



Plans For Low-Income Housing May Violate California's Constitution

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On June 3, 2018, the Bay Area Council, a business group, released a survey showing that 46 percent of Bay Area residents are considering leaving the region.

On Nov. 30, 2018, Alert, a publication of the California Chamber of Commerce, released another survey which showed that 75 percent of voters in California are not earning enough money to enjoy a middle-class lifestyle.

In February 2019, the San Francisco office of Edelman, a public relations firm, released another survey, showing that 53 percent of Californians are considering leaving the state.

If enough people exit California, there will be no need for governmental mandates to build more housing. ■

ANNOUNCEMENT:

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Plans For Low-Income Housing May Violate California's Constitution

By Richard Colman

State of California and Bay Area regional governmental agencies' plans to force local communities to construct low-income housing may be violating California's Constitution.

In November 1950, California's voters passed Proposition 10, which prohibits any public body in the state from authorizing a low-rent housing project unless voters in an affected community approve the project.

Proposition 10 was presented to voters as an amendment to California's Constitution. The amendment is now known as Article 34 of the state's Constitution.

Specifically, Article 34 states that, "No low rent housing project shall . . . be developed by any state public body until a majority of the qualified electors of the city, town, or county . . . approve such project by voting in favor thereof . . ."

Article 34 contradicts an edict from the California Department of Housing and Community Development. According to the department's website, "Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community."

Article 34 also contradicts efforts of

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In March 2019, the city councils of Lafayette, Moraga, and Orinda met to discuss the Casa Compact, a 15-year governmental plan to build more housing in the Bay Area.

a regional Bay Area governmental agency, ABAG (Association of Bay Area Governments). According to ABAG's website a local community has to show how the community " . . . plans to meet the existing and projected needs of people at all income levels."

ABAG has responsibility in the area of land use.

In 2017, the California state legislature passed and Gov. Jerry Brown signed, Senate Bill 37, which gave the state power to reduce obstacles to a local community's plans to construct ex-

tra housing.

In 2018, the legislature passed and the governor signed Assembly Bill 2923, which gave BART (Bay Area Rapid Transit) the power to build additional housing on BART-owned land.

In the current 2019 session of the state senate, lies Senate Bill 50, which is sponsored by state senator Scott Wiener (D-San Francisco). The bill will allow construction of additional housing within one-quarter mile of a frequently-used bus stop or one-half mile of a train station (such as a BART station.) The outcome of the bill is uncertain. In 2018, Sen. Wie-

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Nuts About Nuts

By Dr. Laura Pawlak

Americans love nuts. Their passion has led to an increased consumption by almost 40 percent in the last 15 years.

Contrary to the belief that nuts are fattening, nuts are nutritious foods categorized as superfoods. Nuts offer a wide variety of nutrients especially protective of the brain and cardiovascular system.

A trio of nutrients in nuts -- healthy fat, fiber, and protein -- make them a satisfying snack that won't affect your waistline, assuming the portion size is a handful each day. In fact, researchers at the Harvard School of Public Health found that regular nut consumption was associated with a slightly lower risk of weight gain and Type 2 Diabetes than a diet devoid of nuts.

A caveat is noteworthy: If the nut is adulterated, i.e. honey-glazed or chocolate-coated, the word fattening would be



Nuts are a nutritious food.

an appropriate description of the nut.

Although nuts vary slightly in nutrient content, all varieties are beneficial. Almonds are especially high in fiber. The

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Big Money Pays Off

Candidates who received the most money for the Orinda City Council's November 2018 election all won.

According to the Orinda City Clerk's office, three candidates -- Amy Worth, Nick Kosla, and Dennis Fay -- collectively brought in \$57,241. That total, when added to money from Orindans for a Better Downtown (OBD), came to \$61,640.

OBD was a special group that supported Worth, Kosla, and Fay.

The total of \$61,640 represents 88.6 percent of all city-council campaign monetary contributions.

For all city-council candidates, the total amount of money received was \$69,565.

Five candidates ran for three open city-council seats. The three winners were Worth, Kosla, and Fay. The two losers were Kathleen Jenkins and Eve Phillips. Phillips and Jenkins received 10.4 percent of all monetary contributions.

Phillips was a city-council incumbent who was first elected to the city council in 2014. Jenkins was a new city-council candidate.

The chart below shows the monetary contributions for all city-council candidates.

Monetary Contributions to Candidates for the Orinda City Council (for all of 2018).

Candidate/ Organization	Total 2018 Monetary Contributions	Percent of Total
Amy Worth	\$31,783	45.7%
Nick Kosla	\$15,124	21.7%
Dennis Fay	\$10,334	14.9%
Kathleen Jenkins	\$5,124	7.4%
Eve Phillips	\$2,801	4.0%
Orindans for a Better Downtown (For Worth, Kosla, & Fay)	\$4,399	6.3%
Total	\$69,565	100%

Source: Office of the City Clerk of Orinda

OBD was a large contributor to Worth, Kosla, and Fay. According to the Orinda City Clerk's office, Norm and Janet Pease, 48 Donald Drive, Orinda, California 94563 donated \$2,000 to help elect Worth, Kosla, and Fay. An internet search for OBD produced only a set of photographs of downtown Orinda.

Worth received \$2,000 from the IBEW (International Brotherhood of Electrical Workers) PAC (Political Action Committee) at 1875 Arnold Drive, Martinez, California

94533. Worth received \$500 from the Northern California Carpenters Regional Council Small Contributor Committee, 288 Hegenberger Road, #200, Oakland, California 94821.

Worth received \$1,000 from the California Real Estate Pac (Political Action Committee), 525 South Virgil Avenue, Los Angeles, California 90020.

In addition to serving on the Orinda City Council, Worth is a director of MTC (Metropolitan Transportation Committee). MTC does transportation planning for the nine-county Bay Area. MTC directors are



In November 2018, five candidates vied for three open seats on the Orinda City Council. The candidates who raised the most money won.

not directly elected by voters.

From an entity associated with State Senator Steve Glazer (D-Orinda), who represents Orinda and nearby cities in the California State Senate, Worth received \$250. The actual entity that gave the money was Glazer for State Senate 2020. The address associated with the entity is 61 La Espiral, Orinda, California 94563.

Kosla largest contribution, \$5,000, came from Norman Pease. Pease's address is 48 Donald Drive, Orinda, California 94563. He lists his occupation as "cattle ranching."

Kosla's received two contributions of \$500 each. One came from Jordan Pease, P.O. Box 3063, Ashland, Oregon 97420; the other came from Shoshana Chazan, 12 Del Mar Court, Orinda, California 94563.

On Feb. 25, 2019, The Icon asked Fay about the campaign contributions from Orindans for a Better Downtown. He said he knew nothing about any contributions from the organization.

--By Richard Colman

(Disclosure: The reporter for this article gave donations to Jenkins and Phillips. Later, there was a partial refund from Jenkins. Phillips returned the entire contribution that she received.) ■

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ner sponsored a similar bill, Senate Bill 827, which died in committee.

Another housing plan is the Casa Compact, also known as the Committee to House the Bay Area. The Casa Compact, according to the public information office of the Bay Area's MTC (Metropolitan Transportation Commission), "... is a 15-year emergency policy package to confront the region's housing crisis head on. It includes a series of policy reforms that will allow the Bay Area to build more housing at all income levels..."

MTC is a regional Bay Area governmental agency that handles transportation matters.

In 2017, MTC and ABAG merged.

The directors of MTC and ABAG are not directly elected by voters. The directors come from a pool of locally elected officials. Amy Worth, an elected member of the Orinda City Council, is also an MTC director.

The result of State of California mandates and regional governmental mandates can usurp the operations of a local community.

Such governmental mandates can affect the operations of local public schools, police departments, fire departments, the availability of open space, the availability of parking, and the degree of traffic congestion.

On Jan. 25, 2019, California Gov. Gavin Newsom, who took office on Jan. 7, 2019, announced that the State of California is suing Huntington Beach, California, because the city, according to the San Francisco Chronicle (Jan. 25, 2019), "... has refused to meet a state mandate to provide new housing for low-income people."

While California currently does have a housing shortage, the problem may disappear.

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Nuts About Nuts

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macadamia nut has the most fat, mostly as monounsaturated oil. Brazil nuts are famous for their selenium content. Pecans and hazelnuts are loaded with a variety of antioxidants. Pistachios contain more potassium than a banana. Cashews excel in the nutrient, lutein, a protectant for your eyes. Walnuts provide anti-inflammatory fats similar to fish oil.

The peanut, really a legume, is a valuable addition to the nut family, offering more protein than any nut. Ground into a nut butter, this spread is a tasty alternative to butter or margarine.

Before purchasing a peanut butter, read the label. Unnecessary emulsifiers may be added to prevent the separation of oil. There's no need to purchase peanut butter with added sugar even if you have a sweet tooth. Spread plain or crunchy peanut butter on slices of a crisp apple. Your sweet tooth will be as satisfied as your gut.

Has your doctor asked you to lower your intake of sodium? A few brands of peanut butter are just ground, unsalted peanuts. Here's a suggestion for adapting your taste buds to salt-free peanut butter: Mix a small amount of unsalted peanut butter with the regular salted version. Over time, increase the amount of the salt-free spread until you reach 100 percent.

In my opinion, the best-tasting peanut butter is freshly ground. Grocery stores often place a grinder and containers next to the bulk peanut supply. Enjoy!

Dr. Laura Pawlak (Ph.D., R.D. emerita) is a world-renown biochemist and dietitian emerita. She is the author of many scientific publications and has written such best-selling books as "The Hungry Brain," "Life Without Diets," and "Stop Gaining Weight." On the subjects of nutrition and brain science, she gives talks internationally. ■

California is All Wrong on New Housing

The target is 3.5 million new California homes by 2025. That's what California's new Democratic Governor Gavin Newsom wants to see in the Golden State.

When it comes to housing, Newsom has things backwards.

Instead of encouraging the construction of new housing, Newsom should give people who live in California -- or may at some future time want to live in California -- an incentive to leave the state or never try to enter.

Newsom should be following the plans of Tom McCall, governor of Oregon from 1967 to 1975. McCall, a Republican, was a vigorous environmentalist. He died in 1983.

According to a 2013 report from Oregon Public Broadcasting (OPB), McCall "... put environmental protection ahead of economic growth."

The OPB report said that McCall had a slogan, "Come visit, don't stay."

During the McCall era, other, similar slogans emerged. One slogan said, "People don't tan in Oregon. They rust."

Another slogan stated that non-Oregonians entering the state should be greeted by signs stating, "Welcome to Oregon. Now turn around and go home."

California has 40 million people -- more people than all of Canada.

There is not enough room for all these Californians. Housing prices in California are astronomical. In California's coastal regions, houses that cost \$25,000 in 1960 are now selling for \$2.5 million or more.

Taxes in California are high. The state's sales tax is the highest in the nation. The state's gasoline tax, depending on the statistics used, is the nation's highest or second highest. The state's personal income tax has the nation's highest top bracket, 13.3 percent.

Gov. Newsom ought to be doing everything he can to bring California's population down. The governor should be taking his cues from Oregon's McCall.

Newsom may not have to do any-

thing at all to reduce California's population. The state's high cost of living and the promise of even higher taxes ought to force plenty of Californians to go to another state or country. In fact, if Newsom raises taxes to even higher levels, even more Californians can be expected to leave.

But there are special incentives that Newsom can use to reduce the state's population level.

Newsom could offer cash bonuses -- or tax rebates -- to people who leave. He could ask the state legislature to give money or rebates to Californians who, on the condition that they never return,

leave the state. This approach may face constitutional obstacles.

Another proposal, perhaps of dubious constitutionality, would be to impose a special tax on new residents. What would happen if each new resident had to pay \$100,000 just to buy or rent shelter in California?

On Nov. 4, 1986, Californians approved Proposition 63, an amendment to the state's constitution. The proposition passed with 5.1 million "yes" votes (73 percent) to 1.9 million "no" votes (27 percent). The proposition declared that English is the official language of the State of California. Newsom could rule that Californians who are over a given age and cannot speak English, must be barred from living in or moving to California. Again, there may be constitutional issues.

Taking a cue from President Donald Trump, Newsom could propose the construction of a wall around all of California's borders.

Whatever Newsom does, he ought to follow the ideas of Oregon's McCall.

Newsom, by following McCall's lead, could possibly become one of California's greatest governors. And, who knows, housing in California could become affordable again.

--By Richard Colman ■



If significant numbers of people leave California, homes like this one in Orinda could drop in price.