

April 2015

COLAB

San Luis Obispo
County Newsletter



COLAB
San Luis Obispo County

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CHANGE HAS ALREADY COME

We're no longer putting up with bullies on the left

BY MICHAEL F. BROWN

This article is in response to former San Luis Obispo Tribune reporter Bob Cuddy’s March 26, 2015 New Times Commentary, “A Change is Coming.” Cuddy’s insulting polemic is a foretaste of a protracted attack on COLAB, several County Supervisors, and citizens who speak at public comment periods before the Board of Supervisors and other public bodies. The attack, as Cuddy has promised, will be launched against so-called local “reactionaries” by the county’s left apparatchiks, who are unhappy with some recent election results and the growing criticism of local and State land use, tax, regulatory, and water policies. They are even more upset because they can no longer monopolize public policy and civic activism.

The article itself, and separately from the threat, is akin to a drive-by shooting using a machine gun on a crowded street. The bullets fly indiscriminately. Not that Cuddy didn’t have targets. He includes the Tea Party, County Supervisors Debbie Arnold and Lynn Compton, unnamed people who are allegedly “buying the county government,” unnamed citizens who speak at public meetings (whom he vilifies as demagogues, malcontents, and fellow travelers), unnamed bullies, unnamed troglodytes, unnamed ill-mannered big money folks, minions, his former employer and editors at the Tribune, the Coalition Of Labor Agriculture And Business of San Luis Obispo County (COLAB), and of course myself as its Government Affairs Director and government watchdog.

This variety of personal attack is characteristic of those who have no valid substantive position or argument. Hypocritically, he supports a “local government scene” that he says could be “returning to civility, discourse, and thoughtfulness.” Presumably, all the listed groups lack civility and the other characteristics which he purports to support.

Obviously the guy is a graduate of the Joseph Goebbels School of Journalism, using unsubstantiated broad-brush innuendo, double speak, and invective to characterize some groups in the hope of destroying them. Would Cuddy send Tea Party members, COLAB members, and people who contributed to Lynn Compton to a prison camp? After all, some are anti-socialist (including anti-

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CHANGE HAS ALREADY COME *cont.*

National Socialist). To label the civic-minded folks who come to speak on agenda items as “demagogues,” “malcontents,” and “fellow travelers” is despicable. Several years ago there were a few people who got personal after news of Gibson’s 4th floor County affair broke, but they came and went.

Cuddy’s bias is clearly evident. He ignores the key fact that it is Supervisor Adam Hill, aided by Supervisor Bruce Gibson, who is the poster child for instigating and maintaining a contentious and impolite atmosphere. He has gone out of his way to chill legitimate public speakers – not to mention news reporters, radio show hosts, some of his colleagues, and others.

Why doesn’t Cuddy chastise Hill for his bullying and, in my opinion, illegal behavior as a public official? Why is censoring Hill, barring him from honorable positions, denying him the ability to preside over public bodies, or better yet removing him from public office altogether, not just as “dandy” as it can be? Actually I don’t remember using the word. It sounds a little embarrassingly delicate for me. (I would probably say nice work, or totally bitchin, or all debts must be paid) but will accept credit here. Why is it “insulting”?

Cuddy ought to take a breath and watch the public broadcasts of the British Parliament when the Prime Minister is giving his reports. The British have mastered “insulting” political debate. Not only are the jabs hard, but the opposition rudely boos, claps, groans, and rustles papers. In San Luis Obispo County the public is actually barred from booing and clapping in our Board meetings and will be removed by an armed Sheriff’s Deputy if they do. Since the Supervisors don’t have real “no holds barred” debates, what is the public to do?

Why is it that members of the public are demonized as “demagogues, malcontents, and fellow travelers” if they oppose current County policies such as “smart-growth,” draconian limitations on agriculture, government expropriation of private property rights, and the oil industry, as well the endless expansion of fees, taxes, and exactions?

Conversely, why is it that those who demand the

shutdown of the Diablo Nuclear Power Plant, the Phillips 66 Refinery, dunes recreation, and the banning of traditional subdivisions of freestanding homes in the name of climate change are praised as “ordinary, decent, citizens with manners”? Is this Cuddy’s version of “civility, discourse, and thoughtfulness?”

Cuddy objects to the interruption of the good old boy annual Board Chair rotation at the APCD several years ago and at the Board of Supervisors this past February. It happened because people are disgusted with Hill and object to his being the chief elected official of the County and highest local elected official representing the county as a geographic entity generally. Similarly, people do not trust Gibson, who is dictatorial as Board Chair and who travels to Sacramento and places the County on record with the Legislature as supporting the Proposition 30 tax hikes even though the Board never considered the matter, let alone held a noticed public hearing. As noted above, his trustworthiness is also questioned because he has had romantic turmoil, which spilled into the workplace – a work place which actually has rules against such behavior. Consider the double standard. Just a few years ago a long term County Administrative Officer was fired for consensually discussing dating and apparel issues with his female deputy. The Board apparently considered this sexual harassment. In Gibson’s case County officials placidly shrugged their shoulders. Cuddy terms citizens who questioned the double standard as ill mannered.

Furthermore and according to Cuddy, the other Supervisors and the public have no right to question the Chair rotation because each Supervisor is elected from a district and presumably represents the voters who voted for him or her. He makes a huge leap of false logic here. Once elected, the Supervisors are sworn to govern the entire County legally and in the public interest. They don’t just govern their own district. The fact that a particular supervisor was elected by a particular district does not excuse, let alone prohibit, the other Supervisors or the people from questioning his actions and taking action themselves if they disagree. Cuddy’s position is an unethical slippery slope because, in the end, he

CHANGE HAS ALREADY COME *cont.*

is advocating for the suppression of speech of those with whom he disagrees. Moreover he is advocating for the perpetuation of a live-and-let-live, mutual backscratching culture among the Supervisors which has existed for decades.

There is a deeper issue here. It is in one which Cuddy, Gibson, Hill, Fulks, and their ilk now understand, despise, and fear. It is that the people will no longer allow the left to monopolize public activism. COLAB and other indigenous voluntary organizations, which have arisen and which are growing, constitute a form of civic insurgence that will not be bullied or marginalized by the left. COLAB is a broad coalition of farmers, ranchers, businesses of all types, professionals, realtors, and civic-minded individuals, and seeks fundamental policy change. The recent attacks by Cuddy and Fulks are testimony to the success, visibility, and power of that insur-

gence. Cuddy's article says a "A Change is Coming."

No, Mr. Cuddy, the change has already come.

By the way, Cuddy's statement that COLAB put money into the supervisorial campaigns of Arnold and Compton is absolutely false. COLAB does not provide campaign contributions or candidate endorsements. This is not a matter of opinion. There are no campaign reporting forms showing contributions by COLAB to candidates or payments for services to COLAB by candidates. Cuddy should correct and apologize in the same space.

Mike Brown is the Government Affairs Director for the Coalition of Labor Agriculture and Business of San Luis Obispo County (COLAB). Brown has 42 years of local government experience, much of it as CEO of large complex jurisdictions.

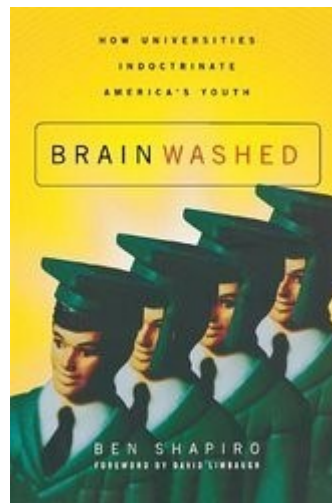
BEN SHAPIRO COLAB KEYNOTE SPEAKER

Ben Shapiro was this year's COLAB Dinner/Fundraiser key note speaker. Please enjoy the following article which details this remarkable and brilliant young man's amazing career, so far. The following article comes courtesy of the digital encyclopedia, Wikipedia.

Benjamin Aaron Shapiro, known as **Ben Shapiro** (born in 1984), is an American conservative political commentator, bestselling author, radio talk show host, attorney, and media consultant.

A native of Los Angeles, California, Shapiro graduated from the University of California, Los Angeles and Harvard Law School. He has written five books, starting with *Brainwashed: How Universities Indoctrinate America's Youth* in 2004, writes a column for Creators Syndicate, is editor-at-large of Breitbart News, and founder/editor-in-chief for the media watchdog group TruthRevolt.

Shapiro was born in Los Angeles, California. He is a



cousin of actress Mara Wilson. Skipping two grades, Shapiro graduated from Yeshiva University High School of Los Angeles in 2000 at age 16. He then enrolled at

The university of California, Los Angeles (UCLA) and graduated with a political science degree *summa cum laude* in 2004. He also wrote a column for the *Daily Bruin* student newspaper at

UCLA from 2000 to 2002. Shapiro graduated from Harvard Law School in 2007. The *Daily Bruin* suspended Shapiro after he appeared on radio talk shows claiming that the newspaper refused to print his column, which accused Muslim student groups

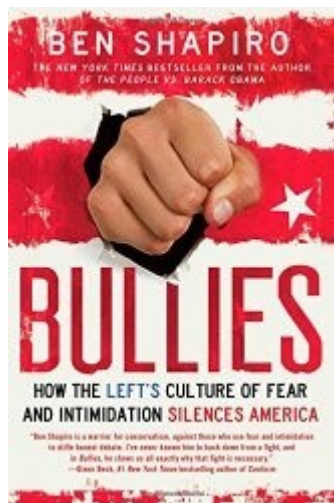
BEN SHAPIRO *cont.*

of supporting terrorism.

His third book, *Project President: Bad Hair and Botox on the Road to the White House*, was published by Thomas Nelson in 2008.

In 2011, HarperCollins published Shapiro's fourth book, *Primetime Propaganda: The True Hollywood Story of How the Left Took Over Your TV*, in which Shapiro argues that Hollywood has a left-wing agenda which it actively promotes through prime-time entertainment programming. For the book, Shapiro interviewed many in the entertainment industry. In an interview with Thom Hartmann on RT's *The Big Picture with Thom Hartmann*, Shapiro cited the children's show *Sesame Street* as an example of left-wing propaganda. Shapiro also interviewed several producers who said that *Happy Days* and *M*A*S*H* had an intended pro-pacifist orientation. Patrick Goldstein of the *Los Angeles Times* questioned Shapiro citing *The Mary Tyler Moore Show* and *The Simpsons* as examples, and Goldstein argued that those shows have "gone over like gangbusters with middle America." The same year *Primetime Propaganda* came out, Shapiro became a fellow at the David Horowitz Freedom Center. In 2012, Shapiro became editor-at-large of *Breitbart.com*, a news and opinion website founded by Andrew Breitbart.

In 2013, Threshold Editions published Shapiro's fifth book, *Bullies: How the Left's Culture of Fear and*



Intimidation Silences Americans. *Bullies* is Shapiro's first book to be listed on *The New York Times* Best Seller List; the book debuted at #32 in the combined print and e-book nonfiction list on January 27, 2013.

Shapiro writes a column distributed by Creators Syndicate that appears on sites like *Breitbart.com* and *Townhall.com*.

On October 7, 2013, in

association with the David Horowitz Freedom Center, Ben launched the website for media watchdog group TruthRevolt in response to the left-leaning Media Matters for America. Periodically, Ben will write and post his own articles to the site. .

Shapiro guest hosts regularly for major talk show hosts including nationally syndicated hosts Jerry Doyle and Rusty Humphries.

From May 2, 2010 to 2011, he hosted *The Ben Shapiro Show* on the Orlando, Florida talk radio station WEUS. Shapiro currently acts a co-host on



"The Morning Answer" on KRLA 870 Los Angeles and KTIE 590 San Bernardino with Brian Whitman and Elisha Krauss. The show was listed as #80 on Talkers Heavy Hundred list of top 100 radio shows in the country. Shapiro appears regularly on news channels including CNN, Fox News, and Sun News Network in Canada.

As of January 6, 2014, Shapiro began hosting a talk radio program in Seattle with a Bonneville Communications station, KTTH. Shapiro will split time in



Los Angeles and continue to broadcast on "The Morning Answer."

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Guest Commentary

A MARRIAGE OF CONVENIENCE

By PUBLIUS¹

The following article was submitted to us after the Board of Supervisors voted to direct staff to prepare Plan of Development amendments and zoning ordinance revisions which would make the Paso Robles water basin water and development moratorium permanent. On February 24th, the Board of Supervisors voted 3/2 (Arnold and Compton dissenting) to resume the staff work on creating the Agricultural Water Offset Program. This would essentially make the Paso Robles Urgency Ordinance (moratorium) permanent. The version which was adopted (as proposed by Supervisor Mecham) requires that for any use of new water, an equivalent amount must be offset somewhere else in the basin. At this point the staff is requested to limit the scope to the Paso Basin. The proposed ordinance would also contain a sunset clause by which it would terminate one year after the separately proposed Paso Robles Groundwater Management District has prepared, adopted, conducted environmental review, and has received State approval of an SB 1168 compliant basin sustainability plan. The current schedule, assuming that the new district is approved, would take until 2022 and essentially render the ordinance permanent. Also it is a backhanded way to support the formation of the proposed district. Nothing can be approved (without offsets) until the District plan is functional. The District will have to adopt an offset plan to pass muster with the State. It would be useful and informative for the proponents of the proposed water district to describe their strategy and timeframe for ending the moratorium.

Last Tuesday Supervisor Mecham came down from his mountain, reached under the table to Hill and Gibson and gave his captive subjects in the basin the back of his hand and a law that added not a single drop of water to the basin, allowed the profligate water abusers to continue unabated and penalized everyone else in the basin. What happened at the Board of Supervisors meeting was a travesty.

Supervisor Mecham could have worked with Supervisors Arnold and Compton, who have Ag industry experience and actually represent rural farming areas, to work out a serious solution to begin to heal the troubled spots of the basin, while at the same time minimize unnecessary negative impact on residents and farming in the sub basins which do not have water problems.

Both Arnold and Compton were clear that they believe there are problems in the basin, but also an equitable solution must address the problem areas and not punish unaffected areas. When Supervisors



¹**Publius Valerius Publicola** (or **Poplicola**, his agnomen meaning "friend of the people") (died 503 BC) was one of four Roman aristocrats who led the overthrow of the monarchy, and became a Roman consul, the colleague of Lucius Junius Brutus in 509 BC, traditionally considered the first year of the Roman Republic. The authors of America's *The Federalist Papers* used the pseudonym "Publius" in his honour.

A MARRIAGE OF CONVENIENCE *cont.*

Arnold and Compton brought up exemptions at least for di minimus users in good water sub basins, Supervisor Gibson, characteristically hunched over like a lurking vulture with a look of impatient disdain that his victim is taking so long to bleed to death, objected with a “we are at the chasm” speech. This is by the way, the hypocrite who expanded planting and continued to economically develop for his own farm for sale during the urgency ordinance while lecturing everyone that we are in a great drought and the county is running out of water.

But it was never about protecting the Paso Robles Groundwater Basin. This was a prearranged marriage of convenience between Supervisor Mecham and Supervisors Hill and Gibson. What Hill and Gibson got was essentially no new development in the rest of the basin for their smart growth backers. What Supervisor Mecham got out of it was cover for his cronies, the city of Paso Robles and PRAAGS who will brook no cutbacks in their operations. If there was any doubt who was behind it, the round of “high fives” between the supporting supervisors, PRAAGS and their proxies like the PRVGA confirmed what happened. They took the well water, and gave the residents of the basin the shaft.

So, it was to be all for the profligate few and nothing

for the rest.

It is no surprise that Mecham pushed the PRAAGS option, (appropriately option 8); the plan which left PRAAGS members untouched and penalized everyone else in the basin. He has been in bed with PRAAGS ever since the start. The city of Paso Robles, the biggest constituency of Mecham's, was of course untouched too. When Supervisor Compton objected that the PRAAGS plan is rewarding the abusers and punishing the innocent, former Mayor of Paso Robles Mecham whined the City of Paso Robles was proactive and had lobbied for and built the Nacimiento Pipeline to support all that new development going on.

But look at the facts. The Nacimiento Pipeline, when it actually works, is going to deliver potable water at ten times the cost of pumping groundwater. Water, so expensive that it will only be utilized in the summer peak months. Most of the year all that new development in the city will be running on... you guessed it, groundwater.

In a final insulting display of arrogance, just before his vote, we were admonished by a self-righteous Mr. Mecham that overlying users do not own the groundwater, the state owns the water and they “allow you to use it...” Meaning he and the board

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A MARRIAGE OF CONVENIENCE *cont.*

can do what they want because you have no legal right to the water under your property...

If he has been studying this issue for years as he frequently asserts, it is inconceivable that he would not know basic California groundwater law. The next day Mr. Mecham made the same false assertion in public again, probably hoping if he repeats it often enough, people will begin to believe it.

The legal fact is California follows the Correlative Rights System. Under California law, the owners of overlying land **OWN** the subsurface water as "tenants in common" and each is allowed a reasonable amount for their own beneficial use. Supervisors Mecham, and Supervisor Gibson and Hill do not control the groundwater and do not get to define "beneficial use" as the overlying property owners of the basin giving up their water rights so the supervisors' cronies can continue business as usual.

The problem in the basin is not a bunch of "mosquitoes with their straws in the basin." The problem is a few big leeches in the troubled spots. If he was seriously looking for solutions, Supervisor Mecham could have worked with Supervisors Arnold and Compton to develop a serious plan to deal with the troubled areas. The problem is, if he did that, that would be tacit acknowledgment that the Great Paso Robles Groundwater basin is a fiction. It is not one giant basin, but several sub basins, some with good water and little or no connection with the hot spot sub basin under Paso Robles. Furthermore, if that is true then it follows that the 2,500 acre feet per year deficit represents not an average deficit equally spread over the entire basin, but confined principally to one hot spot sub basin. And if per chance it turns out to be true that some sub basins are even showing positive water table rises and have no connection with the hot spots, then that 2500 acre feet per year deficit is a "net" deficit, meaning the hot spots are in even more trouble than reported.

That is a big problem for Mr. Mecham and his cronies -that the BIG red hot spot is right under the city of Paso Robles and the big PRAAGS vineyards. If there is little or no connection between the sub ba-

sins, and horrors! ***if the basin gets adjudicated!*** then that makes the hot spot solely Paso and PRAAGS problem to deal with and they can't have that. So reality or not, there has to be at least a political nexus so the entire basin gets dragged into Paso's and PRAAGS' problem. What this will mean if an AB2453 district gets formed who knows? Most certainly there will be an immediate push for a publicly financed project to solve the private water problems of these concerns. The bigger the basin, the bigger the tax base and the easier access to water in the unaffected areas.

Residents of the basin need to take note, while Mr. Mecham, and his crony PRAAGS supporters like Messrs. Reaugh, Sinton and Brown and of course their free agent Sue Luft of the defunct Pro Water Equity, are always chanting the mantra, "Oh, we don't want to adjudicate the basin because that will pit neighbor against neighbor, that is EXACTLY what their new ordinance just did. It is very clear that as long as they get theirs, they really don't give a damn about their neighbors in the basin.

Not only is this attitude arrogant, it is stupid because these people behind this reckless ordinance are EXACTLY the same people who are pushing for and are the would be governors of the proposed AB2453 water district. Be forewarned! They have just given the basin a bitter taste of exactly the kind of management you will get if these people ever get control of the Paso Robles Groundwater Basin. All for the profligate few and nothing for the rest.

If you haven't already joined the Quiet Title and Adjudication movement, what are you waiting for?



CALIFORNIA DREAMIN' OF A LEGACY

BY MICHAEL J. BOSKIN

Jerry Brown's popularity isn't in doubt, but his fiscal record is. He still has time to put the state on solid footing.

Jerry Brown—now in the last of his second pair of terms as governor of California—should command broad national attention and not only as a possible presidential candidate if Hillary Clinton falters.

Mr. Brown's policies are more complex and nuanced than a typical big-spending liberal in a blue state. He plans, at great cost to consumers, to mandate that 50% of the electricity generated in the state be from renewables such as solar and wind by 2030. But he won't ban fracking as New York Gov. Andrew Cuomo did recently. Instead Mr. Brown prefers heavy regulation.

Buoyed by a prospective budget surplus, his party's large legislative majority once again is demanding even more social spending. Mr. Brown instead proposes using a bit of the state's recent revenue surge to pay down debt and add to a rainy-day fund.

He is California's most popular politician—for now. The question he no doubt asks himself is how he will go down in the history books.

Mr. Brown's biggest achievement is presiding over a budget that has moved from an \$18 billion deficit in 2011 to a projected \$2 billion cash surplus in fiscal 2015-16. The main engine was a 28% surge in revenue from the economic recovery and stock-market boom—and a seven-year “temporary” (and retroactive) tax hike in 2012 that raised the state's top personal income-tax rate to the nation's highest, 13.3%.

Unfortunately, the governor missed an opportunity to stabilize the state's revenue system. Income-tax collections—which rely heavily on exercised technology-stock options and capital gains taxed as ordinary income—have jumped to two-thirds from just over half of revenue on his watch. At the peak of an economic cycle, e.g., 2000 and 2006, 1% of the population paid half of the taxes.

Mr. Brown may ride out the economic recovery and

revenue rebound. His successor, California taxpayers and residents dependent on public services will be stuck with a disaster in the next economic downturn. When revenues plummeted 18% in fiscal 2008-09, the state cut spending for education and social services, issued IOUs for accounts payable, and raised the sales tax.

So far Mr. Brown has not proposed using the budgetary breathing room to push for a more growth-oriented tax system with a broader base, lower rates, and less reliance on the state's volatile progressive income tax. Various models for tax reform—including one I helped develop on a bipartisan state commission in 2009—are readily available.

Another opportunity for reform so far unrealized is the state's unfunded pension and health liabilities. A Stanford University study estimates these liabilities to be between \$300 billion and \$500 billion, and they are increasing by \$17 billion a year. This means that the state's small cash surplus is a really whopping deficit.

In 2011 Mr. Brown spoke about the glaring mismatch between California's pension funding and liabilities. “It's not even a matter of higher math,” he said. “It's fifth-grade arithmetic.” So far his pension reforms, though sensible, solve only a small part of the problem and are being challenged in court by public unions. Almost all affect only new state employees and will have little impact for decades.

To deal with the deficit in funding teacher pensions, Mr. Brown last year shifted most of the cost to local school districts. This will crowd out teacher hiring, school construction and equipment.

Mr. Brown proposes a dialogue with the public unions about health costs. But his nibbling around the edges of pension reform, where costs are accruing far more rapidly than his modest savings, suggests similarly small health reforms.

Although he inherited them, Mr. Brown is presiding over the most rapid expansion of unfunded liabilities in state history. Such cost pressures in a private business at a minimum would lead to enhanced efficiency. Opportunities are plentiful—the state spends more per incarcerated inmate than the take-

CALIFORNIA DREAMIN' OF A LEGACY *cont.*

home pay of the median family. But no serious consideration of welfare or MediCal (the state's Medicaid program) reform is under discussion.

Mr. Brown spent the first half of January on a triumphal tour of the state, including a ceremonial groundbreaking for his signature initiative, a high-speed rail system to connect Los Angeles and San Francisco. The project was originally billed as a \$9 billion state bond expense out of a total projected cost of \$33 billion—the balance from federal and private funds. The projected cost is now \$68 billion and will use more existing rail, slowing the speed considerably. No private funding is in sight, nor is any more federal money likely beyond the \$2 billion from President Obama's 2009 stimulus.

California is a leader in technology, home to the most innovative companies and a remarkable array of talent and great universities, and the harbinger of demographic and cultural trends. But it is also home to some of the nation's most difficult problems: Be-

tween 2004-13, the population grew 2.25 million, while the number on assistance programs grew by 2.9 million. Even before ObamaCare, the state had more Medicaid recipients than taxpayers.

No one expects Jerry Brown to govern like Chris Christie or Scott Walker. Still, his election to a third and fourth term has raised expectations that he would leverage his popularity to put the state on a more stable fiscal footing. Getting there would require reforms that are politically challenging. But overcoming these challenges is the essence of leadership and will define his legacy.

Mr. Boskin, a professor of economics at Stanford University and senior fellow at the Hoover Institution, was chairman of the Council of Economic Advisers under President George H.W. Bush. This article was first published in the Wall Street Journal of February 8, 2015.



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