

The Coalition of Labor Agriculture and Business

# WEEKLY UPDATE JANUARY 30 - FEBRUARY 5, 2022



# THIS WEEK

## BOARD OF SUPERVISORS MEETING VERY LIGHT

# **SLOCOG**

PROPOSED FEDERAL AND STATE LEG PROGRAMS REVEAL WHAT'S IMPORTANT TO YOUR LOCAL OFFICIALS IN TRANSPORTATION

# LAST WEEK

### SLO PENSION TRUST HIT 15.3% RETURN IN 2021 (PROBABLY GAVE SOME OF IT BACK LAST WEEK) ADVISORS WORRIED ABOUT INFLATION

## **BOARD OF SUPERVISORS**

COUNTY SETTLES (LOSES) ANOTHER LAWSUIT - \$5.1 MILLION ANNUAL LEG PROGRAM - PESCHONG AND ARNOLD PUT IN REAL POLICY PLANNING DEPT'S 2022 WORK PROGRAM ADVANCED (PESCHONG PUSHED FOR PRACTICAL ITEMS) (ORTIZ-LEGG NOTED: IT IS TOO LITE ON ECON DEVELOPMENT)

# APCD

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

CENTRAL COAST COMMUNITY POWER AUTHORITY MAY BUY DUNE WATERVIEW PROPERTY ON GOLF COURSE IN PACIFIC GROVE AS ITS NEW HEADQUARTERS - WHY NOT IN SALINAS ON THE 101? "THE ELITE STAFF NEEDS AN ELITE LOCATION" (IN ONE OF AMERICA'S MOST SPECTACULAR NEIGHBORHOODS)



THEY APPARANTLY AREN'T AS WORRIED ABOUT SEA LEVEL RISE AS THE REST OF THE ENVIROS BUT THEY OPPOSE DIABLO ON AN 85 FOOT BLUFF

## **EMERGENT ISSUES**

## COVID GROWS - THERAPEUTIC PILLS NOT HERE (COUNTY WAS ALLOTED 5 MULTI-DOSE PACKAGES)

## COLAB IN DEPTH SEE PAGE 19

## **WOKEISM IS A CRUEL AND DANGEROUS CULT**

Wokeism's natural logic is to destroy the lives of people of both genders, of all races, and—if need be—of those of every age, all to leverage an otherwise unworkable ideological agenda BY VICTOR DAVIS HANSON

## **GOLDEN MISSTEP**

A proposal to raise taxes risks driving away even more residents BY MICHAEL LUCI

# SLO CLIMATE CHANGE ACTIVIST HEIDI HARMON'S ELECTRIC CAR CALAMITY

BY KAREN VELIE

https://youtu.be/qukfma9S208



### THIS WEEK'S HIGHLIGHTS ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED

Board of Supervisors Meeting of Tuesday, February 1, 2022 (Scheduled)

#### \*PURSUANT TO AB 361 THE FEBRUARY 1, 2022 BOARD OF SUPERVISORS MEETING WILL BE HELD REMOTELY VIA ZOOM. IN PERSON PUBLIC COMMENT WILL NOT BE AVAILABLE. SEE INSTRUCTIONS AT THE END OF THE AGENDA FOR MORE INFORMATION ON HOW TO ACCESS

#### **THE MEETING\***

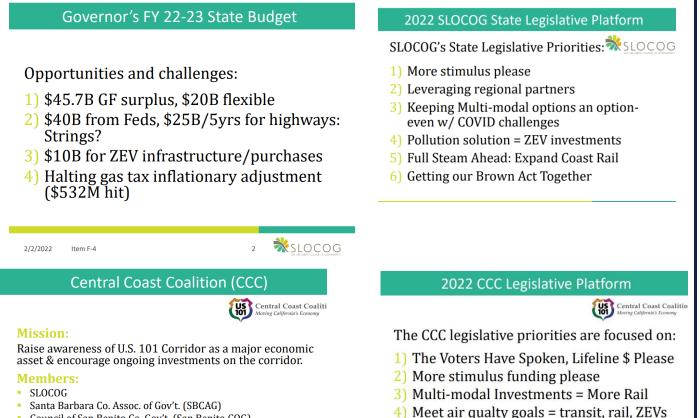
Zoom Meeting Link: <u>https://us02web.zoom.us/j/83960403534</u> Zoom Meeting ID: 839 6040 3534

**In General:** This is a very short agenda with no items of significant policy concern other than discussion of the redistricting lawsuit, which will take place in Executive Session outside of public view.

San Luis Obispo County Council of Governments (SLOCOG) Meeting of Wednesday, February 2, 2022 (Scheduled)

**In General:** The agenda contains many items related to applying for and complying with the conditions of the large mélange of Federal and State transportation programs.

Item F-4: 2022 State and Federal Legislative Programs. This is largely a plea for increased funding from Federal and State sources. The documents are extensive. The PowerPoint slides below summarize the overall requests:



5) A Voice for The Coast

**SLOCOG** 

6) Getting our (Brown) act together

- Council of San Benito Co. Gov't. (San Benito COG)
- Transportation Agency for Monterey Co. (TAMC)
- Santa Cruz Co. Regional Transportation Commission (SCCRTC)
- Association of Monterey Bay Area Gov't. (AMBAG)
- Caltrans District 5. ex-officio

#### 2022 SLOCOG Federal Legislative Platform

SLOCOG's Federal legislative priorities are focused on:

- 1) Building with Biden
- Speaking with one voice
- Expanding Passenger Rail Opportunities
- 4) System Sustainability-ZEV tax credits

## LAST WEEK'S HIGHLIGHTS

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

**Item 22 - Monthly Investment Report for December 2021.** The meeting was routine and the report was received. Trust Board member Jeff Hamm, former and now retired Health Agency Director, asked why Mike Brown of COLAB was monitoring the Trust meetings and writing about them in the Weekly Update. The Trust Executive Director explained that Brown was a former County Executive Officer and was very familiar with pension issues. When Brown tried to log on to the meeting with Zoom to explain COLAB's role, the audio connection would not open.

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

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

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

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

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

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

Item 15 - Another Lawsuit Settlement:

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

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

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

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

5. Authorize a budget adjustment using General Fund Contingencies to increase appropriation in Fund Center 230-Capital Projects, WBS 300034-Women's Jail Expansion Project in the amount of \$3,548,572, as required by the settlement reached with RCI for the construction of the project, by 4/5 vote. The settlement was approved on the consent calendar without comment or explanation.

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

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

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

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

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

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

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

**Item 19 - Request approval of the County's 2022 State Legislative Platform.** After a fairly lengthy discussion and debate, and some very pertinent amendments, the Platform was approved on a 3/2 vote with Gibson and Ortiz-Legg dissenting.

Peschong and Arnold both offered very practical and timely amendments to the draft prepared by the staff. These included:

1. Opposition to AB 1400 and its companion ACA 11, which would mean State takeover and control of all medical care in California. If ultimately adopted by the voters, it would cost as much as a new \$200 billion per year, which would be funded by massive tax increases on individuals and businesses. Your services would be delivered like the services at the Department of Motor Vehicles. Do you really want to go to the DMV for your colonoscopy? Even current factory-like systems, such as Kaiser-Permanente, are horrible.

The new taxes would take three forms:

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

This plank was approved 3/2 with Gibson and Ortiz-Legg dissenting. Gibson insisted that the idea should not be voted on until staff prepared an analysis. This was a ploy to delay action until it is too late.

2. Repeal of Props 47 and 57, which downgraded felonies to misdemeanors. This addition was approved 3/2 with Gibson and Ortiz-Legg dissenting. Similarly to item 1 above, Gibson stated that the County should take a more nuanced approach after studying the matter. He apparently isn't keeping up with news while ignoring the fact that your COVID pills are rotting in the refuse on the railroad tracks in LA.



Just what study is needed as gang mobs loot freight trains? We just want the people to be locked up.

3. Arnold proposed support of Legislation that would support election integrity reform, such as requiring:

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

This one got muddled in a confusing colloquy between the Board, County Counsel, and the County's contract lobbyist and will have to be brought back.

Overall, the Board majority was firm on its direction. This is a good sign. Let staff share its professional opinion, but then give firm direction. As former Santa Barbara County Supervisor Naomi Schwartz (a moderate leftist) used to say to staff: "If you keep opposing this, don't bother to come back next week." Or as former Hartford City Council member Nick Carbone (also a liberal Democrat) used to say: "If you don't execute this timely in the spirit we have adopted it, everything will stop."

In the end and as noted above, and as a result of these amendments, both Gibson and Ortiz-Legg voted against the entire platform. This means that in addition to opposing these items, they cast an overall vote that rejects supporting the protection of Proposition 13.

**Background:** The program is updated each year at the start of the legislative Session. As stated below, the County seeks to protect its finances and as much independence as possible from State usurpation.

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

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

Two very important provisions include:

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

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

Item 24 - Request to receive and file a report on Board-identified priority projects for the Department of Planning and Building and provide staff direction, as necessary. Here again, Supervisors Peschong and Arnold were successful in injecting some practical priorities into the work plan. These included development of a rural camping ordinance and a craft distillery ordinance. Gibson led quite a bit of quibbling about process and costs, but in the end the staff received direction to bring these and other priorities back for future discussion.

Supervisor Dawn Ortiz-Legg correctly pointed out that the overall work program is not strategically driven by economic development considerations.

**Background:** This item kicks off the annual decision-making cycle for determining which studies, plan revisions, and zoning ordinance revisions and adaptations will be worked on by the staff during the FY 2022-23 fiscal year.

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

1. Projects that were assigned previously and are still underway

2. Projects that must be undertaken by State mandate or legislative updates, which require parallel updates in County plans and ordinances

3. Projects that the Board wishes to have initiated

4. Projects that various industry groups or others wish to be initiated

5. Projects that the staff believe should be initiated

The lists are fairly extensive and can be seen at the link 139730 (ca.gov)

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

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

	FY 2022-2023			FY 202	3-2024		1	FY 2024-2025			FY 2025-2026					
Mandatory Programs and GPAs	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	01	Q2	Q3	Q4
County Programs (2.0 FTEs):																
County Growth Management Ordinance																
Countywide Water Conservation Programs																
Track and Implement State Housing Laws																
Williamson Act Program																
Applicant Submitted General Plan Amendments (3.0 FTEs):																
Dana Reserve Specific Plan													I			
Private GPAs 2022-2023													I			
Private GPAs 2023-2024									1				I			
Private GPAs 2024-2025																
Private GPAs 2025-2026																
Staffing for Mandatory Programs and GPAs (FTEs):		5.0		5.0		5.0			5.0							
Existing Board-directed Priority Projects (Tier I)																
Annual Ordinance Clean-up Package (0.25 - 2 FTE);																
2022 Ordinance Clean-up Package													I			
2023 Ordinance Clean-up Package													I			
2024 Ordinance Clean-up Package																
2025 Ordinance Clean-up Package																
2026 Ordinance Clean-up Package																
Priority Projects (1.5 FTEs):													I			
Avila Community Plan									1				I			
ADU Pre-approved Plans									1				I			
Los Osos Community Plan - LCP Amendment																
Staffing for Board-directed Priority Projects (Tier 1)		1					.5				.5			1		
Total Staffing Need for Existing Workload (FTEs)		6					.5				.5				.5	
Existing Permanent Staffing Level (FTEs)		5					.0				.0			5		
Existing Staffing Deficit (FTEs)		-1					1.5									

Attachment 4 Long Range Planning Work Program - New Workload

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

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

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

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

The agency will burn reserves to make the payment:

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

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

It was strange that there is nothing about this in this report or elsewhere on the agenda. When the issue was broached in the meeting, the Air Pollution Control Officer stated that they can still proceed with the program. It wasn't real clear how they could simply unilaterally keep proceeding after the stipulated agreement with state Parks became null and void. Will State Parks accept the situation in which APCD can just make things up as they go along? For that matter, will the Friends of the Dunes accept such a situation?

More lawsuits are pending.

**Item E-3: Clean Rooms Project - Air Purifiers for the Poor.** The Board approved the program on a 9/3 vote, with Supervisors Arnold and Peschong dissenting. Paso Robles Mayor John Hamon also dissented. The rest of them lavished praise on the program and pressed staff to bring back a Countywide expansion. Gibson accused those who opposed the gift as knee jerk ideologues with flimsy excuses.

The staff proposes to buy 600 air purifiers for the poor in the South County.

They assert that this is necessary due to smoke from wildfires and blowing dust. The first round of purifiers would cost \$100,000 and would be distributed to people on the basis of:

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

• Low-income home energy assistance program;

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

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

That Clean Air Will Cost You							
Model	Price	Filter Cost					
Alen Breathsmart	\$600	\$104					
Blueair Blue Pure 211+	\$300	\$140					
GermGuardian AC5900WCA	\$185	\$175					
Honeywell HPA300	\$250	\$127					
1 more row • Oct 25, 2019							

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

Who will pay for the replacement filters each year?

The Board accepted the staff's assertions that these are much lower costs than our research showed. Some Board members had the data but did not press the issue.

#### You Can't Make It Up:

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

Meanwhile, Grover Beach is planning to allow cannabis smoking parlors in connection with its 3 cannabis dispensaries. Wonder how Grover's APCD representative Karen Bright happily voted yes on the program. How does she reconcile smoking pot and with giving out taxpayer money for air purifiers?

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

Central Coast Community Energy Authority (3CE) Special Meeting of Friday, January 21, 2022 (Completed)

Item 4 - Approve and Direct the CEO to Pay a Refundable \$75,000 Registration Deposit to Participate in an Online Auction Conducted by the U.S. General Services Administration

to Purchase (pending bid acceptance) Approximately 4.28 acres Containing a 11,200 square foot Building Located at 1352 Lighthouse Avenue in Pacific Grove (the "Property") to Serve as CCCE's Permanent Headquarters. The Federal General Services Administration will conduct an auction of the property. Bids start a \$1 million and will go up in \$200,000 increments. In recent years, it served as NOAA Southwest Fisheries Science Center. The agenda letter does not seem to set a price limit authorization. Wonder if the whole deal is rigged already?

#### The write-up states in part:

The subject property contains a 3-story, +/- 11,200 square feet office building and is located on a +/- 4.28 acres. The building is located in the northwest corner of the property. The facility was occupied by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA). The two story penthouse facility was constructed in 1952 to serve as an air interceptor training facility for the Navy. This building is a cast-in-place concrete building with concrete shear walls and concrete floor and roof joists and beams. The building also contains a mural, "Green Seas/Blue Seas: The California Current, Climate Change, and Sustainable Fisheries" which depicts changing oceanographic regimes over the last 100 years in Monterey Bay.

#### And

RECOMMENDATION This recommends the Policy Board approve and direct the CEO to pay a \$75,000 refundable registration deposit to participate in an online auction conducted by the U.S. General Services Administration ("GSA") to purchase (pending bid acceptance) approximately 4.28 acres containing a 11,200 square foot building located at 1352 Lighthouse Avenue in Pacific Grove (the "Property") to serve as CCCE's permanent headquarters.

#### Some obvious questions:

1. Since 3CE is a regional government covering from Santa Cruz County down through Santa Barbara County, why wouldn't they pick a more central and convenient location in the middle of their service area, like Salinas next to highway 101. It is an extra 20.5 miles on 2 lane roads from Salinas out to Pacific Grove.

2. The property is zoned open space under Pacific Grove's zoning and has to be consistent with its Local Coastal Program (LCP). As 3CE grows (It has about 50 employees now), will the City and the Coastal Commission allow replacement or expansion of the existing old 11,000 sq. ft. asbestos loaded building? Even with the existing 50 employees, it allows only 250 sq. ft. per employees gross. Much of the space is actually hallways, bathrooms, storage, utility, and a meeting room. What happens when they have 100 employees?

3. The parking lot is small. What happens when they want to expand it?

4. It is located in one of the most sensitive dune and native plant environments in California, as well as the famous Monarch Butterfly Preserve.

5. It is located in one of the most expensive residential neighborhoods in Monterey County. Zillow reports only 4 homes for sale currently in all of Pacific Grove. The only home for sale in the neighborhood is listed for \$5.1 million. It is just west of the famous 17 Mile Drive.



The CCCE Board letter lists the reasons to "justify" why it should be acquired as its headquarters.

DISCUSSION/ANALYSIS: The Property is a potential once in a lifetime opportunity to acquire a building and 4.28 acres of coastal land that meets CCCE's operational needs, will help attract and recruit talent, and position CCCE at the center of California public power.

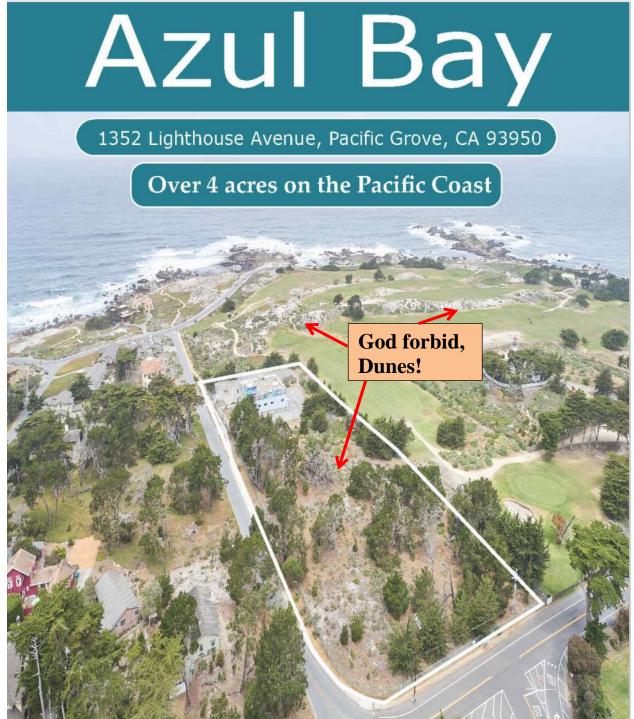
The Property, located on a portion of the United States Light Station Reservation at Point Pinos, has previously been used for office and operational uses and its 11,200 square feet is similar to CCCE's current office space.

The Property is central to CCCE's existing employee base and can serve to attract future talent to CCCE. Bringing employees back to in-office work will require, among other things, a more attractive office location and physical layout. COLAB NOTE: The poor babies can't work in the gritty environment of Salinas.

The Property is adjacent to both the ocean as well as Pacific Grove downtown dining and other amenities. COLAB NOTE: You betcha – Pebble Beach, Carmel, the Sardine Factory, Grill on Lovers Point, Monterey Peninsula Country Club, Del Monte Resort, etc.

The Property also offers an opportunity to redesign the interior to fit CCCE's needs, and the flexible workspace needs of today's employees. The Property also offers a unique opportunity to make CCCE a focal location for California's CCAs. COLAB NOTE: Are the city and the Coastal Commission going to allow them to have a conference center on the property?

The location, along with the local convention and hotel industry, can help attract energy and renewable industry conferences, speakers, workshops, and other opportunities that will raise CCCE's visibility within the industry. **COLAB NOTE: Looks like an industry to us.** 







## **EMERGENT ISSUES**

**Item 1 - COVID – Cases and Confusion Rise, but Where are the Pills?** County Health Officer, Dr. Penny Borenstein again reported the high trajectory of increase for COVID infections. The County population suffers mainly from the Omicron variant. At this point, the

infection rate is the highest since the pandemic began and is higher than its peak this time last year. Apparently 1 in 5 people in California are testing positive. Since it appears that just about everyone will eventually catch it, we asked where the County is on getting therapeutic treatment drugs.

The Health Director reported that they are in very short supply and are not available. The Board did not press the issue and did not ask staff what they as the Board could do to ramp up the pressure to get more pills into the County. Are they available in Canada? Could the County fly them in?

#### **Background:**

#### FDA News Release from December, 21, 2021

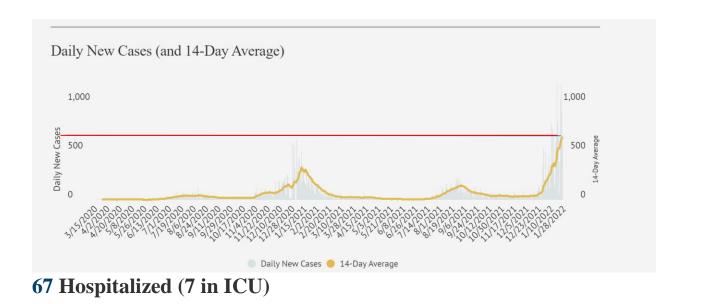
Today, the U.S. Food and Drug Administration issued an <u>emergency use authorization (EUA)</u> for *Pfizer's Paxlovid (nirmatrelvir tablets and ritonavir tablets, co-packaged for oral use) for the* treatment of mild-to-moderate coronavirus disease (COVID-19) in adults and pediatric patients (12 years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

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

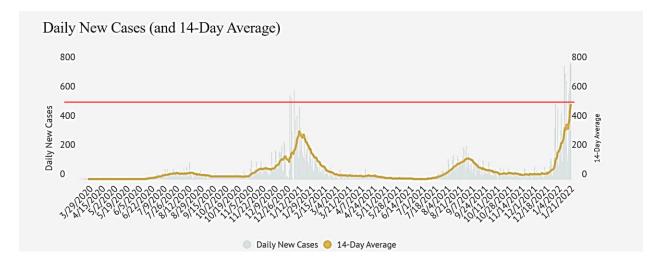


Masks and vaccines have proven not to be bullet proof. What happens if the next version (BA.2) makes people sicker and has a high mortality rate?

### Last Week







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

# **COLAB IN DEPTH**

IN FIGHTING THE TROUBLESOME, LOCAL DAY-TO-DAY ASSAULTS ON OUR FREEDOM AND PROPERTY, IT IS ALSO IMPORTANT TO KEEP IN MIND THE LARGER UNDERLYING IDEOLOGICAL, POLITICAL, AND ECONOMIC CAUSES

## **WOKEISM IS A CRUEL AND DANGEROUS CULT**

### Wokeism's natural logic is to destroy the lives of people of both genders, of all races, and—if need be—of those of every age, all to leverage an otherwise unworkable ideological agenda. BY VICTOR DAVIS HANSON

Wokeism has been described by its critics as the omnipresent use of race—and to a lesser extent, gender—to replace meritocracy and thus ensure equality of result. What follows from implementing that ideology are reparatory actions to reward those of the present by atoning for the injustices done to others in the past.

Some see it as an update of 1960s cultural Marxism fads. Others scoff that it is just a return to 1980s-style political correctness.

Still more see it as the logical successor to 1990s-type race, class, and gender obsessions—albeit with a shriller and more dangerous Jacobin, Soviet, and Maoist twist. Wokeism's hysteria also invites comparisons to the Salem witch trials and McCarthyism.

But few have described wokeism as the cruel creed that it is.

Wokeism's natural logic is to destroy the lives of people of both genders, of all races, and—if need be—those of every age, all to leverage an otherwise unworkable ideological agenda. It is nihilist and destroys everything it touches. It tears apart foes and friends alike, whether by fueling media-driven hatred of Donald Trump or faux-deification of the disaster that is now Joe Biden.

#### Woke's Victims

Defunding law enforcement and defaming police resulted in record numbers of murders in 12 U.S. cities. A wave of violent crime is even hitting America's suburbs.

Without much fear of arrest, indictment, conviction, and incarceration, emboldened violent career criminals for the past year have robbed, assaulted, and killed the innocent with impunity.

The victims at the bus stop, the subway, or in the furniture store do not seem to warrant media or progressive attention, much less sympathy.

They are the ignored—the unnamed, and the forgotten collateral damage from the grand experiment of redefining crime as a social construct. The guilty are the elite academics, activists, and billionaires like George Soros who are untouched by what they birthed.

We have all seen videos of the vast expanse of flotsam and jetsam strewn by train thieves along the Union Pacific tracks in Los Angeles. Yet the Wild West mess is still more than just the concrete manifestations of Los Angeles County district attorney George Gascón's unhinged efforts to excuse criminals from legal consequences.

The packages thrown along the ground by thugs and gangsters represent, among other things, lost COVID-19 test results of the ill. Presumably, they unknowingly are waiting still by the window for the delivery of results that never arrive. The package in the dirt was, perhaps, a key tractor part eagerly awaited, in vain, by the broke farmer in the Central Valley. The mess included the life-saving medicines shipped to the sick that disappeared.

And our elected leaders did *what* in response? Governor Gavin Newsom <u>apologized</u> for using the insensitive word "gangs" to describe those who plunder, loot, and trash railcars.

#### Always In Search of Targets

It is a cruel thing to indoctrinate children with the lie that they are innately guilty of oppression due to their skin color. One accurate definition of racism is collective ill-treatment of an individual due to his innate appearance—on the pretext that such bias is deserved, given the target is deemed mentally, spiritually, or morally inferior because of said traits. But that, in a nutshell, is the essence of critical race theory: the destruction of all human traits and unique characteristics, as demonized individuals are reduced to stereotyped, faceless members of a collective.

For over a half-century, female athletes have sought to achieve parity in society's attitudes to sports. Title IX forced universities to ensure rough equality for both female and male sports.

But the woke effort to redefine transitioning biological males as identical to biological women will assuredly destroy the life work of thousands of pioneer athletes.

Ironically, the sexist woke movement has allowed men to take hormones and undergo surgery to become females—even as their immutable skeleton frames, muscularity, or organ characteristics ensure an unfair and asymmetrical contest.

The lives of thousands of young female athletes will likely be diminished. Each sprinter, every swimmer, and all female pole-vaulters will now inevitably at some future date have a rendezvous with career implosion—defined by losing to a transgendered female/biological male.

Records are being rewritten, the very nature of individual women's sports changed, and soon there will no longer remain an idea of "women's sports" at all.

#### The Forgotten Broken Eggs of the Woke Omelet

The green wokeists postulate that they are saving lives by radical efforts to restrict gas and oil production, to raise fuel prices. They want to force Americans to buy high-priced alternative sources of wind- and solar-generated power and battery-powered cars. But away from the faculty lounge, millions of Americans are colder and less mobile this winter, paying far more to heat their homes and to drive to work.

Most of the woke climate change activists rarely see the poor trying to empty their purses to scrounge combinations of cash and credit cards to leverage over \$100 to fill their cars' gas tanks. Tesla drivers might be the architects of last year's war on carbon fuels. But real-life victims pay for their piety—those who have no such options to buy high-priced electric cars.

For the cosmopolitan woke, the border is many things: a mere xenophobic construct, a racist barrier, a nationalist tic.

But the thousands who live near the Mexican border see their homes and farms overrun with drug traffickers—and during a pandemic thousands of unvaccinated and possibly sick illegal aliens. They suffer firsthand from daily violence as all security disappears.

For the American poor, who rely on government health clinics and state entitlements, the influx of thousands of illegal aliens into their communities becomes a zero-sum game. The more noncitizens put demands on such already oversubscribed services, the fewer citizens there are who will have access to quality care.

The woke lecture that colleges and universities must now go beyond their former *de facto* racial quotas for admissions and hiring, already mostly based on proportional representation and disparate impact. But now a sort of reparations system emerges. It is what the Left itself used to call in derision "overrepresentation."

Equity in our Orwellian world is not equality, but payback. Again, it is the idea of making the current generation pay for the supposed sins of the long dead of centuries past.

Aside from the destruction of merit by the substitution of racial criteria, millions from a discarded generation will have doors slammed on their careers—simply because of the color of their skin. And they will never forget that.

The woke do not even make the effort to admit that class matters as much as, or more than, race. By doing so, they doom millions of poor white and Asian students, who managed in poverty to achieve excellent grades and test scores, from being admitted to top-tier schools. Their actual achievement, despite their absence of wealthy, college-educated, or well-connected parents, means little.

Once a morally bankrupt society—for naïve, utopian, or ignoble reasons—begins to calibrate graduation ceremonies, dorm space, roommate selection, achievement, and grading standards based on race, then it not only will lose its standard of living, but it will deserve to. And it may have a future date with the violence of Rwanda, Iraq, or the Balkans.

Power, Not "Equity," Is the Creed

In sum, wokeness is *not* about kindness, equality, fairness, or morality.

It is the power agenda of the elite of all races. For differing reasons, they rig the game in their own interests, without a care about who suffers.

Rich white people assume that they possess the money, the influence, the networking skills, and the connections to navigate around the very exclusionary rules they make for others. For them, there are seldom costs. But they win apparent psychological gain at feeling spiritually superior while driving a Range Rover.

They get high on the sense of power they wield to engineer the lives of millions deemed less important than they. And to the degree they feel guilty about their own monopoly of wealth and leisure, such transient superficial remorse is alleviated by abstract caring for the "other."

If they can ensure that 50 percent of TV commercials highlight African Americans, then they worry little about the nation's existential crisis of 800 blacks murdered in Chicago last year. And no such television execs have a clue—or likely a concern—about how to stop it.

The woke take out a medieval contract that all their material indulgences can be balanced by virtue-signaling caring for the less fortunate—although always at someone else's expense.

#### Woke = Wealthy Careerists

And for the millions of the affluent, elite nonwhite? The resurgence of racial obsessions conveniently destroys the old idea of class, even though now it is the far more precise calibration of inequality.

For all the woke talk about "constructs" of gender, race is somehow alone exempted and declared innate, definable, and immutable. One's appearance becomes the permanent victimized refuge—even of NBA multibillionaires and billionaire rappers alike.

A Ward Churchill or Elizabeth Warren can desperately seek to leverage a career in becoming Native American, apparently as if they were almost trapped in their own white bodies. Yet they can still not manage to construct such assumed identities in the manner of Bruce/Caitlyn Jenner.

If race is now the sole immutable barometer of who is a victim, who a victimizer, then LeBron James, Jay-Z, Kayne West, Chris Rock, Michelle Obama, and Oprah Winfrey are always to be among the eternally oppressed. The enormous influence, power, status, and wealth they wield never negates their victimhood, despite a nation three generations into affirmative action.

In the immoral calculus of woke, the poor white or Southeast Asian offspring of poorly paid high-school dropouts constitute "the privileged." And a multimillionaire racist like the TV anchorwoman Joy Reid claims to be the perpetual victim, *not* the inner-city African American retiree who in 2021 has lost local police protection.

No wonder the woke elite and the affluent leftists fixate on race, given they are now the ruling class. Otherwise, their own privilege would be the obvious target of the once-beloved "Revolution."

So, they fear that by their own prior left-wing standards, they too could end up on the wrong side of their moral Maginot Line. Wokeism's obsessions with ferreting out "white privilege" are a way for rich people to head off (so to speak) the fate of Marie Antoinette.

#### Totalitarian Wokeism

A final note. We know wokeism is both contrary to human nature and antithetical to democracy and constitutional government.

Without public support, it has instead embraced an entire array of cruel, Soviet, and Maoist means to achieve its own self-interested ends. Woke talk about "racists" eerily emulates Soviet boilerplate about "counterrevolutionaries." Today's wokeist spouts things that could come right out of the mouth of the novelist Boris Pasternak's character <u>Army Commissar Strelnikov</u>, or Mao's *Little Red Book* concerning "suppression of counterrevolutionaries."

No wonder the woke, so-called "humanists" are the first to resort to Trotskyization and iconoclasm. They are masters of censoring, blacklisting, scapegoating, deplatforming, ritual humiliation, doxxing, cancel-culture, ostracism, and disbarring.

Wokeism's logic is the eternal one of the bully Jacobin with his guillotine lists of the revolutionary unpure, the 19th-century lynch mob storming the frontier jail, the Red Guards hounding the counterrevolutionary, and the forced mental hospitalizations of the Soviet Union.

But above all, wokeism is a cruel cult—created by and for the careerist benefit of the privileged.

Victor Davis Hanson is a distinguished fellow of the Center for American Greatness and the Martin and Illie Anderson Senior Fellow at Stanford University's Hoover Institution. He is an American military historian, columnist, a former classics professor, and scholar of ancient warfare. He has been a visiting professor at Hillsdale College since 2004. Hanson was awarded the National Humanities Medal in 2007 by President George W. Bush. Hanson is also a farmer (growing raisin grapes on a family farm in Selma, California) and a critic of social trends related to farming and agrarianism. He is the author most recently of The Second World Wars: How the First Global Conflict Was Fought and Won, <u>The Case for Trump</u> and the newly released <u>The Dying Citizen</u>. This article first appeared in American Greatness on January 25, 2022.

# **GOLDEN MISSTEP**

### A proposal to raise taxes risks driving away even more residents. BY MICHAEL LUCI

In November 2020, California voters rejected a <u>\$10 billion</u> business-tax hike, showing understandable concern about tax increases during an economic downturn. Since then, tax revenues have surged at the fastest rate in four decades, giving the state a <u>\$31 billion budget</u> surplus.

One might think that this good fortune would negate the need to raise taxes, but some California lawmakers see things differently. Apparently believing that the 2020 tax referendum failed for a lack of boldness, assembly members Ash Kalra and Alex Lee have proposed <u>Assembly</u> <u>Constitutional Amendment No. 11</u> to raise annual taxes by <u>\$163 billion</u> per year. The package would nearly double California's tax burden to fund CalCare, a universal health-care program. Setting aside California's governance weaknesses, the proposal is a poor fit for the new era of interstate tax competition.

California's current top marginal tax rate is 13.3 percent, the highest in the U.S. The new proposal would add to that burden, generating \$31.5 billion through a pair of payroll taxes: one on firms with 50 employees, and the other on employees earning \$49,900 or more. Income surtaxes would begin at \$149,509 in earnings and generate another \$23.4 billion with progressive rates. The result would be a preposterous income tax code, with 18 rate brackets ranging from 2.25 percent to 18.05 percent.

The real money grab is the proposed 2.3 percent excise tax on business gross receipts beyond \$2 million, which would generate \$108.1 billion in new taxes annually. Gross-receipts taxes hit production cycles multiple times, bringing in tremendous revenues with low rates. Rather than taxing business profits (which California already does), a gross-receipts tax raises revenue from both profitable and unprofitable businesses. Inevitably, some low-profit businesses, such as retailers and grocers, would pay more taxes than high-margin, high-profit businesses.

Californians should be skeptical that a government that has fostered homelessness, out-of-control housing costs, rising crime, and energy shortages can deliver universal, high-quality health care. The California Assembly passed the <u>healthcare spending portion of this package</u> out of committee on January 20, and has until January 31 to pass the bill before the entire Assembly. So suppose the state does manage to enact this gargantuan tax-and-spend program. The state's tax competitiveness, which the Tax Foundation currently <u>ranks 48th</u>, would move from bad to even worse—and drive away the taxpayers the program depends upon.

Two recent changes make state tax competitiveness more important than ever. First is the federal cap on state and local tax deductions imposed by the 2017 Tax Cuts and Jobs Act. Though Democrats hope to <u>reverse</u> this change, Californians, for now, must pay full freight for their state's spending programs. Second is the rise of remote work, allowing more workers to live where they choose.

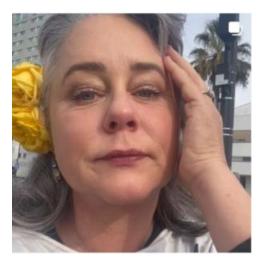
Census migration data <u>show</u> that Americans are moving out of such high-tax states as California, New York, and Illinois and into low-tax jurisdictions. California lost 262,000 residents in 2021, more than any other state besides New York. In contrast, Florida, Texas, Arizona, and North Carolina have seen torrid population growth and inbound moves. Florida and Texas levy no individual income tax. And all four states enhanced their tax competitiveness in 2021: Florida began phasing out its quirky <u>sales tax on commercial rent</u>, Texas <u>enacted a broad spending</u> <u>limit</u> that will lead to tax cuts, <u>Arizona slashed income taxes</u> for businesses and individuals, and North Carolina enacted a <u>massive bipartisan tax reform</u> that will eliminate its corporate income tax and cut personal rates from 5.25 percent to 3.99 percent. Even if it stands still, California will continue to lose innovators and middle-class residents to states proactively improving their cost structures. <u>U-Haul couldn't meet demand</u> for all the people leaving California last year. The California Taxpayers Association <u>points out</u> that the revenue estimates for this new proposal don't consider the inevitable losses to outmigration. California's tax-and-spend programs are destined to fail. Competitive Sun Belt states are siphoning off taxpayers and businesses, depriving California of the full revenue of its tax designs. Yet state competition lets policymakers learn from their mistakes and suggests remedies. Nowhere is such competition more needed than in the Golden State.

<u>Michael Lucci</u> is a senior fellow at the Cicero Institute. This article first appeared in the City journal of January 27, 2022.

# SLO CLIMATE CHANGE ACTIVIST HEIDI HARMON'S ELECTRIC CAR CALAMITY

BY KAREN VELIE

https://youtu.be/qukfma9S2o8



Heidi Harmon

Former San Luis Obispo mayor and climate change activist Heidi Harmon attempted to "do the right thing," and travel to a rally in San Francisco in an electric car. After multiple attempts to find a working charging station in San Jose, Harmon realized charging the car would take up to seven hours and there was no way she could make the rally.

Harmon posted multiple videos about her difficulties in traveling in an all-electric vehicle. She discusses calling the police or asking someone to send a helicopter to rescue her.

Many of the posts have now been deleted, though a collage of portions of Harmon's videos remains:

Harmon spearheaded an effort last summer to enact a SLO city energy policy requiring allelectric new buildings. At that time, Mayor Harmon sat on the Central Coast Community Energy Board of Directors, the electric energy company she was promoting.

Harmon stepped down from her mayoral seat in August to battle climate change, Harmon said. Harmon is now working as a senior public affairs director for the Romero Institute's Let's Green CA initiative, a nonprofit affiliated with Central Coast Community Energy.

On Jan. 13, Harmon was headed to San Francisco to protest against PG&E's solar penalty fees, but was unable to attend because of issues with vehicle charging infrastructure and the time it takes to charge an electric vehicle.

Harmon posted multiple videos during her attempt to charge the electric car she was driving on the <u>Lets Green CA Instagram page</u>, which she later shared to her own Instagram page. Since then, some of the videos have been deleted, and Harmon disabled her personal Instagram page.

This article and video first appeared in the Cal Coast News of January 24, 2022. Karen Velie is the central coasts true independent investigative reporter.

SEE THE VIDEO ON THE LINK BELOW:



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