Garcetti announced Friday that if people in his city go to the beach, they can only walk on the wet sand – no sunbathing on the warm dry sand, or beach volleyball.

The South Lake Tahoe Mayor is [threatening](#) no Memorial Day opening, no fireworks on July 4th, and maybe no Labor Day weekend.

During a briefing recently, Ventura County Public Health Officer Dr. Robert Levin told the media that the county would be moving people from their homes if these people were unable to self-isolate. But he apologized and retracted his statement the next day and clarified that those who could not isolate or quarantine themselves would never be forcibly removed from their homes as part of an effort to further contain the spread of the coronavirus, Fox [reported](#).

Even as the numbers of hospitalizations dramatically decrease, some counties are doubling down and issuing unlawful mandatory mask-wearing orders, and forcing businesses to require masks.

A Representative Republic protects the rights of all citizens, not just the majority, elite or privileged, and is founded on the principle of electing individuals to represent the people. And only elections provide the opportunity for change.

Gov. Newsom appears to show no concern over the economic destruction in the state at the macro and micro level. He shows no compassion or empathy for those Californians who are losing their entire livelihoods, or the widespread unemployment.

Newsom and Garcetti both want to run for U.S. President but are doing a poor job of hiding their totalitarian preferences.

Newsom’s four-stage phased reopening of the state is only designed to condition residents to ongoing restrictions to their liberties – his “New Normal.”

Friday, the Atwater City Council voted to declare itself a ‘sanctuary city’ from the statewide lockdown order, allowing all businesses in the city to reopen, California Globe [reported](#). “This is America,” noted Atwater Mayor Paul Creighton on Friday. “You have the choice. It’s time for the government to stop dictating another month, another three months, six months. When is it going to end? When everyone is bankrupt?”

The Mayor of Atwater understands what is happening, and took steps to prevent his city from resembling a Soviet California. Will the voters of California do the same in November?



[Katy Grimes](#)

Katy Grimes, the Editor of the California Globe, is a long-time Investigative Journalist covering the California State Capitol, and the co-author of [California's War Against Donald Trump: Who Wins? Who Loses?](#)

CAN WE SUE OUR WAY OUT OF QUARANTINE?

BY LARRY SALZMAN

State governors from coast to coast issued coronavirus-related lockdown orders about two months ago, closing businesses and restricting people's movements. Government officials have taken unprecedented steps, seemingly without much calculation or forethought. In New York, for instance, Governor Andrew Cuomo insisted on March 18 that he would not approve a shelter-in-place order; by March 20, he praised California's lockdown and announced Gotham's own stay-at-home regime. New York and many other states have extended these orders indefinitely.

The reasons for the lockdowns have shifted. Initially aimed at "flattening the curve"—slowing the rate of infection to avoid overwhelming hospitals—shutdowns keep getting extended, even as medical workers are furloughed and temporary field hospitals (set up to handle a surge in cases) are dismantled. Officials have leaned haphazardly on broadly worded and mostly untested "emergency powers" statutes to justify whatever policies they deem necessary.

The command-and-control mode of leadership has struck many Americans as contrary to limited-government principles. As layoffs and business failures mount, my organization, the Pacific Legal Foundation, is hearing from people across the country frustrated by the lack of clear exit plans from their elected officials. They ask: Why can't we sue our way out of the lockdowns?

Many have tried. I've looked at roughly 60 cases filed in the past two months challenging orders around the country, though there are surely more. A few suits have resulted in the striking down of

lockdown orders, at least in part. Many more have lost at least their first round of litigation, failing to get immediate relief.

On the winning side, the Wisconsin Supreme Court struck down the state's stay-at-home order, citing the separation of powers. Wisconsin governor Tony Evers had issued an order that granted nearly limitless power to a Department of Health official, who closed much of the state's economy. The high court ruled that this was too much power delegated to one official, and, furthermore, "in the case of a pandemic, which lasts month after month, the Governor cannot rely on emergency powers indefinitely." Similarly, trial courts in Illinois and Oregon have voided their state's lockdowns—at least temporarily—for extending beyond the time required to get legislative assent.

Other winning cases have struck down shelter-in-place orders not in their entirety but as they apply to constitutionally protected activities. Notable examples include the right to attend church services in Kentucky, the right to sell firearms in Massachusetts, the right to get an abortion in Texas and Oklahoma, the right to appear as a candidate on a ballot in a New York primary election—and the right of the state to hold such an election. We can expect more of these to succeed, especially cases founded on the First Amendment and involving the right to protest, assemble, or to attend religious services.

Yet a larger number of cases filed to date have not fared as well. Courts have rejected numerous lawsuits demanding just compensation under the "takings clause" of the Fifth Amendment for various reasons: the harm is temporary; the damage is as yet speculative, and so the cases are premature; or the losses fall within health-and-safety exceptions to the takings clause and do not require compensation.

Other cases argue that the lockdowns violate rights protected by the due-process or equal-protection clauses of the U.S. or state constitutions—a right to receive elective medical procedures, a right to travel, a right to a hearing to contest the designation of one's business as non-essential. These constitutional principles prohibit the government from restricting liberties for arbitrary or discriminatory reasons. Judges have mostly rejected these claims, though, ruling that lockdown orders are a permissible use of states' "police powers"—the authority traditionally given to state government to protect health and safety. In short, courts have mostly been reluctant to second-guess lockdown orders aimed at protecting public health at a time of great uncertainty.

It's notable, however, that the reflexive deference that courts have given to executive officials during this period rests on expansive—and increasingly suspect—analogies to past quarantines. Never before has the government shut down entire states without distinguishing between healthy, exposed, and infected persons. Historically, courts permitted the restriction of movement or liberties of affected individuals, not whole states, and only after an assessment of the person's risk and consideration of less-restrictive alternatives. As one New Jersey court has written, the "decisive consideration where personal liberty is involved is that each individual's fate must be adjudged on the facts of his case, not on the general characteristics of a 'class' to which he may be assigned." Constitutional principles "guard against the risk that governmental action may be grounded in popular myths, irrational fears, or noxious fallacies rather than well-founded science."

Most courts sustaining the lockdowns do so with a citation to *Jacobson v. Massachusetts*, the 1905 U.S. Supreme Court case upholding compulsory vaccination. But in that case, the court also stated that a community's power to "protect itself against an epidemic" might be exercised "in such an

arbitrary, unreasonable manner, or might go so far beyond what was reasonably required for the safety of the public, as to authorize or compel the courts to interfere for the protection of such persons.” And one federal appellate court that nullified a lockdown of San Francisco early last century ruled, in *Jew Ho v. Williams*, that “it does not at all follow that every statute enacted ostensibly for the promotion of these ends is to be accepted as a legitimate exertion of the police powers of the state.”

To date, most rulings in cases challenging the lockdowns have favored the government. But the longer the lockdowns go on and the less necessary that they seem, the more scrutiny we can expect courts to apply. As the Supreme Court put it in its *Jacobson* ruling, more than a century ago, a law that “purport[s] to have been enacted to protect the public health” but “has no real or substantial relation to those objects” must be found unconstitutional.

Larry Salzman is director of litigation at [Pacific Legal Foundation](#). The foundation’s “Roadmap to Recovery from Covid-19” can be read [here](#).

THE DELUSIONAL PREMISES OF ALEXANDRIA OCASIO-CORTEZ

AOC has become part of a rich, grasping, intergenerational gang of parasites who build their careers and their bureaucratic empires by spouting racist, quasi-Marxist trash to keep down the people they claim to care about.

BY EDWARD RING

“Do we see largely that it’s the global south and communities of color that may be bearing the brunt of the initial havoc from climate change?—Without a doubt.—And in terms of that wealth, the people that are producing climate change, the folks that are responsible for the largest amount of emissions, or communities or corporations, they tend to be predominantly white, correct?—Yes, and every study backs that up.”

—Alexandria Ocasio-Cortez, [Congressional Hearings on Climate and Race, October 2019](#)

Welcome to yet another example of the nexus between climate change alarmism and a socialist redistribution agenda fueled by racial resentment. That may be old news to those of us paying

attention, but thanks to birdbrained stooges like U.S. Representative Alexandria Ocasio-Cortez (D-N.Y.) the blatant race-baiting rhetoric is being turned up a notch.

And why not? If you're a socialist, or a globalist, there is only upside to tagging nations of European heritage with guilt for the problems facing their "communities of color," or the problems in the rest of the non-European world. It would be far too painful to consider the alternative explanation, which is that socialism, in all of its antecedents and derivatives, is the primary cause of the societal afflictions that plague "people of color" both in America and abroad.

Deconstructing Ocasio-Cortez's convoluted logic isn't hard intellectually, but the implications are hard indeed, at least for anyone who shares her delusional worldview.

Her arguments rest on three premises that build upon one another, and all of them are easily shattered by hard facts. Those premises are: 1) White racism is pervasive and explains income inequality; 2) climate change is an ongoing catastrophe that primarily harms "people of color"; 3) and socialism is the solution.

To get the most obviously flawed premise out of the way first, examine the plight of "communities of color" both locally and globally. The immediate fact that destroys this premise is the "communities of color" that are prosperous and thriving. Most of East Asia falls into that category. As for the "global south," Singapore comes to mind. Sitting just one degree north of the equator, it is a sun-drenched, monsoon-swept city, situated in the absolute heart of the tropics.

Singapore's success comes despite it being a multicultural nation overwhelmingly populated by "people of color," coping with a supposedly hideous legacy of colonial oppression; its territory is a steaming jungle with no natural resources. Yet it is one of the wealthiest nations on Earth.

You can look to communities within America and make the same myth-busting observations. According to a 2018 Pew Research study, the richest ethnic group in the United States is Indian Americans, with a median household income of just over \$100,000 a year. And U.S. Census Bureau data show "the median income for households led by someone of Nigerian ancestry . . . was \$68,658 in 2018, compared with \$61,937 for U.S. households overall."

Why do some "communities of color" thrive, outpacing whites in education and income, while others do not? Could it be that the communities that are relatively unsuccessful are *not* victims of racism? After all, if that were true, why in America are people of Asian, East Indian, and Nigerian descent, along with many other "communities of color," evidently exempt from the impact of racism?

Could it be that socialism, or its antecedents—welfare, unionized public education, affirmative action, leftist indoctrination, a victim mentality, and the pure, venal corruption that plagues big American cities run by Democrats—have combined to all but destroy these "communities of color?" Destroyed their families. Destroyed their work ethic. Destroyed their faith in themselves, their faith in their community, their faith in America itself? There is no "racism" in any of that.

Or to put it more precisely: in all these policies promoted by or associated with Democrats, there is none of the white, conservative, *Republican* sort of racism that seems to concern Ocasio- Cortez.

Ocasio-Cortez may look at her reflection in the mirror, and believe herself to be a crusader for social justice and a “green new deal,” but in fact she is becoming part of a rich, grasping, intergenerational gang of parasites who build their careers and their bureaucratic empires by spouting racist, quasi-Marxist trash to keep down the people they claim to care about. Ocasio- Cortez’s predecessors not only have created the poverty they claim they’re fighting, but they also need that poverty the way a virus needs a host.

Beware the Climate Bogeyman

The other flawed premise, fundamental to the socialist goal of global redistribution of wealth, is “climate change,” once known as global warming. The “climate crisis” is the boogeyman that Ocasio-Cortez hopes to ride into the White House with President-elect Joe Biden. Heading up his “climate task force,” she has made demagogic fearmongering in the name of the planet a big part of her act.

But the act is wearing thin. Unlike the far more convenient threat of imminent death from a global pandemic (however overhyped that may or may not be), anyone with an IQ north of room temperature realizes by now that the climate apocalypse deadlines have come and gone, and come and gone, and come and gone.

Why don’t conservatives challenge the scientific theory that anthropogenic CO2 is causing catastrophic climate change? Because the “science is settled” and “science” is sacred? “Science” has become so sacred, in fact, it’s become like an Aztec god that must be appeased. Cut a beating human heart out on the altar of Huītzilōpōchtli. Or throw a human sacrifice into the cauldron of Pele. Or bash in someone’s skull and bury them in a Polynesian pit. The God of Science must never be questioned, and Alexandria Ocasio- Cortez is a high priestess.

This preposterous paradox remains more or less unexamined, that “science” has become weaponized by a gang of green theocrats. But science is no longer science when it is “settled” and is instead used to stifle scientific inquiry, debate, and healthy skepticism.

Just as “racism” does not explain disparate outcomes for people of varying ethnicities, “climate change” is not conclusively demonstrated to be associated with the burning of fossil fuel, and what climate change we do observe is not demonstrated to be catastrophic. In fact, the net effect of increased concentrations of CO2 may be mostly positive both for humans and ecosystems.

Climate change policies, misguided and misanthropic, have lowered the credibility of environmentalists at the same time as they have flattened the trajectory of solutions to genuine environmental challenges. Clean up the filthy air in New Delhi, for example. The unhealthy air pollution has *nothing* to do with CO2, and everything to do with high-sulfur fuel and inadequate exhaust controls. Quit incinerating rainforests to monocrop ethanol from sugar cane and diesel fuel from palm oil. Quit asphyxiating women across the global south who have to cook with wood

because natural gas is not “carbon neutral.” Quit pouring finite resources into crony green corporate boondoggles.

Socialism’s Dangerous Deceptions

Finally, to shatter the core premise of the Left: socialism obviously is not the cure for racism, nor is it the cure for economic inequality. Ocasio-Cortez is invited to identify one nation or society, today or throughout history, where socialism delivered freedom, prosperity and social justice. She’ll find instead a hideous legacy of tyranny, poverty, and murder. Those wonderful Scandinavian economies, held up as examples, do not qualify. They are mixed capitalist economies with (until recently) culturally homogeneous populations. They don’t count. They’re not socialist.

Capitalism, despite its flaws, and requiring judicious regulation, is the only system that can provide anything like equal opportunity. But it cannot provide equal outcomes, nor should it. Because without private property, which is guaranteed in a capitalist system, nobody tries, nobody cares, competence doesn’t matter, effort and ability don’t matter; all that matters is who you know and who you bribe. Socialism, at its core, nurtures resentment, cynicism, corruption, dissipation, decay, despair, and despotism. It is a seductive illusion, promising everything in exchange for nothing. Its adherents are a perilous mixture of the evil and the naive.

Alexandria Ocasio Cortez is not evil. She is an ignorant, mostly unwitting demagogue, and she is a puppet. The premises that underlie the world view she promotes—pertaining to racism, socialism, and climate “science”—are dangerous deceptions. They will deliver the most harm to the people their rhetoric says they aim to help the most. All three of these premises must be challenged without apology, without rest, without quarter.

By Edward Ring • May 21, 2020 17 Comments / in Great America Great America



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Open Letter to the Faith Community Regarding Worship Services During Reopening Plan

Author: District Attorney

Date: 5/21/2020 5:18:02 PM

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An open letter to the faith community of San Luis Obispo County from District Attorney Dan Dow regarding worship services and the California Governor's reopening plan.

May 21, 2020

Open Letter to the Faith Community of San Luis Obispo County

Dear Leaders and Members of the Faith Community,

Shortly after Governor Newsom began issuing orders in response to COVID-19, I began fielding inquiries from leaders in the faith community concerned about the impact on their congregations. While understanding the need for social distancing, many expressed the importance of corporate gatherings to the vitality of their communities. While most congregations have adapted by using remote video platforms, some were not able to do so. Further, it is beyond dispute that these are poor substitutes for in-person gatherings and corporate worship. Understanding these are extraordinary times, congregations in this county have worked hard to follow the temporary emergency orders.

As the Governor began implementing his reopening plan, concerns were raised about the plan not allowing in-person religious services to resume in Stage 2 while other sectors of the community are (and have been) permitted to reopen so long as they employ social distancing and similar precautions. The concerns have been raised not only by religious institutions, but also by the Department of Justice. Of particular significance, on May 19, 2020, Assistant Attorney General Eric Dreiband, of the Civil Rights Division of the United States Department of Justice, sent a letter to Governor Newsom questioning whether treatment of religious activities under California's reopening plan violates the First Amendment of the United States Constitution. The letter quotes a recent statement by Attorney General William Barr who was at the time addressing restrictions on worship in Mississippi:

[E]ven in times of emergency, when reasonable and temporary restrictions are placed on rights, the First Amendment and federal statutory law prohibit discrimination against religious institutions and religious believers. Thus, government may not impose special restrictions on religious activity that do not also apply to similar nonreligious activity.

Assistant A.G. Dreiband goes on to state "Simply put, there is no pandemic exception to the U.S. Constitution and its Bill of Rights."

The District Attorney's Office is one of the agencies responsible for enforcing public health orders. As such, several weeks ago I directed our Public Integrity Unit to monitor federal and state decisions and to conduct legal research of whether restrictions on in-person religious services are Constitutional. We have concluded that the legal landscape remains unsettled due to conflicting decisions in various jurisdictions. Until there is further clarification from higher courts, this office will not seek criminal enforcement for alleged violations involving those who meet in-person for religious purposes during Phase 2 of the reopening plan so long as social distancing and other health guidelines are followed. My position as we await further clarity is to err in favor of religious freedom protected by our Bill of Rights in light of the concerns raised by the Department of Justice letter referenced above and attached [here](#) for your review.

Spiritual health is a pillar of a healthy and well-balanced society that values Liberty. Thank you for your valuable contributions towards making our community vibrant and resilient.

Finally, I would like to acknowledge and thank the United States Attorneys here in California who are working hard to protect our communities and protect our civil rights guaranteed to us under the United States Constitution.

Dan Dow

District Attorney, County of San Luis Obispo

State of California

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