



WEEKLY UPDATE
JANUARY 23-29, 2022

COLAB
San Luis Obispo County

13TH ANNUAL
DINNER &
FUNDRAISER

SAVE THE DATE
March 24, 2022
Alex Madonna Expo Center
San Luis Obispo, CA

Event Details Coming Soon...

**MAKE SLO COUNTY
PROSPER AGAIN!**

COLAB of San Luis Obispo County
(805) 548-0340 colabslo@gmail.com

THIS WEEK

PENSION TRUST - HIT 15.3% RETURN IN 2021

(PROBABLY GAVE SOME OF IT BACK LAST WEEK)

ADVISORS WORRIED ABOUT INFLATION

BOARD OF SUPERVISORS

**COUNTY SETTLES (LOSES) ANOTHER LAWSUIT - \$5.1 MILLION
ANNUAL LEG PROGRAM REQUESTS THE PORK BUT LIGHT ON BIG POLICY
PLANNING DEPT 2022 WORK PROGRAM CONTAINS MANY PROJECTS
(BUT STAFF PROVIDES NICE UPGRADED PRESENTATION)**

APCD

**LOSES ANOTHER LAWSUIT TO FRIENDS OF THE DUNES - MUST PAY \$126,000
MAY SPEND \$100,000 ON FREE AIR PURIFIERS FOR THE POOR**

LAST WEEK

NO BOARD OF SUPERVISORS MEETING

**LAFCO APPROVES MORRO BAY SPHERE OF
INFLUENCE EXPANSION - NEIGHBORS UNHAPPY**

EMERGENT ISSUES

COVID EXPLODES - WHERE ARE THE PILLS?

**REDISTRICTING LAWSUIT FILED AND THEN A
REQUEST FOR AN INJUNCTION
PLAINTIFF PROGRESSIVES GO JUDGE-SHOPPING IN PASO**

COLAB IN DEPTH

SEE PAGE 19

IS AMERICA HEADING FOR A SYSTEMS COLLAPSE?

As the 2022 midterm elections approach, who will stop our descent into collective poverty, division—and self-inflicted madness?

BY VICTOR DAVIS HANSON

OUR 1776 Moment: Either a Liberal or Progressive America

We live at a “1776 Moment” where our governing principles, law, and society are changing into something America has never known.

By BRADLEY A. THAYER

THIS WEEK'S HIGHLIGHTS

ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED

***THE JANUARY 25, 2022 BOARD OF SUPERVISORS MEETING WILL BE HELD REMOTELY VIA ZOOM. IN-PERSON PUBLIC COMMENT WILL NOT BE AVAILABLE**

Zoom Meeting Link: <https://us02web.zoom.us/j/83422829973>

Zoom Meeting ID: 834 2282 9973

Telephone: 1-786-635-1003

San Luis Obispo County Pension Trust Meeting of Monday, January 24, 2022 (Scheduled)

Item 22 - Monthly Investment Report for December 2021. The pension fund enjoyed a good year. This will probably not postpone rate increases (payments into the system) by the County, as the unfunded accumulated actuarial liability (UAAL) is about \$780 million. It is not known yet if the actuaries will recommend a decrease in the overall interest assumption rate, which is now 6.75%. Any decrease in this rate could increase the UAAL and therefore the amount of required contributions.

| | December | Year to Date 2021 | 2020 | 2019 | 2018 | 2017 | 2016 |
|---------------------------------------|------------|--------------------|------------------|------------------|------------------|------------------|------------------|
| Total Trust Investments (\$ millions) | \$1,777 | | \$1,552 year end | \$1,446 year end | \$1,285 year end | \$1,351 year end | \$1,196 year end |
| Total Fund Return | 2.5% Gross | 15.3% Gross | 8.9 % Gross | 16.3 % Gross | -3.2 % Gross | 15.5 % Gross | 6.6 % Gross |
| Policy Index Return (r) | 2.4% | 12.7% | 10.0 % | 16.4 % | -3.2 % | 13.4 % | 7.7 % |

- (r) Policy index as of Sept. 2020 Strategic Asset Allocation Policy with 2021 Interim targets:
- Public Mkt Equity- 20% Russell 3000, 20% MSCI ACWI ex-US
 - Public Mkt Debt- 11% Barclays US Aggregate,
 - Risk Diversifying 10% Barclays US Aggregate,
 - 3% Barclays 7-10yr Treasury, 2% Barclays 5-10yr US TIPS
 - Real Estate & Infrastructure- 12% NCREIF Index, 3% Private RE/Infrastructure actual returns
 - Private Equity- 8% actual private equity returns
 - Private Credit- 7% actual private credit returns
 - Liquidity- 2% 90 day T-Bills, 2% Barclays 1-3yr Gov/Credit
- Pending annual updates to interim targets.

The write-up, in part, discusses the growing inflation problem.

Inflation – Inflation continued its significant increase in response to surging consumer demand, supply constraints, energy demand/supply imbalances, housing prices and labor shortages. The preliminary December 2021 CPI increase for the full year was 7.0% - a significant uptick from the already climbing inflation rate earlier in the year.

The report also contains an addendum prepared by J P Morgan¹, which discusses the pressures creating the current inflationary surge. Note that the Federal spending binge is listed first and foremost.

J.P.Morgan



¹ J P Morgan; Eye on the Market Outlook by Michael Cembalest Chairman of Market and Investment Strategy for J.P. Morgan Asset & Wealth Management, December 2022.

Our Reflation: Endgame cover

This year's cover depicts how these superheroes all contribute in their own way to a rise in prices, wages, economic growth and asset prices:



Politicians creating the largest stimulus on record

COVID monetary and fiscal stimulus across the developed world was 2x-3x larger than similar stimulus after the Global Financial Crisis, and that's before including 2021 bills and proposed US infrastructure and reconciliation spending. One by-product: \$1 trillion in positive US wealth effects from rising stock markets, rising home prices and increased refinancing by homeowners.



Vaccine resisters

The US has one of the largest unvaccinated populations in the developed world at 30%. This cohort increases community spread, reduces the labor supply, sustains the shift to goods spending and creates the need for more gov't spending to support employment and incomes. A recent survey: 37% of unvaccinated US workers said they would quit if faced with employer-mandated vaccination or testing.



Work from home employees

Due to COVID, services spending collapsed and goods spending surged, driving goods price inflation to the highest levels since the 1970's. Categories with 20%+ spending increases vs pre-COVID levels: household, telecommunications and computer equipment; home furnishings and power tools; recreational goods and clothing. Many are import-intensive and semiconductor-intensive, worsening supply chain bottlenecks.



Labor force drop-outs and switchers

Several million people dropped out of the labor force, or shifted sectors or states. The Census Bureau estimated in December that 2.5 million people were not working due to concerns about getting or spreading COVID. Job switching out of manufacturing and agriculture into self-employed transportation and construction has tightened the labor force as well. One consequence: excess job seekers in some states and excess job openings in others.



A large jump in retirees

COVID drove a surge in US retirement with roughly 1.5 million more people leaving the labor force than usual from January 2020 to August 2021. Academic research points to an increased pace of retirement when 401k account and housing values are rising sharply.



Healthcare regulators in Asia, the US and Europe

Lockdown rules are still much tighter in Asia, leading to underutilized factories, supply chain shortages, etc. In China, COVID protocols are amongst the tightest in the world. In the US, Kaiser estimates that ~2.5 million people left a job in late 2021 due to vaccination requirements enacted by healthcare regulators and/or company policy.



Working mothers facing childcare constraints

The reopening of schools improved this issue, but the Census Bureau still estimated in December that more than 5 million people were not working due to child care constraints. Most of these people are working mothers: female labor force participation rates declined twice as much as male participation rates since February 2020.



Missing immigrant workers

Visas issued to immigrants and temporary workers collapsed during the pandemic, resulting in 700,000 fewer workers in the US labor supply. This follows on the pre-COVID Trump era when net immigration fell to its lowest levels since the 1980's. Another factor driving wage inflation higher.



Oil, natural gas and coal producers

Thermal energy producers have reverted into their shells, reducing capital spending on new projects by 75% from peak levels. Global demand for thermal energy is unchanged, leading to energy price inflation and food price inflation as well given rising demand for biodiesel.

Why would they invest in new capital facilities when all the governments and climatists are trying to drive them out of business?

Board of Supervisors Meeting of Tuesday, January 25, 2022 (Scheduled)

Item 15 - Another Lawsuit Settlement:

1. Direct the Auditor-Controller to issue the settlement payment of \$3,548,571.83 to legal counsel for Roebbelen Construction Inc. (RCI) once all parties have executed the settlement agreement; and

2. Authorize the Auditor-Controller to release stop payment withheld from RCI in the amount of \$291,357.08 to be used toward the settlement payment; and

3. Authorize the Director of Public Works to send a letter to Merchants Bank of Commerce, the escrow company for the project, requesting the release of all retention funds to RCI once all parties have executed the settlement agreement; and

4. Authorize increase to contract with Price Postal Parma for the \$75,000 for estimated litigation fees to close out this matter; and

5. Authorize a budget adjustment using General Fund Contingencies to increase appropriation in Fund Center 230-Capital Projects, WBS 300034-Women’s Jail Expansion Project in the amount of \$3,548,572, as required by the settlement reached with RCI for the construction of the project, by 4/5 vote.

The long title pertains to a settlement agreement between the County and its contractor on the Women’s Jail project, which has a long history of being over budget and experiencing delays.

Table #1
Project Costs

| Project Costs | | | | |
|---|---------------------|---------------------|--------------------------------------|--------------------|
| Costs | | | | |
| Component | Est. Cost Dec. 2013 | Current Budget | Estimated expenses through June 2022 | Variance |
| Construction Housing/Medical | \$29,721,565 | \$32,294,030 | \$32,294,030 | \$0 |
| Construction Electronic Security/Property Storage | 1,910,018 | 1,876,427 | 1,876,427 | \$0 |
| Architectural & Design | 3,619,222 | 3,497,722 | 3,497,722 | \$0 |
| CEQA | 477,339 | 234,087 | 234,087 | \$0 |
| Biological, Environmental Consultant SWPPP Construction Inspector | | | | |
| Construction Management Construction Manager Inspector of Record Testing & Special Inspection Commissioning | 3,275,325 | 5,682,585 | 5,682,585 | \$0 |
| County Administration, Environmental Mitigation, and Legal Fees | 1,691,317 | 3,371,123 | 6,919,695 | 3,548,572 |
| Total Project Budget | \$40,694,786 | \$46,955,974 | \$50,504,546 | \$3,548,572 |

The Roebbelen Construction Company is the primary contractor on the Women’s Jail project. Per the table above, the project first went over budget from \$40.6 million to \$46.95 million. Then it ran over again from the \$46.9 million to \$50.5 million. Accordingly, the real project variance is \$9.1 million.

At the end, Roebbelen claimed \$10 million in change orders based on faulty designs by the County’s contract architects and engineers who designed the project. They particularly cited faulty geotechnical data about the land under the project, which they asserted caused much of the cost increase. Remember, the County paid one of the Los Osos Sewer plant contractors \$10 million for a claim that the underground piping plan was faulty.

It appears that the County is settling for \$3.5 million plus \$1.6 million in retention funds, which it held back during the dispute. All in, Roebelen won \$5.1 million plus a nearly a \$300,000 stop payment, which had been held. The write-up does not explain the bias for the settlement.

The County’s contract law firm on the case is having its fees increased by \$75,000. It is not known from the write-up how much they were paid prior to this event.

Table #2
Sources of Funding

| Funding | | | | |
|---|---------------------|---------------------|-----------------------------|----------------------|
| | State Funding | County Funding | Proposed Authorized Funding | Variance |
| State - AB 900 | \$25,125,630 | | \$25,125,630 | |
| County - Detention Facilities Reserve | | 7,000,000 | 7,000,000 | |
| County - Criminal Justice Facility Const. Reserve | | 4,421,504 | 4,421,504 | |
| County - Facility Planning Reserve | | 3,656,652 | 3,656,652 | |
| County - General Fund | | 694,000 | 694,000 | |
| County - Contingency | | 1,427,000 | 4,975,572 | (3,548,572) |
| County - General Building Replacement Fund | | 400,000 | 400,000 | |
| County - Prop 172 Solar | | 3,050,000 | 3,050,000 | |
| County - Capital Project Savings | | 1,181,188 | 1,181,188 | |
| Total Project Funding | \$25,125,630 | \$21,830,344 | \$50,504,546 | (\$3,548,572) |

L:\Management\2022\January\BOS\Women's Jail Budget Adjustment\Att 2 - Exhibit A.docx

Background: During the early life of the project, Janette Pell was the General Services Director and was in charge of the project. At some point Pell suddenly resigned and subsequently took the job as General Services Director of Santa Barbara County. She is in charge of some very large projects in that County. There has been no indicia of problems there. Later, the General Services Department was abolished, and its construction project management responsibilities were assigned to Public Works.

Pell was not in charge of managing the Los Osos Sewer Project. It was largely developed under former Public Works Director, Paavo Ogren, who was just appointed last week as Interim Director of the Integrated Waste Management Authority.

The County family that stays together outlasts Board members altogether.

MATTERS AFTER 1:30 PM

Item 19 - Request approval of the County's 2022 State Legislative Platform. The program is updated each year at the start of the legislative Session. As stated below, the County seeks to protect its finances and as much independence as possible from State usurpation.

The County’s legislative platform seeks to maintain State funding levels of local government programs to the furthest extent possible and to ensure adequate funding for any new mandate. Additionally, the Board seeks to maintain close relationships with the County of San Luis Obispo’s legislative delegation and key legislative leaders to foster greater understanding of local concerns and needs.

Specific planks of the platform range over most of the functions of the County. For a flavor, go to [139395 \(ca.gov\)](https://www.ca.gov) and take a quick look. Everything from funding Diablo decommissioning to noxious weed abatement to more money for just about every social program is included.

Two very important provisions include:

15. Oppose any measures or legislation that reduces the super-majority vote required to raise taxes from 2/3rd to 55%.

16. Oppose any legislation or initiative that proposes to modify Proposition 13. Specifically, oppose any legislation or proposal that would establish a so-called "Split Roll" for property tax, which would thereby reduce protections for commercial property owners. Oppose any legislation that would further the effort to modify Proposition 13 in lieu of the ballot proposition.

NOTE: Ask candidates for the Board of Supervisors if they plan to retain and amplify these essential policy commitments.

Missing Provisions: The Board should add the following:

1. The Board should ask the Legislature to reject Assembly Constitutional Amendment 11 (ACA 11), which would impose single payer health care (State takeover of all medical services). If ultimately adopted by the voters, it would cost as much as a new \$200 billion per year, which would be funded by massive tax increases on individuals and businesses. Your services would be delivered like the services at the Department of Motor Vehicles. Do you really want to go to the DMV for your colonoscopy? Even current factory-like systems, such as Kaiser-Permanente, are horrible.

The new taxes would take three forms:

1. Surtaxes atop the current individual income tax structure beginning at \$149,509 in income;
2. A graduated-rate payroll tax system with the top rate kicking in for employees with more than \$49,990 in annual income; and
3. A gross receipts tax of 2.3 percent, excluding the first \$2 million of business income

It would be interesting to see which Supervisors would support such a plank.

2. The Board should support voter integrity by helping sponsor a bill that would require voting legally:

- Voter ID
- Ban Vote harvesting
- Chain of custody for control of ballots
- Allow for close observation of vote counting

3. Abolition of the Coastal Commission

4. CEQA Reform

5. Institutionalization of the un-helpable homeless

6. Oppose Senate Bill 82, which would reduce jail time for robberies and support Repeal of Props 47 and 57, which downgraded felonies to misdemeanors.

Item 24 - Request to receive and file a report on Board-identified priority projects for the Department of Planning and Building and provide staff direction, as necessary. This item kicks off the annual decision-making cycle for determining which studies, plan revisions, and zoning ordinance revisions and adaptations will be worked on by the staff during the FY 2022-23 fiscal year.

The essential issue is that there is more existing and potential workload than the County has money and staff to handle with all the projects that the various constituencies desire. These include:

1. Projects that were assigned previously and are still underway
2. Projects that must be undertaken by State mandate or legislative updates, which require parallel updates in County plans and ordinances
3. Projects that the Board wishes to have initiated
4. Projects that various industry groups or others wish to be initiated
5. Projects that the staff believe should be imitated

The lists are fairly extensive and can be seen at the link [139730 \(ca.gov\)](https://www.ca.gov)

Upgraded Presentation: The planning staff has done a nice job this year of attaching cost and staffing data to the categories and projects so that the Board can make priority decisions and know what it is buying. It also provides estimates of how long each project will take and how much staff will be required. All in, this is a very positive step.

It is somewhat analogous to going to the auto mall and being able to select vehicles on the basis of the performance, quality and type of vehicle. Some of the summary Gant charts are a great addition:

Attachment 3 - Existing Workload
Long Range Planning Work Program - Existing Workload

| | FY 2022-2023 | | | | FY 2023-2024 | | | | FY 2024-2025 | | | | FY 2025-2026 | | | |
|---|--------------|----|----|----|--------------|----|----|----|--------------|----|----|----|--------------|----|----|----|
| | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 |
| Mandatory Programs and GPAs | | | | | | | | | | | | | | | | |
| <i>County Programs (2.0 FTEs)</i> | | | | | | | | | | | | | | | | |
| County Growth Management Ordinance | | | | | | | | | | | | | | | | |
| Countywide Water Conservation Programs | | | | | | | | | | | | | | | | |
| Track and Implement State Housing Laws | | | | | | | | | | | | | | | | |
| Williamson Act Program | | | | | | | | | | | | | | | | |
| <i>Applicant Submitted General Plan Amendments (1.0 FTEs)</i> | | | | | | | | | | | | | | | | |
| Dana Reserve Specific Plan | | | | | | | | | | | | | | | | |
| Private GPAs 2022-2023 | | | | | | | | | | | | | | | | |
| Private GPAs 2023-2024 | | | | | | | | | | | | | | | | |
| Private GPAs 2024-2025 | | | | | | | | | | | | | | | | |
| Private GPAs 2025-2026 | | | | | | | | | | | | | | | | |
| Staffing for Mandatory Programs and GPAs (FTEs) | 5.0 | | | | 5.0 | | | | 5.0 | | | | 5.0 | | | |
| Existing Board-directed Priority Projects (Tier I) | | | | | | | | | | | | | | | | |
| <i>Annual Ordinance Clean-up Package (0.25 - 2 FTEs)</i> | | | | | | | | | | | | | | | | |
| 2022 Ordinance Clean-up Package | | | | | | | | | | | | | | | | |
| 2023 Ordinance Clean-up Package | | | | | | | | | | | | | | | | |
| 2024 Ordinance Clean-up Package | | | | | | | | | | | | | | | | |
| 2025 Ordinance Clean-up Package | | | | | | | | | | | | | | | | |
| 2026 Ordinance Clean-up Package | | | | | | | | | | | | | | | | |
| <i>Priority Projects (1.5 FTEs)</i> | | | | | | | | | | | | | | | | |
| Avila Community Plan | | | | | | | | | | | | | | | | |
| ADU Pre-approved Plans | | | | | | | | | | | | | | | | |
| Los Osos Community Plan - LCP Amendment | | | | | | | | | | | | | | | | |
| Staffing for Board-directed Priority Projects (Tier I) | 1.5 | | | | 1.5 | | | | 1.5 | | | | 1.5 | | | |
| Total Staffing Need for Existing Workload (FTEs) | 6.5 | | | | 6.5 | | | | 6.5 | | | | 6.5 | | | |
| Existing Permanent Staffing Level (FTEs) | 5.0 | | | | 5.0 | | | | 5.0 | | | | 5.0 | | | |
| Funding Staffing Deficit (FTEs) | 1.5 | | | | 1.5 | | | | 1.5 | | | | 1.5 | | | |

Attachment 4
 Long Range Planning Work Program - New Workload

| | | Note: Project start dates dependent on timeframe for filling new positions | | | | |
|---|-------|--|--------|--------|--------|--------|
| New Workload | FTEs | Months | Year 1 | Year 2 | Year 3 | Year 4 |
| <i>Mandatory Programs</i> | | | | | | |
| Los Osos Habitat Conservation Plan - Implementation | 1.000 | Ongoing | | | | |
| SB 9 Ordinance Amendment | 1.125 | 12 | | | | |
| SB 9 Ordinance Implementation | 1.125 | Ongoing | | | | |
| <i>Board-directed Projects (Discretionary)</i> | | | | | | |
| CAC Planning Guidelines | 1.000 | 12 | | | | |
| Cannabis Ordinance Update | 0.350 | 9 | | | | |
| Cannabis Programmatic EIR | 1.500 | 24 | | | | |
| Craft Distilleries Ordinance | 0.350 | 12 | | | | |
| Guest Ranch to Dude Ranch Change | 0.350 | 12 | | | | |
| Paso Planting Ord. - Implementation | 1.250 | Ongoing | | | | |
| Rural Camping Ordinance | 1.500 | 18 | | | | |
| Urban Small Wineries | 0.350 | 9 | | | | |



The county wide growth management ordinance is up for review. Will they allow housing?

San Luis Obispo County Air Pollution Control District (APCD) meeting of Wednesday, January 26, 2022 (Scheduled)

Item D-6: Court Order to Pay Friends of the Dunes \$121 241. The APCD lost the lawsuit. The write-up states in part:

*This lawsuit sought to invalidate the Board-approved March 2014 Consent Decree and First Amendment between the District and California State Parks (Parks). It was the District's intent for the Consent Decree to serve as an agreement with Parks on how to implement District Rule 1001 and achieve air pollution reductions at the Oceano Dunes State Vehicular Recreation Area. However, **the court has ruled in favor of FOD, invalidating the Consent Decree** and ordering the District to reimburse FOD for attorney fees and other costs. This reimbursement to FOD will conclude this lawsuit.*

The agency will burn reserves to make the payment:

The judgement order payment will be funded from the following designated reserve accounts: Capital Equipment \$25,000, Facilities \$75,000, and Vehicle Replacements \$21,241.50. The District does not have a reserve for litigation judgements and, unless approved by your Board in the Final Budget, the General Reserve can only be liquidated during the year for use during a Board-declared emergency. The District's reserve level will be approximately 45% of the current budget after this expenditure.

The Consent Decree allowed the State Parks Department and the APCD to adopt and operate the process, which is now underway to reduce the dust over 5 years. Since the consent decree is invalidated, what happens next?

It is strange that there is nothing about this in this report or elsewhere on the agenda.

More lawsuits are pending.

Item E-3: Clean Rooms Project – Air Purifiers for the Poor. The staff proposes to buy 600 air purifiers for the poor in the South County. They assert that this is necessary due to smoke from wildfires and blowing dust. The first round of purifiers would cost \$100,000 and would be distributed to people on the basis of:

Proof of low-income eligibility could include (but is not limited to):

- *Low-income home energy assistance program;*
- *PG&E Care Program;*
- *Southern California Gas Company Care Program;*
- *SNAP food benefits;*
- *Welfare statements or TANF participation;*
- *Medicaid and/or Children’s Health Insurance Program;* • *Women, Infants and Children (WIC);* • *Section 8 or HASLO Participation;* or,
- *2021 income tax statements.*

Accompanying the Pilot Program will be an awareness campaign for our broader public on the benefits of HEPA purifiers and clean air rooms. Key messages will focus on selecting an air purifier to purchase or building a “Do It Yourself” version, following best practices for use for each version, and key components needed for creating a “clean air room.” The APCD will also share information regarding how to interpret air quality data available on the APCD website, especially during wildfire smoke events and blowing dust events, and when it is recommended to use the air purifier.

That Clean Air Will Cost You

| Model | Price | Filter Cost |
|------------------------|-------|-------------|
| Alen Breathsmart | \$600 | \$104 |
| Blueair Blue Pure 211+ | \$300 | \$140 |
| GermGuardian AC5900WCA | \$185 | \$175 |
| Honeywell HPA300 | \$250 | \$127 |

[1 more row](#) • Oct 25, 2019

What quality of unit can they purchase for \$166 per unit ($\$100,000 \div 600$ units)?

Who will pay for the replacement filters each year?

You Can’t Make It Up:

Is there any enabling legislation (State Statute) that makes such a gift of public funds legal? Should they get a free electric range too? Will tobacco smokers and cannabis smokers be eligible?

Meanwhile, Grover Beach is planning to allow cannabis smoking parlors in connection with its 3 cannabis dispensaries. Wonder how Grover's APCD representative Karen Bright will vote on this one?

How tone deaf and out of touch with reality can the APCD staff be to float this one on the same agenda that shows them as paying off a \$121,000 lawsuit based on their own mismanagement? They don't have enough work.

LAST WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting This Week (Not Scheduled)

The next regularly scheduled Meeting is set for Tuesday, January 15, 2022.

Local Agency Formation Commission (LAFCO) of Thursday, January 20, 2022, (Completed)

Item B.1 - Receive Notice of Submittal of Proposal File No. 4-R21 For Sphere of Influence Amendment and Annexation #1 to the Shandon San Juan Water District. The Commission accepted the petition for processing and analysis. After many entities have detached from the District, this is the first since its formation to seek inclusion. The petition provides LAFCO with an opportunity to review the legality and effectiveness to date.

The San Luis Obispo Local Agency Formation Commission (LAFCO) received a landowner petition of application proposal for a Sphere of Influence Amendment and Annexation No. 1 to the Shandon San Juan Water District (SSJWD), LAFCO File no. 4-R-21 for two parcels APN's 037- 321-016 and 037-331-014, consisting of approximately 2,494-acres.

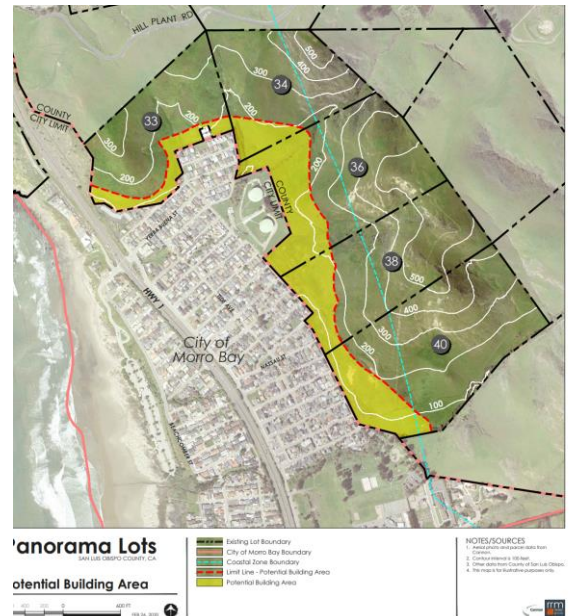
Item C.3 - Sphere of Influence Amendment to City of Morro Bay (Panorama Lots). The LAFCO Board approved the Sphere on a 6/1 vote. Many citizens in the North part of Morro Bay are opposed because the Sphere approval could lead to an annexation application. They have pointed out that the steep hills in the proposed annexation area are subject to landslides and hard water runoff, which if disturbed by development, could result in larger events and damage to their property below.

The write-up stated in part:

The territory proposed for a sphere of influence amendment is comprised of 212.81 acres located within the western boundary of the County of San Luis Obispo and surround the northeastern

portion of the City of Morro Bay with Highway 1 situated to the west. The vicinity maps in Attachment C show the sphere of influence (SOI) amendment area.

The area would remain agricultural, but a few large homes could be permitted. There is substantial opposition, including a 900-signature petition opposing the potential future annexation.



EMERGENT ISSUES

Item 1 - COVID – Cases and Confusion Rise, but Where are the Pills? County Health Officer, Dr. Penny Borenstein reports the high trajectory of increase for COVID infections. The County population suffers a mix of the Delta and Omicron variants. At this point, the infection rate is the highest since the pandemic began and is higher than its peak this time last year. Apparently 1 in 5 people in California are testing positive. Since it appears that just about everyone will eventually catch it, where are we on obtaining the various treatment drugs for those who do experience an active case?

FDA News Release from December, 21, 2021

Today, the U.S. Food and Drug Administration issued an [emergency use authorization \(EUA\)](#) for Pfizer's Paxlovid (nirmatrelvir tablets and ritonavir tablets, co-packaged for oral use) for the treatment of mild-to-moderate coronavirus disease (COVID-19) in adults and pediatric patients (12 years of age and older weighing at least 40 kilograms or about 88 pounds) with positive results of direct SARS-CoV-2 testing, and who are at high risk for progression to severe COVID-19, including hospitalization or death. Paxlovid is available by prescription only and should be

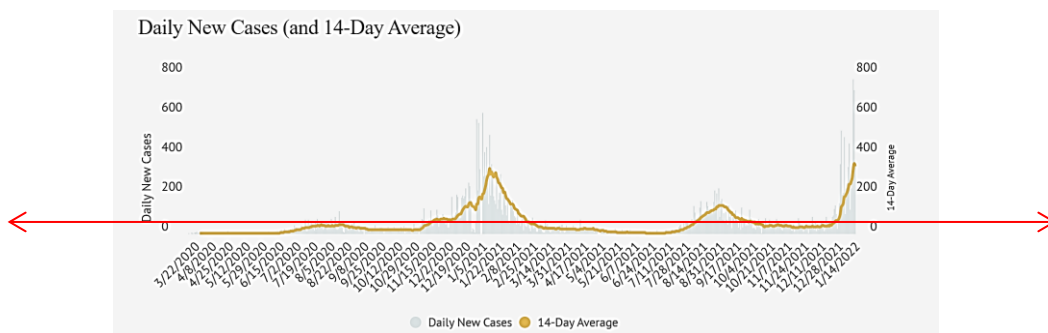
initiated as soon as possible after diagnosis of COVID-19 and within five days of symptom onset.

Where is the County on getting an ample supply of Paxlovid? Would the elderly and immune-compromised be prioritized? At each Board meeting we hear more about masks and tests, but where are we on the cure pills?



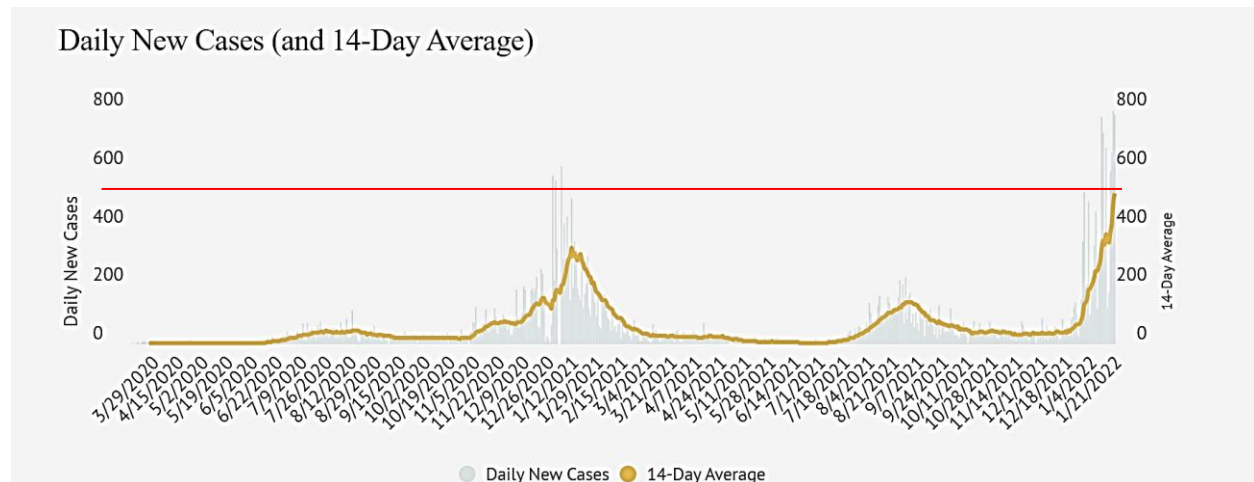
Masks and vaccines have proven not to be bullet proof. What happens if the next version makes people sicker and has a high mortality rate?

TWO WEEKS AGO



51 Hospitalized (6 in ICU)

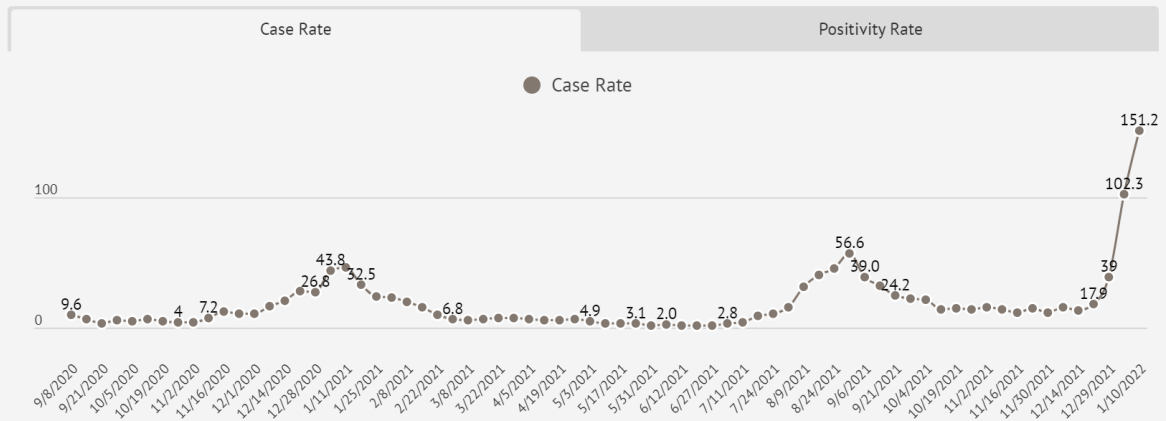
LAST WEEK



48 (10 ICU)** SLO County Residents with COVID-19 in Hospital

The case positivity rate is also very steep. The infection rate is far above what it was this time last year when it peaked.

Case Rate & Positivity Rate



Download data

Note: Case rate is SLO County cases per 100K (7-day average) by date reported. Positivity rate is the rate of positive tests over the last 7 days for SLO County. [CDPH](#)

Item 2 - The Left's Redistricting Lawsuit – Judge Shopping in Paso. Who says SLO County isn't the most corrupt county in California? You can't make it up. Check out the two articles below from Cal Coast News, which expose the scam.



WHO ARE THE PLAYERS IN THE REDISTRICTING LAWSUIT AGAINST SLO COUNTY - By KAREN VELIE

January 16, 2022



Allene Villa

SLO County Citizens for Good Government and three SLO County residents, registered Democrats, are challenging the county’s supervisor redistricting, saying that it was adopted to benefit the Republican Party at the expense of Democrats, in violation of state law.

The Patten map, drawn by a Richard Patten, a private citizen in Arroyo Grande and a registered Republican, was chosen by a majority of the Board of Supervisors. It included significant changes in the five supervisor districts. It was selected from more than a half dozen other maps put forth by county staff, the San Luis Obispo Chamber of Commerce, communities, cities and private persons.

Although the board of supervisors is a nonpartisan entity, the supervisors are split with three Republicans and two Democrats.



Patricia Gomez

Patricia Gomez of San Luis Obispo, Allene Villa of Oceano, Don Muruska of Los Osos and the not-for-profit SLO County Citizens for Good Government said in their suit that the new map gives advantages to the Republican Party and harms Democrats. State law forbids the adoption of “district boundaries for the purpose of favoring or discriminating against a political party.”

That same law requires that, where possible, combine communities of interest and not divide cities into more than one district.

The plaintiffs say that the new district map fails to consider communities of interests, in which rural, urban and agricultural areas have common interests. The new district map groups cities into districts that had not been put together for at least 30 years.

“(a)San Miguel was never in a district with Cayucos or Cambria; (b) Atascadero was never in a district with Cambria; (c) Los Osos was never in a district with Oceano; (d) Oceano has never been in a district that did not include Nipomo; (e) Nipomo has never been in a district that included Pozo; and (f) no attempt was made to ‘unify’ the entire city of San Luis Obispo,” the suit alleges.



Don Muruska

The suit also challenges the manner of the map’s adoption saying that the state mandated requirements that the process of redistricting include substantial public engagement, pointing to a

single meeting that provided for telephone or Zoom participation. Additionally, the plaintiffs said that only one meeting that discussed redistricting took place in the evening when the public would be able to attend and that only three meetings had the single item of redistricting on the agenda. The other meetings had redistricting as part of a larger meeting agenda and led to discussion of redistricting taking place long into the meetings.

Latinos in Oceano were not included in the public engagement process, the plaintiffs said. The suit alleges that those voters were not informed about the impact of being placed in a different district and how their votes would be deferred for two years because of the reelection cycle in their new district.

During the redistricting hearings, supporters of no change also accused county staff of failing to provide outreach to Latinos. Staff refuted those claims, saying they had provided information through Spanish language media, both written publications and on the radio.

Opponents of the Patten map said they would challenge the choice in court. The plaintiffs are asking the superior court to find that the redistricting process violated state law, to stay the implementation of the new map, impose a redistricting map and to require the county to pay the plaintiff's legal and attorney's fees.

The plaintiffs filed suit in Paso Robles. None of the plaintiffs live in North County, but the complaint maintains the place where the suit was filed was proper because the supervisors' action affects the entire county and the suit includes a challenge to the proposed boundaries of District 1, covering Paso Robles and surrounding areas.



The suit was assigned to the only civil judge in the Paso Robles branch court, Hernaldo Baltodano.

Richard Patten

Erica Baltodano, the judge's wife, is associated with one of the plaintiffs and also represents Supervisor Ortiz-Legg on the Civil Service Commission. She is the chair of the board of the SLO

Legal Assistance Foundation, and Patricia Gomez is a member of that board.

Plaintiff Allene Villa is a member of the SLO County Progressives Advisory Board, the Oceano Community Services District Board and the Oceano Advisory Council. Villa has long voiced her support of closing the Oceano Dunes to off-highway vehicles and electing Arroyo Grande Councilman Jimmy Paulding to the District 4 seat currently held by Supervisor Compton, a supporter of the off-road vehicle park.

Don Muruska is a consultant who conducts workshops, often for government employees and elected officials. He is a vocal supporter of Supervisor Gibson.

Quinn Brady, the spokesperson for SLO County Citizens for Good Government, is a former vice chair of the SLO County Progressives and Heidi Harmon's former campaign manager. Brady is employed by Megan's Organics Market, a retail cannabis shop in SLO.

The suit alleges the Republican Party distributed flyers and newsletters and offered "redistricting training" at workshops which Patten attended. The plaintiffs also allege workshop attendees were given guidance and messaging on how to support the Patten map.

This article was first published in the CAL COAST News of January 16, 2022. Karen Veile is Editor and Investigative Reporter. CAL COAST News is San Luis Obispo' County's supplier of hard news which has been sourced, investigated, and analyzed independently. [Cal Coast News](#)

And Then an Update:

Attorneys seek temporary restraining order against SLO County's redistricting map

January 21, 2022



By KAREN VELIE

Attorneys for a group challenging San Luis Obispo County's new redistricting map are seeking a temporary restraining order against the supervisors' adoption of the Patten map.

SLO County Citizens for Good Government and three SLO County residents, registered Democrats, filed a lawsuit on Jan. 12 challenging the county's selection of the Patten map, arguing it benefits the Republican Party at the expense of Democrats, in violation of state law. Generally, a suit challenging redistricting would have included an application for a temporary restraining order that would have resulted in a hearing within 15 days, which this lawsuit did not.

Filing for an *ex parte* motion with Judge Hernaldo Baltodano allows the plaintiff's attorneys to request a temporary restraining order without having to give more than 48 hours' notice to the defendants, and potentially without a hearing in which both parties can argue their points. *Ex parte* in Latin means without requiring the presence of the other party.

Even though the judge is allowed to rule on Feb. 1 on the *ex parte* motion, following that decision he would need to set a hearing where both sides can present evidence and argue the issues within 15 days.

An *ex parte* order could temporarily restrain the county from holding elections based on the new supervisorial district map, and potentially confuse candidates running or planning to run for office.

Local supervisorial candidates are currently conducting campaigns based on the Patten map. For example, Bruce Jones has filed his intention to run for the District 2 supervisor seat currently held by Supervisor Bruce Gibson. Before redistricting, Jones lived in District 1.

During the past several weeks, Gibson has held office hours in Atascadero while already campaigning at events in the North County city that has moved from District 5 to District 2.

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

IS AMERICA HEADING FOR A SYSTEMS COLLAPSE?

AS THE 2022 MIDTERM ELECTIONS APPROACH, WHO WILL STOP OUR DESCENT INTO COLLECTIVE POVERTY, DIVISION—AND SELF-INFLICTED MADNESS?

By Victor Davis Hanson

In modern times, as in ancient Rome, several nations have suffered a “systems collapse.” The term describes the sudden inability of once prosperous populations to continue with what had ensured the good life as they knew it.

Abruptly, the population cannot buy, or even find, once plentiful necessities. They feel their streets are unsafe. Laws go unenforced or are enforced inequitably. Everyday things stop working. The government turns from reliable to capricious if not hostile.

Consider contemporary Venezuela. By 2010, the once well-off oil-exporting country was mired in a self-created mess. Food became scarce, crime ubiquitous.

Radical socialism, nationalization, corruption, jailing opponents, and the destruction of constitutional norms were the culprits.

Between 2009 and 2016, a once relatively stable Greece nearly became a Third World country. So did Great Britain in its socialist days of the 1970s.

Joe Biden’s young presidency may already be leading the United States into a similar meltdown.

Hard Left “woke” ideology has all but obliterated the idea of a border. Millions of impoverished foreigners are entering the United States illegally—and during a pandemic without either COVID-19 tests or vaccinations.

The health bureaucracies have lost credibility as official communiques on masks, herd and acquired immunity, vaccinations, and comorbidities apparently change and adjust to perceived political realities.

After decades of improving race relations, America is regressing into a premodern tribal society.

Crime soars. Inflation roars. Meritocracy is libeled and so we are governed more by ideology and tribe.

The soaring prices of the stuff of life—fuel, food, housing, health care, transportation—are strangling the middle class.

Millions stay home, content to be paid by the state not to work. Supply shortages and empty shelves are the new norm.

Nineteenth century-style train robberies are back. So is 1970s urban violence, replete with looting, carjacking's, and random murdering of the innocent.

After the Afghanistan debacle, we have returned to the dark days following defeat in Vietnam, when U.S. deterrence abroad was likewise shattered, and global terrorism and instability were the norms abroad.

Who could have believed a year ago that America would now beg Saudi Arabia and Russia to pump more oil—as we pulled our own oil leases, and canceled pipelines and oil fields?

Our path to systems collapse is not due to an earthquake, climate change, a nuclear war, or even the COVID-19 pandemic.

Instead, most of our maladies are self-inflicted. They are the direct result of woke ideologies that are both cruel and antithetical to traditional American pragmatism.

Hard-Left district attorneys in our major cities refuse to charge thousands of arrested criminals—relying instead on bankrupt social justice theories.

Law enforcement has been arbitrarily defunded and libeled. Police deterrence is lost, so looters, vandals, thieves, and murderers more freely prey on the public.

“Modern monetary theory” deludes ideologues that printing trillions of dollars can enrich the public, even as the ensuing inflation is making people poorer.

“Critical race theory” absurdly dictates that current “good” racism can correct the effects of past bad racism. A once tolerant, multiracial nation is resembling the factionalism of the former Yugoslavia.

The culprit again is a callous woke ideology that posits little value for individuals, prioritizing only the so-called collective agenda.

Woke’s trademark is “equity,” or a forced equality of result. Practically, we are becoming a comic-book version of victims and victimizers, with woke opportunists playacting as our superheroes.

Strangest in 2021 was the systematic attack on our ancient institutions, as we scapegoated our ancestors for our own incompetencies.

The woke have waged a veritable war against the 233-year-old Electoral College and the right of states to set their own balloting laws in national elections, the 180-year-old filibuster, the 150-year-old nine-person Supreme Court, and the 60-year-old, 50-state union.

The U.S. military, Department of Justice, FBI, CIA, Center for Disease Control, and National Institutes of Health until recently were revered. Their top echelons were staffed by career professionals mostly immune to the politics of the day.

Not now. These bureaus and agencies are losing public confidence and support. Citizens fear rather than respect Washington grandees who have weaponized politics ahead of public service.

Chairman of the Joint Chiefs of Staff Mark Milley, Attorney General Merrick Garland, former FBI heads like James Comey and Andrew McCabe, retired CIA director John Brennan, and Anthony Fauci head of the National Institute of Allergy and Infectious Diseases—politicalized and vastly exceeded their professional purviews.

They sounded off in public fora as if they were elected legislators up for reelection. Some lied under oath. Others demonized critics. Most sought to become media darlings.

This governmental freefall is overseen by a tragically bewildered, petulant, and incompetent president. In his confusion, an increasingly unpopular Joe Biden seems to believe his divisive chaos is working, belittling his political opponents as racist Confederate rebels.

As we head into the 2022 midterm elections, who will stop our descent into collective poverty, division—and self-inflicted madness?

Victor Davis Hanson is a distinguished fellow of the Center for American Greatness and the Martin and Illie Anderson Senior Fellow at Stanford University’s Hoover Institution. He is an American military historian, columnist, a former classics professor, and scholar of ancient warfare. He has been a visiting professor at Hillsdale College since 2004. Hanson was awarded the National Humanities Medal in 2007 by President George W. Bush. Hanson is also a farmer (growing raisin grapes on a family farm in Selma, California) and a critic of social trends related to farming and agrarianism. He is the author most recently of The Second World Wars: How the First Global Conflict Was Fought and Won, The Case for Trump and the newly released The Dying Citizen. This article first appeared in the American Greatness and the Hoover Daily Report of January 21, 2021

NOTE: THE ARTICLE BELOW IS AN EXCERPT FROM A LONGER ESSAY WHICH CAN BE SEEN AT THE LINK: [Our 1776 Moment: Either a Liberal or Progressive America > American Greatness \(amgreatness.com\)](https://www.amgreatness.com) Please also note that the terms liberal and liberalism are used in the traditional meaning of those who support liberty and freedom as opposed to the current popular vernacular which equates the term with statism and tyranny. Read the full version when you have time.

Our 1776 Moment: Either a Liberal or Progressive America

We live at a “1776 Moment” where our governing principles, law, and society are changing into something America has never known.

By BRADLEY A. THAYER

The Consequences

The impact of progressivism is revolutionary: the replacement of liberal ideology and culture with its Marxist alternative. We live at a “1776 Moment” where our governing principles, law, and society are changing into something America has never known. This revolution is altering how America defines itself, its interests, culture, and position in the world. The beneficiaries are America’s enemies, most significantly China, which watches with glee while the United States tears apart the sources of its great strength. □

What makes our ideological struggle worse is that American society is caught between liberalism and progressivism. Americans do not know which should be obeyed, or perhaps even which is legitimate. Moreover, there is a generational divide. Older Americans once might have seen progressivism as an infantile disorder but are now awakening to the threat while progressives see older Americans as irredeemably racist. □

Lenin asked: *Kto, Kogo?* (Who, Whom?)” Who rules whom? Today, while the trends favor progressivism, there are still sufficient liberals in numbers and in key positions to challenge progressivism before it achieves complete victory. It is not clear whether liberals will be able to identify progressivism as an un-American ideology that is certain to lead America to tyranny. Or progressivism will triumph, with liberal America consigned to the dustbin of history. On a daily basis, this struggle occurs on both great and trivial issues: which statues should be venerated, and which removed, endless changes to the English language as that great language devolves into Newspeak, or the questioning of the loyalty of members of the military. □

As the changes are in a single direction, it is clear who is ruling whom. The consequence of the “1776 Moment” is that the United States will either sustain liberalism as its ideology or become a totalitarian country. The plan of progressivism is clear. To prevent it requires a renaissance of liberalism to assert America’s political ideology, culture, and history.

What Is to Be Done?

As is often the case in a period of ideological upheaval, it is not clear which ideology will triumph. It will be challenging for liberalism to reassert itself as American history and identity for decades have been taught differently to the young in contrast to previous generations, the Baby Boomers (born 1946-1964) or Generation X (1965-1980), who were raised and educated in a United States where liberalism was still the dominant ideology. □

To reinvigorate liberalism requires a transition as great as that which has occurred from liberalism to progressivism. It requires capturing the ideas industry that the critical theorists identified and successfully seized. The most important of the ideas industry are K-12 and university education but also journalism and social media, film, streaming services, music, and other elements of popular culture, philanthropic foundations, and publishing houses. □

This is singularly difficult to achieve, because progressives control the ideas industry. They also dominate the dissemination of those ideas through media and social media. Liberalism is further disadvantaged because progressivism is supremely intolerant of other ideas. Liberals permitted progressivism to seize the ideas industry because of their support for the “marketplace of ideas.” But progressivism is totalitarian, and so liberals face a supreme challenge. The ideas industry has to be recaptured or alternatives found, as must alternative ways of disseminating ideas.

Similarly, in education, it is not sufficient to require the replacement of CRT as its substitute will still be forged by progressives and inevitably would be nothing more than progressive ideology repackaged. Even to make progress in education would require the federal government, as well as state and local authorities, parents, and PTAs to intervene to halt progressivism’s control over the American educational system from K-12 through universities. Places like Hillsdale College or the new University of Austin are important but cannot stem the tide by themselves. It would take the intervention of state legislatures as some states, including Florida and Texas, have done to have any impact, or for the federal government to link academic tolerance to funding opportunities. Once done, it would have to be sustained. So it is with Hollywood, streaming services, and the other components of the culture industry. □

Moreover, there will be countermeasures taken by an ever vigilant and ubiquitous progressivism to prevent an ideological renaissance of liberalism. The example at the University of Oxford of Oriel College’s refusal to remove the statue of British imperialist and philanthropist Cecil Rhodes at the face of the college, despite the demands of the “Rhodes Must Fall” movement, was met with protest from academic staff and over 150 academics refusing to teach Oriel’s students, hurting the educational opportunities for Oriel’s students and its reputation. □

Part of the solution for liberals is to study progressivism’s success. What is needed is for liberals to wage a “war of positions” as Gramsci advocated. To assist the liberal response, a Frankfurt School for liberalism is needed to study progressivism. It is incomprehensible that such an institution does not already exist. Liberal donors must come forward to create it. A School of Liberalism would be able analyze the causes of progressivism, how it functions, and what will be its consequences for American society and its place in the world. Moreover, it could answer fundamental questions, including revealing progressivism’s weaknesses, the contradictions in progressivism’s core ideas and tensions within the more moderate wing of the movement and its

extreme wing; why progressivism seeks to destroy the society that made it possible; what is the progressive conception of victory over liberalism and timescale to achieve victory; what will it do after victory.□

The era of the “End of History” that defined the post-Cold War order is well over. At least in the sense that its author conceived it as the triumph of liberalism, and the defeat of socialism. Hegelian ideological strife has indeed returned. What could not be seen in 1989 was not only the return of ideological conflict but that this conflict would also occur within the United States. Also not foreseen was that liberalism would be dethroned as the dominant ideology of the American elite by socialism in the guise of progressivism. Indeed, it was unimaginable in 1989 that totalitarianism, of either a U.S. or Chinese variant, might define history’s end.

The window to arrest progressivism’s advances is narrowing, and liberals must organize now for the ideological struggle or the progressives will win the “1776 Moment.”

This article first appeared in the American Greatness of January 21, 2022. Bradley A. Thayer is a founding member of the Committee on the Present Danger: China and is the co-author of “How China Sees the World: Han-Centrism and the Balance of Power in International Politics.”



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