

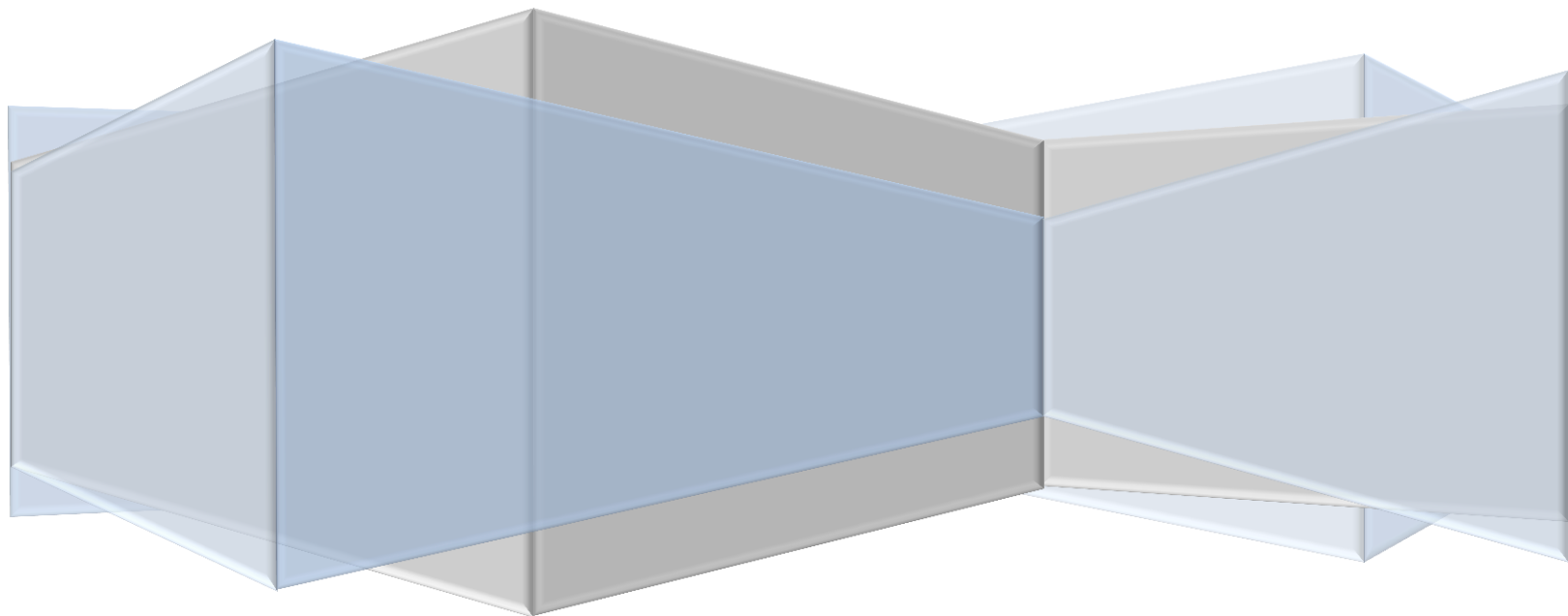
Fontana Citizen Action Committee

General Plan Update

Chapter 12 Draft: Sustainability and Resilience

Critique: Comments and Questions for GPAC Committee

August 20, 2016



Contents

Overview	2
Sustainable Development	3
The Economics of Urban Growth in Suburban Cities.....	4
Flawed Process.....	6
Climate Change: Jobs, Taxes & Fees	7
Chapter 12: Sustainability and Resilience – Draft Element, 6-17-2016.....	8
Page 1.....	8
Sustainability and Resilience.....	9
Sustainability.....	9
Page 2.....	9
Resilience	10
Climate Change	11
Page 3.....	13
Page 4.....	16
Page 6.....	17
Page 7.....	19
Page 8.....	20
Page 9.....	21
Renewable Energy	23
Community Choice Aggregation	25
Page 10.....	27
Zero Net Energy	28
Other Questions.....	30
References	31

Overview

The Fontana Citizen Action Committee (FCAC), which consists of residents from Fontana and San Bernardino County, California, offers a constructive review of city policy in a comment and question format. It deals with Chapter 12 draft of the Fontana General Plan (GP) update. The goal is to offer a critique and to solicit a justified response from that the General Plan Advisory Committee.

The Fontana GPAC committee has a fiduciary responsibility to the citizens of Fontana to research and comment on documents and information provided by staff and consultants; conversely, members also have a responsibility to respond to questions and comments presented to the committee. Therefore, FCAC seeking answers to all questions presented in a timely manner.

The FCAC included a table of contents in this document, which corresponds to the page numbers in Chapter 12 Draft: Sustainability and Resilience, for easy reference.

Sustainable Development

On the heel of Britton's exit from the EU on June, 23, 2016, newly appointed Prime Minister, Theresa May, shut down the U.K. Department of Energy and Climate Change.⁷ Nations around the world have begun distancing themselves from globalism and international Sustainable Development Goals (SDGs); however, here in California, cities are throwing themselves in to expensive elongated General Plan (GP) updates in order to be "leaders" on Climate Change. The reality is that the State subverts local control through a GP update. The motivator: development and grant funding.

Sustainable Development (SD), or Sustainability, is government created resource inventories (water, land, energy) to create artificial scarcity under the guise of conservation. Once you do an inventory, you can claim inventories are finite "on hand"; the theory of abundance goes right out the door. SD, at its core, is a rationing scheme implemented through public-private-partnerships, which is crony capitalism: business is in bed with government, whereby profits are privatized and losses are socialized on the backs of tax payers. It is a collectivist behavior modification scheme to increase the cost of living for all citizens and residents in the city – hidden taxes – with SD goals, forcing the reduction of use of resources through conservation, aka rationing. It reduces the standard of living and lifestyle choices through centralized planning.¹

Cities have learned that they can get a gold stare on future grant applications if they update their General Plans implementing provisions of SD. There is a major problem with SD because it is fomented through a top-down planning paradigm called Sustainable Communities Strategy (SCS) or Smart Growth (SG). The goal of these strategies is to combat Climate Change, which is caused by CO₂; therefore, planning and policy are coordinated accordingly. For example, high-density housing centered around mass transit and Transit Oriented Development (TOD) is often cited as solutions. The idea is that people can work where they live and they can walk, travel on bikes, busses and trains, rather than drive cars, reducing CO₂ emissions. This centralized planning scheme neglects marketed demand and dictates *needs* rather than customer *wants*.

Officials are willing to destroy their cities' ambiance and character for short-term gains provided by increased development fees associated with SCS. It is a never ending cycle of top-down control because of grant terms and conditions. In order to get the grant money, the city has to implement the terms and conditions of the grant. So in essence, the city is surrendering local control to the grantor, which is usually the State or Federal Government. Many planning grants are distributed by Metropolitan Planning Organizations (MPOs). The Southern California Association of Governments (SCAG) is the centralized planning authority in Southern California. Representatives for SCAG have stated that SCAG is basically a rubber stamp for the State.

The Economics of Urban Growth in Suburban Cities

Urban renewal programs hardly make sense in urban inner cities; urbanizing the suburbs makes no sense at all. Fontana's GP update seeks to urbanize a suburban city.

Urban inner city Los Angeles and suburban cities like Anaheim and Corona have massive apartment complexes over the past few years. These cities have rezoned parcels for higher density projects in an attempt to force market demand that does not exist. There is too much capacity in the market. Apartments units are sitting idle. For example, in the LA market, units opening in the first quarter of 2015 had a 72% vacancy rate that declined to 18% over a similar period. The higher vacancies were driven by luxury buildings in central business districts, says CoStar Chief Economist Hans Nordby. Apartment building owners are struggling to rent many of the luxury units that have flooded downtowns across the country in recent years even as a relative shortage of multifamily homes in the suburbs has driven up rents.⁴⁶

Normally over capacity would send a signal to the market and less apartments would be built. Since the current apartment business is based on a false premise and rigged demographic data, builders continue to build more-and-more, even though the rents are too expensive for most people. How do you fix the high rent problem? You over build, create excess capacity, too much competition, where apartment owners are forced to slash the rent price. In a perverted logic, experts are touting that more affordable high-density housing be built in the suburbs:

"These new flashy, splashy downtown buildings — they have a vacancy problem," Nordby says. "They are too expensive to rent" and there are too many of them. At the same time, he says, "There's not much supply of new apartments in the suburbs."⁴⁶ This is a premeditated statement and ignores over capacity in cities in Southern California. Consider these statements by Mike Hoskinson, Planning Commissioner for Huntington Beach (HB), California, regarding the economics of SD and High-Density Development (HDD):

Proponents advocate for HDD because of increased development permit fees, new taxes, and increased tax revenue from residents. Adversaries contend that very few tax dollars stay in the city, residents costs are overstated and do not include new costs for infrastructure, including police and fire services.

HB will net very little for this type of growth in the short-term and be stuck with a much larger bill in the future. The largest benefit to the city, are one-time development fees. Even though city of gave developers a 50% concession reduction in these fees in order to entice them to build early on.

The projects are being sold as "Tax Booms". From property taxes HB gets roughly 1.5% of every dollar; so, not much "Boom" there. Next we are told that all of these new residents will be spending their disposable income in the city. This is not guaranteed but if they do, 1% of it goes to the city (of the 8% sales tax HB gets 1%, 6.5% to State of CA,

rest to OC County). Again, no motherlode evidenced. Then, the downside: Every new citizen has a price tag attached: police, fire services and, infrastructure costs, and the list goes on and on. So with all these new citizens, paying \$1700 and up for rent for tiny apartments, they won't have much discretionary income, which equates to less money spent in the city, which equates to less of a sales tax base - So much for HDD.

And then there is the quality of life issue. With all these new residents, there are associated problems: increased traffic, diminished services and overcrowding; turning our nice suburban bedroom community into a urban metropolis for no reason. But there *are* folks who make out like bandits.

The landowner gets to develop his property over 10 to times what normal zoning density would be; who would refuse that? Why should an absentee landowner care about the ambiance of the city? If it is destroyed, who cares?

Then, the State of California really rakes it in for the long haul. They take the "lion's share" of all those new taxes created. It's not hard to see why they created AB 32 and SB 375, the two global warming bills sinking the state. They don't need the Federal Reserve Bank to print them money, they're doing it though legislation and leaving the residents with the bill. So, you see there is no benefit to HB to build developments of this type. SD is simply a cash cow for the developers, union labor, environmental lobby/nonprofits, and their consultants. All of which bow to the ultimate winner: the State.

The city of HB has told the State that they will not build anymore HDD because the Reginal Housing Needs Assessment (RNHA) numbers supplied by the State have been found to be "flawed" in recent court cases.

Pick just about any Bay Area city and you will easily identify any number of retail mixed-use projects that have been proposed, entitled and/or developed over the past ten years. And with rare exception, these projects suffer the same ills: relatively high vacancy rates, substantially below market rents, poor credit tenancies and a high turnover rate of the brokerage firms that try, with little success, to lease what is un-leasable. Yet mixed-use projects continue apace in a bizarro real estate world where the laws of supply and demand have been suspended by ivory tower planners who suffer none of the consequences of these failures, unlike the developers jammed with building them, the banks that might loan on them, or the brokerage firms charged with leasing them. Why is this happening?

City planners all seem to attend the same conferences and seminars – those hosted by an alphabet soup of trade organizations such as ULI, ICSC and BOMA. They bring back the trendy design concept du jour (e.g. Residential over retail mixed use, transit villages, adaptive re-use, etc.) California's overwhelmingly suburban retail markets, and proceed to jam developers with un-leasable designs, if those developers hope to seek approval in that city.⁴⁹

Flawed Process

Hiring a consultant is a standard procedure for GP updates. Why doesn't the staff of the city do the GP update? We have been told the primary reason is "plausible deniability" where staff and elected officials of the city insulate themselves from liability by hiring a consultant; therefore, tax payers foot the bill twice.

Cities are essentially formed for local control; however, cities gave up that control decades ago under urban renewal programs and they sold their collective souls for the allure of easy grant money from the Federal Government. Fontana is no different. It is ironic that Fontana holds itself out to be exceptional and a "leader" then, submits to State control via a General Plan (GP) updates. There is no specific time provision to update a GP. Therefore, the city does not have to update their general plan. The only element that is required for update every eight years, by law, is the "Housing Element".

Cities are told by staff, state agencies and planners there are two major reasons of having an outdated GP:

- Negatively impacts development and
- Negatively impacts grant funding

According to the Fontana Forward Web site, "Whether you've lived in Fontana all your life or set down roots here in recent years, everyone who calls our city home or operates a business here can have a voice in this initiative." The National Conference of State Legislatures states, "In political terminology, an initiative is a process that enables citizens to bypass their state legislature by placing proposed statutes and, in some states, constitutional amendments on the ballot." We agree. The GP update should be put on the ballot for a vote of the people of Fontana. However, the city has opted for a consensus process.

The General Plan Advisory Committee (GPAC) reinforces governance by committee that is prevalent in our nation today. We are thought one thing in school but the reality is we are overseen by unelected, agencies, boards, bodies and commissions, which is *governance* not government. MPOs and Councils of Government (GOGs) are examples. As aforementioned, SCAG is an MPO and the San Bernardino Association of Governments (SANBAG) is a COG. GPAC committees have no rules for consensus. They typically have no quorum attendance requirements. This calls into question their validity.

The Fontana Forward Web site continues: "We are committed to an open and transparent process so that everybody has a chance to bring their ideas and experience to the plan. There will be many opportunities to participate – including public workshops, drop-in open houses, surveys, community forums, and online discussions. The more people that participate in this planning process, the better our final plan will be!" This insinuates that this is a bottom up process; however, it is a top-down framework from the State:

“Fontana Forward will be based on our community’s vision for the future, a set of goals and strategies to achieve the vision, and a zoning code that reflects the vision—*within the state’s broader framework for growth.*”

Workshops and community forums are highly scripted events that present outcome-based conclusions. Typically a “facilitator” will direct the meeting and will attempt to marginalize ideas or comments that do not promote a preconceived agenda. The goal is to make the people at the meeting like they are participating and that their opinions matter, all the while steering the results to a preconceived outcome.⁴⁰

The city commissioned survey by Truenorth Research They state, “The purpose of the survey described in this report was to provide objective, statistically reliable measures of residents’ opinions on a number of key issues that will be addressed in the General Plan update... a total of 800 randomly selected adult residents participated in the survey between September 9 and September 21, 2015. Individuals were selected for the survey sample...”³⁸

- According to the cities Web site, the population within the city limits of Fontana, is 202,969³⁹
- The percentage of population surveyed 0.394%, which is not a representative sample size of the total population of Fontana. Therefore, this is not a “statistically reliable measure”.

The process elevates local stakeholder groups, at the expense of residents, to push agendas ingratiating themselves at tax payer expense.

Climate Change: Jobs, Taxes & Fees

California lost 9,000 businesses over the past seven years. Companies continue to leave because of rising costs and concerns over the state’s hostile business environment. Much of the debate is about job loss centers around the state’s cap and trade program. Administered by the California Air Resources Board (CARB) the program requires businesses to pay to pollute, which is viewed as an illegal tax.³³

Two climate change bills are major culprits of business loss in the state. AB 32 regulates CO2 emissions. SB 375 is an offshoot of the AB 32. It deals with land use and transportation to reduce Vehicle Miles Traveled (VMT) which in turn reduces GHG.

Ever since Proposition 13 was passed overwhelmingly by fed-up taxpayers in 1978, local governments have been looking for ways around its ironclad requirement that new taxes must be approved by two-thirds of voters.

Some local governments renamed their new taxes “fees.” Voters tried to put a stop to that in 1996 by passing Proposition 218, the “Right to Vote on Taxes Act.” Then some local governments overcharged for services and used the extra money for other expenses. Voters fought back in 2010 by passing Proposition 26, the “Stop Hidden Taxes Initiative.”³⁴

AB 32 and SB 375 laws mandate reimbursement and reduced costs for jurisdictions; however, the State does not seem to pay up. Costs simple are passed on to tax payers.

AB 32: Section 38562 (b)(1) – [CARB] Design the regulations, including distribution of emissions allowances where appropriate, in a manner that is equitable , seeks to minimize costs and maximize total benefits to California, and encourages early action to reduce greenhouse gas emissions...(7) Minimize the administrative burden of implementing and complying with regulations.

SB 375 – Section 16: If the commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part7 (commencing with Section 17500) of Division 4 of Title 2 of the Government code.

- What is the city of Fontana doing now and in the future to recoup costs imposed in the city by AB 32 and SB 735?

Chapter 12: Sustainability and Resilience – Draft Element, 6-17-2016

Page 1

Sustainability and resilience are both important to the future of Fontana. The State of California is a national and global leader in planning for sustainable and resilience communities and these state efforts are already making Fontana more sustainable and resilient. Fontana can build on state and private initiatives to make the city a leader in the Inland Empire, with resource- and cost-efficient community and government. This will keep Fontana competitive into the 21st century.

1. Please show evidence that the State of California is a national and global leader in planning for sustainable and resilience communities, including financial evidence.
2. Please show evidence that State of California sustainability efforts are making Fontana more sustainable and resilient, including financial impacts to the city and the impacts to the residents of the city.
3. Please detail what is meant by “State and private initiatives” and the process.
4. Please define the word “leader” as contrasted with many other cities in the Inland Empire that also make a claim of leader.
5. Please expand on what is meant by “resource- and cost-efficient community”
6. Please expand on what is meant by “cost-efficient government”, in relation to the cities current financial condition.
7. Who and what is Fontana competing with into the 21st century?

Paragraph 1, page 1

Sentence 1: *“Sustainability and resilience are both important to the future of Fontana.”*

Sustainability and Resilience

Sustainability

Merriam-Webster defines sustainability in the context of the word ‘sustainable’ as able to be used without being completely used up or destroyed.²

The long-standing definition of sustainable development from the [U.N.] Brundtland Commission (1987) is still a useful starting point: “Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. . . The idea of sustainability contained in this definition was elaborated on at the Rio Earth Summit in 1992 and presented in Agenda 21, the preamble to which calls for the removal of disparities (especially poverty) and environmental degradation by integrating environment, social, and economic approaches in order to secure a better future.”³

Page 2

On page 2 of Chapter 12: *Sustainability is defined as “based on preserving resources for the future: meeting the needs of present generations without compromising the ability of future generations to meet their need own needs. The corollaries are to practice resource-efficiency, promote healthy environmental systems and habitats, and support conditions for continued ecosystem services. Ecosystem services are the environmental systems that make continued life possible on earth; provision of water and food; regulating systems, such as flood and disease control; nutrient cycling; and the cultural importance of nature and habitat.”*

The American Coalition for Sustainable Communities (ACSC) defines Sustainable Development (SD) is government influenced development, which uses science, politics and consensus to predict future needs and create present-day planning schemes; therefore, it is preemptive in nature and promotes centralized planning. SD appeals to the influence of unelected regional boards, bodies and commissions. This can have unintended consequences. It can undermine local elected official’s authority, and ultimately local control. A primary driver of SD is taxpayer funded grants. Grants, through specific terms and conditions, often usurp American exceptionalism: bottom-up, local control. SD generally results in increased taxation, restricted land use and cosmetic benefits for the present with potentially harmful impacts on future generations. In the long run, this ultimately hampers property rights in that property owners often have all the responsibility of ownership and no authority of ownership.⁴

ACSC continues: the short definition of sustainability, SD, as artificial scarcity under the guise of conservation. It is a behavior modification scheme through social engineering. At its core, it is worldwide rationing. It is using less of everything: less food, less water, less energy, less mobility, less choice and less freedom. Sustainability is rationing.⁵

Resilience

Merriam-Webster defines resilience as the ability to become strong, healthy, or successful again after something bad happens.

On page 2 of Chapter 12: *“Resilience is not only the ability to respond and recover from hazard elements. It means that a community is able to anticipate hazards and to reduce overall vulnerability. Resilient communities learn and adapt to changing conditions and risks. Resilient communities anticipate risks; plan for their impacts; and use adaptation strategies that integrate all community systems – civic, environmental, social and economic – to support recovery and growth.”*

Sentence 2: *The State of California is a national and global leader in planning for sustainable resilient communities and these state efforts are already making Fontana more sustainable and more resilient.*

Comment: The word “global” ties the General Plan to international efforts. Therefore, this is top-down driven program.

Sentence 3: *“Fontana can build on state and private initiatives to make the city a leader in the Inland Empire, with resource and cost-efficient community and government. This will keep Fontana competitive into the 21st century.”*

Comment: Planners are stating that they will work with private stakeholders and add in a goal of becoming a “leader”. Public-Private Partnerships, or P3s as they are known, is a crony system that picks winners and losers in the marketplace. Businesses that lobby the city and lobby officials get contracts, while smaller businesses are pushed aside because they do not have the resources to play the game. Therefore, sustainability legitimizes corruption through P3s.

Sentence 4: *“This will keep Fontana competitive into the 21st century”*

Paragraph 2, page 1

In this element, sustainability and resilience is focused especially on resource efficiency and planning for climate change. However, the reality is that sustainability and resilience are broader concepts that are increasingly embedded in a wide range of community values and activities - health, transportation, land use, open space preservation, and infrastructure – and reflected in General Plan elements on these topics.

Sentence 1: *In this element, sustainability and resilience is focused especially on resource efficiency and planning for climate change.*

Climate Change

“Planning for climate change” is a relative endeavor, and is based on flawed forecasting methods, centralized government planning and control mechanisms.

Resource planning requires that resource inventories be taken: water, land, energy. This is to create a finite amount, which can be cataloged and controlled. The old idea of abundance is tossed out the window because that does not fit the overall goal of sustainability, which is control through behavior modification. Once a resource is finite, or set through artificial scarcity, higher prices can be charged because there is less. For example, in 2015 there was an artificial water crisis in California created by state agencies in order to foment a crisis. This allowed water companies to charge more for the product to induce conservation—rationing. In this case, people conserved too much water and water companies could not sell enough to cover their basic overhead costs. The solution was to raise the price of water to end users – In essence, people were being punished for conserving water! Once the drought was over, the state declared that conservation will never end because there *might* be a drought again in the future.

We have noticed that water companies are all of a sudden proposing new infrastructure. Some for example want to replace pipes and pumps because they leak a little bit. Many are also promoting employees into higher paying positions. All of this adds to overhead costs, which begs the questions: Why are they doing these changes now? One motivator is higher overhead. They are motivated by higher overhead costs. When the next drought comes along, they will be allowed to charge even more for their water due to the increased overhead costs.

In Rancho Cucamonga, the water district as put into play an indefinite “state 1” water alert because they feel it is necessary. How can it be necessary when there is a ten year supply of water according to their records? – behavior modification and control. People are at the mercy of flawed forecasting and science.

After September 2016, the Earth will be entering its 23rd year without statistically significant warming trend, according to satellite-derived temperature data.⁸ The climate computer models have demonstrated themselves to have no reliable predictive power. Climate change “scientists” have lost credibility because too many of them have behaved not as scientists but as politicians.⁹ The process has not only become politicized, it has become fanatical.

The Intergovernmental Panel on Climate Change (IPCC) Climate Review Unit (CRU) email controversy and revelations from 2013, denote errors in the IPCC’s science assessments, and cast serious doubt on the validity of EPA's endangerment finding for greenhouse gases under the Clean Air Act. The IPCC serves as the primary basis for EPA's endangerment finding for greenhouse gases. Forecast models have been found to be flawed and deliberately manipulated for a predetermined outcome by lead authors of UN's IPCC reports. Therefore, agencies, consultants and government entities that rely on this information are citing flawed data.¹⁰

Congress asked the EPA to provide data showing actual global average temperatures since 1979 versus IPCC predictions, the EPA stated that it had not done their own analysis and appealed to an upcoming ICPP assessment report. The IPCC is an international body and is outside the jurisdiction of the United States Congress. EPA's reliance on the IPCC is not only a violation of the Data Quality Act, but also violates the Agency's own internal policy.¹¹

8. Please explain how planning for climate change is important to the people of Fontana given the fact that climate change models are flawed.

Sentence 2: However, the reality is that sustainability and resilience are broader concepts that are increasingly embedded in a wide range of community values and activities – health, transportation, land use, open space preservation, and infrastructure – and reflected in the General Plan on these topics.

9. Embedding concepts in relation to “values” is social engineering – a behavior modification scheme. Please explain how this is a function of government and what specific law justifies this statement.

Paragraph 3, page 1

A. Sustainability and Resilience in Fontana Forward Vision and Principles

We have become one of the healthiest and most sustainable cities in San Bernardino County. We have taken many steps to improve health indicators, which meet and, increasingly, surpass state averages. Our local infrastructure is resource-efficient and well-maintained. We work with our water and energy providers to establish the highest possible levels of resource conservation and efficiency, and we are working towards becoming a “net-zero energy” city – producing more than we consume.”

10. Please define the difference between a city and a community.
11. Please show evidence to support the claim that “Fontana is one of the healthiest and most sustainable cities in San Bernardino County.”
12. Why is the city of Fontana citing “health indicators” and attempting to “surpass state averages”
13. How are health indicators a function of government?
14. If Fontana's “infrastructure is [already] resource-efficient and well-maintained”, why is this cited as a vision/principle?
15. Please quantify data studies to justify the claim that Fontana has “established the highest possible levels of resource conservation and efficiency.
16. Show how Fontana is working towards becoming a “net-zero energy” city – producing more than we consume. Show all existing expenditures to date at becoming a net-zero city.
17. Please justify a net-zero program in that net-zero energy does not work without subsidies. (See page 29).

Page 3

First Section: *Air Quality*

Paragraph 1, page 3

Air quality: Like the rest of California, Fontana has experienced a decline in air pollution but still experiences significant pollution. Sources of pollution include electric utilities using nonrenewable resources; transportation; buildings; manufacturing processes; natural disasters (such as wildfires); and climate change.

18. Please quantify the statement: Fontana has experienced a decline in air pollution but still experiences significant pollution.” What is the “significant” source data used to support this statement?
19. Please provide studies and reports to justify that electric utilities using nonrenewable resources; transportation; buildings; manufacturing processes in Fontana are sources of “pollution”
20. Please explain how to quantify “Acts of God” and “natural disasters” in relation to the relative term of “climate change”.

Bullet 2: ...Prevailing winds typically push smog from the west toward San Bernardino and Riverside counties...

Therefore, smog is coming from other regions. We assume you mean this increases the smog in Fontana through ‘leakage’. This is relative, in that Fontana does not reside in a fishbowl and pollutants from China negate efforts at pollution control in Southern California.¹²

21. What is the significance of this statement in relation to Fontana?

Bullet 4: Living near to a major road has been found to have adverse health impacts.

Comment: Smart Growth advocates living near Transit-Oriented Development (TOD) and Mixed-use Development close to mass-transit. However, this is not a healthy endeavor.¹³

22. How is living near TOD and mass-transit any healthier than living near roads?

Paragraph 2, page 3

Climate Change: The State of California has an ambitious plan for addressing climate change. It is focusing especially on through increasing renewable electricity production; reducing petroleum in vehicles by 50%; doubling energy efficiency savings at existing buildings; and other initiatives.

23. Why does Fontana have the goal of reducing fuel use in cars and trucks by 50%?
24. What are the costs associated with doubling energy efficiency savings in existing buildings?

25. Please define specific “other initiatives”, and all associated costs.

Comment: In a memo from Fontana Planning Manager Zai AbuBaker, dated June 7, 2016, staff recommended that the planning commission not adopt the Draft Climate Action Plan, which was circulated in June 2015. This plan was embraced and promoted by staff; then, suddenly abandoned after activists questioned the plan. Prior to this memo staff had several sessions with the planning commission, including a planning commission workshop on April 19, 2016. At that meeting a document was circulated titled, “Comments and Questions Regard the Fontana Climate Action Plan”. After that a memo was circulated by staff.

The memo basically stated that the Baseline GHG inventory provided by SANBAG Regional GHG Reduction Plan framework, and predicated on the 2003 general plan, would be obsolete by 2020. Staff recommended that plan be shelved and submitted to the General Plan Advisory Committee (GPAC) for consideration as an element of the General Plan update.

“Executive Order S-3-05, signed by Governor Schwarzenegger in 2005, established the following statewide targets:

- By 2010, reduce GHG emissions to 2000 levels
- By 2020, reduce GHG emissions to 1990 levels
- By 2050, reduce GHG emissions to 80 percent below 1990 levels

While the State has already attained the first goal and is well prepared to attain the second goal, the third goal of 80 percent reduction below 1990 levels is infeasible attain with present day technology and economic structure. Therefore, in April 2015, Governor Jerry Brown signed Executive Order B-30-15 and added the intermediate statewide target of “40 percent below 1990 levels by 2030”. This order denotes the intermediate target of reducing greenhouse gas emissions to 40% below 1990 levels by 2030. The Governor called for 50% reduction in petroleum use in cars and trucks in California.¹⁴ In order to codify this provocative order, the legislature passed bill SB 350. In September 2015 bill SB 350 had the provision for reducing fuel use in cars and trucks by 50%; however, the bill that passed, had the provision removed.¹⁵

In April 2016, a full year after Governor Brown issued an executive order accelerating the state’s greenhouse goals, the state's legislative counsel delivered an opinion stating the governor — and, by extension, the state's California Air Resources Board (CARB) — does not have the authority to extend the state's landmark 2006 Global Warming Solutions Act (AB 32) past 2020 without getting the Legislature to agree. The opinion opens the door for successful legal challenges and reasserts the authority of the Legislature. "It is our opinion that the act does not authorize the Governor or the ARB to establish a greenhouse gas emissions limit that is below the 1990 level and that would be applicable after 2020," wrote Legislative Counsel Diane Boyer-Vine in a 10 page letter to state Senate Minority Leader Jean Fuller, R-Bakersfield.

The executive order accelerates the state's greenhouse gas goals under AB 32, which puts the state in line with aggressive climate targets laid out by the European Union.¹⁹

Executive Order B-30-15

- 2030: 40% below 1990
- 2050: 80% below 1990
- 2050 limit designed to sync with 2° C global average increase necessary to avoid worst impacts of climate change.

The law firm of Latham & Watkins LLP concurred with the legislative council’s analysis: “We think the determination of a standard for the statewide GHG emissions limit is a fundamental policy decision that only the Legislature may make. Yet the argument that the act authorizes a lower emission limit after 2020 entails the consequence that the executive branch would have unfettered discretion in setting that limit... and that there could be lawsuit implications regarding: final agency action, clean power compliance, market fluctuations, and investment decision disruption.”²⁰

San the city of San Diego is currently suing in regards to overreaching executive orders. Knowing that executive orders are being challenged Governor Brown in August 2016, pushed for a new GHG reduction goal of 40% below 1990 levels by 2030 beyond goals set for 2020, which are expiring. Environmental groups are in a panic and have pushed for legislation that would extend GHG reduction goals and protect the State’s legally challenged cap-and-trade scheme, which limits how much GHG can be emitted in to the atmosphere and requires companies to obtain permits to pollute.¹⁶

26. What were the direct and indirect costs of the Climate Action Plan Draft previously circulated by staff, including costs for SANBAG documents and Fontana staff time?
27. Why is the city embracing executive orders by the Governor, which could open the city up to liability?
28. What are the proposed costs to the city for a CAP element as part of the General Plan update?
29. Why did staff adamantly promote a CAP plan, wasting hundreds of hours of staff, planning commission and the public’s time, knowing that the plan was basically obsolete?

Note: This goes to show the importance of council members, commissioners, committee members and the public, when dealing with staff. They have a fiduciary responsibility to hold staff accountable. In general, staff has an agenda, much of what is predicated on the money they receive from grants. The grant terms and conditions dictate policy; therefore, the city is being controlled by the Federal and State government and agencies that issue grants.

Paragraph 3, page 3

Fontana will potentially be affected not only by direct climate change impacts within its own borders, but by indirect impacts resulting from changes taking place in the mountains, the deserts, and the coast. The major projected impact of climate change in Fontana is expected to be more heat over longer periods. As an example, by 2070, Riverside is expected to double the

annual number of days 95 degrees by 2070 (from 43 to 83 days, or almost a quarter of the days in a year.)

30. What is the significance of this paragraph and confidence of the statement, “by 2070, Riverside is expected to double the annual number of days 95 degrees by 2070 (from 43 to 83 days, or almost a quarter of the days in a year.)”?

Cal-Adapt Graphic p.3

According to the Cal-adopt Web site, Cal-adapt is not a comprehensive resource in finding climate impacts to specific areas through vulnerability studies... These [studies] are not forecasts - they are potential scenarios based on downscaled IPCC models to describe how climate may evolve in California.¹⁷ Cal-adopt is an entity of the California Energy Commission. The current research and development for the commission is the Electric Program Investment Charge (EPIC) program.¹⁸

31. Please explain the significance of this graphic on page 3 given that studies are “potential scenarios based on downscaled IPCC models, which are flawed.

Page 4

Bullet point 3: Higher temperatures over longer periods will affect the electrical grid. The demand for electricity for air conditioning will grow. Transmission lines lose 7- 8 percent of their capacity during heat waves – while demand is higher. Key transmission corridors in the Greater Los Angeles are vulnerable to increased frequency of wildfires.

32. What is the significance of this bullet point 3 and all the other bullet points at the top of page 4?

Paragraph 1, page 4

Greenhouse Gas Emissions: ...The major sources of GHG in Fontana are transportation and buildings: 39% buildings and 51% on-road transportation according to a 2008 SANBAG inventory... Fontana is already reducing GHG through converting lighting LED and implementing GHG performance standards for new development that are included in state building codes.

According to SAN BAG, Fontana’s, 2020 GHG reduction goals breakdown is 72% State and 28% local. In order to meet the reduction targets in AB 32, the city stated by 2020, they can get to 15% below 2008 level (base 2008 level for Fontana is 1,238,916 MTCO_{2e}). So the target to 2020 was set at 1,053,087 MTCO_{2e}. To meet this reduction target, the city had to rely on State measures, including Title 24 requirements. However, that was not enough to get to the 15% goal by 2020. The city had to choose certain "local" measures to reduce it bit further. So after

choosing measures identified in the menu of options in the study, they were able to reduce it down to 124,090 MTCO₂e.

City carbon inventories are voluntary. AB 32 and the current CARB scoping plan implementing AB 32 cannot specifically mandate that each individual city adopt its own GHG reduction plan to meet AB 32 targets on a city-specific basis.²¹

33. What is the legal law that states Fontana is required to reduce GHG emissions by 2020?
34. How does Fontana plan to get to 2050 GHG reduction goals that don't legally exist yet and are not technically feasible?
35. Why the redundancy given the fact that GHG performance standards for new development are already included in state building codes?
36. What is the significance and confidence of the 2008 SANBAG study cited on page 4, given it is eight years old?

Paragraph 2, page 4

California Zero Net Energy Goals: A zero net energy (ZNE) building produces as much energy as it consumes over the course of a year through high levels of energy efficiency and the addition of clean, on-site renewable power generation.

Wind and solar cannot compete without heavy subsidies, government grants and loan guarantees. Systems that are in place are now aging and the reality of operations and maintenance costs are setting. Now that subsidies have dried up, countries and cities around the globe are unplugging from renewable energy.²²

37. Please explain specifically how a building can “produce as much energy as it consumes”.
38. Please define “high-levels of energy efficiency”
39. Please explain specifically how renewable power generation—defined as wind and solar—is “clean”.
40. What are the costs associated with ZNE, compared to non ZNE buildings, including but not limited to: subsidy costs to developers, subsidy costs to energy producers, cost to end users of retrofitted existing structures and new construction?
41. What are the operations, maintenance and replacement costs for this program?
42. What are the overhead costs to the city for this program?
43. ZNE appears to be redundant. Doesn't the building code address these goals?
44. Please explain on-site renewable power generation, its significance and how it is a better alternative to existing, efficient, cost-effective power generation.

Page 6

D. What the Community Said

A poll allows you to ask one multiple choice question. Participants can choose from among answers that you predefine. You can allow the voter to select just one answer or allow them to

choose multiple answers. You also have the option of adding another field to allow a voter to enter their own answer. In a survey, you can ask multiple questions across a wider range of question types. So you can ask for a comment, an email address, a name, an address etc., as well as multiple choice questions.¹⁸

Public opinion survey

Bullet point: *82% of respondents ranked, “Require environmentally-friendly building and development practices” as a high or medium priority for the future.*

45. Please explain the survey methodology associated with the public opinion survey and provide copies of survey questions and survey tabulation results.
46. Please identify the survey sample size because references to respondent percentages are basically meaningless without a reference point.
47. Please define “environmentally-friendly building and development practices”.

Workshop and meeting input:

48. Was empirical workshop data and information offering opposing viewpoints offered as a counterweight to the bullet points in this section; if not, why?

Workshop keypad polling

49. What is the sample size for polling questions outline on page 6 and 7?
50. What is the specific significance of the questions?
51. What is the confidence of this poll given that opposing arguments and information were not presented at workshops?
52. Did all respondents attend workshops; if not, how does this correlate to a “valid” sample size?

The city commissioned a survey in order to assess values and opinions from respondents. Truenorth Research survey: The purpose of the survey described in this report was to provide objective, statistically reliable measures of residents’ opinions on a number of key issues that will be addressed in the General Plan update... a total of 800 randomly selected adult residents participated in the survey between September 9 and September 21, 2015. Individuals were selected for the survey sample...³⁸

According to the city’s Web site, the population within the city limits of Fontana, is 202,969³⁵ Percentage of population surveyed 0.394%, which is not a representative sample size of the total population of Fontana. Therefore, this is not a “statistically reliable measure”.³⁹

53. What was the direct cost of this survey?
54. What was the indirect cost of this survey, including staff time?
55. Why was such a low sample size permitted in this survey?

E. Strategies and Actions to Achieve the Goals

Goal 1: *Fontana is a regional leader in sustainability and resilience with an effective “Sustainability Fontana” program.*

56. What is an “effective” sustainability program?
57. Please define “regional leader”.
58. How can the city make the claim that they are a regional leader in sustainability and resilience without empirical proof?
59. Goal 1 is backwards; fitting the program to the goal. How would we ever know Fontana is a leader when many other cities and counties are making this claim?

Bullet point: *Create a Sustainable and Resilient Fontana program that promotes green practices in government and in the community.*

60. Define “green practices” and how these would promote sustainable and resilient.

Strategies

A. Designate an existing or new staff member to be the Sustainability and Resilience leader in city government to promote interdepartmental sustainability work.

61. Please define the job hiring specifications, job description, and total compensation package for this position.
62. Please expand on what is included in interdepartmental sustainability work, accounting control mechanisms, cost controls and reporting for this work.

Actions

i. create an interdepartmental committee to develop a framework for Sustainable Fontana.

63. Please expand on what is included in interdepartmental committee, personnel selection criteria, qualifications, and hours required and appropriate accounting control mechanisms, cost controls and reporting for this committee.

B. Establish a “Sustainable Fontana” program to coordinate City government resource-efficiency efforts and promote private initiative and opportunities. Use the Healthy Fontana model to create a program that provides leadership, information and programs for residents and businesses. Like the Healthy Fontana program has made Fontana a leader in promoting a healthy community, a Sustainable Fontana will serve as a way to coordinate planning and implementing of sustainability and resilience across City government and raise awareness among residents and businesses of how they can participate in making Fontana more resource-efficient community that brings health and economic benefits.

64. Please provide costs estimates to establish a “Sustainable Fontana” program to coordinate City government resource-efficiency efforts.
65. Please define “private initiative” and opportunities and all promotion costs, including but now limited to program design/development costs, distribution and promotion costs, consultant and/or Contractor costs.
66. How do private initiatives benefit the residents and businesses in Fontana and how will costs associated with these initiatives demonstrate a return on investment for tax payers in the city?
67. Please illustrate how using the Healthy Fontana model will create a program that provides leadership, information and programs for residents and businesses. Include a comparison and contrast study that denotes the appropriateness of this program in regards to the term “leadership” and other descriptions that will be fomented for Sustainable Fontana program, within the definitions of sustainability outlined by the UN and ACSC.

68. Please explain how a Sustainable Fontana program will serve as a way to coordinate planning and implementing of sustainability and resilience across City government.
69. How will the program raise awareness among residents and businesses?
70. How will residents and business participate in making Fontana more resource-efficient community within the aforementioned definitions of sustainability and resilience?
71. Specifically, how does a resource-efficient community bring health and economic benefits? Please define health and economic benefits and associated cost benefit savings for a resource-efficient “community” in relation to fiscal goals of the “city”.

Page 8

i. Develop a list of activities, with metrics that will be monitored.

ii. Identify grant opportunities for sustainability and resilience activities, including public awareness activities.

72. What are the development costs associated with activities and awareness promotion?
73. What are the specific costs associated with monitoring, including personnel and/or computer equipment costs.

iii. Create a webpage for Sustainable Fontana with a dashboard that is updated at least twice a year to show how Fontana is making progress towards meeting the goals.

74. Please provide costs estimates for the Sustainable Fontana Web page, including contractor, operations and maintenance costs.

iv. Consider using the STAR communities rating system to identify, validate and support implementation of best practices in some or all of the activities for the community sustainability.

75. Please define “best practices” and who developed them.

76. Who supplies the STAR communities rating system, what is the upfront, and ongoing cost of the system?
77. What benefits does the STAR system provide tax payers?
78. Please define “community sustainability” in context with the aforementioned definition of sustainability by the UN and ACSC.
79. The STAR system offers the possibility of certification to benchmark progress against national standards and peer cities. Why would the citizens Fontana subjugate themselves to a national standard and compare themselves to other peer cities?
80. Why is the STAR program being promoted by name in this Chapter “element” and why aren’t the competing vendors being considered for this program?

Goal 2: Government Facilities and Operations are Models of Resource Efficiency.

Policy

Bullet point: Incorporate goals into the City Code for resource efficiency in municipal facilities and operations.

Bullet point: Continue organizational improvements to maximize energy and resource efficiency and reduce waste.

81. Why does resource efficiency need to be in the city code?
82. What are the specific resource efficiency programs that would be codified?
83. What are the costs to tax payers for all municipal resource efficiency in the city of Fontana; the ongoing operations maintenance costs and enforcement costs?
84. Are there plans for resource efficiency codes for private homes and businesses? If so, what are they?
85. What is the return on investment for maximization and resource efficiency to reduce waste in the city? Will these efforts be added to the code on an ongoing basis? Will this ongoing effort apply to homes of businesses in the city?

Page 9

Strategies

A Form a city government task force to audit all practices for energy and resource efficiency and procurement policies.

86. Please expand on what is included in this task force, personnel selection criteria, qualifications, and hours required and appropriate accounting control mechanisms, cost controls and reporting for this task force.
87. What are the development costs associated with resource efficiency and procurement policies?

88. How will tax payers benefit from these policies? Please provide a return on investment for the proposed task force.

Actions

i. Create a task force from the interdepartmental Sustainable Fontana program to audit and monitor City of Fontana practices.

B. Require that all city capital projects be evaluated for resource-efficiency, sustainability and resilience values and give preference to energy efficient design, materials and equipment in public facilities and infrastructure.

89. How will the tax payers benefit from capital projects determined by criteria set through resource-efficiency, sustainability and resilience values?

90. What is the cost savings associated with this criteria when compared to existing Building Industry Association (BIA) standards now in place?

91. What is the meaning of “give preference to energy efficient design, materials and equipment in public facilities and infrastructure”?

92. Will the city set vendor and contractor hiring specifications based on sustainability and resilience? ...

93. If so, how will discriminating against providers that do not follow these specifications benefit the city? - Contractors already follow BIA green building standards and there are already safety codes in place for contractors.

i. Use the Envision system described in Element 10 to evaluate capital projects.

94. What is the Envision system described in Element 10? We did not find the reference.

ii. Write RFPs and vendor contracts to give preference to resource-efficient and non-toxic design, materials and equipment.

95. What is non-toxic design, materials and equipment?

96. What entity sets the criteria standard for this?

Comment: Giving “preference” to vendors could be a liability issue for the city.

C. Expand the use of renewable energy sources for City operations

Actions

i. Install solar wherever possible for City operations.

ii. Purchase renewable energy through the Green Tariff or community solar programs.

iii. Evaluate the potential of Community Choice Aggregation Program for Fontana (see below).

iv. As vehicles in the city fleet are replaced, use electric, CNG or similarly efficient vehicles.

D. Establish green procurement policies.

Comment: Placing green procurement policies might be a liability issue for the city on grounds of discrimination by other non-green vendors and providers.

Actions

i. Add requirements for resource-efficient and non-toxic procurement policies for the city.

Goal 3: Renewable sources of energy, including solar and wind, and other energy conservation strategies are available to city households and businesses.

Bullet: Promote renewable energy programs for government, Fontana Businesses and Fontana residences.

Renewable Energy

High electricity rates are plaguing California because of renewable energy. One of the first disruptive policies was the state's Renewable Portfolio Standard (RPS), signed into law in 2002. Add that to archaic subsidized Cap and Trade instituted under AB 32 and as President Obama has said: "Under my system of a cap and trade, electricity rates would necessarily skyrocket."⁴⁸

A 2015 analysis of federal data by the Institute for Energy Research documents show that electricity from wind farms is roughly two to four times more expensive than power from traditional sources. Existing evidence points to solar as being even more expensive. Wind and solar power often can't keep up with Californians' energy needs. On some days they produce excess power, which is hard to capture and reuse, but on other days they fall short. This explains why state regulators warned Southern Californians about rolling blackouts this summer. In fact, California leads the nation in power outages, with 417 in 2015.²³

Crony capitalism is on display as consumers are getting burned by a taxpayer-subsidized solar power plant in California's Mojave Desert. Located on 4,000 acres of public land in the Mojave Desert, Ivanpah Power uses a lot of natural gas to generate "solar" electricity, and neither the California Energy Commission nor the U.S. Department of Energy seems to care enough to come clean about it. Regulators allow electricity to be sold at four to five times the going rate of conventional electricity because it is "green". The owners of the Ivanpah solar power facility received a federal loan guarantee of \$1.6 billion, a tax credit in excess of \$500 million. It is owned by NRG Energy, BrightSource Energy, and Google Inc. BrightSource itself is owned by a consortium including Google, General Electric Corp., Chevron Corp., BP Alternative Energy, and Morgan Stanley.⁴¹ Because solar power is inefficient, the past few months, the plant has been unable to meet the output levels stipulated in its power purchase agreement.⁴² Crony taxpayer subsidies are on the way out.

Nevada has begun phasing out taxpayer subsidies for solar. Until now, Nevada homeowners subsidized roughly 17,000 customers with solar panels, to the tune of about \$16 million every

year.³¹ Furthermore, countries around the world are rethinking expensive subsidies and are beginning to repeal them. The Indian government is shutting down of solar power panels because they are unreliable and conventional energy from coal plants is almost always cheaper”.

Cronyism in Energy Production

In California, every economic energy source should be used. Instead, the largest hydroelectric dam removal project in U.S. history is taking place in Northern California of four hydroelectric dams from the 236-mile Klamath River. And now, following the closure of San Onofre Nuclear power plant, PG&E places Diablo Canyon on the chopping block.

Diablo Canyon nuclear power produces twice as much power as all of California’s solar panels, 24 percent more than all of its wind, and 40 times more than its largest solar farm. Also, Diablo Canyon provides power to 3 million Californians on a patch of land the size of three football fields. Achieving the equivalent from a solar farm would require 145 times more land; from wind, 500 times more. The National Defense Council (NRDC) is negotiating the closure of Diablo Canyon. Cronyism is on display.

It’s ironic that NRDC itself has significant, direct investments in natural gas and renewable energy companies. The two highest-ranking members of NRDC’s Board of Trustees, its Chair and Vice Chair, as well as one of NRDC’s single largest donors, are all major investors in natural gas and renewables companies, could benefit significantly from Diablo’s closure.⁴⁹

97. Why is would Fontan promote renewable energy, given that it is more expensive and is inefficient compared to conventional forms of power generation?
98. Why would Fontana, or any city, trust the definition of “renewable” as pertaining only to wind a solar while leaving out hydro and nuclear?
99. Where are the return on investment analysis to support the justification and claims for the promotion and use of renewables in the city?
100. What are the fiscal impacts of CCA on taxpayers in Fontana, with and without subsidies?
101. What is the capitalization cost for a CCA in Fontana?
- 102 What will be the price to consumers for electricity from a CCA?

A. Evaluate a Community Choice Aggregation Program for Fontana...

B. Promote renewable energy as described in element 10.

103. Where is this reference in element 10? Did you mean say Chapter 10?

C. Ensure that appropriate zoning and design standard regulations are in place as needed to provide domestic solar and wind installations.

Community Choice Aggregation

Mayor Carolyn Petty of Hermosa Beach cautioned about Community Choice Aggregation (CCA) at a council meeting on July 26, 2016. The consultant for CCA in that city promoted “carbon-neutral” as the major goal, the reason being that Hermosa Beach should be a “leader” in regards to climate change to reduce GHG emissions to subscribed 2030 levels. Petty opined that carbon-neutral is an impossible goal to meet because there is no way to be 100% carbon-neutral.” The thrust of the urgency is to do it “now” rather than waiting for the current power provider to reduce emissions as per their timeline by 2030 - They basically were considering committing to the plan, even though it was voluntary. The mantra that faster is better became critical decision criteria in the “process”²⁸ She stated that the city of Lancaster, California, who entered into long-term energy contracts, and impossible to get out of, is projecting losses of \$6.4 million dollars as of June 2017.²⁸ According to Lancaster’s June financial reports, Petty said the CCA was projected to close out the 2016 fiscal year at a \$3.6 million dollar loss. When she reached out to them, Petty said Lancaster officials submitted new numbers that showed a \$4 million dollar swing in the opposite direction, with nearly half a million in profit.

But the numbers in the report, which was not audited, did not make sense. She said the revenue from clients went up \$2.2 million from one report to the next, while the delivery costs went down by \$1.7 million. More customers, and more revenue, she argued, should result in higher delivery costs.²⁷

CCA was referenced in Fontana at a round table presentation on August 3rd 2016, at the Center State Theater, where officials from the city of Lancaster were invited to participate in a “Round Table” discussion. These officials held their city out to be a shining example of “Smart Growth” sustainability. One official tied the cities participation of a CCA as part of that mix.²⁹

104. Why is the city of Fontana holding out Lancaster as an example?

Wendy Lack, of the Contra Costa Bee, authored a detailed article about CCAs that is very instructive.³⁰ She details some of the findings in a subsequent article titled, “Community Choice Electricity in Contra Costa County a Bad Choice”:

“Cheerily-named “Community Choice” electricity programs are new to California, with three currently operational: Marin Clean Energy (2010), Sonoma Clean Power (2014) and Lancaster Choice Energy (2015). San Francisco’s Clean Power SF is expected to launch its program later in this year.

While Community Choice is new, government-run electric utilities are not. The Association of Bay Area Governments (ABAG) suspended its Electrical Aggregation Program in 2001, characterizing the short-lived, multi-agency program a “risky venture” due to market and regulatory uncertainty.

Here's how [CCA] works. Local government agencies form a new, semi-invisible government agency to purchase and sell electricity. The local utility company, such as PG&E, provides transmission, distribution, and customer billing services for a fee paid by the new agency's customers. All people who live and do business in the area become customers of the new agency unless they ask to "opt out."

The new agency must compete with the local utility company for customers. Government can make everyone their customer for a moment, but then they have to keep them. So what's their pitch? Is the energy they're selling greener than, say, PG&E? Is it cheaper? Is it managed by superior experts in the energy industry?

Less than two years ago, the City of Hercules sold its Hercules Municipal Utility following what was dubbed "a decade-long, multimillion-dollar misadventure." Overstated growth projections, unrealized profits, and heavy debt contributed to the electricity utility's failure, leading to its sale to PG&E in 2014 amid a firestorm of public outrage.

The Northern California Power Agency (NCPA) is a Joint Powers Agency established in 1968 to sell power from its geothermal and hydroelectric facilities. Its 15 member agencies include the Port of Oakland, BART, the cities of Alameda, Palo Alto and Santa Clara, in addition to agencies in northern California. NCPA's finances are strained due to heavy debt service requirements for more than \$835 million in long-term debt.

At the end of the day, Community Choice Agencies offer nothing to consumers. They simply cannot compete, long-term, with local utility companies. Facts don't deter special interest groups that worship at the altar of Climate Change, profit from government contracts and urge government expansion with tireless zeal. Good sense demands that public officials resist the temptation to jump on this bandwagon.

Energy is a long-term business. Procurement contracts are non-cancellable and can span 30-40 years into the future. Cities that join CCAs are on the hook for large, long-term financial obligations. When things turn south (as they surely will), member agencies are stuck because they cannot afford to exit the program.

For example, as of March 31, 2015 Marin Clean Energy had outstanding non-cancelable power purchase commitments of approximately \$886.5 million for energy and related services through October 31, 2041. This equates to more than \$52 million for each of MCE's 17 members, which include the Contra Costa cities of El Cerrito, Richmond, and San Pablo.

As of June 30, 2015, Sonoma Clean Power had non-cancelable power purchase related commitments of approximately \$505.3 million for energy that has not yet been provided under power purchase agreements that continue to December 31, 2026. This equates to more than \$56 million for each of SCP's 9 member agencies.

Once a county or city government gets into the energy business they can't get out, short of losing their shirts and abandoning the enterprise altogether, as happened in Hercules. CCAs are destined to become just another government money pit that will increase the burden of

government debt our children and grandchildren must pay for such obligations as Contra Costa County's \$1.7 billion in unfunded pension and retiree healthcare promises.

So if CCA is not greener and it's not cheaper, then perhaps the people running these agencies are more knowledgeable. Maybe they're more innovative and competent than investor-owned utility companies like PG&E, so they deserve our trust to make our energy future bright."²⁶

Goal 4: Fontana Meets the Greenhouse Gas Reduction Goals for 2020 and Subsequent Goals Set by the State

Policies

Page 10

Bullet point: *Continue to collaborate with SanBag, infrastructure agencies, and utilities on green-house gas reduction studies and goals.*

105. What is the specific meaning of "collaborate" within the context of the aforementioned definitions of sustainability and resilience by the UN and ACSC.

Strategies

A. Build on baseline research completed for greenhouse gas reduction to set local goals and meet state goals.

B. Work with regional agencies to meet any future state goals for GHG reductions.

106. The State is on track to meet its 2020 goals and there are no new goals in place; therefore, how does the city plan around goals that do not exist beyond 2020?

Goal 5: Green Building Techniques Are Used in New Development and Retrofits.

BIA building standards are in place and developers have options to work with Leadership in Energy and Environmental Design (LEED) standards through many of the builder associations throughout the country.

Policies

Bullet point: *green building through guidelines, awards and nonfinancial incentives.*

107. What is the meaning of guidelines? Will guidelines be codified at some point?

108. What are the development costs for awards and nonfinancial incentive programs?...

109. Why are these programs necessary when developers currently have “options” to adopt greener building standards through BIA and LEED?
110. What is the true cost to for buyers commercial and residential once subsidies are gone?

Strategies:

A. Establish a “cool roofs” program to reduce the urban heat island effect.

Cool roof programs are promoted by the California Energy Commission. The Cool Roof Rating Council was created in 1998 to develop accurate and credible methods for evaluating and labeling the solar reflectance and thermal emittance (radiative properties) of roofing products and to disseminate the information to all interested parties.²⁵

111. What is the development, operations and maintenance of a cool roofs program?
112. Is a cool roofs program required by law?
113. 100. Will this program be codified to set “green standards” by the city?..
114. If so, how will buyers of commercial and residential benefit?

B. Establish an annual award for green development projects, including retrofits, in Fontana.

115. What are the specific grading criteria for “green development projects, retrofits, and who will set this criteria?
116. What is the purpose of an annual green award program?
117. What is the development, operations and maintenance for annual green award program?

Goal 6: Fontana is a leader in Zero Net Energy Residential and Non-Residential Construction.

Zero Net Energy

Zero Net Energy is an oxymoron in that it doesn't exist and is impossible to achieve. It is basically subsidy system under the guise of emission reduction that ultimately fails when the market loses tax payer cash infusions from the government. Take a look how it works in the auto industry.

Crony capitalist Elon Musk is angry at having to compete for taxpayer handouts... “Rent seeking” occurs when companies secure government benefits for actions that do not otherwise create wealth. An example of rent seeking is California’s subsidy program for zero emissions vehicles (ZEVs)—primarily electric vehicles. Under the state’s ZEV credit program, automakers that sell cars in California must offer a minimum number of ZEVs. Automakers that exceed the standard may sell compliance credits to automakers that can’t make their targets. In recent years, luxury electric carmaker Tesla has been a major beneficiary of the ZEV program. Since 2013, the company has taken in more than \$400 million by selling ZEV credits. These subsidies have been integral to the company’s bottom line. In fact, this money is unrelated to

meeting consumer demand; it is, rather, a direct transfer from certain automakers to others—primarily Tesla.⁴³

The Energy Upgrade California Web site claims, “...zero net energy (ZNE) buildings produce as much energy as it consumes over the course of a year. These buildings achieve ZNE first through high levels of energy efficiency, and then through the addition of clean, on-site renewable power generation, typically solar PV... Recent studies have indicated that the efficiency components of a new ZNE home have an incremental cost, *after incentives*.”⁴⁴

Policies:

Bullet: Promote zero net energy development.

- 118. Why is Fontana promoting a plan that is subsidized?
- 119. What is the proposed cost for this promotion program, including costs for development, operations and maintenance of the program?

Bullet: Meet or exceed state goals for zero net energy new construction.

- 120. Why would Fontana sign on to ZNE goals when they are unachievable without subsidies?
- 121. Why is it suggested that Fontana “exceed” ZNE goals?

Strategies

A. Provide incentives for zero net energy residential and non-residential construction.

- 122. What is the proposed cost for this promotion program, including costs for development, operations and maintenance of a ZNE program?
- 123. Please define “incentives” and who will provide these?

B. Make zero net energy construction a requirement for any new development that requires zoning changes or conditional approvals.

- 124. Why would Fontana want to make ZNE a “requirement”?
- 125. What are the cost impacts to developers for ZNE in Fontana without subsidies?
- 126. What are the proposed costs to home buyers in Fontana for ZNE without subsidies?
- 127. What is the benefit of “zoning changes” to accommodate ZNE construction and the associated costs to rezone and administer the changes?
- 128. What is the benefit of “conditional approvals” for ZNE and the associated costs to develop and administer approvals?
- 129. How will the city deal with changes in ZNE goals and the associated costs of changes on an ongoing basis, given that GHG targets are completely relative?

Goal 7: Conservation of Water Resources With Best Practices Such as Drought-Tolerant Plant Species, Recycled Water, Greywater Systems, Has Become a Way of Life in Fontana.

Policy:

Bullet point: *Continue to promote and implement best practices to conserve water.*

Strategies

A. *See strategies in element 10.*

130. Please explain what “best practices”, who developed them, and why?

131. Why is the city of Fontana interjecting itself between a private water company and consumers?

132. Why does “conservation of water resources” need to become a “way of life” in Fontana?

133. Who will pay for the “Drought-Tolerant Plant Species, Recycled Water, Greywater Systems” mentioned?

134. Will the city landscape its properties, if so what is the proposed cost and return on investment for tax payers?

135. Will private property owners be required to embrace best practices and ensuing way of life social engineering changes in Fontana?

Other Questions

By stepping to the purview of a GP update, the city opens the residents of the city to unnecessary costs. Planning “Complete Streets” is an unfunded mandate and the State will not reimburse the city for costs

AB 1358 - SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.⁵⁰

136. How will the city pay for a Complete Streets redevelopment other than bonds, fees, assessments, sales and/or property taxes?

References

- 1 <http://iagenda21.com/opt-out-of-the-countywide-vision-plan-common-core/>
 - 2 <http://www.merriam-webster.com/dictionary/sustainable>
 - 3 Local Governments, Social Equity, and Sustainable Communities, page 5
http://icma.org/en/icma/knowledge_network/documents/kn/Document/306328/Advancing_Social_Equity_Goals_to_Achieve_Sustainability_Local_Governments_Social_Equity_and_Sustaina
 - 4 <https://www.amazon.com/dp/158291124X/?tag=iagenda21com-20>
 - 5 <http://iAgenda21.com>
 - 6 <http://www.merriam-webster.com/dictionary/resilience>
 - 7 <http://www.cbsnews.com/news/uk-theresa-may-shuts-climate-change-department/>
 - 8 <http://dailycaller.com/2015/07/17/satellites-earth-is-nearly-in-its-21st-year-without-global-warming/>
 - 9 http://www.americanthinker.com/articles/2015/06/climate_change_where_is_the_science.html
 - 10 <https://www.amazon.com/dp/1582911207/?tag=iagenda21.com-20>
 - 11 <https://www.amazon.com/dp/1582911290/?tag=iagenda21.com-20> p.5
 - 12 <http://www.sgvtribune.com/environment-and-nature/20150810/air-pollution-from-china-undermining-gains-in-california-western-states>
 - 13 http://nchh.org/Portals/0/Contents/Baltimore-Washington-Intermodal-Facility-HIA_Final-Report.pdf
 - 14 <http://www.lawofrenewableenergy.com/2015/04/articles/renewable/governor-brown-announces-new-2030-greenhouse-gas-reduction-target-for-california/>
 - 15 <http://www.latimes.com/local/political/la-me-ln-gasoline-reduction-dropped-from-climate-change-bill-20150909-story.html>
 - 16 <https://www.youtube.com/watch?v=YF8zxLOoJ-0>
 - 17 <http://cal-adapt.org/site/faqs/#1>
- Data Sources: <http://cal-adapt.org/data/sources/>
- 18 <https://support.poll daddy.com/difference-between-a-poll-and-a-survey/>
 - 19 <http://www.sandiegouniontribune.com/news/2016/apr/25/brown-executive-orders/>
 - 20 <https://www.lw.com/presentations/authority-regulate-climate-post-2020>
 - 21 <https://www.amazon.com/dp/158291124X/?tag=iagenda21com-20>

- 22 <https://thepointman.wordpress.com/2012/04/13/the-sun-is-setting-on-solar-power-the-moneys-gone-and-nobodys-asking-any-questions/>
- 23 <http://www.governing.com/gov-institute/voices/col-california-misguided-energy-policies.html>
- 24 <http://dailycaller.com/2016/08/08/indian-government-abandoning-solar-power-because-it-is-too-expensive-causes-global-warming/>
- 25 <http://coolroofs.org/>
- 26 <https://contracostabee.com/community-choice-electricity-in-contra-costa-county-a-bad-choice/>
- 27 http://tbrnews.com/news/hermosa_beach/hermosa-beach-council-discusses-alternate-energy-providors/article_87a9e5e2-5451-11e6-a74a-e7c7cfe92392.html
- 28 <https://www.youtube.com/watch?v=eC3sjOLY7Wo&feature=youtu.be&rdm=24jej61zn&client=mv-google&app=desktop>
- 29 <https://www.youtube.com/watch?v=qIstAe9dVRU>
- 30 <https://contracostabee.com/wp-content/uploads/2016/02/Risks-Outweigh-Benefits-of-CCAs-by-Wendy-Lack-February-2016.pdf>
- 31 <http://www.foxnews.com/politics/2016/08/11/nevada-starts-to-pull-plug-on-solar-subsidies.html>
- 32 http://www.bizjournals.com/austin/blog/morning_call/2015/11/california-lost-9-000-business-hqs-and-expansions.html
- 33 <http://politicalvanguard.com/blog/2016/08/09/free-markets-work-best-when-left-alone/>
- 34 <http://www.dailynews.com/government-and-politics/20160809/lawmakers-word-games-could-send-your-money-down-the-storm-drain-susan-shelley>
- 35 <https://www.youtube.com/watch?v=pAPTc7EK3KY>
- 36 <http://spectator.org/crumbling-roads-lets-build-bike-lanes/>
- 37 <https://www.youtube.com/watch?v=C0fr7I7eOyo>
- 38 <http://fontanaforward.com/media/pdfs/Fontana%20General%20Plan%20Survey%20Report.pdf>
- 39 <http://www.fontana.org/index.aspx?NID=796>
- 40 <https://youtu.be/O2N0vyT3kxw>
- 41 http://dailysignal.com/2016/08/12/consumers-pay-because-regulators-allow-natural-gas-use-at-this-solar-plant/?utm_source=facebook&utm_medium=social&utm_campaign=thf-fb
- 42 <http://gizmodo.com/the-world-s-largest-solar-plant-just-torched-itself-1777767880>

- 43 <https://cei.org/blog/elon-musk-angry-having-compete-taxpayer-handouts>
- 44 <http://www.californiaznehomes.com/#!faq/cirw>
- 45 <https://www.amazon.com/dp/1582911282/?tag=iagenda21.com-20>
- 46
<http://www.usatoday.com/story/money/2016/08/15/many-downtown-luxury-apartments-sit-empty/88621454/>
- 47 <https://www.youtube.com/watch?v=cRATiiriPW4>
- 48 <https://youtu.be/z9-4aJvUHkY>
- 49 <http://www.flashreport.org/blog/2016/06/28/diablo-canyon-closure-has-a-crony-problem/>
- 50 ftp://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_1351-1400/ab_1358_bill_20080930_chaptered.pdf