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Skull Session: Disconnect-(ed) – Part 3

By Ward La Valley

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Edwin R. Murray-Creek: Hello and welcome to Skull Session!

I'm your host, Edwin R. Murray Creek, and this is Skull Session, Calaveras County's spontaneous and unrehearsed program on Calaveras politics! Let me introduce our panel of experts, Lee Atwater and Louis Howe!

Lee Atwater managed the successful presidential campaign of George H. W. Bush in 1988 after serving as Political Director for Ronald Reagan's 1984 re-election campaign.

Louis Howe was a long-time political advisor to Democratic President Franklin Delano Roosevelt who was elected President of the United States no fewer than four times.

Also with us tonight via, uh, telephone, is David Gergen. Mr. Gergen has been a senior advisor to both Democratic and Republican Presidents, and is currently a commentator at CNN.

Tonight, we're going to discuss Mr. Howe's theories on Calaveras politics in Part 3 of our series opening the 2016 campaign.

Now Louis, in fairness, before we open up the discussion we're going to give you a few moments to summarize and complete your ideas.

Lee Atwater: Is this really necessary?

Howe (clearing his throat):

Now, to *very briefly* summarize what we've discovered so far:

In just a few short months there will be three districts voting for Supervisor in Calaveras County, and it is extremely likely that once again three-quarters of the votes cast will come from persons age 65 or older. Moreover, up to 80% of this senior super majority own and live in their own home, which is likely a large fraction of their total financial assets. Also, unless they are at the bottom of the income scale, they aren't looking for work, at least full-time work.

[In Part 2](#) we saw that these characteristics shared by the majority would rationally lead to a particular agenda, call it the "rational senior agenda." Our definition of 'rational' is limited to the domain of Calaveras Supervisorial policy, and, as we heard in Part 2, our definition of

rationality begins with a frank admission that it is irrational to expect any voter to vote for policies that result in harm to themselves or their family *unless* that harm is shared fairly and / or there is an overriding benefit to those being harmed and / or the community at large.

Harm can be defined as physical harm, financial harm, or a reduction in the overall quality of life, e.g. reduced air quality, transportation bottlenecks, noise, etc.

So the first rational characteristic of County policies for the majority would be that they do no harm. Conversely, the other side of the coin would indicate that the second rational characteristic of County policy for the majority would be that it enhances their physical, financial, and overall quality of life.

So here is the rational agenda:

1. Public Safety – fully fund the Sheriff's Office
2. No new taxes, no new fees of any kind unless ...
3. ... and until fiscal confidence in County can be re-built
4. Protect the value of existing homes and quality of life for existing residents through land use planning

So now we come to Part 3. In general, and also more recently, how does County policy compare with the senior majority agenda?

Although most candidates for Calaveras Supervisor enthusiastically agree that Public Safety is of prime importance while *running* for office, with one recent exception the Supervisors while *in* office have traditionally not bent over backwards to fully fund the Sheriff's budget request.

That exception occurred in 2013 when a newly elected board majority [rejected the Administration's budget](#) and added several hundred thousand dollars to the Sheriff's budget for the purpose of hiring more officers. Subsequently, the Administration accused the Board of recklessly endangering the County's finances, the Sheriff became distracted, and since that one exception the budget process has not resulted in the Sheriff receiving all the resources requested.

With the recent untimely death of the elected Sheriff, a new Sheriff will be in charge during the budget process, and he will have been appointed by those same Supervisors who will decide his budget. In light of these unusual circumstances, it remains to be seen whether the new Sheriff will be willing or able to challenge the Administration and fight for resources.

In truth, neither the public, nor the Administration, nor the Supervisors, are in a statistically informed position to know just how much money the Sheriff's Department really needs to maintain public safety. Statistics regarding crime and arrests are murky at best. One clear objective of the

rational majority would be for the Sheriff's Office to regularly provide accurate and consistent statistics on the performance of the Department. Resistance to this idea can be expected, but how else can the Sheriff be held accountable if he is also to be given the benefit of the doubt regarding his budget needs?

In summary, over the last twenty years, Calaveras Government gets a grade of "C - Minus" on the number one rational senior majority agenda item, public safety.

The County's record on rejecting tax and fee increases is mixed. Elected officials in rural counties knows how fierce opposition can be to increasing taxes and fees, but increasing demands on Government have prompted the need for increased revenue. Nevertheless, at least since the Great Recession of 2008, Calaveras Supervisors have not proposed any increases in direct taxes on the County as a whole.

One Supervisor led an effort to engage the entire County in an effort to increase the Transient Occupancy Tax, which residents don't pay, but the effort did not reach the ballot. The same Supervisor did, however, lead a successful effort to re-impose a property tax increase on parts of his district for fire and ambulance protection services, an instance where the number one senior agenda item overrode the second.

Regarding fees to be paid by local residents for services rendered by County Government, with exceptions and in general, various Boards of Calaveras Supervisors have made regular adjustments to the County's fee structures, usually resulting in modest increases designed only to meet added costs.

The sharpest exception to the usual County reluctance to raise fees occurred this year when the Supervisors raised the fee to appeal decisions of the County Planning Commission to \$500 from \$100, and is considering raising the fee for applying for Williamson Act contracts from zero to \$3,000. The Williamson Act allows larger landowners to receive property tax relief in exchange for keeping their land in agriculture for a designated period of time. Depending on the parcels in question, developers see the Williamson Act as an impediment to residential development, and the increase in the fee is seen by some as the County's attempt to discourage more land entering, or re-entering, into these contracts.

Overall, and not counting the exception noted above, over the last 20-plus years, Calaveras Government gets a grade of "C-Minus" in the area of not raising taxes and fees on County residents.

In the related area of gaining and holding public confidence in its fiscal judgement, management, and transparency, the record indicates that the County has struggled.

In 2012, at least one Supervisor may have lost re-election after the [Auditor publicly questioned an extraordinary procedure](#) taken by the Supervisors to meet the compensation demands of a critical Department Head threatening to leave for greener pastures. The issue seemed to add credibility to the [underlying political narrative](#) being used to unseat long-time 4th District Supervisor Tom Tryon, and may also have helped unseat the 1st District incumbent Supervisor who had politically closely identified with Tryon.

In 2014, the incumbent Sheriff, while running for re-election, became so frustrated with what he felt was the deliberate obfuscation of the County's accounts and balances he called for an independent audit of the all of the County's finances. The Sheriff won the election, as noted earlier.

Currently, the Board of Supervisors is refusing to comply with Public Records Act Requests to make public a General Plan document prepared at public expense. The cost to the County's taxpayers for this document was \$900,000. The Administration originally said the document was so defective it was "thrown out," and then said it cannot make the document public because it is so "dog-eared." Recently, more imaginative and sophisticated excuses have been made for refusing to allow the document to be made public.

Although the easing pressures of the Great Recession have helped reduce public scrutiny of the County's budget and financial practices, it is likely reasonable to assume that the majority has not completely lost its keen interest and deep skepticism in this area.

Accordingly, Calaveras County gets a grade of "D" on the agenda item regarding gaining and holding public confidence in its fiscal integrity and competence.

Regarding the last item on the agenda, protecting property values, since I must be brief, I can't delve into the rich trove of Calaveras development history.

Atwater: What a shame.

Howe (wistfully): You know, a whole generation has grown up in Calaveras County that has no idea how Wendell's Restaurant came to be ... they must think it's the most natural thing in the world for there to be a big empty restaurant sitting there all alone, miles from anywhere ... with a broken helicopter sitting on its roof. But we must move on.

In the pantheon of Calaveras planning scandals the names Saddle Creek ... Oak Canyon Ranch ... and Trinitas all stand out, and I'm sure I'm leaving many worthy candidates out. Indeed, the various accusations

and denials regarding some parts of Lake Tulloch Estates sound like something from New Jersey. The least outrageous thing that can be said about each of these residential developments is that existing residents subsidized them all, directly or indirectly, and to one extent or another.

But confining ourselves to recent history, we see the following selected examples of the tone of County policy regarding land use.

1. In 2013, the popular Planning Director, Rebecca Willis, revealed that the current General Plan allows for a potential build-out population of over 450,000 for Calaveras County (current population around 40,000) and announced plans to reduce that figure in the General Plan update over concerns about inadequate infrastructure.

Then, when presciently concerned about water issues she opposed granting the Saddle Creek residential development additional entitlements in Copperopolis, it was learned she was “taken to the woodshed” and chastised by certain Supervisors in front of the developer. Humiliated and enraged, she resigned soon thereafter.

2. This year, a majority of the Board of Supervisors favors allowing an asphalt plant to operate in a residential area of Valley Springs without a conditional use permit, something even the current pliable Planning Director says is “unusual.”
3. While preparing an update to the current General Plan, the Planning Commission has systematically rejected virtually all of public input on record in favor of an agenda that stresses an ill-defined objective described as “Property Rights.”

Interestingly, through it’s re-writing of the General Plan update and it’s drastic increase in fees associated with challenging its land use decisions, the Planning Commission is currently working to adopt policies that attack property values while making it harder for property owners to defend them.

If, as discussed in Part 2, both the supply and demand, and the overall quality of life in our communities play a significant role in the relative value of the existing housing stock, County policy has been, and continues to be contrary to the best interests of existing homeowners.

Since no rational person can conclude that preserving, let alone enhancing, existing homeowner’s property values is anywhere on the radar of the Calaveras Board of Supervisors, on this point the County receives a failing grade of “F.”

So to conclude, we’ve seen that in general, and in particular with respect to land use policies, there is a very real “disconnect” between Calaveras

County's policy agenda and what we've defined as the rational policy agenda of the vast majority of Calaveras County voters.

How does this disconnect happen? What keeps us disconnected?

Is this a case of widespread chronic irrationality, at least by our definition? Who is being irrational, the voters or the Supervisors? How, in a democracy with high voter turnout, can County policy continuously remain geared towards an economic agenda that is both subsidized by *and* does harm to the vast majority of the voters?

I'm really looking forward to a rousing debate on these and other questions. Thank you.

Edwin, I'm through with my presentation now.

MC (regaining focus): Yes! Well thank you very much Louis! Now I have a surprise. As part of our discussion we're going to take calls from our audience!!

Our technicians assure me that the connections are all established... so all you out there, get your questions ready, and write down this number ... (✓)△137-777-7777

So, while we're waiting for the phones to light up, Lee, tell me, what's your first reaction to Louis' presentation ... um, which was called, um... disco-something.

Howe: Disconnect-ed.

MC: So why the hyphen between? ... oh, never mind. Lee, what did you think?

Atwater: Great, it was great. Riveting and deeply thought-provoking ... (it) challenges conventional wisdom and raises important questions for today and tomorrow. Can I go now?

MC: Now, Lee, you promised you'd "pay attention and respond accordingly," I think is how you put it.

Atwater: Okay. Look, it really is fine. (lowers his voice dramatically) *Rationally speaking, of course.* (back to normal voice) Politically speaking, Louis knows as well as I do that candidates win elections, not (lowers voice again) *rational agendas.* It would be a perfectly viable narrative except it has a fatal flaw.

Howe: But (lowers voice in parody of Atwater) *rationally speaking*, by which I mean *economically* speaking, do you concede the "disconnect" exists?

Atwater: Um, sure, okay, could you run by me what you mean by "disconnected" one more time?

Howe: Hey look a squirrel!

Atwater: Really?? Where is it, I want to see it!!!

MC: If I can break in, I just want to remind our audience that the number to call is (✓)△137-777-7777. Just ask anything you like of our panel.

Howe (sighs): Alright Lee, please try and pay attention. I'm saying that County policy is disconnected from the economic best interests of the vast majority of the County's voters, who happen to be senior citizens. If you were managing a candidate for Supervisor, Lee, how would you use that information against an incumbent?

Atwater: There was no squirrel?

Howe: I apologize; that was cruel.

Atwater: Well, okay. Anyway, I could beat their butts with it, but I told you, your senior agenda (lowers voice) *ration...*

Howe: ... please don't ...

Atwater: ... *ally speaking*, has a fatal flaw, to wit: no special interest has anything special to gain by it. I mean, *duh*. Sometimes I wonder what FDR saw in you. Anyway, trust me, there is nothing irrational about the investments special interests make in politicians, even at the Supervisorial level.

Look, the reason Calaveras land use policy has been and remains, let us say, *very* developer-friendly is because the residential development and real estate industry has the most to gain by the actions of the Supervisors.

Investments made in influencing local politics have the potential to pay off very well for developers, and the entire real estate business complex has a permanent vested interest in there being *more* houses on the market, not fewer.

Howe: But don't real estate firms also gain by increases in property values?

Atwater: Only in the long run. If you need to make quota, or make your own mortgage payment for that matter, you always wish you had more inventory to show the customer.

Anyway, that's the fatal flaw. It boils down to, who's going to put up the money to get the candidates to run? Who's going to fund the campaigns? Your rational, cash-strapped retired senior majority? I think not.

And besides, some people aren't rationa ... I mean, excuse me, I meant nothing of the kind. What I mean is, there are literally dozens of true

Calaveras County heroes who, with absolutely nothing to gain by unrestricted residential development, nevertheless passionately advocate for policies that encourage it, and vilify anyone who disagrees with them.

And, after all, as Rousseau tells us, why should anyone, or any government for that matter, be a slave to reason and logic when it comes to land use policy? People have *feelings*, and I say Bravo! to those who willingly sacrifice their own financial well-being in favor of more important things. Like Property Rights. And laissez-faire economics. And elimination of corporate income taxes.

It's inspiring, I tell you.

MC: *And*, ladies and gentlemen, here's that number once again, (✓)△137-777-7777, all lines are currently open so don't hesitate to call! Now back to the show.

Atwater: I think the "show" is about over, actually.

Howe: Wait a minute, Lee. You're the consummate political operative so let me ask you this: is it always only a question of money? Do you think property *values* will *ever* be a campaign issue in Calaveras County? It just seems like it would be easy to attract votes to the idea, especially here.

Atwater: Look, I take your point. But it boils down to how much work you have to do over how much period of time.

Say somebody comes to you and they want to be a Supervisor, or whatever. Often as not, you wind up telling *them* why they're running.

So, why reinvent the wheel? It would take considerable effort to get today's senior voters to start identifying with each other's economic and political interests at the local level. And why take the risk that you screw it up? As we are seeing right now in excruciatingly painstaking detail, stuff like this is hard to explain in 200 words.

And I ask again, who's going to write the checks? It's all very well to advocate for property *values* versus property *rights*, but if the market value of somebody's house goes up 5% it doesn't show up in their checking account, know what I mean?

Whereas, if a proper religious appreciation for Property Rights is enshrined in the General Plan, as I said *lots* of money can be made in a workable timeframe. The political investment pencils out and the checks will get written.

So, no, Louis, I don't see property values becoming a campaign issue – too hard to explain. A true understanding of the Constitution, God, and

laissez-faire economics suggests to me that your senior majority's property values are just so much collateral damage in the fight to safeguard liberty and, as important, keep you weak liberals from, as one Calaveras County Supervisor put it so well, "taking our stuff."

Listen to this: "Property Rights are the sacred basis of Western Civilization. By God, nobody, not the King, not even some lousy Duke, can take your Property Rights from you, Mr. & Mrs. Calaveras Homeowner. Thanks to Property Rights, your home is your castle, your fortress, your shelter from the storm on God's good earth, which of course is ours to do with as we please." Okay, now substitute 'property values' in that paragraph and see what you think.

So, thank you very much, and with that I think I'll just shuffle on outta ...

Howe: Y'know, I think it all boils down to the actual individuals involved. I believe that with inspired, clear-thinking and fearless leadership anything is possible, even making Democracy work for the majority of the voters.

Atwater: Mmmm, absolutely. I like you Louis, I really do. Anyway, good luck with that. Take care everybody ... (rises)

MC: Well, I suppose, if that's all we have

RING-RING RIIIIINNNNNGGGG!!!!

Oh! A call!!! We have a call!! Lee, you sit back right back down.

Atwater (sits): So close ...

MC: Hello, you're on the air with Skull Session!! Will you tell us your name and where you're from?

Marj Votaire: Hello, this is Marj Votaire from San Andreas, CA.

MC: Hello Marj! Thank you for calling! Do you have a question for one of our guests?

MV: Yes. I do, in fact. Forgive me, I'm a bit nervous ... yes, I have a question and a suggestion. More like an observation, really. Well, dear me, I suppose they're both suggestions, more like observations really, but questions too, if ...

MC: ... Well, go right ahead Marj! Don't be nervous.

MV (reading): "Since those currently self-identifying as 'property rights' advocates concentrate solely on that aspect of property rights that concerns property *development*, wouldn't the intent of the General Plan update be

more accurately stated if we were to add the word “development” before the words “property rights?”

Hello?

Um, because, and this is just my opinion of course, but I believe the words ‘property rights’ mean quite different things to different people.

For instance, my husband Frank says ‘property rights’ means nobody can steal your property from you, not even the government, as Mr. Atwater so eloquently put it. Not without just compensation, anyway. He also thinks his sacred property rights should include not having to listen to those loud leaf blowers in the morning, or put up with the yard light the neighbors leave on all night even though he asked them to turn it off.

My neighbor, Rhonda, says her sacred ‘property rights’ is her right to enjoy her retirement in peace. You see, there’s this house down the block, with all their cars parked in front, playing the loud music, and so forth. She mentioned her property *values* being affected and she says that’s a violation of her property *rights*. Frank agrees with her.

When I asked our rancher friend - he’s a real old-timer - what ‘property rights’ meant to him, he said it meant State and Federal regulatory agencies shouldn’t be able to regulate his use of pesticides and herbicides. By the way, he supports the Williamson Act. For him, ‘property rights’ doesn’t really mean subdividing, it means using more Round-Up.

So, since there seems to be such confusion on the meaning of ‘property rights,’ I think we need to understand what the Planning Commission actually means when it says ‘property rights.’ Because they are clearly *not* referring to what Rhonda thinks are *her* property rights, or Frank’s, or even the rancher’s – all members of Mr. Howe’s senior majority. Since the Planning Commission clearly means ‘*development* property rights,’ that’s what the General Plan should actually say.

Hello?

MC: Yes, we’re still here why don’t you give us your other ...

MV (reading): “Calaveras County, like Mariposa County, is blessed with historically proven popular tourist attractions, including the Big Trees and natural caverns. It has a growing wine industry that attracts people from all over the country to its annual Grape Stomp, and the Jumping Frog Jubilee is known the world over.

However, the Planning Commission’s recent removal of safeguards designed to protect the County’s open spaces and scenic vistas as well as our unique historical and biological resources, poses a real economic

threat to any business that seeks to attract customers from outside the County.

So, accordingly the tourism and hospitality industry would seem to be, theoretically anyway, economically motivated to push back against the direction the Planning Commission is taking the County.

This potentially powerful economic interest would seem to be the natural ally of the senior agenda, which, as we've seen, favors ending policies that erode property values and dilute the quality of life for existing residents through inappropriately aggressive growth policies. They could be the ones who 'write the checks' to support the agenda of the majority of the voters."

MC: Thank you, Marj. I want to apologize to the audience for our not being able to have David Gergen join us for the discussion. It would seem that physical telephones don't have a ✓ button. We're very sorry.

Atwater: Hey!! Wait a minute. Then ... so, who's this 'Marj Votaire' anyway? I thought she was a voter, you know a *real* voter, in San Andreas!

MV: Young man, I may not be a real voter in the physical sense, but I am as real as $2+2 = 4$. I am a concept, an idea. I am statistical truth. I am, literally, a matter of fact.

Atwater: Well, Ms. $2+2$, I'll tell you what you are, you're anti-growth!

MV: Oh, there you go again, Mr. Atwater. What do you *mean*?' You know, unregulated 'growth' in the body is a cancer. You as well as anybody should understand *that*. Similarly, you could say that unregulated growth is a cancer on the existing residents of the community...

MC: Well! I'm afraid that's about all the time we have so ...

Atwater: Oh no, you don't, let me at this phony anti-growth voter.... hey wait just a minute ... (speaking softly to himself): *majority / Marj ... voter / Votaire. Marj Votaire is ... Majority Voter???* *Louis!! I'll get you for this!!!*

MC: ... this is Edwin R. Murray-Creek, and this has been another edition of *Skull Session!*