COLAB
San Luis Obispo County
The Coalition of Labor Agriculture and Business

WEEKLY UPDATE MARCH 26 - APRIL 1, 2023

IT'S THIS THURSDAY –RSVP QUICKLY

BID ON THIS BEAUTY

HEAR LATEST INTRIGUES OF COUNTY RADICAL LEFT REGIME

BID ON SOME GREAT EXPERIENCES
BEST PARTY IN TOWN

THIS WEEK

PENSION BOARD BEGINS TO FEEL INFLATION
+
LOCAL GOVERNMENTS DISCOVER THE REAL COST OF FREE MONEY
BY STEVE MALANGA

NO BOARD OF SUPERVISORS MEETING

LAST WEEK

BOARD OF SUPERVISORS

BOARD LEFTIST MAJORITY POLICY BLITZKRIEG CONTINUES:

COUNTY ADMINISTRATOR TECHNICALLY "RESIGNED"
BOARD MAJORITY: REJOIN IWMA
HEARING SET FOR CAMPAIGN FINANCE TRICKERY
THEIR LARGE CAMPAIGN DONORS IN CHARGE OF PASO BASIN
CENTRAL COAST COMMUNITY ENERGY APPROVED 3/2

REDISTRICTING SELLOUT LEGAL SETTLEMENT ADOPTED BY THE BOARD MAJORITY

CENTRAL COAST COMPULSORY ENERGY SCAM APPROVED 3/2
BOARD REFUSED TO HEAR COLAB COUNTER PRESENTATION

OTHER ACTIONS
WILL COUNTY SUBSIDIZE SCHOOL BOARD ELECTION?

$2,521,000 FOR STORM DAMAGE TO PARKS
NASTY REFUSE RATE INCREASES FOR LOS OSOS
$20 MILLION IN STORM DAMAGE TO ROADS
DIABLO POWER PLANT RE-USE POWOWS CONTINUE

PLANNING COMMISSION

BIANCHI WINERY CONDITIONAL USE PERMIT APPROVED

CONGREGATION BETH DAVID RESIDENTIAL SUBDIVISION DENIED

EMERGENT ISSUES

THE CALIFORNIA CARBON NEUTRALITY PLAN

It negatively impacts low-income households and minorities disproportionately

COLAB IN DEPTH

SEE PAGE 44

NOTE TO READERS

THESE ARTICLES RAISE THE ISSUE OF LIABILITY FOR THE JURISDICTIONS AND OFFICIALS WHO IMPOSED THE LOCKDOWN. THOSE WHO LOST THEIR BUSINESS OR JOB COULD GET TOGETHER AND SUE THE COUNTY AND STATE.

MED MAL

The tragic failure of reckless, unprecedented lockdowns that were contrary to established pandemic science, and the added massive harms of those policies on children, the elderly, and lower-income families, are indisputable and well-documented in numerous studies. This was the biggest, the most tragic, and the most unethical breakdown of public health leadership in modern history

BY SCOTT ATLAS

HARSH RESPONSES AND HARSH OUTCOMES OF COVID

BY JOHN SEILER

2022 REDISTRICTING PLAN VOIDED/BOARD MUST ADOPT NEW PLAN BY SELECTING FROM OTHER FINAL ALTERNATIVES

On Friday the County announced that it had reached settlement with the Plaintiffs, so-called "Citizens" For Good Government and League of Women Voters, to rescind the Supervisorial Redistricting Map adopted in 2022. The settlement also requires the County to pay the Citizens $300,000. The Citizens are simply a front for the County Democratic Party. The League of Women Voters has devolved over the years into a naive wokist ally of radical left.

Peschong and Arnold voted against the settlement and presumably argued to try the case. The map is legal and was informed by the County's expert redistricting Counsel.

The County news release summarizes the settlement and next steps.

County Reaches Settlement in Court Challenge of Supervisorial District Map

County Government Center
1055 Monterey Street, San Luis Obispo, CA 93408

Author: Administrative Office
Date: 3/24/2023 2:57:30 PM

San Luis Obispo County Supervisors have approved a settlement agreement with SLO County Citizens for Good Government, the League of Women's Voters and three other plaintiffs who challenged the validity of the supervisorial district map adopted in December 2021.

The adoption of the map (often referred to as the "Patten Map") was challenged in San Luis Obispo County Superior Court by the plaintiffs. In January of last year, a judge allowed the map to stand through the 2022 election cycle, but found the petitioners had a reasonable probability of prevailing in court. The judge also found if that happened, the appropriate remedy would be for County Supervisors to reconsider the matter and evaluate any proposed maps consistent with the Fair Maps Act.

Given the significant expense and uncertainty associated with taking the case to trial, the Board of Supervisors has agreed to settle the case and has authorized the County Administrative Officer to sign the agreement.

As part of the settlement, a stipulated judgement will be signed by the Court, requiring the previously approved map be set aside. The Board is then required to resume and complete the redistricting process and adopt a new map in time for the March 2024 primary election. As part of this process, the Board will consider the previously proposed maps and invite public comment. Here are the next steps:

- April 4th: Supervisors will set a hearing date for April 18th to repeal the current map and consider the previously proposed maps.
- April 18th: Public hearing on repealing the current map and consideration of previously proposed maps.

As part of the settlement, the County agreed to pay plaintiffs legal fees in the amount of $300,000. This was to address the risk the Court could order the county to pay legal fees and costs well in excess of this amount. Please see attached Map A, Map B, Chamber 2030 Map, and Settlement Agreement.

The Settlement Agreement states in part:

In light of the above circumstances, the Parties now desire to finally resolve the lawsuit by (1) setting aside the adopted map, (2) resuming the redistricting process, including at least one public hearing, (3) correcting the procedural issues noted by the trial court in its Preliminary Injunction Order, (4) considering alternative voting district maps, including Map A, Map B, and the Chamber Map, (5) considering repeal of the Enactments, and (6) providing for an end to the Lawsuit if, pursuant to the resumed redistricting process and Board deliberations, the Board adopts a map that is compliant with the California Constitution and with California and federal voting rights and redistricting laws, including the Fair Maps Act.

The full text of the Settlement Agreement can be read at the link:

SLO-County-Citizens-Settlement-Agreement-(fully-ex.pdf (ca.gov)

THIS WEEK'S HIGHLIGHTS

SLO County Pension Trust Meeting of Monday, March 27, 2023 (Scheduled)

Item 10 - Actuarial Valuation – 2023 Actuarial Assumptions. The bad news is that the fund lost 8% in 2022. The short-term good news for the County Budget is that the actuaries and staff do not recommend that a rate increase be adopted for County FY 2023-2024.

The latest Actuarial Experience Study was completed in 2022. For 2023, as a year between the biennial Experience Studies, it is preferable to defer making any changes to actuarial assumptions until the next Experience Study year unless there are compelling reasons for an out-of-cycle change in assumptions.

The biennial Experience Studies provide a more in-depth analysis of the factors that determine the rates. The current assumption rate is 6.75% for fund returns over 30 years.

SLOCPT's Actuary and Staff recommend no changes to major assumptions noted above. These assumptions will determine the resulting Actuarially Determined Contribution (ADC) rate increase to be presented to the Board in June.

Item 14 - Monthly Investment Report for February 2023. Markets did not perform as well in February as January.

	February	**Year to Date 2023**		2022	2021	2020	2019	2018
Total Trust Investments ($ millions)	$1,626			$1,614 year end	$1,775 year end	$1,552 year end	$1,446 year end	$1,285 year end
Total Fund Return	-1.8% Gross	**1.8%** Gross		-8.0% Gross	15.2% Gross	8.9 % Gross	16.3 % Gross	-3.2 % Gross
Policy Index Return (r)	-1.7%	1.8%		-9.7%	12.8%	10.0 %	16.4 %	-3.2 %

(r) Policy index as of Nov. 2021 Strategic Asset Allocation Policy with 2023 Interim targets:

Public Mkt Equity-	21% Russell 3000, 17% MSCI ACWI ex-US
Public Mkt Debt-	10% Barclays US Aggregate,
Risk Diversifying	4% Barclays US Aggregate,
	5% Barclays 7-10yr Treasury, 4% Barclays 5-10yr US TIPS
Real Estate & Infrastructure-	15% NCREIF Index (inc. Infrastructure)
Private Equity-	10% actual private equity returns
Private Credit-	8% actual private credit returns
Liquidity-	6% 90 day T-Bills

Pending annual updates to interim targets.

Investment Markets - February saw a pullback from the positive returns in January. For February, equity markets fell – both US stocks (S&P 500 -2.4% and International stocks (MSCI ACWI ex-US -2.7%). Bonds also declined due to added increases in interest rates (Bloomberg US Aggregate bonds -2.6 %).
***Banking turmoil** – On March 10th the banking industry was roiled by the failure and insolvency of Silicon Valley Bank (SVB) – the 16th largest bank in the U.S. with $209 billion in assets. A second bank, Signature Bank, also failed over the weekend.*

♣ *SVB was seized by bank regulators due to plummeting liquidity in the face of a bank run by depositors. The SVB situation is qualitatively different from the 2008- 2009 banking crisis in that SVB's assets are generally of high quality.*

♣ *SVB carried a high-risk profile with extreme reliance on institutional and venture capital deposits – that are far more likely to leave quickly than the more traditional retail deposits. SVB was a major lender in the technology industry as well as holding large amounts of Treasury and mortgage-backed bonds.*

♣ *All banks carry "asset/liability mismatch" risk - short term deposits versus longer term loans. SVB's economics were impacted by increases in short term interest rates that increased the rate they needed to pay on deposits. To worsen the situation, the long-term bonds that made up a large portion of SVB's assets had lost close to 50% of their market value due to rapidly increasing interest rates. However, these bonds under bank accounting rules were still carried at face value in SVB's "Hold to Maturity" category.*

♣ *SVB's risk was magnified by its reliance on rapid-to-leave institutional deposits. When SVB was forced to liquidate large parts of its bond holdings and realize loses that had been previously not reportable under bank accounting rules, depositors were alarmed and pulled their funds.*

♣ *The U.S. Treasury, the Fed and the FDIC have pledged to cover depositor losses for accounts larger than the $250k FDIC insurance limit so the remaining depositors are expected to not suffer losses. This move by the regulators is not the same as a "bail out" as was done for some systemically important banks in 2008-2009. It is anticipated that the liquidation of the remaining bonds owned by SVB and the wiping out of all owners' equity will cover the guaranteed deposits at little or no cost to the Treasury. Also, SVB management has been dismissed.*

♣ *SLOCPT investments are not expected to be directly affected by the SVB problems. A possible increase in private credit investment opportunities – particularly for Sixth Street Partners portfolios – is a potential positive factor.*

Related Impacts: The Board, along with all the other local jurisdictions and states, has been happily spending millions of dollars in Federal COVID Relief Funds, American Rescue Act Funds, and Infrastructure Act funds. These have injected trillions of dollars into the economy, generating inflation, devaluing the dollar, and thereby increasing the national debt and the commensurate interest rates on the national debt. One of the knock-on effects has been to cause some banks that are collateralizing their depositors' deposits with treasury bonds to become insolvent. Should the problem turn out to impact many banks, the financial markets could adversely affected. **Read the article below to view the gathering storm.**

LOCAL GOVERNMENTS DISCOVER THE REAL COST OF FREE MONEY

BY STEVE MALANGA

In the past two years, newspapers have published more than 200 articles describing state or local budgets as "awash in cash." There's no mystery to this great fiscal flooding. Since the beginning of the Covid pandemic, the federal government has pumped $5 trillion into aid to local governments, hospitals, and public schools, and made extraordinary payments to families, given supplemental benefits to the unemployed, and made forgivable loans to businesses. The tap largely remained open long after the economy began bouncing back, prompting states, cities, and towns to spend billions of dollars in free money on items like parades, parks, bike paths, street performers, and subsidies for illegal aliens.

Not content with this torrent, the Biden administration added $1 trillion in new infrastructure spending, too.

But in the last few weeks, the narrative has changed dramatically. The collapse of two American banks and an emerging international finance crisis prompted by rising interest rates has reminded local officials of the true cost of free money. The failure of Silicon Valley Bank in California and Signature Bank in New York has, in the immediate future, threatened government-subsidized affordable-housing plans in these states because each bank was a significant lender to these projects.

Meantime, the plunge in equity markets and the slump in bank bond prices precipitated by surging interest rates has undermined already-strained public pension funds. Last year, those funds gave back many of the gains they enjoyed in 2021, pushing funding levels back to where they were in the bleak years of 2008 and 2009. Now they have slumped further, requiring even greater contributions from local governments. Some state pensions, invested in Silicon Valley Bank, even took direct hits to their portfolios as the bank's stock plunged.

At the same time, the economic uncertainty caused by the financial crisis has upended government budget planning as officials contemplate a vastly different landscape of tightening credit, rising unemployment, and reduced tax collections. Silicon Valley Bank's failure sent California governor Gavin Newsom pleading to the Biden administration for a bailout because of the threat to the state's tech industry—the source of so much frothy tax revenue in the form of California's steep capital gains tax. With memories of the 2008 financial crisis still fresh in the minds of New York officials, Governor Kathy Hochul similarly entreated Biden to offer the same guarantee to depositors of the failed Signature Bank. Meantime, North Carolina officials worry about what a banking failure contagion would do to the prospects for Charlotte, one of the country's finance centers.

What's happened in the past few weeks has brought to a head a problem that started to emerge even before the Covid lockdowns. In the wake of the 2008 fiscal crisis and the accompanying Obama fiscal stimulus legislation, left-leaning economists increasingly argued that government deficits were irrelevant, that we could live indefinitely in an age of rising spending and growing borrowing fueled by low interest rates. State and local leaders enthusiastically signed on, increasingly beseeching Washington for more funding for their problems, including many caused by their own bad policies. The more that states and cities received and spent on dealing with issues like homelessness, affordable housing, and mental illness, and in expanding programs like Medicaid, food stamps, and school lunches, the more they demanded.

The arrival of the Covid pandemic helped supercharge this kind of thinking. The initial Trump administration stimulus bill in March of 2020 went well beyond emergency money for hospitals and health care, providing extensive economic aid that helped to encourage and prolong costly lockdowns in many places. The spending that followed, from Trump's departing second stimulus act to Biden's $1.9 trillion "rescue" plan—was nothing less than a spending blowout. Combined with Biden's overflowing federal budget and other endeavors like the infrastructure legislation, the gusher became a flood.

Even before the banking failures of this month, all this free money began undermining the good but misbegotten intentions behind it. America already had some of the highest public-sector construction spending in the world when Biden pumped another $1 trillion into the till. That has produced too much money chasing not enough labor and scarce materials. The result has been double-digit inflation in public construction that is rapidly shrinking the value of that money. Project costs have soared, and public-sector contracting is now squeezing out private dollars.

As it does with much of its spending, the Biden administration is also using the infrastructure money to engineer a social agenda—from "buy American" requirements to minority hiring and contracting programs—further raising the cost of work. In fact, federal requirements to use Biden infrastructure money are so complex and confounding that Secretary of Transportation Pete Buttigieg recently had to visit local leaders angered and "stumped" by federal regulations. "This is new, this is hard, and drawing the line in the right way can be a real challenge," Buttigieg admitted.

Inflation has also sparked rising worker costs, eroding budgets as public-sector employees demand higher wages. Missouri lawmakers have approved a whopping 8.7 percent cost-of-living adjustment for state workers, while New Mexico is boosting state wages 5 percent. Kansas's legislature has already greenlighted bonuses up to $10,000 to retain public workers. Austin, Texas, just gave city workers the largest pay increase in two decades. Teacher salaries, meantime, are soaring in many places. States and cities that could once afford these outlays are finding their budget surpluses eroding and, perhaps soon, turning into deficits.

What makes all this potentially so devastating is that social problems typically begin to recede during economic recoveries. But in the post-Covid rebound, the hangover from lockdowns has persisted: homelessness and addiction have grown more troublesome, urban disorder has increased, and our children are still struggling to make up lockdown learning losses.

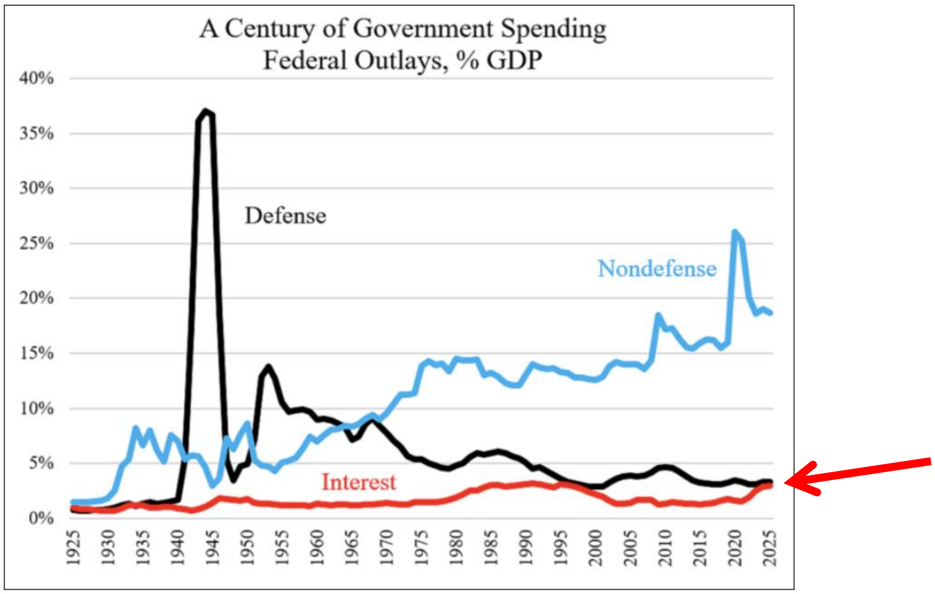
If all those Biden and Trump bucks didn't do much to alleviate these stresses, what will cities and states do when the free money disappears?

Steven Malanga is the senior editor of City Journal *and the George M. Yeager Fellow at the Manhattan Institute. This article first appeared in City Journal on March 22, 2023.*

POSTED ON MARCH 23, 2023 BY STEVEN HAYWARD IN THE DAILY CHART

THE DAILY CHART: FEDERAL SPENDING TRENDS

With a gargantuan national debt whose runaway growth shows no signs of abating, and a systemic budget deficit, it is worth keeping in mind that defense spending is not the driver of either the deficit or the growing debt. Here's the last 100 years of federal spending by major category. Notice that we're not far from the moment when interest on the national debt will come to exceed defense spending. And a lot of that interest will be paid to the nation we're most anxious to defend against: China.



LAST WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, March 21, 2023 (Completed)

Item 1 - Introduction of an Ordinance Rescinding Local Campaign Finance Contribution Limits. Hearing date set for April 4, 2023. The item was to set a hearing for April 6, 2023 to adopt an ordinance which limits individual campaign contributions to $5,000. This is a trick to limit campaign contributions to conservatives, because it does not limit the amount from independent campaign committees. In SLO County these are often dominated by large government labor unions which favor Democratic candidates and candidates who wish to control budgets and debt.

*An **independent expenditure** is money spent on political advertising in support of or against a particular candidate. An independent expenditure comes from outside a candidate's own election* *organization and is not coordinated with a particular candidate's campaign, authorized candidate committee or political party committee.*[1] *Generally, there is no limit placed on independent expenditures.*[2]

Individuals, political committees, Super PACs, qualified nonprofit corporations (such as 501(c)(4)'s) and, since Citizens United v. Federal Election Commission, corporations and labor unions are permitted to make independent expenditures. Corporations, labor organizations and individuals or businesses with federal government contracts, however, may not make independent expenditures.

Generally, independent expenditures must identify the person paying for the advertisement. Political action committees and other persons have specific reporting requirements associated with independent expenditures. There are no limits on the amount an individual or group may spend on independent expenditures.[2][3]

These contributions will simply come another way. For example:

08/26/2022	IBEW PAC Educational Fund52-2257109 Washington, DC 20001	☐IND ☐COM ☒OTH ☐PTY ☐SCC		2,500.00	7,500.00	
08/28/2022	Democrats of San Luis Obispo Club (ID# 1397816) San Luis Obispo, CA 93401	☐IND ☒COM ☐OTH ☐PTY ☐SCC		10,385.00	24,685.00	
09/07/2022	Southwest Regional Council of Carpenters Small Contributor Committee (ID# 870169) Camarillo, CA 93012	☐IND ☐COM ☐OTH ☐PTY ☒SCC		10,000.00	16,250.00	
09/19/2022	Central Coast Labor Council Political Action Committee (ID# 890222) Long Beach, CA 90802	☐IND ☒COM ☐OTH ☐PTY ☐SCC		2,500.00	4,500.00	

Item 14 - Request to authorize a budget adjustment for Fund Center 110 – Clerk-Recorder in the amount of $150,000 for costs associated with the April 18, 2023, Paso Robles Joint Unified School District Special Vacancy Election, by 4/5 vote. The Board actually spent a little time attempting to clear up any confusion but never received a straight answer.

Several different staffers repeatedly stated that the $150,000 was to pay for supplies and overtime attributable to the special election and that the cost would be funded by an account for school district elections. But they never explained if:

1. The school district would be billed the $150,000 currently, or

2. If $150,000 was a sufficient amount and whether the District would be billed for any overage.

Separately, one observant citizen pointed out that the cost per vote in elections is very expensive:

7. Performance Measure: Average cost per registered voter in the County.					
This measures the cost of conducting a countywide election per registered voter.					
	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Target	5.00	5.25	5.00	5.50	6.00
Actual	5.19	5.57	6.20	5.75	
Notes: Increase for FY 2021-22 actual estimate accounts for the additional cost of sending every registered voter a vote-by-mail ballot and increase in postage costs. The target amount accounts for the increased voter turnout typical for a general election.					

8. Performance Measure: Cost per vote-by-mail ballot.					
This measures the cost to issue each vote-by-mail (VBM) ballot.					
	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
Target	2.50	3.00	2.70	3.00	0.00
Actual	2.62	3.15	4.77	3.50	
Notes: This measure is proposed for deletion in FY 2022-23. The purpose of this measure was to showcase the cost savings vote-by-mail use can provide and demonstrate the effect of cost-saving measures. With the passage of AB 37 on September 27, 2021, all registered voters must now receive a vote-by-mail ballot for every election. This requirement now makes this measure obsolete, as the only difference between this measure and the cost per registered voter measure will be the cost to operate polling locations and will offer no meaningful data to base decisions on.					

Background: Special Elections are usually paid for by the jurisdiction ordering the election. The County Clerk previously estimated that the election would cost $493,000. The weasel wording in this case states in part:

The Clerk-Recorder is tasked with the conduct of this special election, the cost of which will be reimbursed by the school district after the certification of the election. The requested funding will allow the Clerk Recorder to pay all election-related invoices. The requested appropriation transfer will be funded solely from unanticipated revenue associated with the school district reimbursement funds.

What is the total cost of the election?

Where would the rest of the $493,000 come from?

Would the County general taxpayers be subsidizing the balance?

Item 24 - Request to approve a budget adjustment up to $2,521,000 from the General Fund COVID-19 Designation to Fund Center 222 – Community Parks, Fund Center 305 – Regional Parks, and Fund Center 427 – Golf Courses to restore storm damaged Facilities by 4/5 vote. Storm damage to parks needs to be fixed quickly. The County may receive a 90% reimbursement from Federal and State Disaster Declaration.

Item 37 - Request to receive a presentation by MSW Consultants on a fee study for solid waste compliance activities and provide direction to staff on how to proceed. Supervisor

Gibson led with a motion for the County rejoin the SLO County Integrated Waste Management Authority (IWMA). Supervisors Arnold and Peschong objected to rejoining the corrupt and ideological agency. In the end on a vote of 3/2, staff was directed return with the item on a regular hearing agenda.

It turns out that someone must have already told the IWMA what was up. The item had already been tentatively scheduled for the IWMA meeting of April 14, 2023.

Item 10 on the agenda of the IWMA Executive Committee of March 27, 2023 includes:

Discussion of the Status and Impact of the County's request to initiate discussions with the San Luis Obispo County IWMA and its member agencies in order to rejoin the IWMA.

Recommendation: That the Board a) direct staff to meet and discuss the prospects and terms with which the County may rejoin the IWMA and b) appoint an Ad Hoc committee to oversee negotiations with the County.

This is yet another regime change policy being shoved through swiftly.

Item 35 - Hearing to consider protests to the proposed solid waste collection rate increase within the Los Osos Community Services District boundaries; and, if no majority protest exists in accordance with Article XIIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code), adopt a resolution establishing solid waste collection rate increases within those areas. District 5 (Old District 2). Tuesday's hearing determined under Proposition 218 requirements that County Board will be allowed to approve the overall proposed rate increase of 97.61% on all solid waste customers in the areas within the LOCSD boundaries. For residents with the single-can (32 gallon) size service, the monthly rate will increase from $25.14 to $49.68 on April 1, 2023, and then reduce to $38.41 when the temporary rate expires on December 31, 2023.

The formal voter protests, though substantial, were insufficient to prevent the rate increase.

The proposed monthly rates for residential customers are shown in the following table:

Container Service Size	Approved Rate* 1/1/2020	2022 Base Year Rate Increase	2023 Interim Year CPI Rate Increase	Temporary Delayed Rate Increase**	Proposed Rate 4/1/2023
Los Osos CSD area					
20 Gallons	$ 17.68	$ 7.40	$ 1.93	$ 7.93	$ 34.94
32 Gallons	$ 25.14	$ 10.52	$ 2.75	$ 11.27	$ 49.68
64 Gallons	$ 38.60	$ 16.16	$ 4.22	$ 17.30	$ 76.28
96 Gallons	$ 41.40	$ 17.33	$ 4.53	$ 18.55	$ 81.81

* Approved rates shown in the table will not match the current rates billed to customers.
** The proposed temporary short-term rate increase will expire on December 31, 2023.

Item 36 - Hearing to consider protests to the proposed solid waste collection rate increase

within the areas of the Baywood Los Osos Urban Reserve Line that surround the Los Osos Community Services District boundaries; and, if no majority protest exists in accordance with Article XIIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code), adopt a resolution establishing solid waste collection rate increases within those areas. District 5 (Old District 2). Similarly, Tuesday's hearing determined that under Proposition 218 requirements, the County Board will be allowed to approve the overall proposed rate increase of 82.22% on all solid waste customers in the areas surrounding the LOCSD boundaries. For residents with the single-can (32 gallon) size service, the monthly rate will increase from $27.97 to $50.97 on April 1, 2023, and then reduce to $43.29 when the temporary rate expires on December 31, 2023.

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Container Service Size	Approved Rate* 1/1/2020	2022 Base Year Rate Increase	2023 Interim Year CPI Rate Increase	Temporary Delayed Rate Increase**	Proposed Rate 4/1/2023
Areas surrounding the Los Osos CSD					
32 Gallons	$ 27.97	$ 11.71	$ 3.61	$ 7.68	$ 50.97
64 Gallons	$ 35.29	$ 14.78	$ 4.56	$ 9.68	$ 64.30
96 Gallons	$ 42.59	$ 17.83	$ 5.50	$ 11.69	$ 77.61

* Approved rates shown in the table will not match the current rates billed to customers.
** The proposed temporary short-term rate increase will expire on December 31, 2023.

There were very few protests on this one. Thus the rate increase was approved.

Item 37 - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.): (3) SLO County Citizens for Good Government, Inc., Gomez, Maruska, Villa v. County of Luis Obispo Board of Supervisors, San Luis Obispo County Superior Court, Case No. 22CVP-0007. Once again, this week there was no report of a settlement to reverse the Supervisorial district boundaries adopted last year. Later and as detailed above in this Update, the County announced a settlement on Friday.

And

PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (17) Consider Public Employee Annual Performance Evaluation for the Position of County Administrative Officer (CAO). After the meeting, County Counsel announced that the CAO had resigned. Gibson and Paulding are playing innocent, stating that they simply wanted to review expectations and conduct an annual review.

Of course, no one in their right mind believes this for a nanosecond. Had this been their intention, they would have had the County Counsel so inform CAO Wade Horton. In our opinion, there must have been some negativity or problems expressed in a way that Horton concluded that he should resign before discipline or termination took place.

One theory is that back in February, the Board majority directed Horton to return to the Board with an agenda item which would have the County join the 3CE Authority.
The ordinance was introduced on March 7th for the hearing on March 21st (see **Item 41** below).

During the initial discussion, Horton pointed out that the County had not studied the prudence of joining 3CE for a number of years, and that he would need time. Paulding strongly objected, stating that it had already been studied and that just about all the other jurisdictions on the Central Coast had joined.

Horton's report did list plusses and minuses and included the County's most recent study from 2018, which did not recommend joining. Did this professional action by the CAO infuriate Pauling and/or Gibson and cause them to determine to summon the CAO into closed session for a review, admonition, discipline, termination, or what? Since Horton resigned, the Board majority may escape accountability for a while.

Thus, it is still not clear why the new Board majority would fire or otherwise discipline County Administrative Officer Wade Horton. Horton is apolitical, professional, and low key. He has successfully implemented SGMA, advanced the budget process and document, advanced the Capital Budget process and document, made good appointments, and held things together during COVID. The Department Heads support him, and he has not slipped into the long established SLO County culture of personal relationships at work.

He is responsive, returns calls, and does not get embroiled in turmoil. Moreover, as a Lt. Commander in the Navy Reserve, he is a public servant beyond the County.

On the other hand, it may be these very characteristics which the Paulding and Gibson find distasteful.

Who will be his replacement? Supposedly, the County will be conducting and open competitive recruitment. It is not certain whether the County will use its Human Resource Department or an outside recruitment firm. A useful guideline for the minimum qualifications for a city or county manager would be: A master's degree with a concentration in public administration, public affairs, or public policy and ten years' experience in an appointed managerial or administrative position in a local government or a bachelor's degree and additional years of such experience. The Board should also consider giving preference to those who are ICMA Credentialed Managers or who are in the process of becoming Credentialed Managers.

Currently, there is a shortage of qualified County Administrators and City Managers nation-wide. This is in part caused by the Boomers aging out and in part because the wokist radicals have taken over so many governments and have no respect for objective analytical administration. They especially loath receiving any recommendations from staff with which they do not agree.

At this point the smart money is on former County Public Works Director Paavo Ogren.

Item 42 - Adding Consent Item # 42. Request to authorize a budget adjustment in the

amount of $4,000,000 from General Fund Designated COVID-19 Reserves to Fund Center 245 – Public Works – Roads to increase appropriations for ongoing storm response, by 4/5 vote. The item was approved unanimously. It was an add-on item to approve initial funding for over $4 million in road repairs as a start on the $20 million which staff estimates has occurred so far.

The Board letter states in part:

For the past two months, Public Works has diverted efforts to focus on storm damage response and repair. The initial damage assessment after the January event exceeded $20 million; with the recent March storm events, damage sites are still being evaluated. While the Department expects a significant cost reimbursement from FEMA and CalOES, the reimbursement funding for long term repairs will not be realized for months to years from now. The Federal and State public assistance programs that have been authorized for both the January and March storm events are well-defined that not all expenses incurred will be eligible for reimbursement, and that eligible costs may not be fully reimbursed.

The Department is requesting $4,000,000 in General Fund support to increase appropriations in the Road Fund to ease the burden of budgetary constraints and provide cash flow while responding to the continued emergency. Once the initial urgency of the storm response slows the Department plans to return to the Board to provide a substantial report on estimated costs, damage inventory, and discussion on future cash flow needs and funding the un-reimbursable portion of emergency costs.

ITEM 40 - Submittal of 1) a quarterly update on the PG&E Diablo Canyon Power Plant Decommissioning Project permitting and Environmental Impact Report preparation; and 2) a resolution amending the Position Allocation List (PAL) for Fund Center 142 – Department of Planning and Building to extend the 1.00 FTE Limited-Term Principal Environmental Specialist and 1.00 FTE Limited-Term Senior Planner through February 9, 2027. The project is behind because of changes in the project description, which will require further work on the EIR. This will in turn require the extension of extra staffing.

SB 846 signed into law by the Governor in September 2022 provides a path for continued operation of the Diablo Canyon Power Plant beyond its current license termination dates of 2024 for Unit 1 and 2025 and for Unit 2. Given that extended operations is not guaranteed, PG&E has requested that the County continue processing its decommissioning application and preparing the Environmental Impact Report for the project.

Meanwhile everybody, including dubiously authentic indigenous tribes, environmentalists, Cal Poly, and REACH, among others, are all picking over the future land use as if it were the carcass of a dead whale.

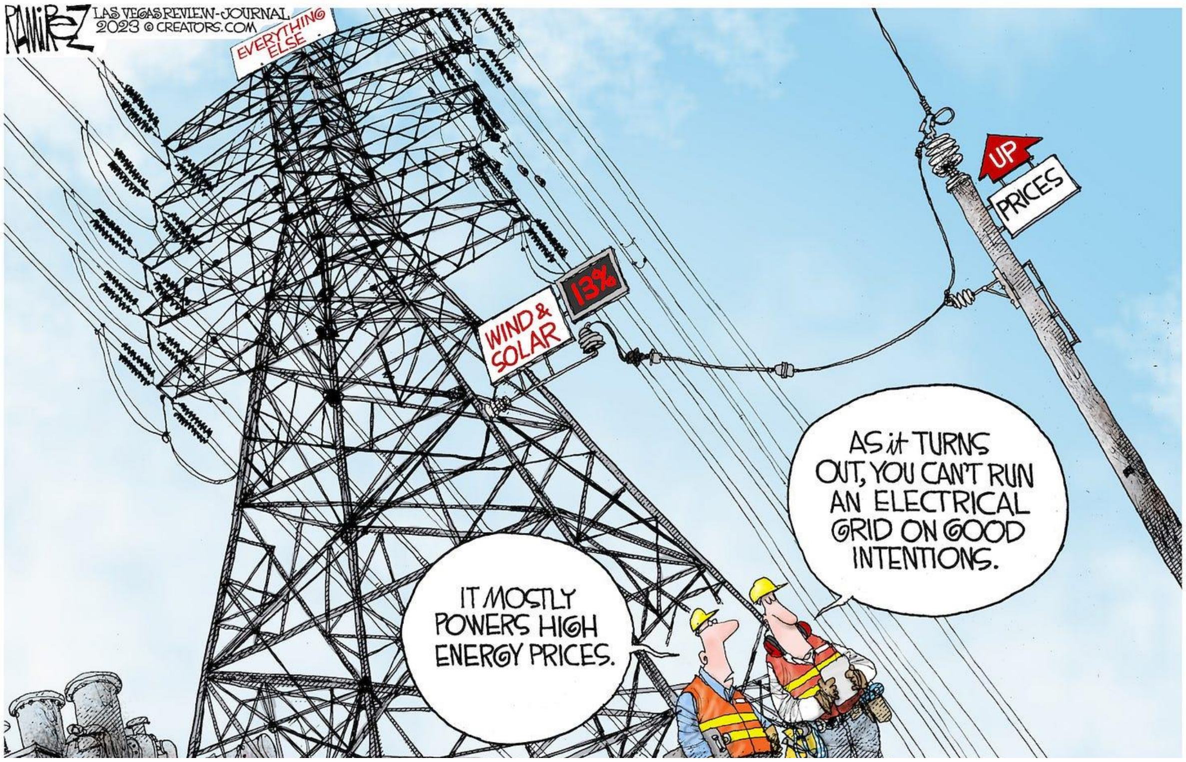
Item 41 - Hearing to consider: 1) adoption of an ordinance authorizing the implementation of a community choice aggregation program in the unincorporated areas of San Luis Obispo County through the County organization's participation in Central Coast Community Energy's (3CE) community choice aggregation program; 2) adoption of a resolution requesting membership in 3CE's Joint Powers Authority and authorizing the Chair to execute the Joint Powers Authority Agreement as amended with 3CE; and 3) direct staff as appropriate. The 3CE staff and Board (including its President and Vice President, Executive Director, Director of Communications, and several others), were given 26 minutes to present a sales pitch to the County. This was in addition to the staff report, which was truncated. The written report was more complete and did include some of the problems; however, these were skimmed over in the over public presentation.

COLAB, which has studied the matter for years and regularly monitors and reports on the Agency in the Weekly Update, formally requested an opportunity to present an opposing view based on analysis. This was rejected on the grounds that the public is allowed 3 minutes to comment.

The Board approved the various ordinances, resolutions, and contracts that would allow the 3CE to make the County a member. The vote was 3/2 with Arnold and Peschong dissenting. Ortiz-Legg seemed to agonize and perhaps did not make up her mind until they voted. She actually hesitated during the roll call. She has energy industry experience and may well anticipate the problems which will occur as the staff dominated agency, overseen by lay politicians with little utility expertise, copes with the harsh realities of California's government engendered, loony energy situation.

Background

We include our report from last week for our readers' convenience and for those who may have not had time to read it. This is a huge policy step with long range consequences.



INTRODUCTION
COMMUNITY ENERGY SCAM STATUS ADMITTED BY 3CE

On November 4, 2020, 3CE admitted that the program is a fake. The admission was embedded in a lengthy staff report from the CEO to the 3CE Policy Board. It may have been inadvertent, but it discloses the truth.

Carbon Free Attributes – A Paper Product with No GHG Reduction Benefit
MBCP—like all other CCAs—meets its "carbon reduction" commitment in two ways. First, the procurement California based renewable credits from eligible renewable resource generation to meet the current state mandate (33% of energy demand in 2020, increasing to 60% by 2030). 3 Second, and as an accounting exercise with no environmental benefit, MBCP—like all other CCAs—acquires renewable credits from ineligible resources like large hydro in order to offset unspecified power purchases (purchased to balance MBCP's load on an hourly basis) on its Power Content Label.

MBCP's ability to rely on CFAs to comply with Power Content Label accounting rules to appear "carbon free" is increasingly a non-workable solution for the following reasons: (1) appearing to be carbon free is simply not enough; (2) Northwest large hydro CFAs are increasingly scarce and more expensive; (3) spending money on CFAs is impacting CCA's ability to be cost competitive with Investor-Owned Utilities ("IOUs") considering the volatility of the Power Charge Indifference Adjustment ("PCIA"); and (4) changes to the Power Content Label under AB 1110 will require MBCP to report some emissions (related to geothermal and biomass) Regardless of large hydro CFAs.

"THERE ARE ALWAYS MILLIONS OF DUMB SCHNOOKS" [1]

They never made this explicit during their massive marketing campaign and ignored COLAB in both SLO and Santa Barbara Counties every time we brought it up. The dumb left politicians and progressive green advocacy groups had their way. As can be seen in the 2 paragraphs highlighted above, the entire phony model is at risk of collapsing. The resulting financial maneuvering could mean that 3CE will have to burn down its reserves and hope that they and their sister agencies throughout the State can get the Legislature to bail them out by abolishing the PICA charge (which would have to be replaced by the taxpayers) and admitting legally that large hydro and nuclear are carbon free energy.

Of course, the Legislature would never do this for the private investor-owned utilities.

What an infuriating scam and racket! You would think in a state with so many universities, that the people and their elected politicians would have been smarter. The local graduates who fell for this shakedown should ask for their tuition money back. They apparently failed to learn how to analyze issues properly or how to apply the necessary rigor.

Meanwhile, a whole new multi-million-dollar government agency is on its way to growing to 60 employees and building a corporate headquarters in Monterey. It is a paradise for consulting engineers, rate consultants, energy procurement consultants, legal consultants, lobbyists, and PR consultants. Now the 3CE is hiring a flock of community energy representatives to go out and make sure everyone stays in the fold. They will be hawking grants to the city councils and boards of supervisors for natural gas bans, going all electric, and car charging stations, and all other types of pork, so that the locals can hire all sorts of consultants and deliver pork too.

The city managers and county CAOs of the member jurisdictions now have to spend significant time studying the massive agendas of the agency in preparing for monthly and quarterly meetings.

3CE's 2021 Annual Financial Report summarizes the purpose and powers of the Agency:

BACKGROUND

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[1] **The Wolf of Wall Street movie – Warner Brothers, 2013.**

CCCE's formation was made possible in 2002 by the passage of California Assembly Bill 117, which enabled communities to purchase power on behalf of their residents and businesses as an alternative to legacy Investor-Owned Utilities (IOU).

CCCE is a Community Choice Aggregator (CCA) established on February 21, 2017 pursuant to Public Utilities Code Section 366.2 and operating as a Joint Powers Authority (JPA) pursuant to Government Code section 6500 et seq. CCCE currently serves residential, commercial and agricultural/industrial customers in communities located within its service area.

CCCE serves approximately 430,000 customer accounts forecast to consume 5,000 gigawatt hours (GWh) per year. CCCE is committed to charging competitive retail rates, offering innovative energy programs to facilitate electrification and reducing greenhouse gas (GHG) emissions through long-term contracts for existing and new utility scale renewable electricity generation. CCCE has established an innovative procurement strategy to accelerate the reduction of GHG emissions, committing CCCE to developing a resource mix which delivers clean renewable energy for 60% of CCCE demand by the year 2025 and 100% of CCCE demand by the year 2030.

CCCE is governed by a Policy Board and an Operations Board. The Policy Board consists of elected officials from member jurisdictions, while the Operations Board consists of senior staff from those jurisdictions. The Policy Board provides guidance and approval in strategic planning and goal setting, budgets, rates, large capital expenditures, and financing. The Operations Board provides guidance and approval on contracts, agreements, and policies that govern day-to-day operations.

CCCE has the rights and powers to set rates for its services, incur debt, and issue bonds or other obligations.

As of September 30, 2021, CCCE's members included the Cities of Arroyo Grande, Capitola, Carmel-by-the-Sea, Del Rey Oaks, Gonzales, Greenfield, Grover Beach, Guadalupe, Hollister, Marina, Monterey, Morro Bay, Pacific Grove, Paso Robles, Pismo Beach, Salinas, San Juan Bautista, San Luis Obispo, Sand City, Santa Cruz, Santa Maria, Scotts Valley, Seaside, Soledad, Solvang and Watsonville as well as the Counties of Monterey, San Benito and Santa Cruz and parts of Santa Barbara County.

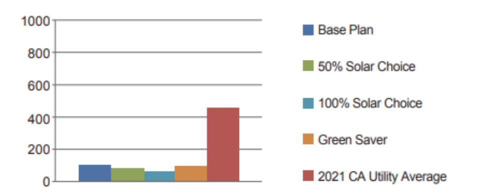
A. PG&E energy is cleaner than 3CE energy: The State officially measures the clean energy capacity of the investor-owned utilities (IOUs) and the CCAs by means of the power content label.

PG&E's Power Label demonstrates that it is already 90.3% carbon free.

2021 POWER CONTENT LABEL
Pacific Gas and Electric Company
www.pge.com/billinserts

Greenhouse Gas Emissions Intensity (lbs CO_2e/MWh)

Base Plan	50% Solar Choice	100% Solar Choice	Green Saver	2021 CA Utility Average
98	78	58	95	456



Energy Resources	Base Plan	50% Solar Choice	100% Solar Choice	Green Saver	2021 CA Power Mix
Eligible Renewable[1]	47.7%	70.9%	93.9%	89.9%	33.6%
Biomass & Biowaste	4.2%	2.1%	0.0%	0.0%	2.3%
Geothermal	5.2%	2.6%	0.0%	0.0%	4.8%
Eligible Hydroelectric	1.8%	0.9%	0.0%	0.0%	1.0%
Solar	25.7%	59.8%	93.9%	89.9%	14.2%
Wind	10.9%	5.5%	0.0%	0.0%	11.4%
Coal	0.0%	0.0%	0.0%	0.0%	3.0%
Large Hydroelectric	4.0%	2.0%	0.0%	0.0%	9.2%
Natural Gas	8.9%	7.4%	0.0%	0.0%	37.9%
Nuclear	39.3%	19.7%	0.0%	0.0%	9.3%
Other	0.0%	0.0%	0.0%	0.0%	0.2%
Unspecified Power[2]	0.0%	0.0%	6.1%	10.1%	6.8%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%
Percentage of Retail Sales Covered by Retired Unbundled RECs[3]:	4%	0%	0%	0%	

[1]The eligible renewable percentage above does not reflect RPS compliance, which is determined using a different methodology.
[2]Unspecified power is electricity that has been purchased through open market transactions and is not traceable to a specific generation source.
[3]Renewable energy credits (RECs) are tracking instruments issued for renewable generation. Unbundled renewable energy credits (RECs) represent renewable generation that was not delivered to serve retail sales. Unbundled RECs are not reflected in the power mix or GHG emissions intensities above.

For specific information about this electricity portfolio, contact:	**Pacific Gas and Electric Company: 1-800-743-5000**
For general information about the Power Content Label, visit:	http://www.energy.ca.gov/pcl
For additional questions, please contact the California Energy Commission at:	Toll-free in California: 844-454-2906 Outside California: 916-653-0237

Note: Figures on this Power Content Label can only include RECs generated in 2021. To achieve 100% solar supply in 2021 for customers enrolled in 100% Solar Choice and Green Saver, PG&E retired additional RECs generated in 2020, in accordance with the Green-e Renewable Energy Standard.

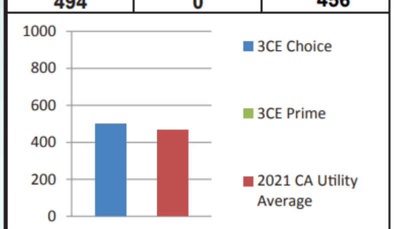
Note that its base plan is 47% eligible renewable, 4% carbon free large hydro-electric, and 39.3% carbon free nuclear; that is 90.3% carbon free. Only 8.9% comes from natural gas.

Other than that, it provides 2,000 career benefited jobs, with an average salary of $141,000 per year, health insurance, and a defined benefit pension in SLO and Santa Barbara counties. 3CE provides 60 bureaucrat jobs in Monterey. It buys much of its fake energy in other states and Canada. 3CE's Power Content Label demonstrates that it cannot even trace 49% of its "energy" to a specific generation cost. This is because it is not real energy, but paper transactions. It could be from anything, including coal, gas, nuclear, or oil.

2021 POWER CONTENT LABEL
Central Coast Community Energy
https://3cenergy.org

Greenhouse Gas Emissions Intensity (lbs CO_2e/MWh)

3CE Choice	3CE Prime	2021 CA Utility Average
494	0	456



Energy Resources	3CE Choice	3CE Prime	2021 CA Power Mix
Eligible Renewable[1]	38.4%	100.0%	33.6%
Biomass & Biowaste	1.6%	0.0%	2.3%
Geothermal	7.4%	0.0%	4.8%
Eligible Hydroelectric	0.7%	0.0%	1.0%
Solar	17.8%	50.0%	14.2%
Wind	11%	50.0%	11.4%
Coal	0.0%	0.0%	3.0%
Large Hydroelectric	11.8%	0.0%	9.2%
Natural Gas	0.0%	0.0%	37.9%
Nuclear	0.0%	0.0%	9.3%
Other	0.0%	0.0%	0.2%
Unspecified Power[2]	49.8%	0.0%	6.8%
TOTAL	100.0%	100.0%	100.0%
Percentage of Retail Sales Covered by Retired Unbundled RECs[3]:	0%	0%	

[1]The eligible renewable percentage above does not reflect RPS compliance, which is determined using a different methodology.
[2]Unspecified power is electricity that has been purchased through open market transactions and is not traceable to a specific generation source.
[3]Renewable energy credits (RECs) are tracking instruments issued for renewable generation. Unbundled RECs represent renewable generation that was not delivered to serve retail sales. Unbundled RECs are not reflected in the power mix or GHG emissions intensities above.

For specific information about this electricity portfolio, contact:	**Central Coast Community Energy (831) 641-7222**
For general information about the Power Content Label, visit:	http://www.energy.ca.gov/pcl/
For additional questions, please contact the California Energy Commission at:	Toll-free in California: 844-454-2906 Outside California: 916-653-0237

Accordingly, 3CE is 38.4% eligible renewable, and 11.8 % large hydro – or 50.2% certified carbon free. As noted above, they don't even know what they are buying.

Their website does not list their energy contracts. The Board of Supervisors should demand to see the list, the name of the companies, their location, the contract terms, and the amount of energy per year and total in megawatts.

3CE are aware of the problem because they have the CPUC and the California Energy Commission after them to up their performance. Accordingly, their goal is to be carbon free by 2030,

Chart 1

This plan also include over 400 MW of energy storage of various discharge durations

This in turn means they are out attempting to acquire contracts for real green energy. The problem is that in relation to their total planned energy volume, they are obtaining only a minute amount. Per their load forecast table below, they will need 4,794 GWh this year. But they are in contract for only 233.8 megawatts, per the 2nd table below

Table 3: MBCP's 2020-2030 Load Forecast within both PG&E and SCE planning areas

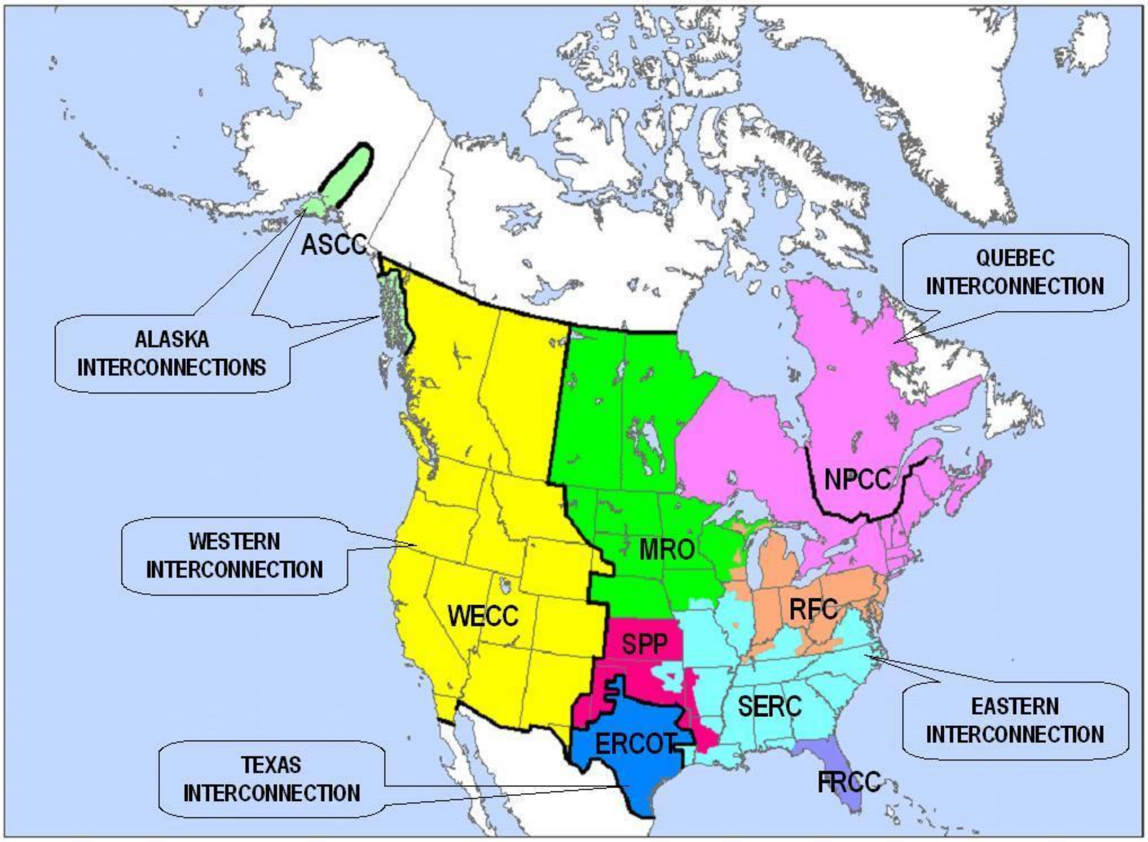
Year	Load Forecast (GWh)
2020	3,133
2021	4,828
2022	4,802
2023	4,794
2024	4,801
2025	4,807
2026	4,812
2027	4,811
2028	4,813
2029	4,812
2030	4,814

It negatively impacts low income households and minorities disproportionately

PROJECT NAME	SOURCE	GENERATION MEGAWATT	BATTERY MEGAWATT	LOCATION	ONLINE DATE	DELIVERY TERM (IN YEARS)
Coso Geothermal Power	Geothermal	66.3	N/A	Inyo County, CA	January 2022	15
Slate Solar + Storage	Solar+ Storage	67.5	33.75	Kings County, CA	March 2022	17
Mountain View	Wind	33.3	N/A	Riverside County, CA	July 2022	20
Mammoth Casa Diablo IV	Geothermal	7.0	N/A	Mono County, CA	June 2022	10
Rabbitbrush	Solar+ Storage	60.0	12.0	Kern County, CA	October 2022	15

B. Fake Green Energy and RECs (Renewable Energy Certificates):

1. All the States (including British Columbia and Alberta) from the Rockies west are part of the Western Grid.



2. 3CE is issuing short- and long-term power purchase contracts (PPCs) for both renewable and CO_2 free energy from suppliers all over the western grid and also some from other parts of the nation. An example: One of its contracts is for 139 megawatts of solar from a company in Arizona. Those electrons are not coming to SLO. They are part of the huge Western Grid pool and will be used locally in Phoenix. 3CE actually buys a PPC representing the Arizona company's 139 megawatts and gets credit for the renewable energy and the use of 139 megawatts of actual energy from the pool.

In reality the system is a scam of renewable energy certificates (RECs), which are paper credits for actual green and CO_2 free energy. 3CE's own FY 2022 Annual Comprehensive Annual Finance Report (CAFR) actually obfuscates the point. A REC is a paper certificate of electric capacity - not electrons flowing through the wire to your home.

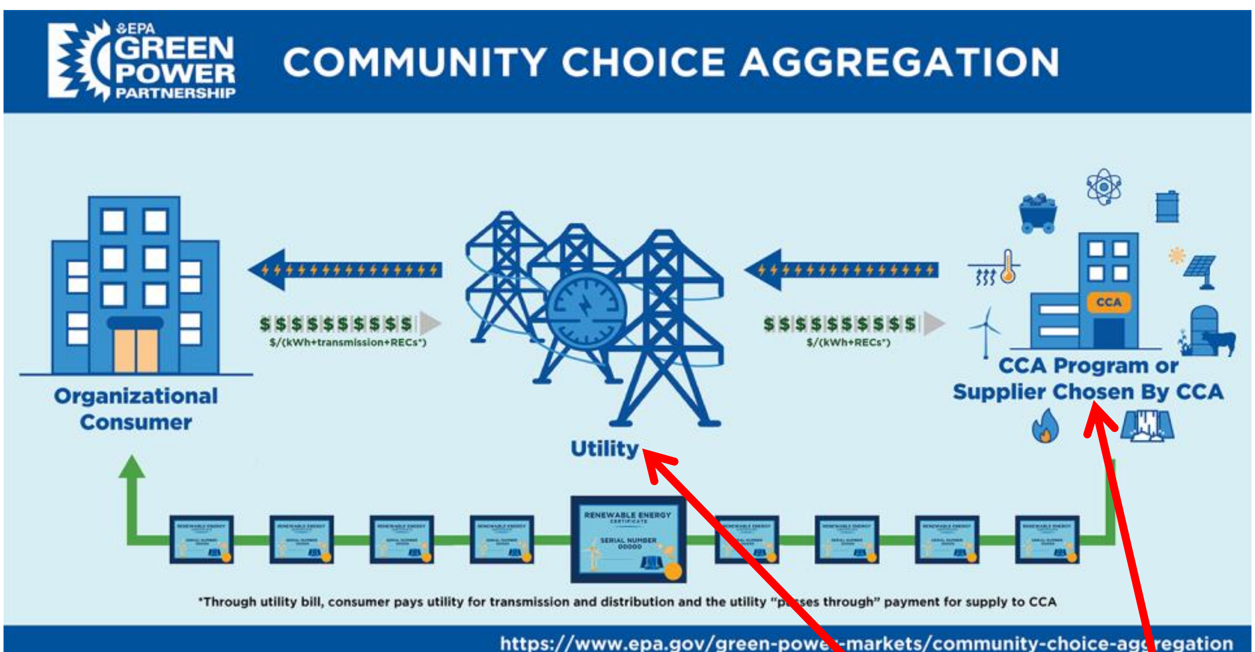
POWER AND ELECTRIC CAPACITY In the ordinary course of business, CCCE enters into power purchase agreements to acquire energy and electric capacity. The price and volume of purchased power is largely fixed. Variable priced power, which is a small part of our portfolio, is generally linked to the market price of either natural gas or power at the date of delivery.

Variable volume is generally associated with contracts to purchase energy from resources with varying availability and production, such as solar, wind and hydroelectric facilities. CCCE enters into long-term power purchase agreements ensure stable competitive rates for its customers and to comply with state law and voluntary targets for renewable and greenhouse gas (GHG) free products. The following table represents the expected, undiscounted, contractual obligations outstanding as of September 30, 2021:

Year ending September 30,	
2022	$ 277,000,000
2023	184,000,000
2024	139,000,000
2025	117,000,000
2026	133,000,000
2027-2055	2,305,000,000
Total	$ 3,155,000,000

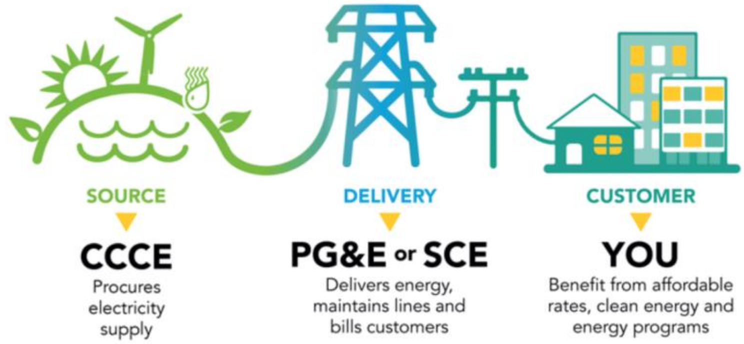
We could not find a more recent (lost) list on the 3CE website or within other documents. We know that they added at least $750 million recently to participate in a massive battery storage facility in Kern County.

The actual process of using RECs to represent energy is illustrated in the graphic below:



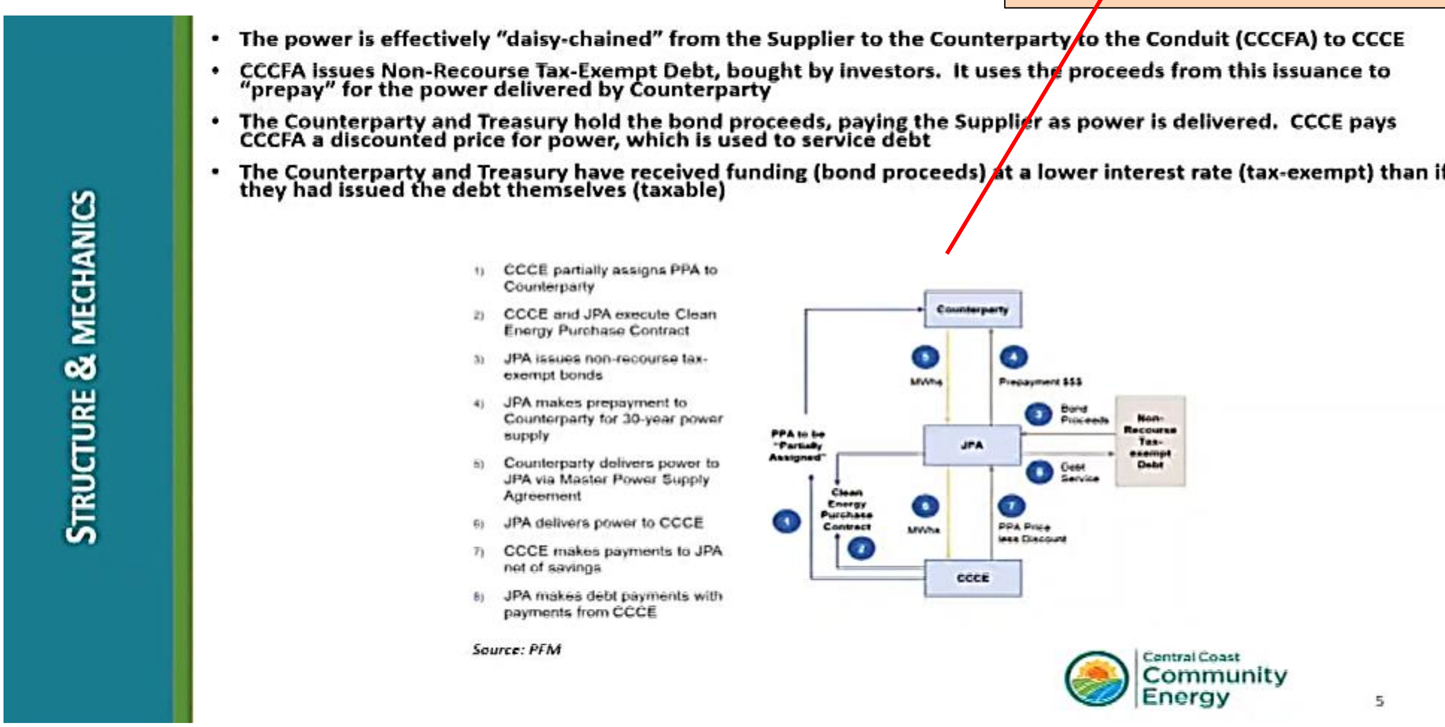
It is actually not the process that 3CE claims in the graphic below.

The power actually comes from PG&E. The RECs represent the "power" which 3CE has bought from its "suppliers."



C. The Counterparty problem: The process is actually even more complicated, per 3CE's own diagram below. A new problem has cropped up in that some of 3CE's "counterparties" (intermediaries who hold the energy contracts) have told 3CE that they will not be able to deliver as much energy as promised and/or will not be able to deliver it on time. The Board of Supervisors should require 3CE to disclose the full extent of this problem, the costs and extent of pending litigation, and the future cost impacts.

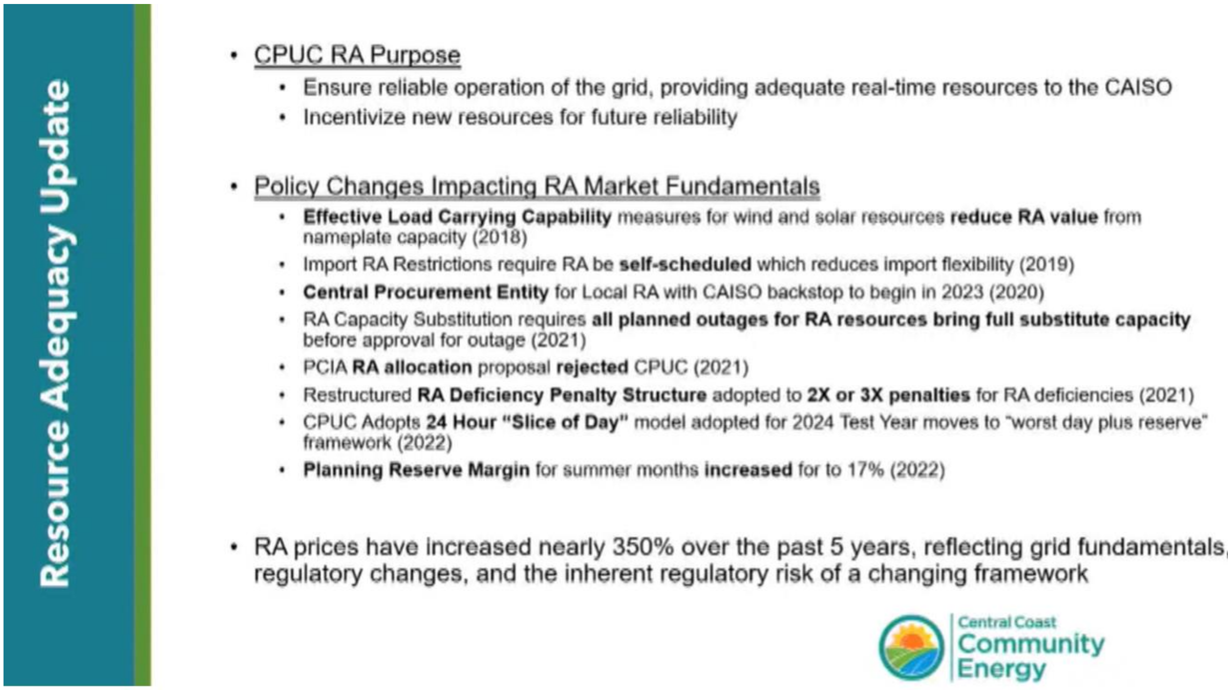
How many counterparties are there? How many could be in default? How many Mgw of energy is at risk? What is the $ value?



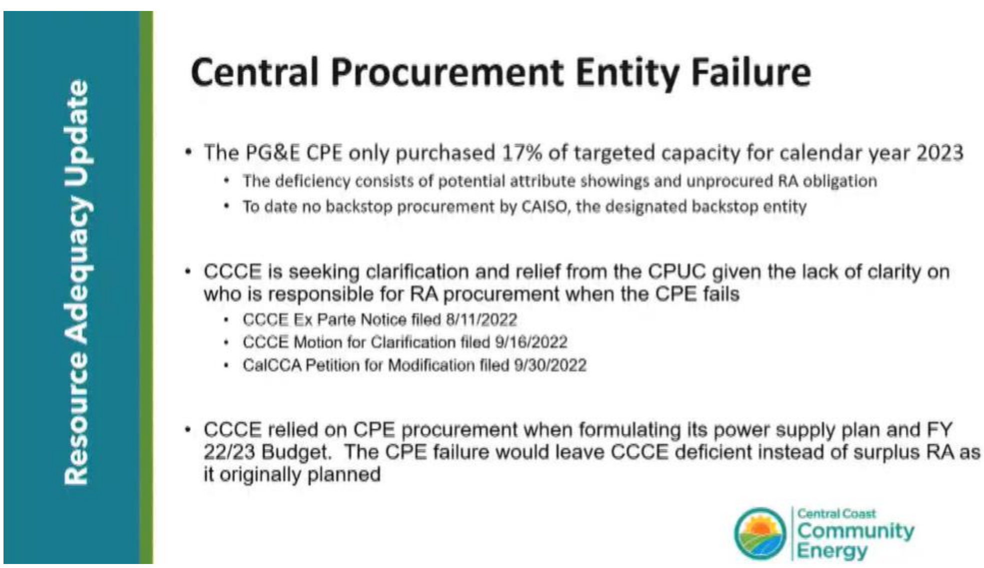
D. Resource Adequacy (RA): Given the problem outlined above, 3CE may have future problems in meeting its energy requirements. State agencies are pushing them to increase RA.

This in turn will interfere with their business model of buying long range energy contracts based on RECs (renewable energy certificates).

Further complicating the picture is the problem that short term contracts to manage demand peaks are very costly. As 3CE's own analysis below demonstrates, there are significant risks.



3CE is actually blaming PG&E for the problem in the slide below. Of course, since 3CE doesn't have any real energy, this is an admission that 3CE is entirely dependent on PG&E. In turn, the government (the State of California) is giving 3CE and the other CCAs legal preference to acquire RECS at less cost and to operate on a tax-exempt basis.



Outrageously, 3CE and the other CCAs are seeking new CPUC rules and State Legislation to put the entire burden on PG&E and the other investor-owned utilities. For example, 3CE's latest regulatory report (which the County is fully aware of, as it is included as **Attachment 7** to this agenda item), actually documents this activity in detail. One section states:

3CE and other load-serving entities are working through the significant uncertainty introduced into RA procurement by the introduction of a Central Procurement Entity (CPE) for Local RA.7 In 2020 the CPUC created the CPE function and awarded it to PG&E and Southern California Edison (SCE) in their respective service areas in an attempt to address increased Local RA market prices. The CPEs (PG&E and SCE) were charged with procuring Local RA on behalf of all load-serving entities in their service areas and recovering the cost of the procurement from ratepayers through the existing Cost Allocation Mechanism (CAM) charge. The inaugural round of CPE procurement has encountered significant obstacles requiring iteration on the process, and ultimately PG&E was only able to procure 74% of the Local RA it was tasked with finding. This outcome has highlighted ambiguities around how the CPE function interacts with the System RA requirements that all LSEs are still individually responsible for procuring and giving LSEs very little time between receiving their final System RA requirement and having to demonstrate compliance.

3CE also plans to rig the game with the Legislature:

The 2022 elections brought several new state legislators into seats representing 3CE's communities. In 2023 four Assembly members and two Senators will represent 3CE communities, one less Senate seat than in 2022 due to redistricting. Senator John Laird, Senator Monique Limón, and Assembly member Robert Rivas remain part of 3CE's delegation, now joined by Assembly member Gail Pellerin, Assembly member Dawn Addis, and Assembly member Gregg Hart. 3CE has begun meeting with legislators to understand their legislative priorities for the year and introduce the agency to those who are newly elected.

Of course, 3CE lacks real energy, can't deliver any, and is simply a huge Ponzi scheme to provide county supervisors and city council members a source of patronage to dole out to their favorite voters. You would think that with $4 billion in energy contracts, 3CE could provide its own RA.

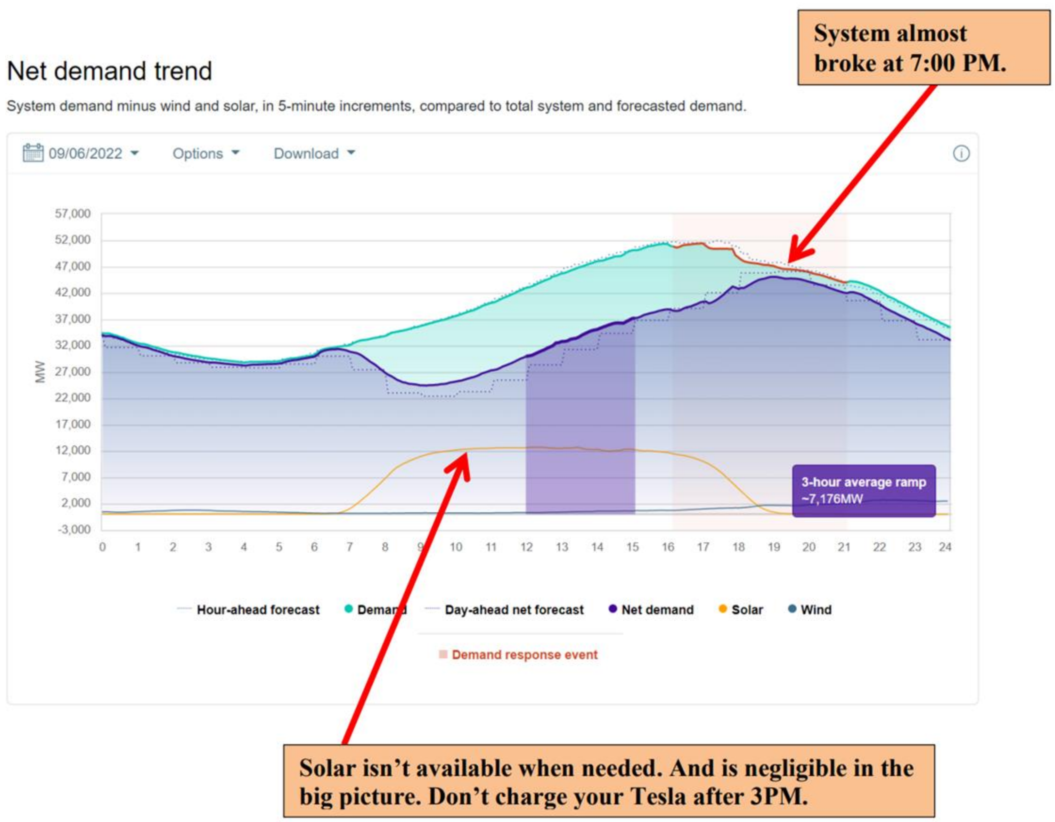
However, the actual megawatts will come from PG&E and the wider western grid, at whatever mix of power is available at a particular time of day. Other than between 9am and 4pm on sunny days, PG&E's energy will be coming from natural gas, nuclear, and large hydro. Note that the State of California does not count large hydro as renewable or CO_2 free. Nor does it count nuclear as CO_2 free. Once Diablo closes, much and more of the power will have to come from natural gas.

Again, this is an outrageously unfair and politically based program.

Similarly, 3CE says that its mix is about 65% carbon free, which is attributable to its PPC with British Columbia Power, which is mostly large hydro. But as noted in section An above, it is only about 50% carbon free. The power goes into the western grid and is mixed with power sourced from coal, gas, solar, wind, nuclear, and other sources. The energy consumer in SLO is ultimately getting electricity from a varying mix, depending on conditions in the grid. The PPC certificates simply represent a percentage of CO_2 free energy or renewable energy that is going somewhere, not the local reality. In fact, in the daytime when the sun is out, California utilities have paid to export excess solar generated energy to the western grid because there is too much. At night and on cloudy days, things flow the other way.

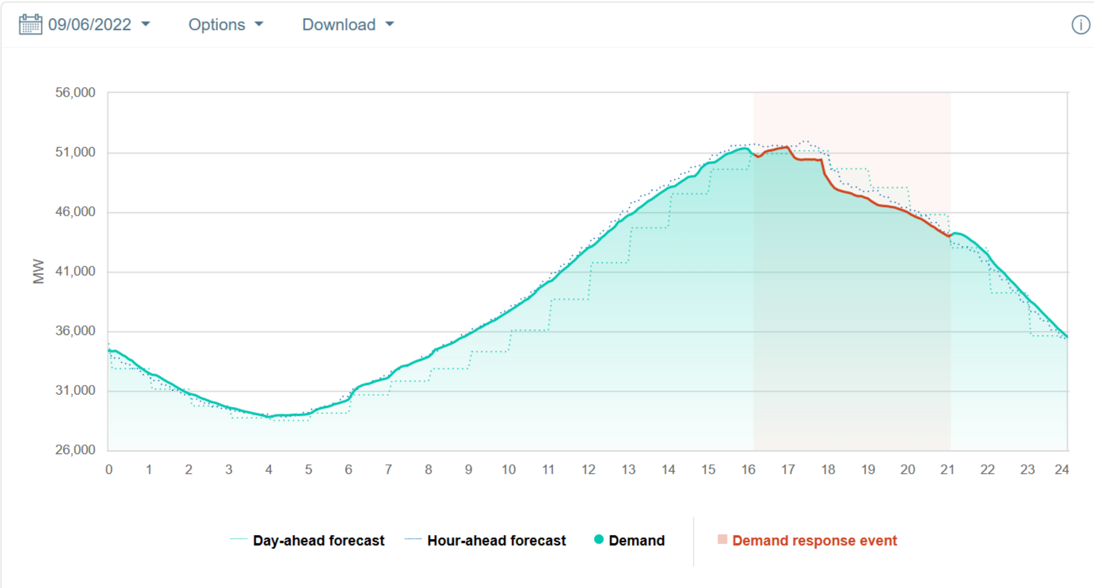
For example, on September 6, 2022, a hot day, the California grid experienced a shortage of energy (a demand response event). Customers were ordered to shut down factories, turn off AC, and stop charging electric vehicles.

The graph below depicts the crisis on September 6, 2022 when the State declared and energy emergency and texted everyone to shut down appliances, air conditioners, and to not charge other electric vehicles to forestall rolling blackouts



Demand trend

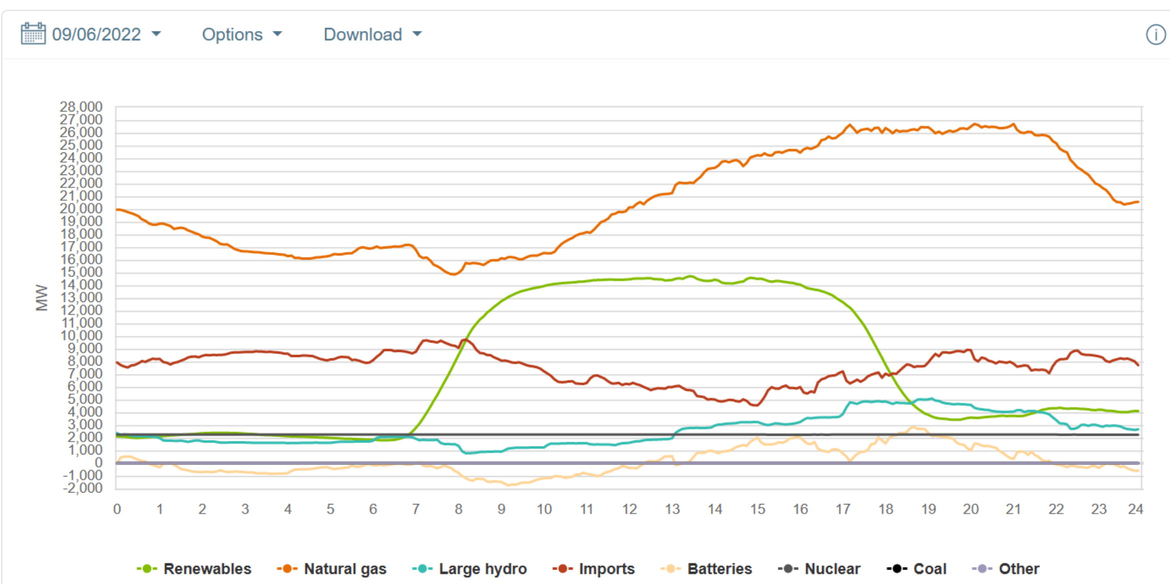
System demand, in megawatts, compared to the forecasted demand in 5-minute increments.

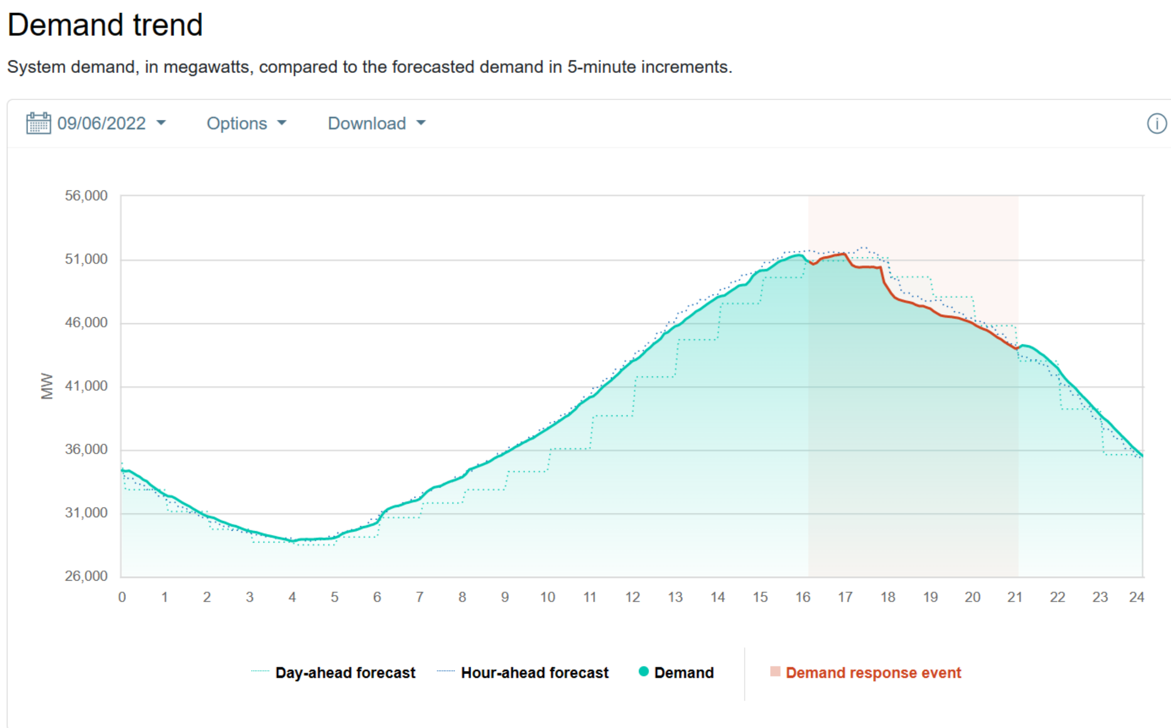


Meanwhile, natural gas provided most of the available energy for the entire 24 hours, per the graph below. It was ramped up for the critical hours when demand peaked at nearly 52,000 megawatts. Note that imports were also important base load generators. Much of this comes from Arizona and is fueled by nuclear and coal mined on the Navajo reservation.

Supply trend

Energy in megawatts broken down by resource in 5-minute increments.





E. Are 3CE's Funds Safe? River City Bank: 3CE banks with River City Bank of Sacramento. Several other CCAs also bank with River City Bank. It also invests its reserves with River City Bank and River City affiliate, Royal Bank of Canada.

River City Bank (RCB) of Sacramento, the largest local bank in the Sacramento Region, has been 3CE's bank since its inception as Monterey Community Power. It turns out that RCB has cornered the market as the bank of choice for many of the community energy authorities throughout the state. Its deposits have grown exponentially since the advent of the CCEs.

Under a new investment strategy, detailed by Staff at the June 2022 Policy Board of Directors meeting, excess cash will be allocated to higher-yielding instruments authorized by 3CE's Investment Policy. Staff allocated $75 MM to RBC Asset Management (GAM Global) under a contract approved by the Operations Board of Directors to Royal Bank of Canada, headquartered in Toronto, Canada, at its June meeting. RBC GAM began managing the funds on August 11. Annualized yields in August on this allocation were approximately 1.8%, reflecting the partial month.

Staff also negotiated an agreement with River City Bank, CCCE's commercial banking partner, to invest in treasury-indexed Certificates of Deposit (CD). These CDs yield Treasury rates + 10 basis points on the date of execution and waive penalties if CCCE needs to withdraw funds early due to business needs. In August and September, Staff allocated $25 MM to these products with a weighted average maturity of 3.9 months and a weighted average annualized yield of approximately 3%. For reference, the iShares Short Treasury Bond ETF, which consists of US Treasury bonds maturing in less than a year, had an annualized yield of 1.67% for the August

11-August 31 period. Staff will begin including performance benchmarks in September, the first full month using the new strategy.

River City itself has substantial investments in US Treasury notes. In fact, they constitute almost half of its assets, which in turn are counted as backup to its depositors' accounts. It is not clear if River City's notes are short- or long-term. The same applies to its Federal Agency Securities. What are their terms and interest rates?

Investments - Total	787	773	698	542
Securities Bought Under Resale Agreement	-	40	-	-
Treasury Securities	331	352	217	45
Federal Agency Securities	91	53	205	373
State & Municipal Securities	5	6	5	5
Mortgage Backed Securities	107	135	133	42
Other Securities	95	165	117	42
Other Investments	158	21	21	35

All we know at this point is that the recent collapse of Silicon Valley Bank (SVB) was caused because the Bank holds too many long-term low interest Treasury notes and Federal Agency Securities. As the Wall Street Journal pointed out just last Friday:

SVB held tens of billions of dollars in long-term government bonds. On its face, this may seem like a prudent investment for a bank, but Treasury securities are riskless only when held to maturity. If you have to sell before then, you can easily lose money if market rates have risen since you first purchased the bond. For example, buying a 10-year U.S. Treasury bond with a 2% coupon at par and holding it for 10 years earns you 2% per annum. But if you sell early and rates have jumped—say 4% since you bought the bond—then the price will have declined to about $838 per $1,000 face value, meaning you incur a loss of $162 per $1,000 bond. Though that risk is implicit in every bond purchase, accounting and regulatory frameworks can obscure it in a way that results in big bonuses for bank officer

Before considering joining 3CE, The Board of Supervisors should become clear about this potential risk to the Authority's financial stability. **See the article on page 36 in the Emerging Issues section on Bank Defaults and their causes.**

F. 3CE Negative Labor Impacts and Fake Green Energy: The large national, state, and local trade unions have deduced that 3CE and its sister authorities are bad both for the local workforce and reducing CO_2. Below is some analysis that was sent to the County, which has not been disclosed under the communications attachment to this agenda item. The document is extensive. We provide some pertinent excerpts here:

CCAs have been providing electric service to customers since 2009. During those 12 years, the IBEW has observed several business practices by CCAs which have either interfered with work of IBEW members or directly caused IBEW members to lose work. The CCAs have hurt the Outside by reducing the number of IBEW members working in power plants and as Customer Service Representatives for the IOUs. The CCAs have hurt the Inside by procuring much less power from new-build renewable projects in California than the IOUs, thereby reducing the number of IBEW members building these projects. Instead CCAs are buying hydro or renewable power from out-of-state or from existing in-state resources – this is known as **"resource shuffling"** and reduces the need to construct new-build projects in California. Also, by using resource shuffling, CCAs fail to bring new clean energy resourced onto the grid, thereby failing to reduce greenhouse gas (GHG) emissions. Over those 12 years, CCAs have also procured millions of MWh of unbundled renewable energy credits (RECs) above what is permitted to count toward the RPS under California law and regulations. Instead, they have counted these RECs as clean energy; this is known as **"greenwashing"** and also reduces the need to construct new-build renewable projects in California. By purchasing large amounts of unbundled RECs, the CCAs are using fossil fuel power covered by the unbundled RECs, thereby failing to reduce GHG emissions associated with the electricity they procure for their customers.

Here the unions recommend standards for the CCAs, which, if adopted, will cause their energy procurement costs to rise to be more comparable to the investor-owned utilities (IOUs).

RECOMMENDATION: WORKFORCE LANGUAGE

A beneficial CCA creates high-road jobs and adds new, additional renewable energy to the California grid either locally or at least within the State by:

1) Incorporating labor standards into the CCA's own projects (i.e., projects they build) and into the CCA's local programs;
2) Identifying a preference in power procurement for projects with high-road labor standards and newly-constructed clean energy projects in the local service territory jurisdiction or at least within California;
3) Remaining neutral regarding unionization efforts by the CCA's own employees or the employees of their subcontractors;
4) Will charge their customers the full cost of power procured from feed-in-tariff; and
5) Will not operate electric utility distribution infrastructure, i.e., deliver electricity directly to customers.

This is how workforce policy can make a difference and Locals can advocate for workforce language that advances these objectives.

RECOMMENDATION: POWER PROCUREMENT

For power procurement, a union friendly CCA is one that has at least 70% of its RPS qualified energy coming from new-build projects in California. These are the 'Bucket 1' resources established in law years ago. You can check power content by reviewing the annual California power source disclosure report from each CCA and review the sources of energy procured by a CCA. Locals can also make a public records request of your CCA and ask for a list of projects supplying their energy, which should also be contained in the CCA's Integrated Resource Plan.

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G. Costs of Withdrawal from 3CE – Short- and Long-Term County Liability: The County Board letter spends considerable ink discussing this controversial issue. In the end, the County write-up admits that it is a problem and concludes:

A withdrawing member can withdraw at no cost if they agree to stay in the 3CE program for the minimum duration whereby there are no costs transferred to remaining ratepayers as determined by 3CE. This would allow 3CE to keep its County customers until such date as the energy purchase contracts needed to serve the County expire so no loss is incurred by 3CE on the withdrawal of the County. Upon withdrawal, 3CE may require the member to deposit sufficient funds with 3CE to cover the member's financial obligations. Agencies considering withdrawal are notified in advance of the date upon which they may withdrawal with no obligations. If the Agency elects to withdraw before the end of the minimum waiting period, the charge for exiting is set "at a dollar amount that would offset actual costs to the remaining ratepayers and may not include punitive charges that exceed actual costs" (JPA §6.3).

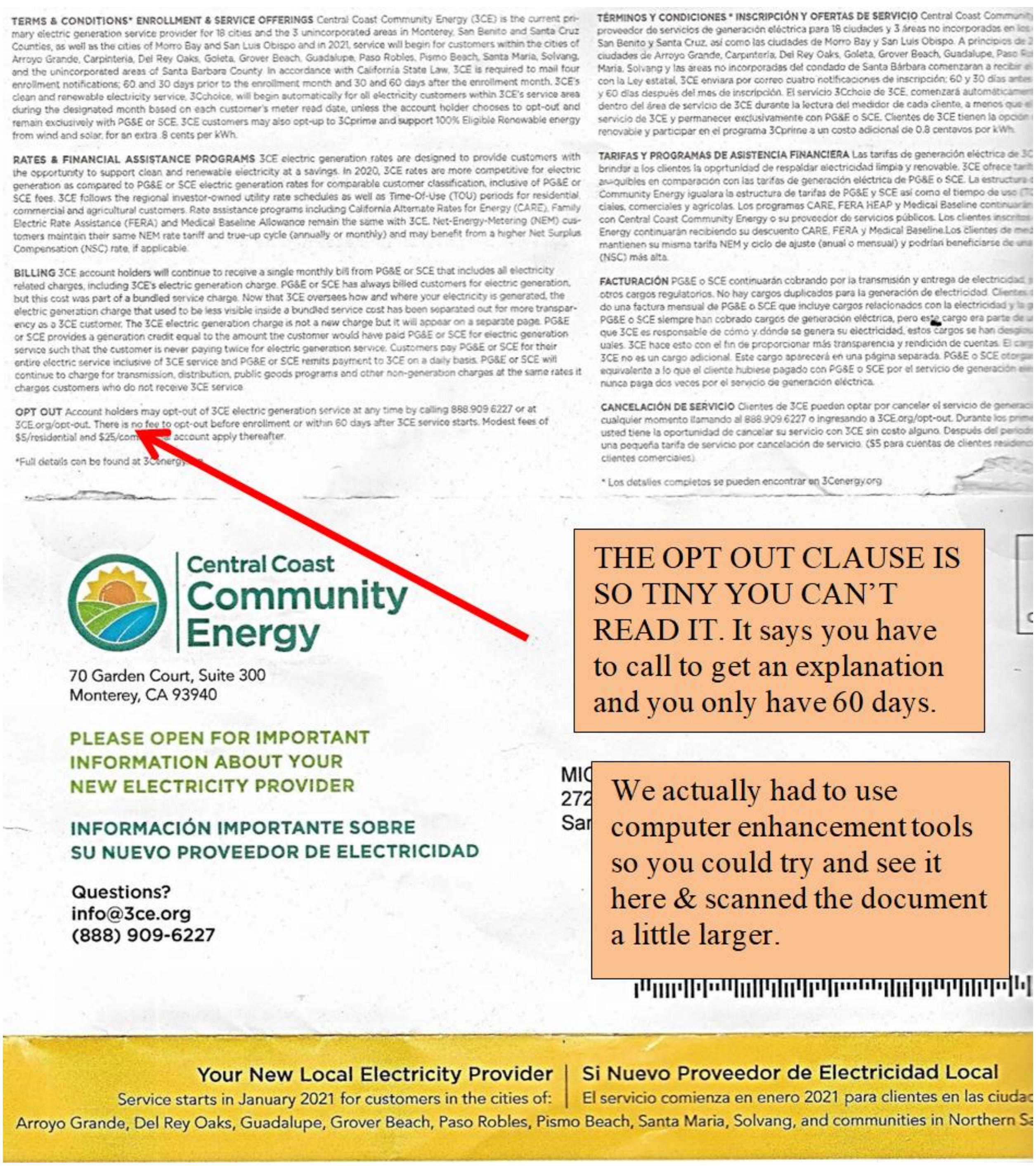
Given 3CE's long procurement contracts, it could take decades for the contracts attributable to the County to be amortized out.

The Board of Supervisors should obtain projections of the amount of energy and the amount of cost which will be attributable to the County customers over a multi-decade horizon.

Some contracts require the supplier to provide CCCE with a security deposit. These deposits are held by CCCE until certain contract milestones are met or contracts are completed. As part of its risk management policy, CCCE requires energy suppliers to post collateral deposits in some cases. During 2021, noncurrent liabilities increased due to CCCE-held collateral deposits with terms exceeding one year. How much are these today? What is the impact on the County if its suppliers default? What happens to rates?

H. Automatic enrollment: In a blatant act of favoritism, the State Legislature, in creating the CCA program, mandated that all energy users in a city or county that join CCA are automatically enrolled in the contracting CCA. This placed the IOUs at a significant competitive disadvantage, given the normal inertia of people and the glowing propaganda issued by the CCAs. PG&E has been forbidden by the CPUC to fight back and present its own case.

A customer may withdraw from a CCA like 3CE, but must affirmatively file an application and pay a fee if they do not do it in the first 60 days after the CCA takes over. 3CE's announcement form provides ample evidence of this discrimination.



TERMS & CONDITIONS* ENROLLMENT & SERVICE OFFERINGS Central Coast Community Energy (3CE) is the current primary electric generation service provider for 18 cities and the 3 unincorporated areas in Monterey, San Benito and Santa Cruz Counties, as well as the cities of Morro Bay and San Luis Obispo and in 2021, service will begin for customers within the cities of Arroyo Grande, Carpinteria, Del Rey Oaks, Goleta, Grover Beach, Guadalupe, Paso Robles, Pismo Beach, Santa Maria, Solvang, and the unincorporated areas of Santa Barbara County. In accordance with California State Law, 3CE is required to mail four enrollment notifications; 60 and 30 days prior to the enrollment month and 30 and 60 days after the enrollment month. 3CE's clean and renewable electricity service, 3Cchoice, will begin automatically for all electricity customers within 3CE's service area during the designated month based on each customer's meter read date, unless the account holder chooses to opt-out and remain exclusively with PG&E or SCE. 3CE customers may also opt-up to 3Cprime and support 100% Eligible Renewable energy from wind and solar, for an extra .8 cents per kWh.

RATES & FINANCIAL ASSISTANCE PROGRAMS 3CE electric generation rates are designed to provide customers with the opportunity to support clean and renewable electricity at a savings. In 2020, 3CE rates are more competitive for electric generation as compared to PG&E or SCE electric generation rates for comparable customer classification, inclusive of PG&E or SCE fees. 3CE follows the regional investor-owned utility rate schedules as well as Time-Of-Use (TOU) periods for residential, commercial and agricultural customers. Rate assistance programs including California Alternate Rates for Energy (CARE), Family Electric Rate Assistance (FERA) and Medical Baseline Allowance remain the same with 3CE. Net-Energy-Metering (NEM) customers maintain their same NEM rate tariff and true-up cycle (annually or monthly) and may benefit from a higher Net Surplus Compensation (NSC) rate, if applicable.

BILLING 3CE account holders will continue to receive a single monthly bill from PG&E or SCE that includes all electricity related charges, including 3CE's electric generation charge. PG&E or SCE has always billed customers for electric generation, but this cost was part of a bundled service charge. Now that 3CE oversees how and where your electricity is generated, the electric generation charge that used to be less visible inside a bundled service cost has been separated out for more transparency as a 3CE customer. The 3CE electric generation charge is not a new charge but it will appear on a separate page. PG&E or SCE provides a generation credit equal to the amount the customer would have paid PG&E or SCE for electric generation service such that the customer is never paying twice for electric generation service. Customers pay PG&E or SCE for their entire electric service inclusive of 3CE service and PG&E or SCE remits payment to 3CE on a daily basis. PG&E or SCE will continue to charge for transmission, distribution, public goods programs and other non-generation charges at the same rates it charges customers who do not receive 3CE service.

OPT OUT Account holders may opt-out of 3CE electric generation service at any time by calling 888.909.6227 or at 3CE.org/opt-out. There is no fee to opt-out before enrollment or within 60 days after 3CE service starts. Modest fees of $5/residential and $25/com[illegible] account apply thereafter.

*Full details can be found at 3Cenergy[illegible]

TÉRMINOS Y CONDICIONES * INSCRIPCIÓN Y OFERTAS DE SERVICIO Central Coast Communi[...]
proveedor de servicios de generación eléctrica para 18 ciudades y 3 áreas no incorporadas en los [...]
San Benito y Santa Cruz, así como las ciudades de Morro Bay y San Luis Obispo. A principios de [...]
ciudades de Arroyo Grande, Carpinteria, Del Rey Oaks, Goleta, Grover Beach, Guadalupe, Paso [...]
María, Solvang y las áreas no incorporadas del condado de Santa Bárbara comenzaran a recibir [...]
con la Ley estatal, 3CE enviara por correo cuatro notificaciones de inscripción: 60 y 30 días antes [...]
y 60 días después del mes de inscripción. El servicio 3Cchoie de 3CE, comenzará automáticamen[...]
dentro del área de servicio de 3CE durante la lectura del medidor de cada cliente, a menos que [...]
servicio de 3CE y permanecer exclusivamente con PG&E o SCE. Clientes de 3CE tienen la opción [...]
renovable y participar en el programa 3Cprime a un costo adicional de 0.8 centavos por kWh.

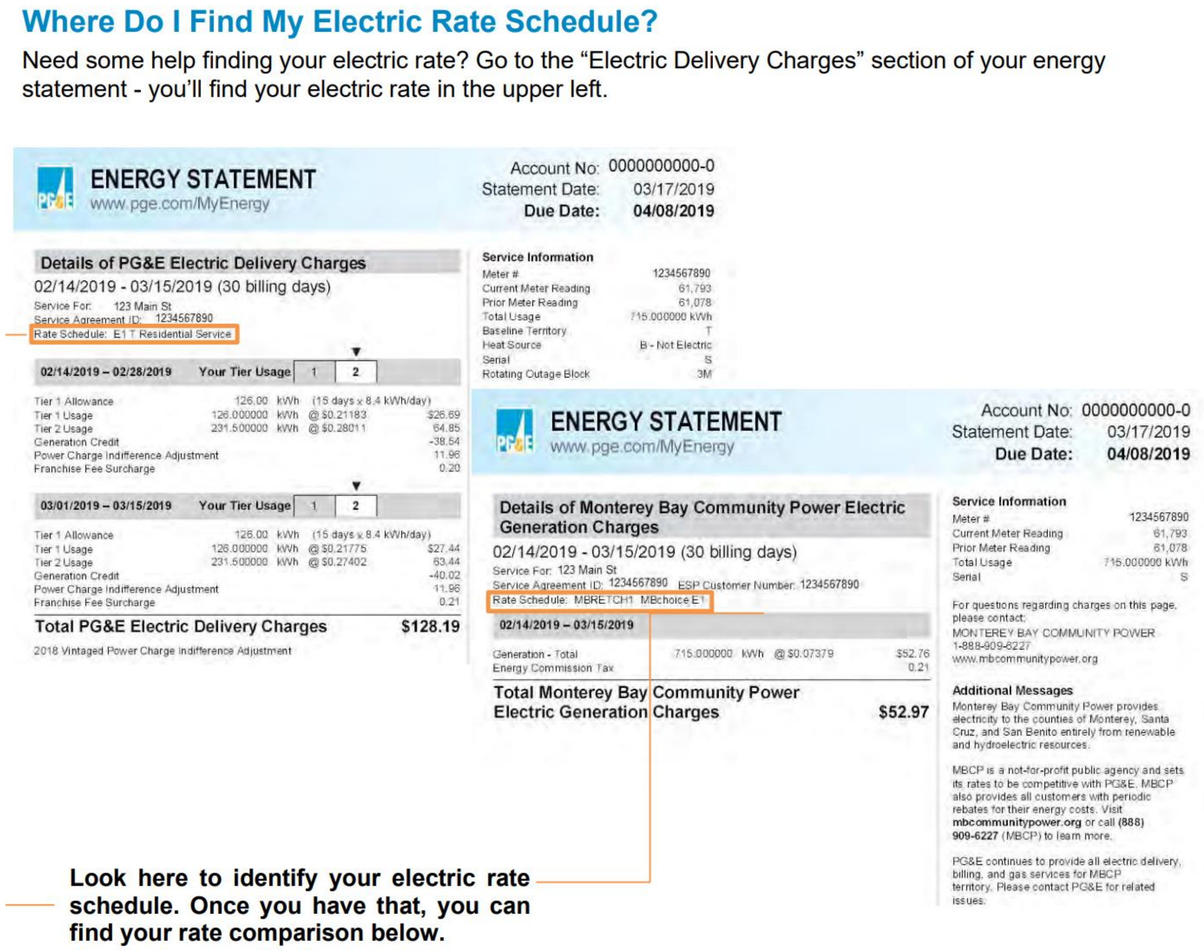
TARIFAS Y PROGRAMAS DE ASISTENCIA FINANCIERA Las tarifas de generación eléctrica de 3C[...]
brindar a los clientes la oportunidad de respaldar electricidad limpia y renovable. 3CE ofrece tar[...]
asequibles en comparación con las tarifas de generación eléctrica de PG&E o SCE. La estructura [...]
Community Energy igualara la estructura de tarifas de PG&E y SCE así como el tiempo de uso [...]
ciales, comerciales y agrícolas. Los programas CARE, FERA HEAP y Medical Baseline continuar[...]
con Central Coast Community Energy o su proveedor de servicios públicos. Los clientes inscritos [...]
Energy continuarán recibiendo su descuento CARE, FERA y Medical Baseline.Los clientes de me[...]
mantienen su misma tarifa NEM y ciclo de ajuste (anual o mensual) y podrían beneficiarse de una [...]
(NSC) más alta.

FACTURACIÓN PG&E o SCE continuarán cobrando por la transmisión y entrega de electricidad [...]
otros cargos regulatorios. No hay cargos duplicados para la generación de electricidad. Clientes [...]
do una factura mensual de PG&E o SCE que incluye cargos relacionados con la electricidad y [...]
PG&E o SCE siempre han cobrado cargos de generación eléctrica, pero este cargo era parte de [...]
que 3CE es responsable de cómo y dónde se genera su electricidad, estos cargos se han desglo[...]
uales. 3CE hace esto con el fin de proporcionar más transparencia y rendición de cuentas. El car[...]
3CE no es un cargo adicional. Este cargo aparecerá en una página separada. PG&E o SCE otorga[...]
equivalente a lo que el cliente hubiese pagado con PG&E o SCE por el servicio de generación [...]
nunca paga dos veces por el servicio de generación eléctrica.

CANCELACIÓN DE SERVICIO Clientes de 3CE pueden optar por cancelar el servicio de generaci[...]
cualquier momento llamando al 888.909.6227 o ingresando a 3CE.org/opt-out. Durante los prime[...]
usted tiene la oportunidad de cancelar su servicio con 3CE sin costo alguno. Después del period[...]
una pequeña tarifa de servicio por cancelación de servicio. ($5 para cuentas de clientes residenc[...]
clientes comerciales).

* Los detalles completos se pueden encontrar en 3Cenergy.org

I. Rates: Notwithstanding all these problems**,** the 3CE customer is meanwhile feeling environmentally virtuous and paying less than what PG&E charges, but about double for electricity, compared with most of the consumers in the United States. PG&E's level average blended rate is about 22.5 cents per kilowatt hour. The rest of the country pays about 11.5 cents. Customers think they are getting a deal because they pay less to 3CE. But they are already paying much more, as PG&E had to purchase high-cost government supplied renewables as a State mandate and fund all manner of State energy giveaway programs. In effect, they are paying twice to be virtuous. In the end, the actual energy generation portion of the bill is only about 30 % of the total. 3CE has no say in the other costs, which account for about 70% of the bill.



The County board letter presents the rate comparison, but limits it to the energy generation rates and does not include the transportation, distribution, and government-imposed taxes. It is terribly dishonest, as it does not include all the other rates and thus overstates the savings.

Average Rates ($/kWh)

Class	PG&E 2023 Average Rate	3CE 2023 Average Rate	Percent Savings
RESIDENTIAL	$0.14255	$0.08687	39%
SMALL COMMERCIAL	$0.14186	$0.08271	42%
MEDIUM COMMERCIAL	$0.14258	$0.08155	43%
LARGE COMMERCIAL	$0.12946	$0.07767	40%
AGRICULTURE	$0.11728	$0.08198	30%
STREETLIGHTS	$0.12699	$0.08771	31%

In addition to the energy rates, PG&E must be reimbursed for its operational costs and a variety of State fees that have been imposed upon it. What about the other costs that are paid by both the PG&E customer and the 3CE customer? Once the charges listed here are included, what is the actual savings?

PG&E Charges
Current PG&E Distribution Charges
Current PG&E Transmission Charges

State Charges On All Electric Bills
Electric Public Purchase Program
Recovery Bond Charge
Wildfire hardening Charge
Taxes
Energy Commission Tax
Nuclear Decommissioning

Sample typical residence:

Tiered Rate Plan E-1*

Residential: E-1	PG&E	3Cchoice
Generation Rate ($/kWh)	$0.14202	$0.09100
PG&E Delivery Rate ($/kWh)	$0.19978	$0.19978
PG&E PCIA/FF ($/kWh)	$0.01412	$0.00374
Total Electricity Cost ($/kWh)	$0.35592	$0.29452
Average Monthly Bill ($)	**$139.81**	**$115.69**

Monthly usage: 393 kWh

After the other charges are included, the 3CE bill is about 17% lower, not 39% lower, as presented in the County staff report.

Why have the City of SLO City Council or the SLO Board of Supervisors never allowed anyone to lay this out in open session?

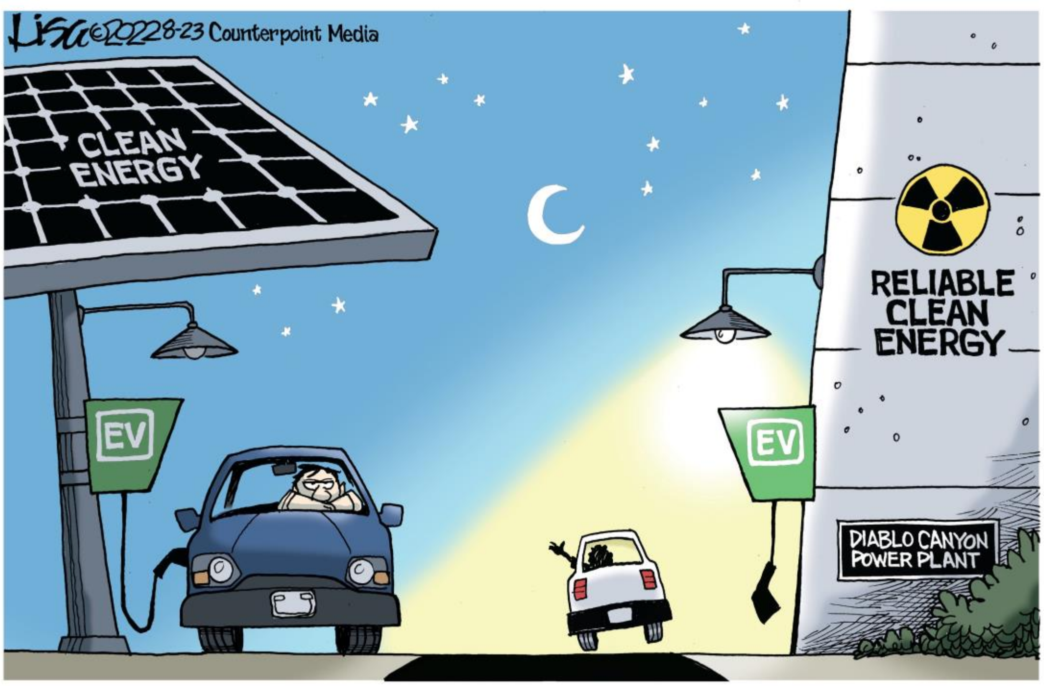
In the end, the War on Carbon will go the way of the War On Poverty, The War on Crime, The War on Drugs, the War on Terrorism, and the Ten-Year Plan to End Homelessness. Meanwhile, 3CE's power purchase contracts for Arizona "green" energy are helping to subsidize much lower rates to run air conditioners 24/7 in Phoenix and Tucson.

See the County's own independent report from 2017, in which it recommends that the County not join 3CE.

Note: This is the report that by being included in the agenda package, may have gotten CAO Wade Horton into trouble.
https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/150034

THIRD-PARTY REVIEW: COMMUNITY CHOICE AGGREGATION FOR THE COUNTY OF SAN LUIS OBISPO

MRW
MRW & Associates



Planning Commission Meeting of Thursday, March 23, 2023 (Completed)

Item 6 - Hearing to consider a request by Beau Bianchi (Bianchi Winery) for a Conditional Use Permit (N-DRC2021-00012) to allow phased expansion and remodel of the 14,023-

square foot winery facility and a 2,123-square-foot tasting room that will include at buildout: a 445-square-foot distillery and 295 square- foot second tasting room for distilled spirit tasting within the existing winery building, as well as a 1,647-square-foot limited food serving facility (restaurant) located within the existing hospitality building, consisting of a 426 square-foot kitchen, and an existing 63-square-foot storage area, a 384-square-foot indoor seating area and a 774-square-foot outdoor seating area. The project includes the construction of a new 2,800-square-foot eight-modular unit Bed & Breakfast Inn with 832-square-feet of individual decks plus a 900-square-foot Innkeeper Unit with a 322-square-foot deck. Finally, the construction of a 9,280 square-foot winery production building previously approved under DRC2005-00180 (that was never built) for future storage. The project was approved. However there are 11 pages of detailed conditions and mitigations beyond the regular zoning requirements. The project will create a fun place to visit and or stay. But with the new County attack on events, will they be allowed to have weddings and birthday parties?

Table 1. Project Use Summary

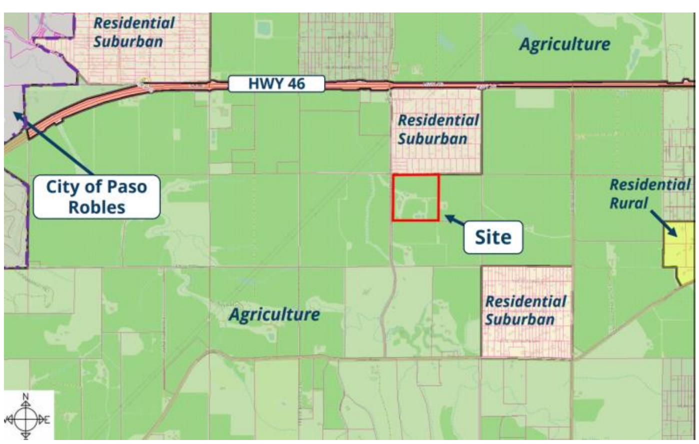
Interior Uses Per Building	Ag Processing Use (SF)	Visitor Serving Use (SF)
Hospitality Building *Includes Limited Food Serving Facility*	342 *(office, support & utility rooms)*	2,216
Winery Production Building	12,700	295 *(distillery tasting)*
Winery Production Building Addition (Case Storage)	9,280	-
Bed & Breakfast Inn Units (8 total)	-	2,800
Bed & Breakfast Innkeeper Unit	-	900
Subtotal	***22,322***	***6,211***

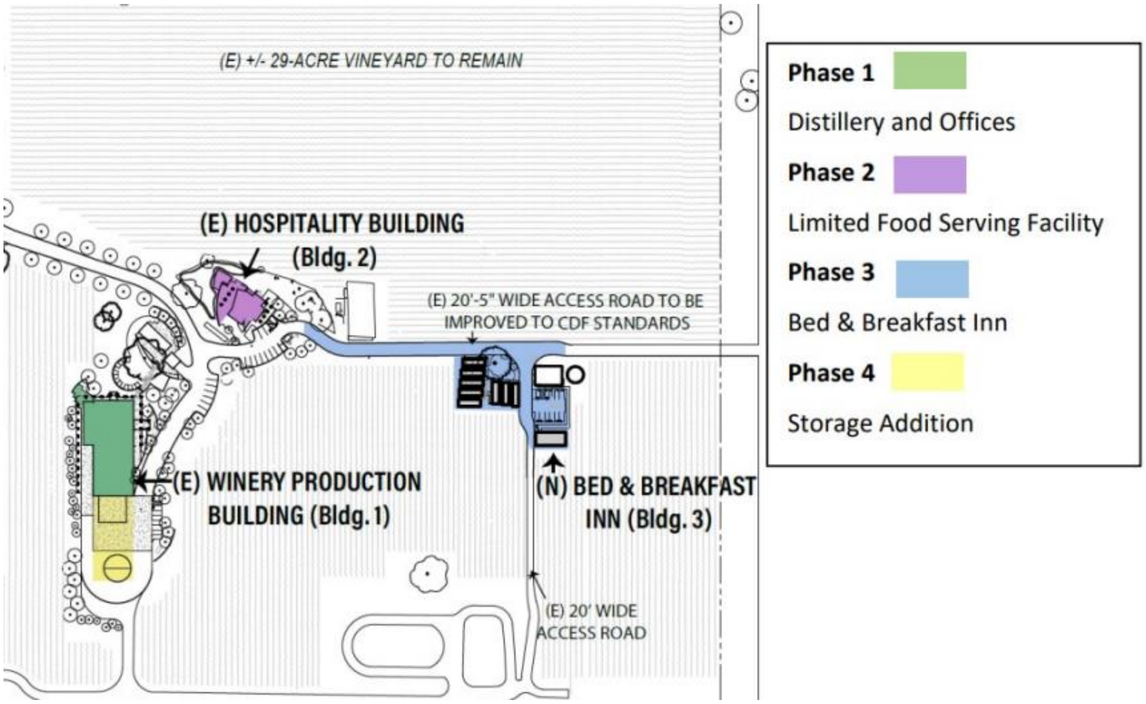
Exterior Uses Per Building	Ag Processing Use (SF)	Visitor Serving Use (SF)
Hospitality Building		774
Winery Production Building	4,827	-
Bed & Breakfast Inn Units (8 total)	-	832
Bed & Breakfast Innkeeper Unit	-	322
Subtotal	***4,827***	***1,928***
Total	**27,149**	**8,139**

Winery Special Events

In addition, the existing, approved special events program allowed under DRC2005-00180 (Resolution 2008-335)will remain in place that allows up to 20 events a year with a maximum of 200 attendees at certain events (including non-profits). The number of persons per event is as follows:

- 7 Events per year with up to 100 people
- 10 Events per year with up to 150 people
- 3 Events per year with up to 200 people





LEGAL LOT STATUS *The existing lot was legally created by deed at a time when that was a legal method of creating lots.*

The staff picks and chooses on these. Sometimes they will allow an antiquated subdivision: sometimes they won't. When they won't, they require the owner to go through a new subdivision application.

Item 8 - Hearing to consider a request by Congregation Beth David, for a Vesting Tentative Tract Map (TR3169) to subdivide an existing 92-acre parcel into 8 parcels: a 20-acre parcel to contain the existing Congregation Beth David, a 5.92-acre parcel to be designated as a low-income residential parcel with the potential for future mixed-use development, four approximately 2.5-acre parcels for sale and future residential development, and two larger parcels of 20.12 acres and 35.93 acres. The project includes the request for a density bonus to allow for the subdivision of the property into 8 lots, all of which are smaller than 40-acres. The division would create one on-site private roadway for access to the four residential parcels. The proposed project is within the agricultural land use category and is located at 10180 Los Osos Valley Road. The project was denied with some vigor. The staff had recommended against the approval of the subdivision. Only 3 of the Commissioners were present, and County Counsel and planning staff gave them every reason in the world to deny the project. In fact, the applicant was told "if you wish to proceed, appeal to the Board of Supervisors, but we don't think that's going anywhere either."

We are only guessing, but it is likely that the Congregation is attempting to raise some money for its endowment to help sustain itself. COVID damaged religious attendance everywhere. People got out of the church habit and just didn't come back. The lockdown was a government-imposed policy by bureaucrats. Given that government did the damage, the County could consider cutting the Congregation some slack under the COVID restoration polices.

The report slammed the door hard on the application.

Environmental Determination A

This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

Tentative Map B*. The proposed map is not consistent with applicable county general and specific plans. The proposal conflicts with policies for agricultural protection because the proposed parcel sizes and development would hinder the agricultural use of the property, and the property is proposed to be subdivided in a manner not consistent with the standards for the Agriculture land use category.*

C. The proposal is not consistent with AGP 20, because the smaller parcel sizes and resulting future development would not ensure the long-term protection of agricultural resources. The property does not have a history of sustained irrigated crop production, and has additional agricultural limitations including drainage and flooding concerns, as well as an existing church facility that occupies over 5-acres of the property; thus a larger parcel size is necessary to ensure the long-term agricultural sustainability of the subdivided parcels.

D. The proposed map is not consistent with AGP 18 because the proposed parcels would not result in the most productive agricultural land being kept available for crop production. The proposed map would site residential parcels in the area of the site that has most recently been used for crop production and would result in a loss of crop production area.

E. The proposed map is not consistent with AGP 17, because the developable area of the residential parcels is not large enough to allow for a sufficient buffer to protect agricultural uses and could severely limit the capacity of the resulting parcels for agricultural cultivation.

F. The proposed map is not consistent with AGP 11, because the increased residential density could adversely affect water supplies for agricultural use.

G. The proposed map is not consistent with Policy OS 4.6 because it would expand small lot rural development in a rural area.

H. The proposed map is not consistent with Policy OS 4.7 because resulting residential and mixed-use development would conflict with the City of San Luis Obispo's established greenbelt policy.
I. The proposed map is not consistent with the county zoning and subdivision ordinances because the parcels do not meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.

J. The site is not physically suitable for the type of development proposed because available information indicates serious concerns regarding water quantity and quality and adequate wastewater service has not been demonstrated.

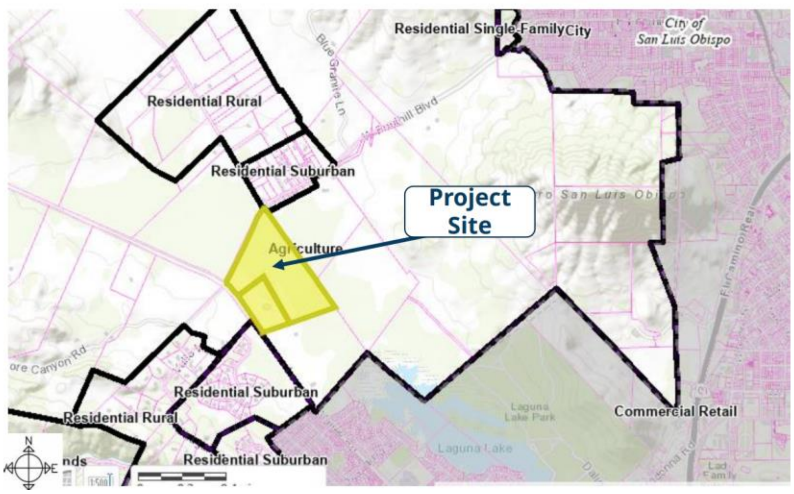
K. *The site is not physically suitable for the proposed density of the development proposed because the site's ability to support the proposed density of residential development has not been shown.*

L. The proposed project could result in significant land use compatibility impacts affecting on-site agricultural operations, including complaints about agricultural practices due to the proximity of residential development near agricultural uses.

Requested Concessions

I. A reduced minimum parcel size would not result in identifiable and actual cost reductions because residential units do not need to be constructed on individual lots. The proposed housing development is surrounded on all sides by parcels zoned agriculture and on at least two sides by land being used for agricultural purposes. The proposed development has serious water and wastewater concerns. J. Mixed-Use zoning on parcel

2 would not be compatible with the existing or planned development in the area as required by Government Code section 65915(k)(2). All surrounding parcels are zoned agriculture. Existing development is rural and low density.



EMERGENT ISSUES

Item 1 - The California Carbon Neutrality Plan is being pushed hard by all of the State agencies in a concerted manner. It negatively impacts low-income households and minorities disproportionately. See the article below:

California's new carbon-neutrality plan proudly promises to change "every aspect" of how people "live, work, play, and travel." Blessed by what its authors call their "collective leadership and commitment to break away from ideas that no longer represent Californians' values," the plan conjures a future of new technology in pursuit of a greenhouse-gas-free future. Yet the plan offers not a single remedy for its own projections that climate policies will enrich the wealthy and hurt the state's less affluent, heavily minority households.

The fine print of the policies undergirding the ballyhooed "energy transition" tend to be inconvenient. Solar, wind, and battery equipment is built in unethical labor conditions, depends on supplies over which China has a stranglehold, and risks shifting mining from overly regulated western countries to such lawless nations as Myanmar, Zambia, and the Congo.
In keeping with this pattern, California policymakers have opted to pursue a far-reaching, multi-decade climate blueprint for the state—one they admit will disproportionately harm people whom they deem disadvantaged. In text added just before the final plan's adoption, bureaucrats disclosed that "households in lower income groups"—which includes all households earning $100,000 or less per year—will "see negative impacts, while households in higher income groups are anticipated to see positive impacts" from plan implementation.

Even worse, the plan projects that since "more than 60% of households in the race/ethnicity categories of Hispanic, Black, and other minority communities are less affluent, these groups will "experience reduced income," compared with mainly "White and Asian households" in higher income groups. Spanning thousands of pages, the document contains hundreds of proposed actions regulating everything from jet fuel to fertilizer to hot water. But it includes zero measures addressing the plan's disproportionate racial and income effects. "The state," the authors suggest, should "find ways to relieve economic burdens on low-income households."

No such lack of creativity constrains the climate advocates when regulating energy. Confronted with the need to use combustible fuels for many industrial activities and to supplement intermittent wind and solar electricity with reliable sources, for example, the plan calls for massive new hydrogen production and distribution facilities on a scale never before attempted, let alone achieved. All this in a state unable to build a high-speed rail line, shelter its homeless, or install a single donated toilet in an already-plumbed public park without incurring crippling costs and delays.

Former governor Jerry Brown championed efforts to address climate change. But he recognized that under the state bureaucracy's metrics, California contributed so little greenhouse gas from activities that occurred within its borders that its climate regulations would be "futile" unless other countries and states followed California's lead.

A recent study confirmed that a single wildfire year wiped out California's multiyear greenhouse-gas-reduction mandates. California leads the nation in the lowest per-capita greenhouse gas emissions, but it also boasts the nation's highest housing-induced poverty and homelessness rates. The state's electricity rates rose far higher than the nation's, and multi-hour and even multi-day electricity outages plagued Silicon Valley, near Stanford, in recent years. Everything from homes to gasoline costs far more than in neighboring states.

One might think that the current obsession with identity politics and racial disparities knows no bounds. But California's climate champions show no hesitation in embracing regulatory mandates that even they admit will affect working-class and racial-minority households disproportionately.

Jennifer Hernandez is the daughter and granddaughter of steelworkers from Pittsburg, California. She has practiced environmental and land-use law in California for nearly 40 years and is a senior fellow of The Breakthrough Institute and an adjunct professor at USC Law School. City Journal of March 22, 2023

COLAB IN DEPTH

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

MED MAL

The tragic failure of reckless, unprecedented lockdowns that were contrary to established pandemic science, and the added massive harms of those policies on children, the elderly, and lower-income families, are indisputable and well-documented in numerous studies. This was the biggest, the most tragic, and the most unethical breakdown of public health leadership in modern history.

BY SCOTT ATLAS

Almost all of America's leaders have gradually pulled back their COVID mandates, requirements, and closures—even in states like California, which had imposed the most stringent and longest-lasting restrictions on the public. At the same time, the media has been gradually acknowledging the ongoing release of studies that totally refute the purported reasons behind those restrictions. This overt reversal is falsely portrayed as "learned" or "new evidence." Little acknowledgement of error is to be found. We have seen no public apology for promulgating false information, or for the vilification and DE legitimization of policy experts and medical scientists like myself who spoke out correctly about data, standard knowledge about viral infections and pandemics, and fundamental biology.

The historical record is critical. We have seen a macabre Orwellian attempt to rewrite history and to blame the failure of widespread lockdowns on the lockdowns' critics, alongside absurd denials of officials' own incessant demands for them. In the Trump administration, Dr. Deborah Birx was formally in charge of the medical side of the White House's coronavirus task force during the pandemic's first year. In that capacity, she authored all written federal policy recommendations to governors and states and personally advised each state's public health officials during official visits, often with Vice President Mike Pence, who oversaw the entire task force. Upon the inauguration of President Joe Biden, Dr. Anthony Fauci became chief medical advisor and ran the Biden pandemic response.

We must acknowledge the abject failure of the Birx-Fauci policies. They were enacted, but they failed to stop the dying, failed to stop the infection from spreading, and inflicted massive damage and destruction particularly on lower-income families and on America's children.

More than 1 million American deaths have been attributed to that virus. Even after draconian measures, including school closures, stoppage of non-COVID medical care, business shutdowns, personal restrictions, and then the continuation of many restrictions and mandates in the presence of a vaccine, there was an undeniable failure—over two presidential administrations—to stop cases from rapidly escalating.

Numerous experts—including John Ioannidis, David Katz, and myself—called for targeted protection, a safer alternative to widespread lockdowns, in national media beginning in March of 2020. That proposal was rejected. History's biggest public health policy failure came at the hands of those who recommended the lockdowns and those who implemented them, not those who advised otherwise.

The tragic failure of reckless, unprecedented lockdowns that were contrary to established pandemic science, and the added massive harms of those policies on children, the elderly, and lower-income families, are indisputable and well-documented in numerous studies. This was the biggest, the most tragic, and the most unethical breakdown of public health leadership in modern history.

In a democracy, indeed in any ethical and free society, the truth is essential. The American people need to hear the truth—the facts, free from the political distortions, misrepresentations, and censorship. The first step is to clearly state the harsh truth in the starkest possible terms. Lies were told. Those lies harmed the public. Those lies were directly contrary to the evidence, to decades of knowledge on viral pandemics, and to long-established fundamental biology.

Here are the 10 biggest falsehoods—known for years to be false, not recently learned or proven to be so—promoted by America's public health leaders, elected and unelected officials, and now-discredited academics:

1. SARS-CoV-2 coronavirus has a far higher fatality rate than the flu by several orders of magnitude.

2. Everyone is at significant risk to die from this virus.

3. No one has any immunological protection, because this virus is completely new.

4. Asymptomatic people are major drivers of the spread.

5. Locking down—closing schools and businesses, confining people to their homes, stopping non-COVID medical care, and eliminating travel—will stop or eliminate the virus.

6. Masks will protect everyone and stop the spread.

7. The virus is known to be naturally occurring, and claiming it originated in a lab is a conspiracy theory.

8. Teachers are at especially high risk.

9. COVID vaccines stop the spread of the infection.

10. Immune protection only comes from a vaccine.

None of us are so naïve as to expect a direct apology from critics at my employer, Stanford University, or in government, academic public health, and the media. But to ensure that this never happens again, government leaders, power-driven officials, and influential academics and advisors often harboring conflicts of interest must be held accountable. Personally, I remain highly skeptical that any government investigation or commission can avoid politicization. Regardless of their intention, all such government-run inquiries will at least be perceived as politically motivated and their conclusions will be rejected outright by many. Those investigations must proceed, though, if only to seek the truth, to teach our children that truth matters, and to remember G.K. Chesterton's critical lesson that "Right is right, even if nobody does it. Wrong is wrong, even if everybody is wrong about it."

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The views expressed in this article are the writer's own. Newsweek , March 22

HARSH RESPONSES AND HARSH OUTCOMES OF COVID

BY JOHN SEILER

We're still struggling with the aftereffects of the COVID-19 pandemic — and what was done to get through it. To cite just one effect, one of my favorite restaurants, the Katella Grill in Anaheim, had a rough time through the total lockdown: tented dining, then trying to reopen indoors, finally closing a year ago after 30 years serving the county's best liver and onions. I recently drove by there and in the entrance slept a homeless man.

On the global picture, we're now getting some good national studies. They compare the states, which not only are federalist "crucibles of democracy," but the crucibles of COVID response. Let's look at two areas, mortality and education.

On March 6 arrived "Associations between mortality from COVID-19 and other causes: A state-level analysis," by Annaliese N. Luck, et al. "During the COVID-19 pandemic, the high death toll from COVID-19 was accompanied by a rise in mortality from other causes of death," it found. The study compared "spatial variation in these relationships across US states."
The "other causes" is important because lockdowns increased other pathologies, such as a drug use and overdoses.

In the March 2019 to February 2020 year, immediately pre-COVID, California's All-Cause mortality was 521.4 per 100,000. In the first COVID year, March 2020-February 2021, that rose to 659.3, an increase of 137.9. Which was a mortality increase of 26%. COVID deaths alone were 110.9, or 80% of the total increase.

As the pandemic dug in, on March 18, 2020, U.S. News ran a story, "10 States With the Most Aggressive Response to COVID-19." Aggressive meaning heavier lockdowns, mask mandates and school closures. "Washington and northeastern states, which have implemented lockdowns and bans, score best in a new report evaluating states' efforts to control the virus." The top 10, in order: Rhode Island, Connecticut, Maryland, New York, Washington, Massachusetts, New Jersey, Minnesota, Vermont and District of Columbia.
The story also listed "the 10 states with the least aggressive responses to the virus." In order: Wyoming, Mississippi, Texas, Nevada, Oklahoma, Missouri, Hawaii, Kansas, Tennessee and Indiana.

I combined the two data sets and found: For the 10 "most aggressive" COVID responses, all-cause mortality increased 20%. For the 10 "least aggressive," it was 19%. Lower, but not by much. Moreover, the "least aggressive" group was heavily influenced by Hawaii's increase of just 2%.
The "most aggressive" states all were Democratic, while the "least aggressive" were Republican, except for Nevada (21%) and the exemplary Hawaii. "Most aggressive" also was made worse by the District of Columbia, an almost entirely Democratic demographic, with a 26% increase in deaths.

This is the nation's capital that tells the rest of us what to do.

On education, last October's release of the National Assessment of Educational Progress showed sharp declines from 2019 to 2020 in all categories. For 4th-grade math, California students dropped 4 points from 2019 to 2020. That led Gov. Gavin Newsom to boast in a press release, "California Outperforms Most States in Minimizing Learning Loss in National Student Assessment, with Record Investments to Improve Education." How's that for spin?

The worst state was President Biden's home of Delaware, dropping 14 points to 226.
Sticking with math for 4th graders, let's look at how the states we used above have fared. The average of the 10 "most aggressive" states was -7.6 points. For the "least aggressive" states, it was -4.8. Definitely a correlation there. Keeping the kids out of school, especially as they were the least likely to die from the plague, was a big mistake.

There are caveats. The "most aggressive" category again was weighed down by D.C., with -12 points, second worst, and Biden's current residence. And Hawaii, again exemplary, was one of the states with "no significant score change in 2022."

This article first appeared in the March 20, California Political Review. John Seiler writes editorials for the California News group/Orange County Register.

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