COLAB San Luis Obispo County

The Coalition of Labor Agriculture and Business

WEEKLY UPDATE
APRIL 7 - 13, 2024

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BY EDWARD RING

THIS WEEK'S HIGHLIGHTS

ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED

Board of Supervisors Meeting of Tuesday, April 9, 2024 (Scheduled)

Item 2 - Request to 1) introduce the attached Amendments to the Growth Management Ordinance, Title 26 of the County Code, to add references to and growth rate limits for the Dana Reserve Specific Plan Area; 2) introduce the attached Ordinance adopting a Development Agreement between the County of San Luis Obispo, Dana Reserve, and LLC. and NKT Development, LLC. covering the Dana Reserve Specific Plan; 3) direct the Clerk to set an item for public hearing and action; and 4) authorize the use of Alternative Publication Procedures for said Ordinances. The hearing date set for April 23 and 24, 2024. The Hearing for the Dana Reserve Specific Plan is coming up on April 23 and 24, 2024.This is a major proposed planned development with 1370 homes, commercial, recreation, and public services. In addition to the usual matters that must be considered by the Board, modification of the County's Growth Management Ordinance will constitute a significant issue. The current ordinance restricts the number of new homes that can be approved in Nipomo in any one year to around 200. The number of homes will have to be modified to provide the headroom for the new development. This number will need to comport with the Specific Plan's phased development over the years.

SECTION 1: Section 26.01.020 of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:
(5) The Woodlands Specific Plan.;
(6) The Dana Reserve Specific Plan.

a. In accordance with the adopted Dana Reserve Specific Plan phasing plan. b. Allocations issued to the Dana Reserve Specific Plan Area are nontransferable and terminate only at issuance of building permits. c. The maximum number of all dwelling units for the Dana Reserve Specific Plan Area shall be one thousand three hundred seventy (1,370), not including accessory dwelling units (ADUs) as allowed by State law.

The Growth Management Ordinance was adopted by the Board of Supervisors on October 23, 1990 to establish an annual growth rate for new dwelling units in the county, based on the existing housing stock and available community resources, as determined by the County's most recent Resource Summary Report. The Ordinance requires the Board to review and approve the County's annual growth rate for new dwelling units for each fiscal year. Accessory dwelling units, affordable housing, and agricultural worker housing are not subject to the requirements of the Ordinance and are excluded from the accounting for the annual growth rate.

Amendments to the Growth Management Ordinance must be introduced at a separate meeting of the Board prior to being adopted during a public hearing. The public hearing, set for April 23 and 24, 2024, to consider the attached amendment will also include consideration of the adoption of the Dana Reserve Specific Plan, a Vesting Tentative Tract Map (Tract 3159), and a

Conditional Use Permit for Oak Tree Removal and Grading/Impervious Surfaces. The attached Ordinance amendment is intended to establish growth rate limits for the Dana Reserve Specific Plan Area consistent with the phasing plan identified in the Dana Reserve Specific Plan.

It is expected that the matter will be controversial, with both numerous supporters and opponents testifying for hours. The acid test is whether the Board of Supervisors and individual Supervisors will support housing. This is the largest project to come along in decades.

The 2024 Dana Reserve Specific Plan would allow for the phased development of a 288-acre master-planned community with up to 1,370 residential units, 110,000-203,000 square feet of commercial and non-residential (Visitor Serving/Hotel, Education) floor area, a minimum of 55.6 acres of open space and 6.3 acres of recreation, and related circulation and infrastructure. The project also includes a County-initiated General Plan and Ordinance Amendment to change the land use categories within the specific plan area and to incorporate the property into the Nipomo Urban Reserve Line (URL), and to ensure the General Plan is consistent with the DRSP. The project would require annexation into the Nipomo Community Services District service area to facilitate the provision of water and wastewater services to the project. The project site is located in the Residential Rural land use category, west of US 101, east of Hetrick Avenue, and adjacent to the Nipomo URL. The project is located within the South County Inland Sub Area of the South County Planning Area.

Item 7 - Appointment of a new Human Resources Director. The new Human Resources Director will be the County's current Deputy Human Resources Director, Jamie Russell. The Board letter states in part:

The adopted FY 2023-24 budget includes the Human Resources Director position. The salary range for the Human Resources Director is $169,956 to $216,923 per year. Ms. Russell will start at Step 5 of the salary range which is approximately $206,585 per year in salary and $120,999 in benefits. Except as noted herein, Employee shall receive the same benefits that are provided to general management employees (payroll unit BU09), and in accordance with the applicable San Luis Obispo County Code Sections(s) 2.48.180 and 2.48.034. Sufficient funds exist in the Human

Resources budget to cover these expenses. Total annual compensation will be included in the FY 2024-25 budget.

The Board letter goes on to report:

Ms. Russell relocated to San Luis Obispo County in 2013 and continued her dedication to public service by joining the County of San Luis Obispo Human Resources Department. Ms. Russell began as an Analyst and progressed through various roles, serving on the HR Leadership team since 2017 and as the Deputy Director of Human Resources since 2019. Ms. Russell holds a bachelor's degree in business management and is a Senior Certified Professional through the Society for Human Resources Management (SHRM). Additionally, Ms. Russell is a graduate of the National Association of Counties (NACo) High-Performance Leadership Program and the County's Manager Academy.

The fact that Russell is certified by the Society for Human Resources (SHRM) suggests that she may possess advanced concepts of HR Management that go beyond the usual stale government models.[1] We do not know her positions on critical governmental policies and the underlying societal values. For example, how does she view the role of the citizen taxpayer? Did her education contain the basic readings related to the role of government in society, such as the Bible, Aristotle, Plato, Cicero (the Catalinian Orations), Marcus Aurelius, John Locke, Edward Gibbon, the Connecticut Charter, The Federalist Papers, John Burke, Winston Churchill, Martin Luther King, Fredrick Hayek, and now Victor Davis Hanson? Does she believe in meritocratic organizations or DEI?

In SLO County, the HR Director is a direct appointment of the Board of Supervisors instead of the County Administrative Officer. This sets up a separate power center within the bureaucracy that weakens the position of the CAO. Weakening the CAO ultimately weakens the Board of Supervisors itself. Imagine if the VP for Human Resources at Amazon, Tesla, Hyatt Hotels, or American Express were appointed by the Board of Directors.

> Back in 2009, when Supervisor Gibson decided that then CAO David Edge had to go, the HR Director was a pivotal force in supplying the ammunition. Edge fired his assistant, Gail Wilcox, for having an affair with the President of the Deputy Sheriff's Union while at the same time being engaged in labor negotiations with him, a conflict of interest. In retaliation, she accused Edge of harassment because he had advised her on dating and fashion matters. She had actually solicited the advice. Usually such matters involve attempts and pressure to receive attention and affection, which was not the case in this soap opera. The County paid her $180,000 to go away.

Edge and Wilcox

Is the HR Department a deep state instrument which supports Gibson and the left? What would recently fired acting CAO John Nilon have to say about the situation? Why did the County's 15

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[1] The **Society for Human Resource Management** (**SHRM**) is a professional human resources membership association headquartered in Alexandria, Virginia. SHRM promotes the role of HR as a profession and provides education, certification, and networking to its members, while lobbying Congress on issues pertinent to labor management. The association has more than 575 chapters worldwide,[6] and more than 400 staff members. In 2022, SHRM acquired Linkage Inc.[7][8][9] and CEO Academy,[10][11][12] now serving nearly 325,000 members in 165 countries.[13]

year incumbent HR Director suddenly resign to go to San Bernardino County, which is not exactly the choice spot in the State. A number of former San Bernardino County CEOs and Supervisors have served time in the Federal Penitentiary for accepting bribes. Of course, the climate and community ambiance also lacks the SLO County charm. All this seems a little weird.

Item 8 - Submittal of A) the County of San Luis Obispo's audited Annual Comprehensive Financial Report (FY 2022-23) (Clerk's File); B) the Single Audit Report (FY 2022-23); C) the Statement on Auditing Standards 114 Communications Letter (FY 2022-23); D) the Transportation Development Act Funds Non-Transit Purposes Audit Report (FY 2022-23); E) the Agreed-Upon Procedures Report for the Los Osos Landfill Financial Means Test Certification (FY 2022-23); F) the Passenger Facility Charges Report (FY 2022-23); and G) the Gann Appropriation Limit Audit Report (FY 2022-23). The County received a clean bill of health from its independent auditors, which means that the financial documents and practices comport with required legal and performance standards. They are accurate and fairly represent the financial condition of the County government. There were no material problems.

Note, that this is not an endorsement of the County's substantive policies and priorities.

Annual Comprehensive Financial Report
The primary purpose of the Annual Comprehensive Financial Report is to disclose the financial position of San Luis Obispo County as of June 30, 2023, together with the results of its operations for the 2022-23 fiscal year. The Annual Comprehensive Financial Report is organized into four main sections: the introductory section, financial section, required supplementary information, and the statistical section.

In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the County as of June 30, 2023, and the respective changes in financial position, and where applicable, cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

The report can be seen at the link below. The casual user may wish to read the introduction and then examine the statistical section in the back.

https://www.slocounty.ca.gov/Departments/Auditor-Controller-Treasurer-Tax-Collector-Public-/Forms-Documents/Financial-Reports/Annual-Comprehensive-Financial-Report.aspx

Item 29 - Request to receive and comment on a report and presentation by the San Luis Obispo Council of Governments staff regarding a potential Countywide Self-Help Sales Tax Measure and Draft Transportation Investment Plan. (Tax Increase) The Board letter prepared by the Administration is actually an epistle recommending that the Board support a Countywide ½ cent sales tax. While it does not actually come right out and say that staff recommends the tax, it does state:

Support for the transportation sales tax measure moves the issue further to help deliver much-needed transportation improvements and repairs for our residents and to our communities.

It is loaded with handwringing about the need for more taxes for transportation.

Transportation funding for future infrastructure falls well short of the need, as demonstrated in the 2023 SLOCOG Regional Transportation Plan (RTP), which projects a shortfall of $2.3 billion for regional transportation projects and programs, including a shortfall of $400 million for needed pavement maintenance alone. Tax revenues traditionally used for improvement, operation, and maintenance of public transportation infrastructure have not kept pace with needs and escalating construction costs. Existing State and Federal funding are based upon an antiquated "gas tax" system of cents per gallon of fuel. The system predated the proliferation of miles per gallon improvements to vehicles, hybrids, ethanol fuels, and electric vehicles. While the cents per gallon fuel tax for the state is fixed to inflation, EVs (>20% of new car sales in California) will erode the total gallons purchased, decreasing the tax revenues collected. Further, the federal gas tax has had no adjustment in over 30 years; thus, available revenue from fuel taxes have not kept up and will only diminish over time.

COLAB NOTE: Why should the people be taxed even more to bail out the failed ideological State and local policies?

California State Senate Bill 1 (SB 1), approved in 2017, brings in over $5 billion statewide and approximately $1.2 million annually locally to San Luis Obispo for the purpose of funding street repairs. This additional revenue has been helpful; however, the costs for needed road maintenance and transportation improvement projects and programs of most cities and counties still often exceed the resources available.

COLAB NOTE: Right, it's never enough. Of course the County reduced its own general fund effort for roads, once a little of the SB 1 money became available.

To address these issues, many counties and cities in California have chosen to tax themselves for transportation services and infrastructure and not rely solely on the State and Federal funding sources that can be volatile and unreliable. A dedicated local transportation sales tax has been approved in 25 counties in California. These self-help counties"1 represent roughly 89% of the state's population. Local transportation sales tax measures can provide regional and local authorities with access to a stable funding source to allow for delivery of timely, cost-efficient transportation improvements to their communities, and provide additional leverage and "local match" contributions to compete for outside state and federal grant funding. Adding San Luis Obispo County to this list would help unlock hundreds of millions of dollars in additional transportation funding, guaranteeing, and delivering much-needed transportation improvements and repairs for our residents and to our communities.

A previous ½-cent transportation sales tax measure (Measure J) was presented to San Luis Obispo County voters in 2016 and received 66.3% support, just shy of the 66.67% (2/3rd) super majority support threshold required for special tax measures in California. With the failure of Measure J, the region lost out on over $180 million in funding over the last six years, which could have easily doubled by leveraging these funds towards competitive State and Federal grants. Transportation conditions and needs have not notably improved in the region since 2016, while transportation funding through gas tax revenue has faces its latest challenge with a growing share of electric vehicles.

COLAB NOTE: You bet, the cities and the County would not put any new skin in the game. They would only subscribe to a weak self-reported maintenance of effort promise. They would not include a provision in the ordinance requiring them to even slightly increase their capital committed to roads and other capital improvements.

The State, cities and the County continue to provide large year over year raises and to add staff. Now some of them want you to bail them out so they can continue to hand out the patronage of jobs, not-for-profit largess, and receive political campaign contributions in return. We do need money for roads, but we need elected officials who recognize that we already paid for them and that more taxes simply extend the problem forever. Why does Texas have great roads, thriving down towns in their large cites, lower State University tuition, better public schools, and all this with no State income tax? Meanwhile, Oakland, Berkeley, parts of San Francisco, parts of LA, parts of Sacramento, and others look like the dark hole of Calcutta.

The distribution of the tax money is proposed as follows:

1. Sunset: 20-year duration.
2. Revenues: $35 million annually, or $700 million over 20 years (not accounting for escalation).
3. Leverage Potential: Potential to return an additional $900 million over 20 years in competitive State and Federal Grants.
4. Funding Distribution:
a. Funds distributed to four (4) geographic sub regions based on population (North Coast, South County, Central County, North Coast)2
b. Within each sub region, 66% of funds are distributed based on population directly to each jurisdiction for local projects (with a $3 million increase to the four smallest cities), with remaining 34% of funds allocated to regional projects within each sub region.
c. Eligible Local Transportation Improvement Categories:
i. Road Repairs
ii. Community Road Safety & Congestion Improvements
d. Eligible Regional Transportation Improvement Categories: i. Regional Road Safety Improvements ii. Mobility for All (i.e. transit, senior services, and active transportation)

Item 30 - A presentation on Senate Bill 977 introduced by Senator Laird to create a County of San Luis Obispo Citizens Redistricting Commission. The County Board majority adopted a policy to create a Supervisorial Redistricting Committee. In the past, the Supervisors themselves have performed this function. The decision to create such a Commission is, in part, retribution against conservatives for having the temerity to have adopted a legal map which replaced a gerrymandered map that undermined Templeton area voters and 5th District voters. That map was killed when a new leftist Board majority sold out the will of the people in a cheesy legal settlement with leftist advocates posing as reformers.

A special bill has been created for submission to the Legislature, authorizing and spelling out the function, qualification, and process for a San Luis Obispo County Commission.

1. Number of members and qualifications:

a. Eleven members and two non-voting alternates. At least two commission members shall reside in each of the five existing supervisorial districts of the Board.

b. Political party preferences shall be as proportional as possible to the total number of voters who are registered with each political party or who decline to state or do not indicate a party preference.

c. Must be a resident of the county of San Luis Obispo and registered to vote in San Luis Obispo county.

d. Have not changed registered political party affiliation or no political party affiliation within the past five years immediately preceding the date of their appointment to the commission.

e. Have voted in San Luis Obispo County in at least one of the last three statewide elections immediately preceding their application to be a member of the commission.

f. Must also be eligible under the provisions of California Elections Code § 23003 (Attachment 2) governing qualifications of commissioners for independent redistricting commissions. Section 23003 was recently amended and has codified the qualifications which include:
i. Cannot be appointed by the legislative body. ii. iii. In the eight years preceding a person's application, the person or person's spouse:

1. May not have served an elected or appointed position in the local jurisdiction.

2. May not have served as an officer of, employee of, or paid consultant to a campaign committee, candidate for elective office, political party or elected or appointed member of a political central committee in the local jurisdiction.

3. May not have served as a staff member or consultant to, or who has contracted with, or currently serving elected officer of the local jurisdiction.

4. Been a registered lobby to a local jurisdiction.

5. Contributed five hundred dollars ($500) or more in a year to any candidate for an elective office of the local jurisdiction. The same requirements apply to a family member (parent, sibling, child or in-law) of an applicant but limit the time frame to four years preceding the person's application.

g. Each applicant must:

1 i. Possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights and possess an ability to comprehend and apply the applicable state and federal legal requirements.

ii. Possess experience that demonstrates the ability to be impartial.

iii. Possess experience that demonstrates the ability to be impartial. Possess experience that demonstrates an appreciation for the diverse demographics and geography of the county of San Luis Obispo.

Senator Laird will carry the Bill, and it is expected to pass and be signed by the Governor.

Background: Currently, the Supervisors determine the district boundaries. It is argued that this is an innate conflict of interest, which allows the faction in power to skew the boundaries to favor themselves. The current ideological and substantive divide between the progressive left Democrats and conservative of all types underlies the stakes. State law allows counties to establish a Commission to set the boundaries. The process to establish the Commission is lengthy and complicated. This meeting is designed to educate the public on the process and then have the Board give direction to proceed.

The current Board majority favors the establishment of a Commission.

From the COLAB standpoint, neither the current Board-run system nor the Commission system are bullet proof in securing an apolitical result. While the law provides a set of criteria to attempt to ensure that the districts are formed on a purely apolitical basis so as not to favor a particular faction, both versions require human management, which allows subjective judgement to leak in.

It's somewhat like attempting to ban sex. The natural forces are just too strong to be entirely avoided.

Of course, all of this is rhetorical window dressing, as there are thousands of people who are politically partisan to their core who meet these qualifications.

The process for picking the Commissioners is quite complex and tedious. Moreover, it places the elected County Clerk Recorder in a very powerful role over the initial appointees.

Application Process:

a. An interested person meeting the qualifications may submit an application to the county elections official. The County Elections Official reviews the applications and eliminates applicants that don't meet the specified qualifications.

b. From the pool of qualified applicants, the County Elections Official selects the 45 most qualified applicants.

c. Nine applicants from each existing supervisorial district will be included in the list of most qualified applicants, unless there are less than nine applicants from the district that meet the minimum qualifications, in which case the total number of qualified applicants will constitute the pool.

d. The County Elections Official makes public the names of the forty-five most qualified applicants for at least thirty days. The County Elections Official shall not communicate with a member of the board, staff member or an agent for a member of the board, about any matter related to the nomination process or applicants before the publication of the list of the forty-five most qualified applicants. During the period described in this section, the County Elections Official may eliminate any of the previously selected applicants if the official becomes aware that the applicant does not meet the qualifications specified herein. After complying with the above requirements, the county elections official shall create a subpool for each of the five existing supervisorial districts of the board comprised of qualified applicants residing in the district corresponding to the subpool to which they have been assigned.

e. At a regularly scheduled meeting of the board, the Clerk of the Board or designee, of the County of San Luis Obispo shall conduct a random drawing to select one commissioner from each of the five subpools established by the county elections official.

f.The five selected commissioners shall, at a separate public meeting review the remaining names in the subpools of applicants and shall appoint six additional applicants to the commission. The five initial commissioners shall interview finalists for appointment, allow public comment, and make the appointments during a public hearing

g. The six appointees shall be chosen based on relevant experience, analytical skills, and ability to be impartial, and to ensure that the commission reflects the county's diversity, including racial, ethnic, geographic, age and gender diversity. In order to be appointed, an applicant must receive the vote of at least three of the five selected commissioners.

h. Six additional applicants will be selected, one from each of the existing five subpools reflecting the five existing supervisorial districts, and one at large based on the criteria set forth in the draft ordinance.

h. Six additional applicants will be selected, one from each of the existing five subpools reflecting the five existing supervisorial districts, and one at large based on the criteria set forth in the draft ordinance.

Voters must approve the County ordinance, and the Legislature must approve it as a spot bill.

Timeline of Events

• If the Board provides direction to pursue legislation, a "spot bill" would need to be provided to Senator Laird's office by February 16 **(Completed)**
• Last day to take action to place a measure on the ballot is June 18, 2024
• Late 2029, Request for Proposal to procure outside counsel for the Commission
• Full Commission created no later than December 31, 2030

If the Board provides direction to place an ordinance on the ballot for the November 2024 election, the last day for the Board to take action to place a measure on the ballot is June 18, 2024. If the Board provides direction to pursue legislation, a "spot bill" would need to be provided to Senator Laird's office by February 16, 2024

FINANCIAL CONSIDERATIONS *(This Year) The cost of placing this ordinance on the November 5, 2024 Consolidated General Election is estimated to be $51,000. California Elections Code Section 21552(c)(8) requires the Board of Supervisors to provide reasonable funding and staffing for the commission.*

Depending upon the Board's direction, there could be costs associated with an election, staff time, costs for a selection process, and costs of providing staff and expertise to a redistricting commission. The County will incur anticipated consulting costs for administration, outreach, demographic analysis, translation services, mapping tools and map preparation, audio/visual support, and legal counsel to support the independent commission. Additionally, County staff costs from Elections, County Counsel, and the County Administrative Office will be incurred. If approved, it is anticipated that this request will result in costs of $750,000 to $1 million for the 2030 redistricting process which may be funded by the General Fund. Estimates were determined by evaluation of Santa Barbara County Redistricting actual costs and adjusted for 7 inflation. Due to additional requirements by AB-764 it is anticipated that costs will exceed the baseline estimate due to time requirements and costs associated with contracted support. County staff will return to the Board to request appropriations at a later date, subject to the needs and direction of the full Commission once seated.

In the end , this will be a long, tedious, and expensive process, which will favor the leftist activists and their elitist allies.

Item 33 - Closed Session: Among many cases, the docket includes: San Luis Obispo County Homeless Union, et. al v. County of San Luis Obispo, et al, United States Court, Central District of California, Western Division, Case No. 2:24 CV-00616. The case involves the closure of the erstwhile Oklahoma Avenue homeless parking Camp.

County Statement Re: Court Ruling on Oklahoma Parking Site

Author: Homeless Services Division

Date: 4/1/2024 4:00:00 PM

While a Temporary Restraining Order preventing the closure of the Oklahoma Parking Site was extended, the County of San Luis Obispo is preparing for the sites's closure after April 29, 2024.

Late on Friday, March 29, 2024, the U.S. District Court for the Central District of California issued a ruling in the case of San Luis Obispo County Homeless Union et al v. County of San Luis Obispo et al. that extended the existing Temporary Restraining Order. This renewed Order instructed the County to not close the Oklahoma Parking Site until Monday, April 29, 2024 at 3:00PM.

While disappointed by the extension of the Oklahoma Parking Site, the County of San Luis Obispo is grateful that the Court shared that it is not likely to further extend the Temporary Restraining Order. This allows the County to thoughtfully plan and prepare for the site's closure after the Order's expiration, which includes efforts to provide housing and shelter options to the 11 people remaining at the site as of March 29, 2024. We are hopeful that those currently living at the Oklahoma Parking Site will take advantage of the various options and resources made available to them.

Life at the homeless campground.

There are continuous problems.

MATTERS AFTER 1:30 PM

Item 34 - Hearing on an Ordinance amending Chapter 7 (Public Peace, Safety and Morals) of the San Luis Obispo County Code prohibiting unreasonable noises. This is an effort to assist law enforcement to control noise complaints. The County's efforts in the past have focused on compliance though Code Enforcement. The problem is that the code inspectors are not deployed at night and on weekends, when incidents are particularly bothersome. The Sheriff's office gets the calls. Accordingly, the write-up states on part:

To address this gap in service, the Planning and Building Department, Sheriff' Department, and County Counsel created a working group to identify a more effective enforcement process, which is the ordinance introduced today that would be codified under Chapter 7 (Public Peace, Safety and Morals) of County Code. This ordinance amendment would allow both departments (both Code Enforcement and the Sheriff) to work together to address, through a codified enforcement process, properties that habitually receive noise complaints.

There is some contention at this point relative to whether the ordinance should be in effect only at night. A number of residents are complaining about party noise and amplified music during the day time.

TOPIC	ORDINANCE SECTION(S)	PROPOSED AMENDMENT
Unreasonable Noises Prohibited	7.18.010	• Prohibits unreasonable noises in the unincorporated areas of San Luis Obispo. • Defines and provides examples of unreasonable noises. • Sets a time range of prohibited unreasonable noises from 10:00 pm – 7:00 am. • Provides a site distance of one hundred (100) feet from the property upon which unreasonable noise is broadcast.
Exceptions	7.18.020	• Provides exceptions to prohibited unreasonable noises. • Exceptions include noises such as bells, chimes and similar devices for religious purposes or celebrations of public holidays, commercial agriculture operations and duly organized events such as public dances and sporting and entertaining events.
Liability of Property Owner	7.18.030	• Establishes that the property owner is liable for the prohibited unreasonable noises. • Establishes a requirement that the County provide written notice to the property owner if a peace officer or code enforcement officer determines a violation of the ordinance has occurred.

It is curious that the County staff could even consider that they have the power to ban church bells and that such intrusion should ever be the subject of government policy.

Apparently, the issue may have cropped up in the staff research. It will also be interesting to see how they react as Islam spreads into American society and Mosques broadcast the amplified call to prayer 5 times per day.

Item 36 - Any Supervisor may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, Supervisors may request staff to report back to the Board at a subsequent meeting concerning any matter or may request that staff place a matter of business on a future agenda. Any request to place a matter of business for consideration on a future agenda requires the majority vote of the Board.

California Coastal Commission Meeting of Wednesday, April 10, 2024 (Scheduled)

Item W13a - Consistency determination by the United States Space Force to increase Space Exploration Technologies' (SpaceX) Falcon 9 launch and landing activities at Vandenberg Space Force Base (VSFB) from six to 36 per year as well as the addition of offshore landing locations in the Pacific Ocean Vandenberg Space Force Base, Santa Barbara County. Here, the Commission is messing around with both our national security and our commercial use of space economic development program.

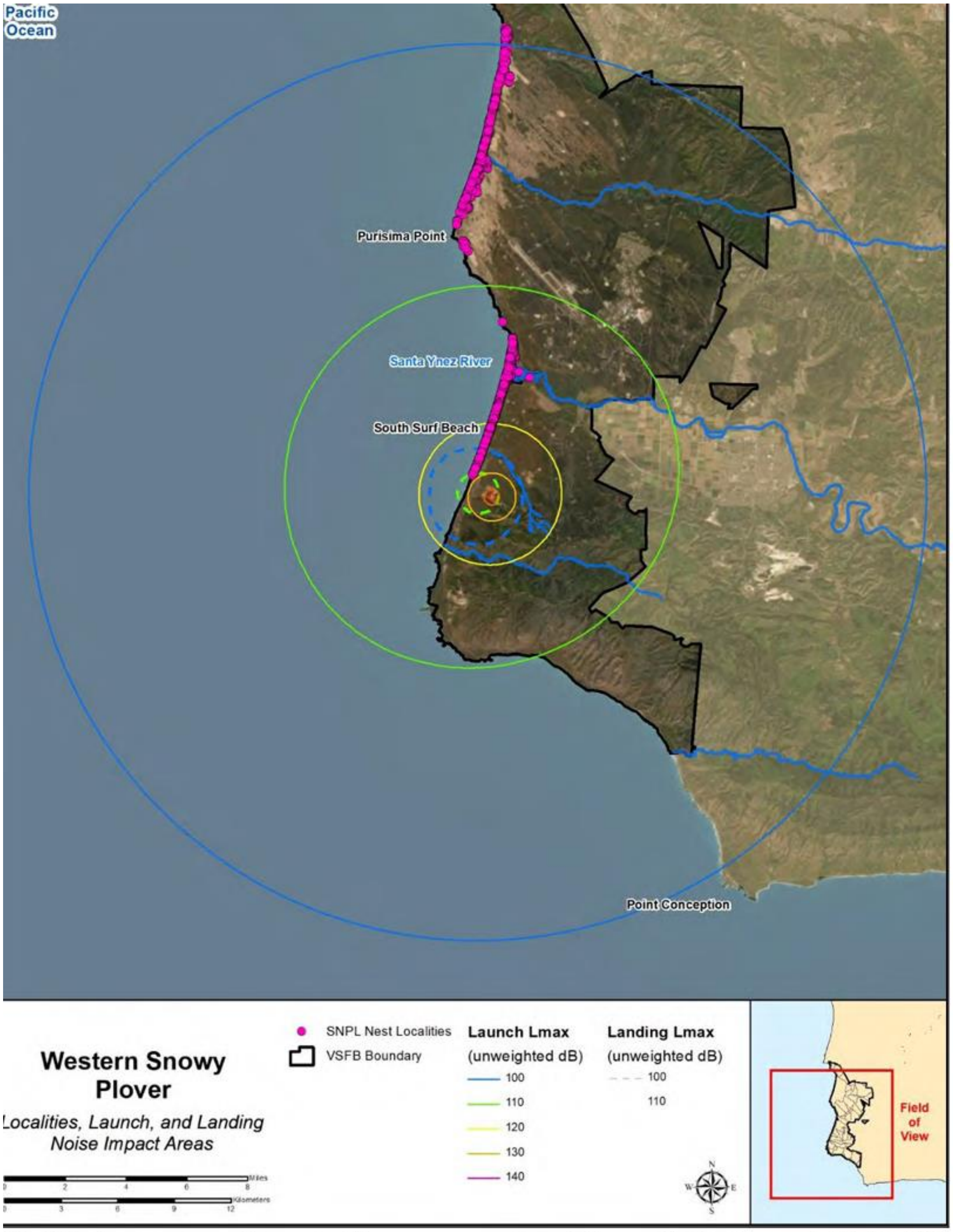
On May 5, 2023, the Executive Director of the Commission concurred1 with a negative determination (Negative Determination No. ND-0009-23) by the Department of the Air Force (DAF), U.S. Space Force for the proposed expansion of the Space Exploration Technologies Corporation's (SpaceX) Falcon 9 space program. The SpaceX program's expansion included increasing launch activities from an existing launch complex at Vandenberg Space Force Base (VSFB) from six to 36 per year as well as carrying out up to 12 landings per year of the rocket's first stage at a second existing launch complex at VSFB, associated payload and rocket processing activities and the addition of offshore landing locations in the Pacific Ocean.

Shortly after the Executive Director's concurrence with DAF's ND-0009-23, Commission staff learned through discussions with staff from Santa Barbara County's Parks and Recreation Department that the number of temporary closures and evacuations of the beach and campground at Jalama Beach due to SpaceX launches within the first seven months of the year had already surpassed the annual maximum that DAF committed not to exceed in its negative determination. Further, Commission staff learned that public coastal access and recreation at Jalama Beach was being affected by more than just the temporary closure and evacuation of the beach and campground.

These adverse impacts to public coastal access and recreation were not described or evaluated by DAF in its negative determination, and thus were also not considered by the Executive Director before issuing her concurrence. In addition, as noted by DAF in its negative determination and confirmed through review of publicly available SpaceX launch records by Commission staff, SpaceX carried out at least 13 launches from VSFB in 2022, more than double the six previously considered and concurred with by the Executive Director in a prior negative determination.

The project would also expose sensitive species to elevated sound levels from launches. DAF has conducted extensive monitoring across VSFB over the past two decades to understand wildlife responses to launch activity and, to date, has found that no adverse impacts have occurred and that significant wildlife populations continue to be present at VSFB despite periodic launch events and elevated sound levels.

The Commission staff has seemingly concluded that the Feds have more Marines than the Commission, so instead of shutting down the site, they have imposed a very elaborated Remedial Action Plan on the Air Force to allow it to continue operating in the near term.



1b. Western snowy plover nesting occurrences and the projected Launch Noise Effec

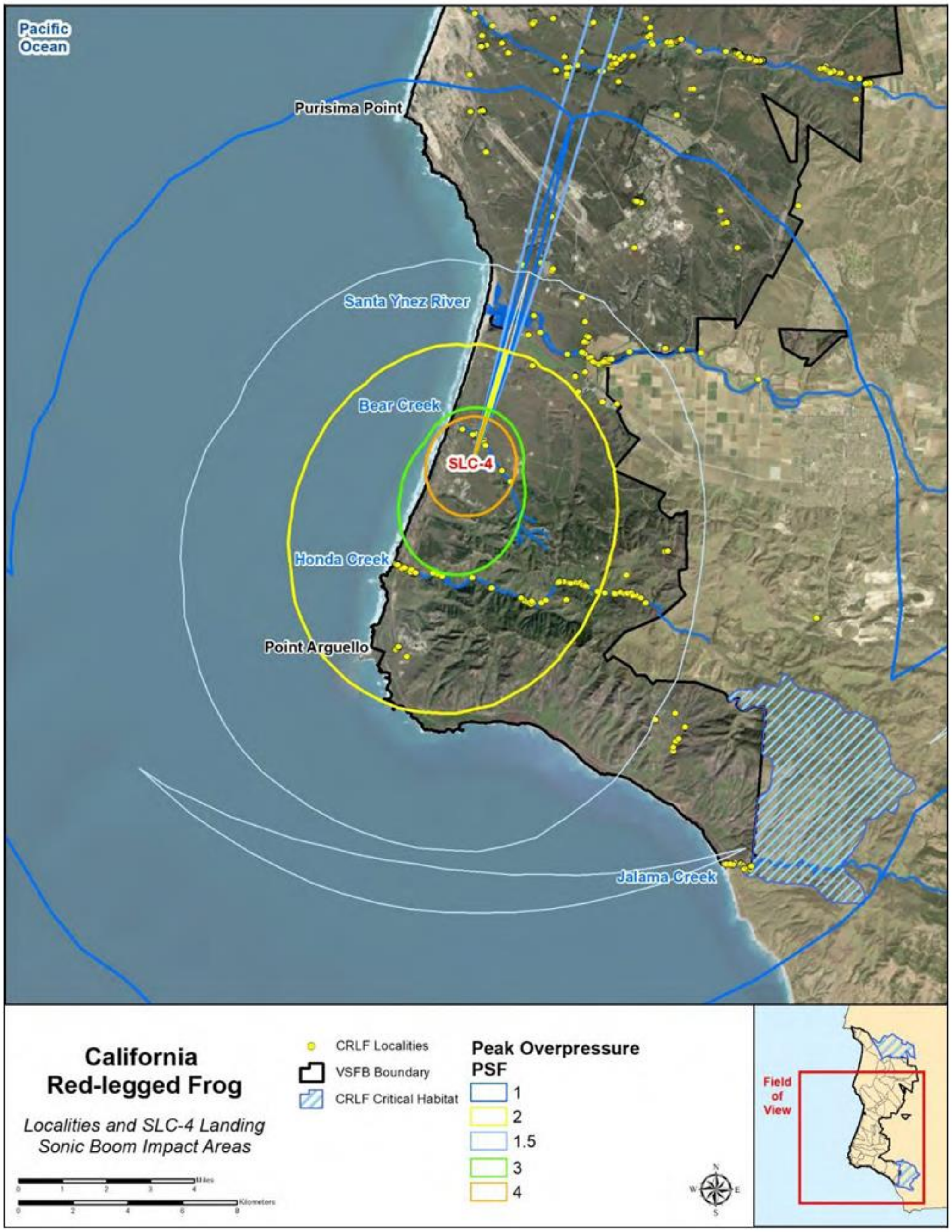


Figure 2c. California red-legged frog occurrences and the projected Sonic Boom Overpressure Effect Area produced during vehicle landing at SLC-4.

Do you suppose the Russians, Chinese, or North Koreans are seeking permits in case they decide to nuke the place? **YOUR'E DEFENSE DOLLARS AT WORK!! – can't wake up the frog.**

Central Coast Community Energy Authority (3CE) Operations Board Meeting of Wednesday April 10, 2024 (Scheduled) 10:30 AM

In General: The Authority continues to maintain the lower cost of the energy component of its bills to consumers**.** The other costs are the same as PG&E. 3CE is able to subsidize this due to its preferential status granted by the California State Legislature. All customers are automatically enrolled, it pays no sales or franchise taxes and has only recently entered the market to purchase energy (relative to the 100 year old utilities), and can thus cherry pick its energy sources. Moreover, PG&E is legally required to transmit its energy, maintain the infrastructure of the system, provide ongoing maintenance and repairs, and thus sustain a large engineering bureaucracy of tens of thousands of employees. In fact, the law requires that PG&E provide all the billing for the 3CE Customers. Most importantly, 3CE has started out without the ability to generate any power whatsoever. While it is buying into new green energy suppliers and battery storage, most of its actual energy comes from PG&E. It achieves its savings by trading renewable energy certificates (RECS) for credit in the grid. While this government-created carve out appears to be working for now, as PG&E amortizes out older costs and obtains new low cost energy contracts, the current 3CE financial advantage gap will narrow.

At some point, someone is going to figure out that the State's expropriation of PG&E's assets was illegal. PG&E is supposedly being compensated for its accumulative past investments though the Power Charge Indifference Adjustment, but the reimbursement is tiny in relation to the value of the system. PG&E hasn't been willing to pick the fight, but any stockholders group, or even a public interest advocacy group, could sue the State and the community choice aggregators such as 3CE

If such a group could win in the US Supreme Court, the member agency cities and counties could be liable for the losses imposed on PG&E as well as any punitive damages for not following Constitutional provision prohibiting government seizure of private property without just compensation - that, by the way, must be timely.

Tiered Rate Plan E-1*

Residential: E-1	PG&E	3Cchoice
Generation Rate ($/kWh)	$0.14202	$0.09100
PG&E Delivery Rate ($/kWh)	$0.20894	$0.20894
PG&E PCIA/FF ($/kWh)	$0.01412	$0.00374
Total Electricity Cost ($/kWh)	$0.36508	$0.30368
Average Monthly Bill ($)	**$143.41**	**$119.29**

Monthly usage: 393 kWh

Item 3 - Regulatory Update. As depicted in the table above, 3CE currently offers 5 cents per kilowatt hour advantage. The regulatory agencies such as the CPUC, California Energy Commission, and the California System Operator (which balances the grid) are all concerned that the CCAs do not have access to enough power. They have to rely on the investor owned utilities. This again raises fairness and legal equity questions.

Accordingly, the CCAs have banded together to fight the regulatory agencies' efforts to compel them to obtain more energy.

Portions of this Regulatory Update Board letter are informative on this issue:

Issue: The Resource Adequacy (RA) program *is the California Public Utilities Commission's (CPUC) main grid reliability planning program. All load serving entities (LSEs) under the CPUC's jurisdiction, including CCAs, must demonstrate purchase of a specified amount of eligible RA generation capacity each month and year to comply with RA program requirements. Increasing demand for and a decreasing supply of eligible RA capacity over the past five years have resulted in sharply increased prices and unprecedented difficulty procuring sufficient RA to achieve compliance. The CPUC has launched a new initiative to enhance the Slice-of-Day (SOD) framework for the Resource Adequacy (RA) compliance period of 2025.*

3CE, in collaboration with CalCCA, our industry association, has been actively contributing comments aimed at enhancing the grid's affordability and reliability. Our feedback has supported the idea of allowing hourly load obligation trading within the SOD framework, granting temporary exemptions from RA penalties during the framework's introduction, incorporating an effective Planning Reserve Margin (PRM) into evaluations, and recommending postponing the SOD framework's launch to 2026 to ensure its smooth implementation.

Furthermore, CalCCA filed a Petition for Writ of Review in October 2023 against the CPUC's denial of a rehearing regarding Resolution E-5258, which suspended expansions of 3CE and Ava Community Energy. On March 22, 2024, the CPUC filed its answer to CalCCA's Petition for Writ. The response continued to maintain the CPUC's disposition that it has unlimited authority to enforce the RA program and penalties.

Provider of Last Resort (POLR) and Emergency Transition Planning - R.21-03-011 Issue

The Provider of Last Resort (POLR) is the backstop entity that provides electric service to customers of a load serving entity if that LSE fails suddenly. Historically the role has—by default—been held by the investor-owned utilities (IOUs, namely Pacific Gas & Electric, Southern California Edison, and San Diego Gas & Electric), but this proceeding is establishing a process to allow CCAs and other non-IOU LSEs to become POLR in their service areas. This proceeding is also considering rules designed to prevent LSE failures that have various implications for 3CE finances and operations. This includes changes to how much money CCAs must post as insurance against their own failure (called the Financial Security Requirement or FSR). 3CE's FSR has been set at $147,000 since 2018, but that amount is likely to increase with the reforms being considered in this proceeding.

Status *The CPUC issued a long overdue Proposed Decision (PD) on FSR changes on March 14, 2024. The PD suggests various changes to the FSR calculation methodology, financial monitoring requirements, and registration process for CCAs. Staff analysis has shown that, if the PD is adopted, the minimum FSR required to post for PG&E will increase from $147,000 to $1.71M. The PD also calls for CCAs to provide audited financial statements twice per year. While the increase in the FSR will not have a significant financial impact and 3CE is amendable to providing financial documentation to the CPUC, staff are advocating for the regulations to remain consistent with existing statutory obligations for CCAs, which call for audited financial statements once annually.*

These paragraphs constitute just a small sample of the complex issues impacting 3CE and the other CCAs

Planning Commission Meeting of Thursday, April 11, 2024 (Scheduled)

Item 10 - Hearing to consider a request by the County of San Luis Obispo for amendments to the Land Use Ordinance (Title 22 of the County Code) and Coastal Zone Land Use Ordinance (Title 23 of the County Code) relating to Cannabis Activities (LRP2023-00013). The proposed amendments include modifying regulations pertaining to expiration of cannabis cultivation permits, hours of operation for non-storefront retail dispensaries, and abatement procedures and cost recovery relating to unpermitted cannabis activities.

On September 26, 2023, the Board of Supervisors ("Board") directed staff to prepare a Cannabis Clean-up Ordinance Amendment. These ordinance amendments include modifying regulations pertaining to expiration of cannabis cultivation permits, hours of operation for non-storefront retail dispensaries, and abatement procedures and cost recovery relating to *unpermitted cannabis activities. Detailed discussion on each of the three Board-directed items is provided in the following section. The modified regulations described are taken from proposed amendments to the Land Use Ordinance, but would be reflected in the respective sections in The Coastal Zone Land Use Ordinance, which are named and would be amended as shown in Attachment 1, Exhibits A and B.*

Expiration of Cannabis Cultivation Permits

Section 22.40.050.B.1 and Section 23.08.418.b(1), pertaining to land use permit expiration, would be modified to allow time for cultivation operations to get up and running before the initial 5-year permit term commences. These modifications are shown in Attachment 1, Exhibits A and B.

Hours of Operation for Non-Storefront Retail Dispensaries

The current ordinance limits mobile delivery hours of operation for dispensaries located in unincorporated areas of the county to occur between 8:00 a.m. and 8:00 p.m., daily. This limitation is inconsistent with State regulations (defined under §15403), which allows for hours of operation between 6:00 a.m. and 10:00 p.m.

Proposed Amendments

Consistent with Board direction, staff recommend amendments to Section 22.40.090.D.3. and 23.08.427.d.(3), pertaining to hours of operation to allow non-storefront retail dispensaries to operate in accordance with §15403 (See Attachment 1, Exhibits A and B). Proposed modifications ensure hours of operation reflect §15403, as updated by the State, rather than indicating the specific hours of operation, because if that section of State code is updated, the ordinance would remain consistent with the limitations set forth therein. This adds flexibility to the ordinance while ensuring consistency with State regulations.

Abatement and Cost Recovery for Unpermitted Cannabis Activities

The intent of these amendments is to allow for the full recovery of costs in the case of immediate abatement of illegal cannabis activities. Current abatement practice is for the Cannabis Compliance Team and Sheriff Department to abate (take illegal plants into custody) on the same day the notice of nuisance and hearing is provided. Since the Cannabis Ordinance was originally adopted, State law has become clearer regarding what is required to recover the costs of immediate abatement. The proposed amendments would ensure that the County may fully recover the costs of immediate abatement in accordance with State law.

LAST WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting on Tuesday, April 2, 2024 (Not scheduled)

Other Agency Meetings in General – It appears that some of the County joint powers agencies are only meeting every other month or even less frequently. Most LAFCO meetings are being cancelled. These agencies have expensive fulltime staffs, and their budgets have expanded over the years. Some agency Board members may reason that by having fewer meetings: their activities will receive less coverage in the COLAB Weekly Update. If they can operate out of view, there is less chance that some of their flawed policies will be questioned.

San Luis Obispo County Council of Governments (SLOCOG) Meeting of Wednesday, April 3, 2024 (Completed)

Item E-3 Vehicle Miles Traveled (VMT) Mitigation Program Study Update. SLOCOG again considered methods to mitigate the State requirements that will prohibit new development or require massive infrastructure taxes and fees for new development to be approved.

In 2013, Senate Bill 743 was signed into law and fundamentally changed the way transportation impacts are analyzed through CEQA. The goals of Senate Bill 743 relate to public health, meeting housing demand through infill development, and reducing greenhouse gas emissions. To encourage this shift, transportation impacts are now determined based on vehicle miles traveled (VMT), rather than traffic congestion. VMT as a metric encourages development in places where trips are short, making the options to walk, bike, or take transit more viable and competitive with driving. As population and employment growth are attracted to these places, the net effect over time is to reduce per-capita VMT and its adverse effects on the environment.

Figure 1: VMT Mitigation Program Options

VMT MITIGATION PROGRAM OPTIONS	BANK	EXCHANGE	IMPACT FEE
	Establishes a "bank" of VMT-reducing projects where an applicant can purchase VMT reduction credits for a fixed price	*Establishes a marketplace that an applicant can fund a specific VMT-reducing project or program from based on its unique price and total VMT reduction*	*Requires an applicant to pay a fee toward a group of VMT-reducing projects*
Source of VMT-reducing Projects	Government agency	Government agency or private party	Government agency
Project Selection Method	Prioritized list of VMT-reducing projects	Government agency or applicant proposed VMT-reducing project	Prioritized list of VMT-reducing projects
Voluntary Participation	Yes	Yes	No
Cost per VMT	Fixed	Varies by project	Fixed based on development location
Mitigation Types	Physical improvements, services, or operations	Physical improvements, services, or operations	Physical improvements

Nothing is going to fix this problem except a massive waking up of the California voters to remove and replace most State elected officials and may local officials. Some of our local officials are resisting the mandate and have helped SLOCOG to work on the mitigations but the basic stack and pack system will remain.

SLO APCD - 2024 Meeting Dates: January 24, 2024 (Elections), May 15 (first budget meeting), June 19 (budget adoption), September 25, and November 13, 2024.

Is it flying under the radar?

EMERGENT ISSUES

Item 1 - A lawsuit challenges $1 billion in federal funding to sustain California's last nuclear power plant. Story by Michael R. Blood, Associated Press April 3, 2024

An environmental group has sued the U.S. Energy Department over its decision to award over $1 billion to help keep California's last nuclear power plant running beyond a planned closure that was set for 2025. The move opens another battlefront in the fight over the future of Diablo Canyon's twin reactors.

Friends of the Earth, in a complaint filed Tuesday in U.S. District Court in Los Angeles, argued that the award to plant operator Pacific Gas & Electric last year was based on an outdated, flawed analysis that failed to recognize the risk of earthquakes or other serious events.

The complaint called the safety assessment "grossly deficient" and accuses the Energy Department of relying on a 50-year-old environmental analysis.

"The environmental impacts from extending the lifespan of this aging power plant at this point in time have not been adequately addressed or disclosed to the public," the complaint said.

An email seeking comment was sent to the Energy Department.

Diablo Canyon lies on a bluff overlooking the Pacific midway between Los Angeles and San Francisco. It began operating in the mid-1980s and supplies up to 9% of the state's electricity on any given day.

in 2016, PG&E, environmental groups and unions representing plant workers agreed to close the facility by 2025. But the Legislature voided the deal in 2022 after Democratic Gov. Gavin Newsom reversed his position and said the power is needed to ward off blackouts as the state transitions to renewables and climate change stresses California's energy system.

Since then, disputes have swirled about the safety of Diablo Canyon's decades-old reactors, whether taxpayers might be saddled with hundreds of millions of dollars in additional costs and even if the electricity is needed in the age of solar and other green energy.

PG&E has long said the twin-domed plant is safe, an assessment endorsed by the Nuclear Regulatory Commission.

The Biden administration approved $1.1 billion in Energy Department funding in January. The financing came through the administration's civil nuclear credit program, which is intended to bail out financially distressed owners or operators of nuclear power reactors as part of the administration's effort to cut planet-warming greenhouse gas emissions in half by 2030 compared with 2005 levels.

PG&E has said it wants to keep the plant open to "ensure statewide electrical reliability and combat climate change" at the direction of the state.

The utility is seeking a 20-year extension of its federal licenses, typical in the industry, but emphasized the state would control how long the plant actually runs. A state judge has conditionally approved a blueprint to keep it operating for an additional five years, until 2030.

California is the birthplace of the modern environmental movement and for decades has had a fraught relationship with nuclear power. The fight over Diablo Canyon is playing out as the long-struggling nuclear industry sees a potential rebirth in the era of global warming. Nuclear power doesn't produce carbon pollution like fossil fuels, but it leaves behind waste that can remain dangerously radioactive for centuries.

Item 2 - California progressives forced to play defense as state faces huge budget deficits

BY DAN WALTERS

IN SUMMARY

Progressive groups in California seemed to be making headway on their agendas in recent years. But now, with the state facing huge budget deficits, those gains are in jeopardy.

A couple of years ago, California's left-leaning interest groups – those seeking a more expansive array of social and medical services to benefit workers and the state's large population of low-income residents – seemed to be making a breakthrough after decades of frustration.

With Gov. Gavin Newsom bragging about a nearly $100 billion state budget surplus, progressive coalitions gained footholds on some long-sought priorities, such as medical coverage for undocumented immigrants, income supports for the working poor and more expansive care and education for preschool children.

That was then and this is now.

The state now faces a monumental budget deficit, in part because the state committed portions of a supposed surplus that never materialized. While Newsom so far has pegged the deficit at $38 billion, state revenues continue to lag behind forecasts and the Legislature's budget analyst, Gabe Petek, says it could top $70 billion.

Moreover, both Newsom's budget department and Petek are warning that annual deficits in the $30 billion range are likely for several years to come.

The harsh fiscal reality not only may doom expansion of the programmatic gains that those on the left championed, but imperil their very existence just as the additional benefits begin kicking in.

In short, it's crunch time for California's progressive activists.

The state's much-changed financial circumstances are reflected in a legislative agenda issued recently by the Building the California Dream Alliance, a coalition of dozens of progressive organizations. Were the state enjoying the huge budget surpluses that Newsom erroneously proclaimed two years ago, the coalition would be proposing new or expanded programs.

Instead, all but a couple of the 28 items on its new agenda would not cost the state budget anything, but rather would affect policies in the private economy, in schools, in courts and in medical care.

One example: Senate Bill 1446 would make it more difficult for retailers to reduce their staffs by installing self-checkout systems.

Meanwhile, another progressive organization, the California Budget and Policy Center, staged a webinar on Tuesday to beat the drums for raising taxes to avoid reductions in social and medical services this year and in following years when additional deficits are anticipated.

The organization says it wants "a California for all where everyone has access to economic opportunity, housing, health care, and other basic needs is possible," adding that "policymakers can achieve this vision by advancing fairer taxation to prevent cuts when there's a budget shortfall like today and build a truly just and equitable California for all."

However, when it came to specifics, the webinar's panel dwelled on raising corporate income taxes by eliminating or reducing some loopholes that the Legislature provided in past years, such as the tax credit for research and development. Panel members also revived a corporate tax overhaul that state Senate leadership proposed last year, but failed to gain any traction.

"We want to make sure revenues are part of the conversation," the organization's tax analyst, Kayla Kitson, said. "We have options."

Corporate taxes are just a fifth of the state's general fund revenues, and even doubling them would fall way short of covering the budget deficit. The big money is to be found in personal income taxes.

Newsom, however, has repeatedly rejected tax increases as a remedy – which is why the Senate corporate tax hike didn't move last year – and a business-backed measure on the November ballot would make increasing state and local taxes even more difficult.

In the absence of a tax increase of some kind, direct or indirect reductions in the programs that progressives and their legislative allies cherish would seem to be inevitable.

Dan Walters has been a journalist for more than 60 years, spending all but a few of those years working for California newspapers. He began his professional career in 1960, at age 16, at the Humboldt Times.

Item 3- Gov. Gavin Newsom: How to Destroy California in Less than 10 Years

The one thing Newsom is good at is destroying the Golden State
By Katy Grimes, March 28, 2024

If I was a "progressive" governor and wanted to destabilize and destroy my state, there are certain policies I would impose, and orders I'd make, while insulating myself from my own policies:

Create a housing shortage.

Cut water off to rural areas in the state; remove dams and hydroelectric plants.

Limit water deliveries to farmers and ranchers.

Raise the minimum wage so high, restaurant owners are forced to lay off employees.

Pass policies killing manufacturing.

Pass policies bolstering a service economy.

Limit energy production to renewable energy only.

Limit gas and oil production creating a shortage, forcing people out of their cars and on to public transportation.

Order all internal combustion cars banned by 2035.

Mandate an all-electric state, including autos and trucks.

Install thousands of floating offshore wind turbines at a cost of $150 billion.

Legalize drugs.

Legalize sex with minors.

Legalize abortion up to baby's birth.

Destroy the public education system by watering down actual disciplines of math and English, while sending your own children to private schools.

Promote affirmative action, racial preferences over merit.

Create fake crises – climate change, reparations.

Infringe on the people's right to keep and bear arms by passing laws which nibble around the edges of the 2nd Amendment, creating defacto gun control.

Stop prosecuting crime.

Decriminalize certain crimes, resulting in emptying out state prisons.

Raise corporate taxes to discourage businesses from expanding.

Raise taxes and fees on public services and energy.

Raise income taxes on all income brackets.

Make it easier for local governments to raise taxes.

Impose a wealth tax.

Impose a death tax.

Force doctors to comply with state medical directives; punish those who refuse to comply.

Allow hundreds of thousands of illegal immigrants into the state.

Provide free health care and welfare payments to illegal immigrants.

Allow illegal immigrants to vote in local elections.

Expand the size of government by hiring hundreds of thousands of state workers.

Create more labor unions jobs by expanding state government.

Encourage public schools to convince kids they are another gender; provide secret counseling to those kids; shelter kids from parents.

Limit media access in Capitol; reward compliant media.

Accept a gift of $3.7 million, 12,000 square foot mansion on 8 acres along the American River in Sacramento, then make $2.7 million tax-free for obtaining a cash-out refinance, and don't report the gift on any financial disclosure forms.

Good job Gavin. You've outdone yourself.

Newsom's policies have expedited the destruction of the most beautiful state; accelerated the declining population through outbound migration resulting in the loss of a congressional seat. He has irreparably harmed California's businesses and once thriving economy starting with his 3 years of Covid lockdowns, which hurt mostly small business owners the most. Newsom more than quadrupled the drug-addicted homeless vagrants living on California streets making cities unlivable. He bolstered labor unions while crushing independent contractors and gig workers. Gavin Newsom increased poverty in California while growing state government.

It's as if Gov. Newsom was very carefully and specifically trained on what it would take to destroy California – the one thing in which he actually excels – that, and feathering his own nest with ill-gotten gains.

Katy Grimes, the Editor in Chief of the California Globe, is a long-time Investigative Journalist covering the California State Capitol, and the co-author of California's War This article first appeared in the California Globe of March 28, 2024.

Item 4 - Bird flu dairy cow outbreak widens in Ohio, Kansas, New Mexico
By Tom Polansek April 4, 2024

CHICAGO, April 4 (Reuters) - Bird flu has infected a dairy herd in Ohio for the first time and was detected in additional herds in Kansas and New Mexico, according to the U.S. government, expanding an outbreak in cows that has raised concerns about possible risks to humans.

The U.S. Department of Agriculture (USDA) has confirmed infections in herds across six states since it first reported cases in Texas and Kansas on March 25.

The infected dairy in Ohio received cows on March 8 from a Texas dairy, which later confirmed a detection of bird flu, the Ohio Department of Agriculture said.
The USDA has said transmission of the disease between cows cannot be ruled out.
The initial cases in Texas and Kansas appear to have been introduced by wild birds, and the strain of the virus in subsequent cases in New Mexico, Michigan and Idaho was very similar, according to USDA.

Migratory birds have spread avian flu around the globe since 2022, infecting poultry and other species.

"In the state of Kansas, all the genetic sequencing data that we can come up with is still indicating it is a spillover event from a wild bird exposure," Kansas Animal Health Commissioner Justin Smith said in an interview on Thursday.
Bird flu has been found in three dairy herds in Kansas, two in New Mexico, seven in Texas and one each in Ohio, Idaho and Michigan, according to USDA.

The spread to an increasing number of species and its widening geographic reach have raised the risks of humans being infected, the head of the World Organization for Animal Health said on Thursday.

Texas officials reported on Monday that a farm worker tested positive, and the only symptom was eye inflammation. The U.S. Centers for Disease Control and Prevention considers the risk of bird flu for humans to be low.

COLAB IN DEPTH

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

GAVIN NEWSOM ONCE BRAGGED OF A SURPLUS, BUT CALIFORNIA IS UNDERWATER

BY EDWARD RING

While finalizing the upcoming fiscal year's state budget back in May 2022, California Governor Gavin Newsom boasted of an extraordinary projected surplus: $97 billion. The governor immediately collaborated with an enthusiastic state legislature to spend it all. Of course, new spending on new programs and benefits tends to become permanent.

This has happened repeatedly in California. Between fiscal year 2012–13 and fiscal year 2022–23 (the year with the projected $97 billion surplus), per capita general-fund spending doubled, from just over $3,000 per resident to just under $6,000. (All figures are in 2022 inflation-adjusted dollars.)

Where did the money go?

The state prison system, for example, increased spending by $3.4 billion (29 percent) over the last ten years. But during the same period, the state-prison population dropped, from 168,000 in 2009 to 96,000 in 2022. California's state prison system in 2022 spent an estimated $159,000 per prisoner.

The spending binge wasn't limited to prisons. The Department of Developmental Services, for example, more than doubled in that span (up 117 percent), while the Departments of Social Services (up 89 percent) and Health Care Services (87 percent) saw similarly large upticks.

The state's education spending was particularly profligate in that ten-year span. Per enrolled student, state community-college spending went from $2,181 to $4,286, California State University spending went from $6,226 to $10,796, and UC System spending went from $13,253 to $18,305. In K–12 public schools, per pupil spending exploded from $8,751 to $13,377.

California taxpayers might ask: "What did we get?" Taxpayers in that ten-year span saw state spending double. Did the state see greater educational attainment? More housing and fewer homeless? Less crime? Anything?

Rather than go down that rabbit hole, consider what's happened since Newsom and his acolytes envisioned such a bright financial future. As columnist and long-time Sacramento observer Dan Walters wrote last October, "within weeks of the budget's adoption in June 2022, revenues started to fall below Newsom's rosy assumptions and he was vetoing spending bills that the Legislature had passed in reaction." Indeed, the governor "presented a 2023–24 budget that dealt with a projected $31.5 billion deficit. Since its passage in June, revenues have continued to fall below estimates."

Revenues have indeed fallen. To cover its expenses, California relies heavily on personal income taxes. Since the technology sector, which dominates the state's economy and provides much of the state's income-tax receipts, is subject to frequent bubbles and corrections, tax revenue often takes a downturn alongside the tech sector. When tax revenue from all sources—individual income tax, corporate tax, sales tax—goes down, surpluses vanish.

The State Office of Legislative Analyst's latest report projects a $73 billion dollar deficit for the next fiscal year. It won't be easy to paper over this debt, but the state may use its opaque accounting system to hide the ball.

California's general-fund budgets are reported on a cash basis. The state's balance sheet, however, uses "accrual-based accounting." Without getting too far into the weeds, this is an apples v. oranges situation. Instead of the algebraic perfection of private-sector income statements, balance sheets, and cash flows, government accounting provides no easy way to reconcile what you see on the budget, or income statement, with what you see on the balance sheet.

Government accounting is therefore more vulnerable to a bookkeeper "cooking the books" than is private-sector corporate accounting. This inherently inconsistent accounting method yields tedious and maddeningly convoluted auditor's reports, which require forensic levels of skill to decipher. This approach overwhelms watchdogs, allowing the state to defer payments, hike debt, and kick the can down the road.

Some watchdogs, however, have succeeded in cracking the code. John Moorlach, one of the only certified public accountants to serve in the California State Senate, just published a review of the state's fiscal health, focusing on the balance sheet. According to Moorlach, California's balance sheet is in trouble.

Moorlach declared in a March California Insider interview that the state "now has the largest unrestricted net deficit in the US: $222 Billion." In plain English, Moorlach is saying that California's state government accounts have liabilities that exceed assets by $222 billion. No matter how creative Newsom and his financial wizards may be, someday that money will have to be paid.

A remedy that California has turned to over the years and will undoubtedly turn to now is to accumulate additional long-term debt. Emulating the federal government, but lacking its dollar-printing ability, California's state and local governments and agencies have racked up over a trillion dollars in debt, primarily in bonds and unfunded pension liabilities. These liabilities, too, must be paid. Since that's all but impossible, the liabilities must be serviced with payments that, just as at the federal level, will eat up more and more of the operating budgets.

The solution to California's fiscal woes won't come from creative accounting or more "stimulative" programs and benefits. The solution is deregulation and cost-effective, practical infrastructure investments, both of which lower the cost of living and create jobs. Such changes will, in turn, make it possible to eliminate or sharply reduce expensive government programs by enabling more Californians to support themselves. Unfortunately, the chances of enacting such reforms—much like Newsom's dreams of state fiscal health—exist only in the realm of fantasy.

This article originally appeared in City Journal on April 3, 2024. Edward Ring is the director of water and energy policy for the California Policy Center, which he co-founded in 2013. Ring is the author of Fixing California: Abundance, Pragmatism, Optimism (2021) and The Abundance Choice: Our Fight for More Water in California (2022).

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San Luis Obispo County
"Your Property – Your Taxes – Our Future"
PO Box 13601 – San Luis Obispo, CA 93406 / Phone: 805.548-0340
Email: colabslo@gmail.com / Website: colabslo.org

MEMBERSHIP APPLICATION

MEMBERSHIP OPTIONS:

General Member: $100 – $249 ❑ $ _______ **Voting Member: $250 - $5,000 ❑ $ _______**

Sustaining Member: $5,000 +❑ $ _______
(Sustaining Membership includes a table of 10 at the Annual Fundraiser Dinner)

General members will receive all COLAB updates and newsletters. Voting privileges are limited to Voting Members and Sustainable Members with one vote per membership.

MEMBER INFORMATION:

Name: ____________________

Company: ____________________

Address: ____________________

City: ____________________ State: ____________ Zip: ____________

Phone: ______________ Fax: ______________ Email: ____________________

How Did You Hear About COLAB?

Radio ❑ Internet ❑ Public Hearing ❑ Friend ❑

COLAB Member(s) /Sponsor(s): ____________________

NON MEMBER DONATION/CONTRIBUTION OPTION:

For those who choose not to join as a member but would like to support COLAB via a contribution/donation.
I would like to contribute $ ____________ to COLAB and my check or credit card information is enclosed/provided.

Donations/Contributions do not require membership though it is encouraged in order to provide updates and information.
Memberships and donation will be kept confidential if that is your preference.
Confidential Donation/Contribution/Membership ❑

PAYMENT METHOD:

Check ❑ Visa ❑ MasterCard ❑ Discover ❑ Amex NOT accepted.

Cardholder Name: ____________________ Signature: ____________________

Card Number:____________________Exp Date: ___/___ Billing Zip Code: ______ CVV:____

TODAY'S DATE: ____________________