

# COLAB

San Luis Obispo County



The Coalition of Labor Agriculture and Business

## WEEKLY UPDATE FEBRUARY 11 - 17, 2024

# CCLAB

San Luis Obispo County



## 15TH ANNUAL DINNER & FUNDRAISER

THURSDAY, MARCH 21, 2024  
MADONNA INN EXPO CENTER

### STRAIGHT SHOOTING FROM OUR SHERIFFS

*The central coast's two most prominent lawmen will team up to enlighten us on the current wave of challenges and opportunities facing law enforcement. The epochal woke assault on justice and behavioral standards combined with budget and staffing limitations underscore the dangerous trend. This will be an undiluted straight shooting forum of major relevance.*

5:00 PM SOCIAL HOUR & OPEN BAR  
6:15 PM FILET MIGNON DINNER & WINE

AUCTION WILL BE HELD AFTER DINNER  
(AUCTIONEER TODD VENTURA)

**\$150/ PERSON**  
**\$1,500/ TABLE (SEATS 10)**



Ian Parkinson, SLO County Sheriff



Bill Brown, SB County Sheriff

For tickets:

On-Line Reservations & Payment can be made at [www.colabslo.org/events.asp](http://www.colabslo.org/events.asp)

or

Mail your check to: COLAB SLO County, PO Box 13601, SLO, CA 93406

Cocktail Attire Optional - More info at (805) 548-0340 or [colabslo@gmail.com](mailto:colabslo@gmail.com)

**THIS WEEK**

**PAGE 4**

**NO BOS MEETING THIS WEEK**

**LAFCO CANCELLED**

**FUNK CAMPAIGN INVOKES A MYSTERIOUS DEBBIE  
WHO ASKS 5<sup>TH</sup> DISTRICT VOTERS TO VOTE FOR FUNK  
(TRICKIFICATION PLAY?)**

**SOME REPUBLICAN VOTERS RECLASSIFIED TO NO PARTY  
(THEY HAVN'T MOVED OR BEEN TO THE DMV EITHER)**

**LAST WEEK**

**PAGE 6**

**BOS MEETING**

**INTRO OF ORDINANCE  
REQUIRING WATER SAVING DEVICES IN LOS OSOS**

**COUNTY FEE INCREASES – THE SELF-FULFILLING  
PROPHECY**

**PLANNING AND BUILDING FEE INCREASES**

**AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR  
(ACTTC), PLANNING AND BUILDING, AND SHERIFF-  
CORONER CANNABIS FEES**

**BOARD MEMBER COMMENTS**

**NOTHING NEW THIS TIME**

**SLO COUNTY COUNCIL OF GOVERNMENTS**

**SLOCOG VOTES 6/5 TO TEST APPETITE FOR 1/2 CENT  
SALES TAX VOTE IN NOVEMBER  
SOME CITIES LEERY AS THEY HAVE THEIR OWN TAXES  
TOO MANY HOGS AT THE TAXPAYER TROUGH**



**LEGISLATIVE PROGRAM PANDERS TO CO<sub>2</sub> REDUCTION, SEA  
LEVEL RISE, AND MULTI-MODAL (BIKES, TRAILS, BUSES, ETC.)**

**PLANNING COMMISSION**

**PERFECT HOTEL SITE SOCIALIZED AS VACANT WEED LOT**

**CALIFORNIA COASTAL COMMISSION**

**NOTHING BAD FOR SLO COUNTY THIS MONTH**

**EMERGENT ISSUES**

**SEE PAGE 24**

**NOW CLIMATEERS WANT YOUR TIRES**

**CALIFORNIA IS HARDLY HARVESTING THE DELUGE  
MILLIONS OF ACRE FEET OF WATER RUNNING TO THE OCEAN**

**BALLOT CONFUSION – OPEN AND CLOSED PRIMARIES  
SOME REPUBLICANS ARBITRARILY LOSING PARTY REGISTRATION**

**BAN ALL PLASTIC SHOPPING BAGS AT GROCERY STORES  
(NOW THE THICKER DISPOSABLE ONES YOU BUY TOO)**

**\$1 BILLION OFFSHORE TAXPAYER FUNDED WIND BOND  
LEGISLATURE TO UP YOUR DEBT AND TAXES TO SUBSIDIZE  
FLOATING WIND TOWER RIPOFF**

**COLAB IN DEPTH  
SEE PAGE 32**

**SIMPLIFY PERMITTING AND UNLEASH  
ENERGY PRODUCTION  
BY ERIC OLSON AND LAUREN AGPOON**

**THE DECADENCE OF IDENTITY POLITICS  
*GENDER STUDIES COMES TO POLICING*  
BY HEATHER MCDONALD**

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

**Integrated Waste Management Authority (IWMA Meeting of Wednesday, February 14,  
2024 (Scheduled)**

**Item 11 - Resolution 2024-02-01: Approval of Mid-Year Budget Adjustment Request  
Recommendation: That your Board adopt Resolution 2024-02-01 Mid-Year Budget  
Adjustment Request to accommodate the County of San Luis Obispo rejoining the IWMA.  
The hot links on the agenda packet to see the detail were dead and would not open. Thus it was  
not possible to see the discussion and recommendation.**

**Local Agency Formation Commission (LAFCO) Meeting of Thursday, February 15, 2024  
(Cancelled)**

**The agency posted a cancellation notice. There was no explanation.**

**5<sup>TH</sup> District Supervisor Political Campaign Invokes a Mysterious Debbie**

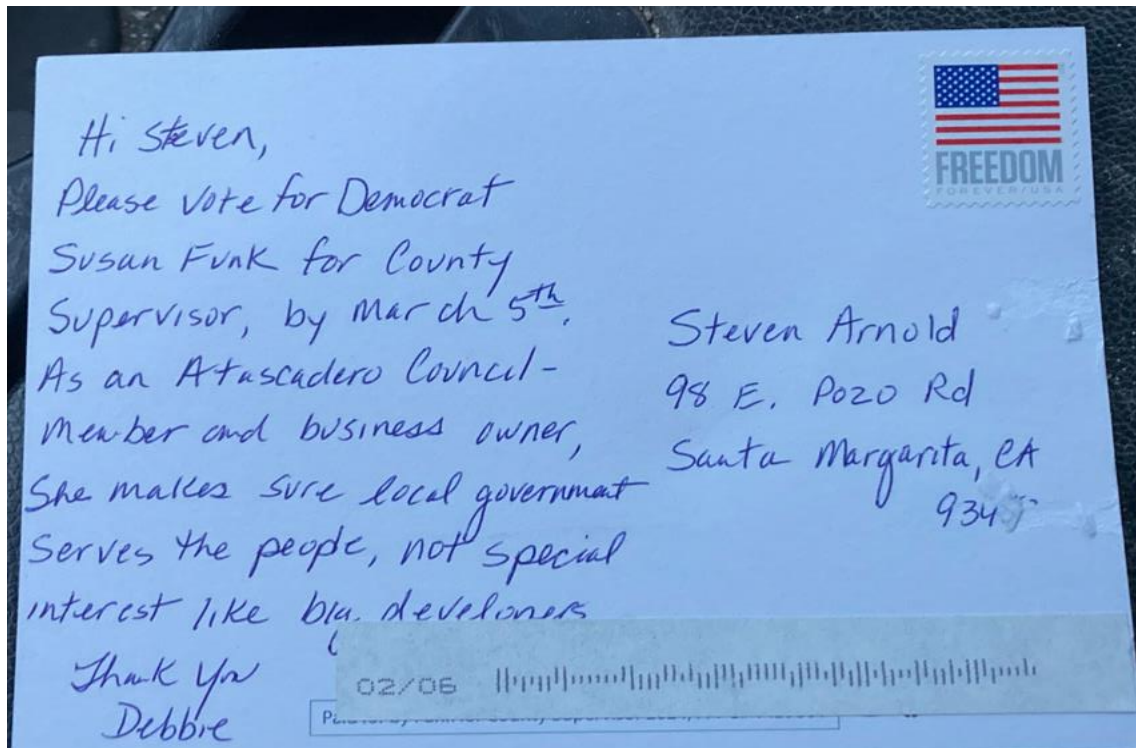
**Item 1 - Susan Funk, who is one of the candidates for the 5<sup>th</sup> Supervisorial District, sent out postcards advertising her candidacy.**



**Front**

The front of the postcard shows the candidate engaging some citizens. The back (see below) asked citizens to vote for Funk and is signed: “*Thank you, Debbie.*” The putative *Debbie* did not sign her last name. Since the current Supervisor is Debbie Arnold, who is the *Debbie* who endorsed Funk?

Could this be more than a coincidence? Is the campaign attempting to portray Arnold as a supporter of Funk? We bet Steve Arnold was surprised. Who is the mysterious Debbie?



**Back**

**Item 2 - Republican voters receiving County postcard declaring they are not registered in the Republican Party.** Some Republican voters have been receiving County Election Office postcards claiming they have no partisan registration. These are people who have not moved and not been to the Department of Motor Vehicles which seems to change people's status unknowingly. If this has happened to you, you will not be able to vote in the Republican primary in March. You will have to re-register. Also, please notify Debbie Arnold's office at 805) 781-4339 so the Board can determine the extent and cause of this error. See the related article in Emergent Issues on page 27.

## LAST WEEK'S HIGHLIGHTS

### Board of Supervisors Meeting of Tuesday, February 6, 2024 (Completed)

**Item 1 - Introduction of a request by the County of San Luis Obispo (LRP2022-00004) to amend Title 8 of the County Code (the Health and Sanitation Ordinance) and Title 19 of the County Code (the Building and Construction Ordinance) to update the plumbing fixture requirements for the water offset programs within the Los Osos Groundwater Basin Plan Area. Exempt from CEQA. Hearing date set for February 27, 2024.**

**EARLY WARNING:** This item set a hearing for February 27, when the Board will consider ordinance amendments requiring a variety of water saving devices in Los Osos. These would be required for any renovations or new construction. Showerheads, low flow toilets, sink aerators, and clothes washers will all have new restrictions. The installations will be subject to verification inspections by County personnel. There is controversy building in regard to the ordinance.

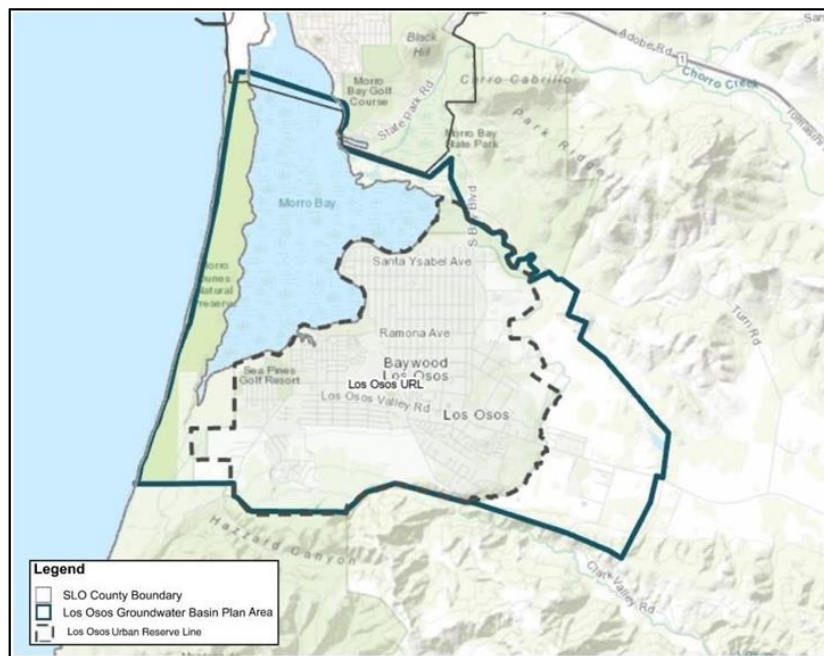


Figure A. Los Osos Groundwater Basin Plan Area Boundary, not to scale.

## Fee Increases in General - Items 24 and 25 Below:

**Item 24**, below, pertained to Planning and Development fees. The issue was deferred from the overall fee adoption hearing in December. Supervisor Ortiz-Legg had questions regarding some of the administrative overhead fees. **Item 25** pertained to fees for permitting various types of cannabis projects.

### **Background: County fee increases - the self-fulfilling prophecy**

A second dose of the annual County's annual fee increase ritual was heard during Tuesday's Board of Supervisors meeting. The County negotiates higher salaries and then pleads the need to raise the fees to cover some or all of the cost. Meanwhile, your one-lot subdivision takes 2 years and \$50,000 in fees, as well as your own applicant costs for engineers, architects, environmental experts, and a Native American monitor.

The underlying theory is that users of government services that do not benefit the public at large should pay for them so as not to consume tax supported services, which benefit everyone. Accordingly, citizens should pay fees for services such as public golf courses, beach parking, airport operations, document filing, hunting and fishing licenses, gun licenses, and hundreds more.

On the other hand, services such as policing, fire protection and suppression, public prosecution and defense of criminals, jail, snow plowing, some health services, social services, and public education are regarded as beneficial to the entire society and are largely covered by taxes.

There is a gray area in between, where services such as flu shots, local parks, libraries, etc., are often funded by both taxes and fees. These often are set on a graduated basis to subsidize the poor.

Public transit was once entirely supported by charges, but it has now become mostly subsidized by general taxes and the rip off of gas taxes. Roads are funded by a combination of general taxes, user charges, excise taxes, and tolls.

The underlying problematic historical trend is the evolution of local government regulation from tax supported to fee and excise tax supported over the past 70 years. Originally, governments viewed land development, agricultural expansion, and commerce as beneficial. But as so-called safety, zoning, and aesthetic regulations expanded massively, academics and public administrators preached the gospel that "users" should pay the costs of being regulated. [ , t ] That is permitted.

This theory has been exponentially expanded under the regime of environmentalism in recent decades through the California Environmental Quality Act (CEQA), CO<sub>2</sub> reduction mandates, and bias against the conversion of land to suburban development. That bias has resulted in the stack-and-pack scheme, which in turn has generated thousands of banal box-like 3- and 4-story apartment and condo buildings next to highways and railroads throughout the state.

The housing crisis, permanent homelessness, and the decline of the family are all major destructive bi-products.

**The underlying problems include:**

- **There are too many regulations.**
- **The regulations are horribly complicated and subjective.**
- **The cost of administering the regulations is too high, due to featherbedded processes and government unions controlling the government bodies that determine the efficiency, velocity, and cost of the regulations.**
- **Bias against development by college educated bureaucrats who have been brainwashed by the leftist industrial complex at university planning schools.**
- **NIMBY elites.**
- **Powerful elitist environmental groups who contribute to political campaigns on the one hand and sue over development decisions on the other.**

The key operative departments include the Ag Commissioner, Planning and Development, Public Works, Fire, and the Environmental Health Division of the Public Health Department. The County Counsel's office is an underlying controller, secretly advising the others in the name of liability prevention.

Once again, the Board should stop the dance and require the subject departments to demonstrate in public the process and cost for key components, such as a minor use permit, building permit, or well permit. These should be done in flow chart format, with the time and price of each step documented.

Since most plans are produced and stamped by licensed architects and engineers, backed up by other subject specific experts, how does the County, using liberal arts planners, public administrators, and environmentalists, actually have the expertise to judge a project? It does this by setting up its own subjective regulatory scheme under which the applicant can be treated arbitrarily and must play regulatory roulette while the game board is constantly manipulated.

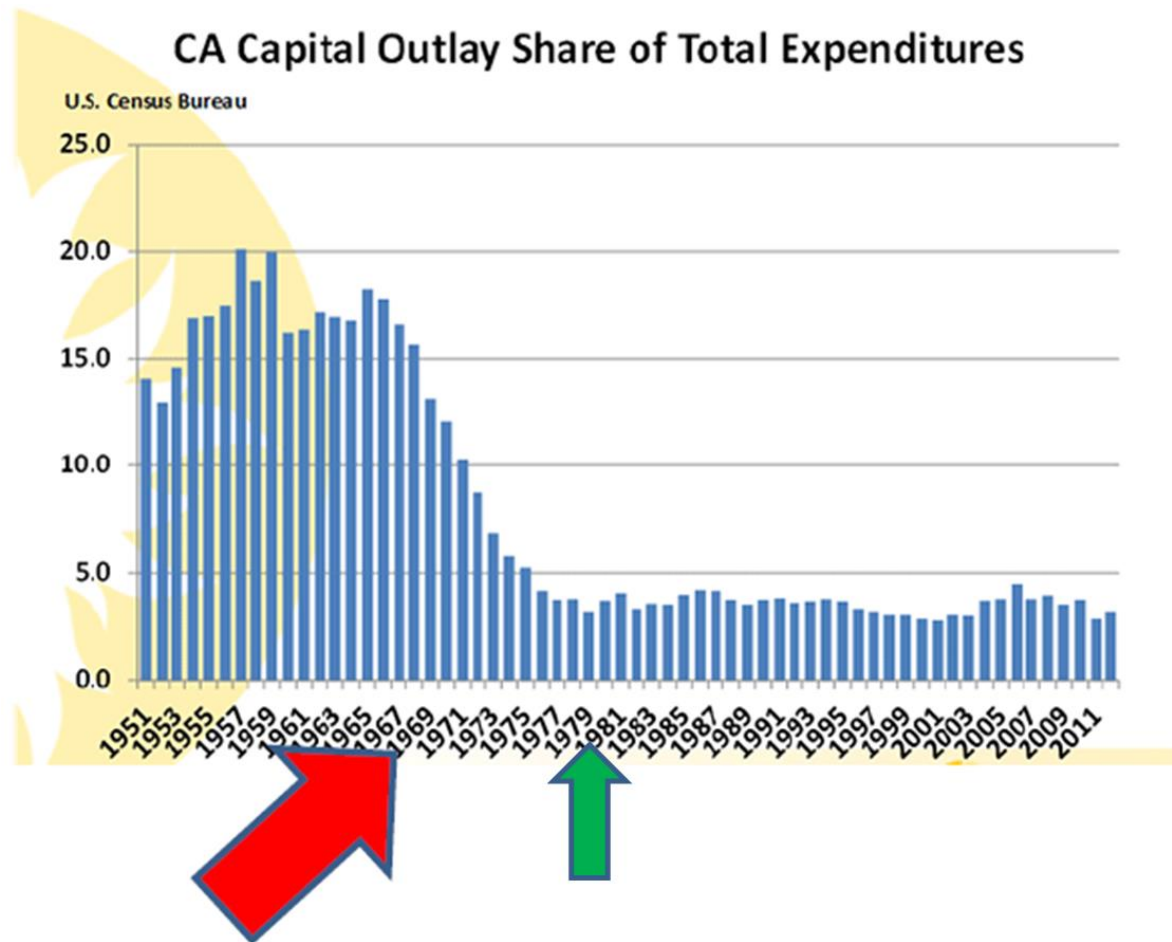
Why not try a fair game? A project that is in the proper zone will automatically be approved within no later than 90 days, unless the County can document actual violation of public health and safety.

**The funding trap: Taxes, Fees, Exactions, and the Hidden Tax for Applicant Processing Experts.** As noted above, the permitting process has become far too complex and onerous. Over the decades this has led to cities and counties having to employ an ever increasing number and variety of professional experts to interpret and manage the process. Environmental groups and affluent NIMBY elites have added complexity and costs through state mandates such as CEQA, the Coastal Act, carbon reduction mandates, affordable housing mandates, and removal of vast tracts of land from eligibility to be developed forever.



Exactions (called fees, but really a tax on development) are justified as being necessary to fund infrastructure development related to the new development.

By the early 1970's it became apparent that basic taxes would not be available to cover permitting costs and exactions, as the introduction of public employee collective bargaining began to exponentially eat up local government general revenue sources, such as the property tax, sales tax, and hotel tax. Tax-and-spenders often attempt to attribute this major structural change to Proposition 13; however, as the chart below demonstrates, the damage had been done well before Proposition 13 and its follow-on legislation, AB8, took effect. Funding that had once gone to infrastructure now went to employee salaries and benefits. The chart demonstrates the history of capital expenditures in budgets for all California governments.



The red arrow points to the year when government unions began to bargain for wages, benefits, and conditions of work. Proposition 13 passed in 1978 and was implemented in 1980.

**Sample permitting fees for a typical ADU or a Single family Home on the next Page below:**

**HOW MUCH WILL IT COST TO PROCESS MY RESIDENTIAL CONSTRUCTION PERMIT?**

The fees for construction permits are set by the county fee ordinance each year. They are based on the cost of processing your application. Fees vary depending on the size and type of construction proposed. This brochure will give you a general estimate of costs for typical single family residences that do not need special planning, coastal, flood hazard, or other reviews. If you wish a more accurate estimate, or fees for other project types, please call the Dept. of Planning and Building at (805) 781-5600 and ask for a Land Use Technician.

Sub-Permit <sup>(1)</sup>	FEE
Septic	\$774
Minor Grading	\$616

(1) Sub-permits for minor grading and septic systems for new structures are linked to the building permit. Stand-Alone permit fees may vary.

Grading Permit <sup>(2, 3)</sup>	FEE
51 to 5,000 cubic yds and <10% slope	\$1,649 <sup>(4, 5)</sup>
Major Grading with Environmental Exemption	\$4,642 <sup>(4, 5)</sup>
Major Grading with Negative Declaration	\$9,740 <sup>(4, 5)</sup>

(2) Grading over 50 cubic yards of material requires a grading permit (cut plus fill).  
 (3) Major Grading is defined as:  
 • greater than 1 acre disturbance, and/or  
 • grading on slopes greater than 10%, and/or  
 • more than 5,000 cubic yards.  
 (4) NPDES fees for disturbance > 1 acre - add \$929 for < 5,000 cubic yds or add \$1,452 for > 5,000 cubic yds.  
 (5) Retaining Wall fee - add \$436 per Engineered retaining wall add \$339 per Non-Engineered retaining wall.

FEE CATEGORY	TYPE OF FEE	ACCESSORY DWELLING UNIT				SINGLE FAMILY DWELLING			MANUFACTURED HOME <sup>(6, 7)</sup>	
		500 sf ADU	750 sf ADU	1,200 sf ADU 500 sf Garage 200 sf Porch	1,500 sf SFD 450 sf Garage 200 sf Porch	2,500 sf SFD 550 sf Garage 200 sf Porch	3,500 sf SFD 650 sf Garage 200 sf Porch	GUEST HOUSE 600 sq ft <sup>(8)</sup>	ADU 1,200 SF	SFD 1,200 SF
Building Division	Inspection Fees	\$445	\$667	\$1,691	\$1,914	\$2,893	\$3,872	\$534	\$1,541	\$1,541
	Plan Check Fee	\$640	\$959	\$2,432	\$2,752	\$4,160	\$5,568	\$768	\$224	\$224
	Well Potability Test (discount if on community water)	\$224	\$224	\$224	\$224	\$224	\$224	\$224	\$224	\$224
Public Works	Intake, Review	\$317	\$317	\$317	\$317	\$317	\$317	\$317	\$317	\$317
Cal Fire	Fire Plan (County Fire Response Area)	\$637	\$637	\$637	\$637	\$637	\$637	\$637	\$637	\$637
County	Public Facilities Fees Applied to all Primary Dwellings and to ADU ≥ 750 sf	---	\$2,515	\$2,515	\$6,309	\$6,309	\$6,309	---	\$2,515	\$6,309
	BSAF (Bldg Standards - Fire Component)	---	\$1,065	\$1,065	\$2,407	\$2,407	\$2,407	---	\$1,065	\$2,407
CWMP	Recycling	\$203	\$203	\$203	\$203	\$203	\$203	\$203	---	---
State Fees	SMIP Tax (Earthquake)	\$10	\$15	\$38	\$43	\$64	\$86	\$12	\$10	\$10
	BSAF (Bldg Standards)	\$4	\$4	\$11	\$12	\$19	\$26	\$4	\$3	\$3
Planning Division	Zoning Review	\$199	\$199	\$199	\$199	\$199	\$199	\$199	\$199	\$199
	Addressing	\$261	\$261	\$261	\$261	\$261	\$261	---	\$261	\$261
Growth Mgmt	Allocation	---	---	---	\$32	\$32	\$32	---	---	\$32
Other Services	Technology Surcharge	\$133	\$174	\$364	\$407	\$589	\$770	\$130	\$123	\$126
Estimated Fees *		\$3,073	\$7,241	\$9,958	\$15,717	\$18,314	\$20,911	\$3,028	\$6,925	\$12,095
	Estimated First installment due when submitting application	\$2,278	\$2,597	\$4,070	\$4,422	\$5,830	\$7,238	\$2,145	\$1,638	\$1,670

(6) Pre-1976 Manufactured Homes also require a Minor Use Permit. The fee is \$2,205 and requires a hearing that takes approx. 4 to 6 months to process.  
 (7) Manufactured Home plan check and inspection fees combined under fixed fees (MH - Double Wide, Electrical Service New, Gas Systems)  
 (8) No kitchen/laundry.

\* Approximate permit cost is for all Planning, Building Plan Review, Inspection, Public Works Review, and Fire Agency reviews. Projects in different areas of the County may be subject to other fees specific only to that area or district.

Revised 03/08/2017

**Other permitting fees:**

**ADDITIONAL FEES**

County Public Works (781-5252)	FEE
Stormwater Review	\$363 + C&I Agreement
Curb, Gutter, & Sidewalk	\$654 + Deposit + C&I Agreement
Flood Hazard Review	\$487
Encroachment (Driveway)	\$1,170
Encroachment (Utility)	\$654
Encroachment (General)	\$538
Road Fees	Fee Varies

School Fees	FEE
Paid to the school district in which your project is located. Proof of payment required at time of permit issuance.	\$4.50 per sq. ft. (Approximate for residential development)

**OTHER COSTS**

Water and Sewer Hook-up	FEE
Check with your Community Service District for water and sewer hook-up fees.	Fees vary by CSD. May be up to, or exceed, \$20,000.

**WATER USE OFFSET FEES**

Nipomo Mesa (NMWCA)	COST
Single Family Dwelling	\$3,290
Accessory Dwelling Unit	\$1,645
Guest House	\$553

**REMODELS AND ADDITIONS**

Square Footage	COST
<1,000 sf	Fees vary by scope of work.
1,000 sf	\$3,748
1,500 sf	\$4,928
2,000 sf	\$6,108

Structure	Square Footage	*Approx. Cost
Carport (no electrical)	up to 499 sf	\$1,183
	499 sf	\$2,136
	1,000 sf	\$4,163
	3,000 sf	\$9,714
Barn/Garage	5,000 sf	\$15,265
	1,000 sf	\$3,960
	3,000 sf	\$9,510
Pre-Manufactured Ag Building	5,000 sf	\$15,062
	1 Balcony/Deck	\$842
Balcony/Decks	2 Balcony/Decks	\$1,249
	Covered Porch	1 Covered Porch (< 300 sf)
1 Covered Porch (300+ sf)		\$1,349
2 Covered Porches (<300 sf)		\$1,227
2 Covered Porches (300+ sf)		\$1,745
Swimming Pool and Spa		1 Pool/Spa

Scanning Fee	FEE
Scanning Surcharge for Building plan submitted via hard copy.	\$348

**SEPARATE SUBMITTALS**

Renewable Energy	COST
Roof Mount	\$451
Ground Mounts	\$451
Energy Storage System for Existing PV	\$451
Energy Storage System (NO for Existing PV)	\$497
EV Chargers	\$262

Fire Suppression	COST
Fire Sprinklers	\$397

**EXPRESS PERMIT COSTS**

(Online permits are restricted to CA Licensed Contractors only and only in zones classified RMF, RR, RS, and RSF.)

Repair Type	COST
Add / Repair Electrical	\$262
Electrical Panel Replacement (200 Amps Max; No Relocation)	\$324
Forced Air Unit Replacement (Air Conditioning)	\$366
Forced Air Unit Replacement (Heating)	\$304
Interior DWV Repair	\$336
Residential Microinverter	\$304
Wall Covering Repair	\$304
Water Heater Replacement	\$262
Water Piping Repair or Replacement	\$262

Online permits are restricted to CA Licensed Contractors only.

Contractor License Verification is required before applying for first Express Permit.

This guide is designed to provide general information only. It is not a county ordinance or policy and has no legal effect. The county fee ordinance determines the actual cost of processing applications.

If you have questions about your fees, please call (805)781-5600 and ask for a Land Use Tech.

**A USER'S GUIDE TO:**

**RESIDENTIAL PERMIT FEES**



SAN LUIS OBISPO COUNTY  
 DEPARTMENT OF PLANNING AND BUILDING  
 COUNTY GOVERNMENT CENTER  
 SAN LUIS OBISPO, CA 93408  
 (805) 781-5600  
 WWW.SLOPLANNING.ORG

\* Approximate permit cost is for all Planning, Building Plan Review, Inspection, Public Works Review, and Fire Agency reviews. Projects in different areas of the County may be subject to other fees specific only to that area or district.

Revised 03/08/2017

**Don't forget public facilities fees:**

2023 PUBLIC FACILITIES FEES						
ADJUSTED	RESIDENTIAL (per unit)			NON-RESIDENTIAL (per 1000 Sq')		
Fee Category	Single Family	Multi-Family	Commercial	Office	Industrial	
Parks	\$ 2,737	\$ 1,925	-	-	-	
Sheriff	\$ 807	\$ 561	\$ 284	\$ 631	\$ 203	
General Gov't	\$ 1,209	\$ 842	\$ 426	\$ 945	\$ 303	
Fire	\$ 2,359	\$ 1,640	\$ 832	\$ 1,844	\$ 594	
Library	\$ 811	\$ 581	\$ 82	\$ 183	\$ 59	
Admin Fee 2.0%	\$ 158	\$ 111	\$ 32	\$ 72	\$ 23	
<b>Total Fees</b>	<b>\$ 8,081</b>	<b>\$ 5,660</b>	<b>\$ 1,656</b>	<b>\$ 3,675</b>	<b>\$ 1,182</b>	

**Or Road Fees:**

Fee Area	Sent to Advisory Council	Proposed Fee (Effective March 1, 2024)			Account Balance As of 7/1/22	No. of Permits Subject to Road Fees	Fees Received	Interest	Expenses	Account Balance As of 6/30/23	Major Work Effort
		Residential (Per pht)	Retail (Per pht)	Other (Per pht)							
Estero Bay	Nov-23	\$ 3,822	\$ 3,822	\$ 3,822	\$ 80,016	3	\$ 6,691	\$ 1,467	\$ 403	\$ 87,772	LOVR Corridor Plan
Avila	Nov-23	\$ 12,032	\$ 12,032	\$ 12,032	\$ 780,449	6	\$ 121,683	\$ 14,093	\$ 13,497	\$ 902,727	Avila Beach Drive Interchange
North Coast	Area A	\$ 615	\$ 306	\$ 471	\$ 41,894	1	\$ 1,056	\$ 729	\$ 403	\$ 43,276	N/A
	Area B	\$ 1,158	\$ 306	\$ 471							
	Area C	\$ 1,480	\$ 306	\$ 471							
	Area D	\$ 683	\$ 306	\$ 471							
	Area E	\$ 329	\$ 306	\$ 471							
San Miguel	Nov-23	\$ 7,060	\$ 7,060	\$ 7,060	\$ 1,029,252	9	\$ 37,114	\$ 17,867	\$ 403	\$ 1,083,830	N/A
South County	Area 1	\$ 14,025	\$ 3,895	\$ 5,993	\$ 1,453,455	24	\$ 291,690	\$ 28,128	\$ 11,731	\$ 1,761,542	Mesa @ Tefft Signalization
	Area 2	\$ 11,733	\$ 5,300	\$ 8,154	\$ 3,557,109	19	\$ 244,832	\$ 61,818	\$ 151,514	\$ 3,712,245	Los Berros Road Widening
Templeton	Area A/B	\$ 9,881	\$ 9,881	\$ 9,881	\$ 320,254	19	\$ 230,812	\$ 4,290	\$ 374,342	\$ 181,014	Vineyard Corridor Plan
	Area C	\$ 9,881	\$ 9,881	\$ 9,881	\$ 2,076,218		\$ 1,557	\$ 35,631	\$ 5,174	\$ 2,108,233	
State Route 227	n/a	Fees Calculated per Individual Projects			\$ 465,304	14	\$ 53,432	\$ 8,592	\$ -	\$ 527,329	N/A

**Or other exaction fees.**

See Footnotes 1, 3, 4, 5, 38, 39 and specific notes cited for individual items

Fee Code	Fee Description	Amount	Footnotes and Comments
U01A U01B	Affordable Housing - In-Lieu Fee **		See Title 29. Changes made in separate report to Board of Supervisors.
U02A U02B	Affordable Housing - Impact Fee **		See Title 29. Changes made in separate report to Board of Supervisors.
WA01	Offset Clearance (Agricultural) - Paso Robles GWB	\$ 531.00	See Title 22.
Z11	Lodge Hill Erosion Control / Forest Mangement	\$ 400.00	See Footnote 30 set by ordinance.
WN1A	Offset - Nipomo Mesa Water Conservation Area	\$ 13.16 per daily gallon	See Title 19.
WN1B	Offset - Nipomo Mesa Water Conservation Area - Admin	\$ 200.00	See Title 19.
W01A	Offset - Paso Robles Groundwater Basin	\$ 13.14 per daily gallon	See Title 19.
W01B	Offset - Paso Robles Groundwater Basin - Admin	\$ 119.00	See Title 19.
T40	Parkland Fee (Quimby Fee) - Residential Multiple Family	\$ 705.00 per dwelling unit	See Footnote 33 set by General Svcs.
T42	Parkland Fee (Quimby Fee) - Residential Single Family	\$ 926.00 per dwelling unit	See Footnote 33 set by General Svcs.
	Public Facility Fees		See Footnote 32 set by Board of Supervisors.
	Technology Surcharge	6% of applicable fees	The surcharge will be added to all services and permits that the Department of Planning and Building provides

\*\* This fee was repealed effective July 7, 2022

**Item 24 - Hearing to consider an ordinance implementing Planning and Building Fees in the County Fee Schedule “B” for Fiscal Year 2024-25.** The Board adopted the fee increases on a 3/2 vote, with Arnold and Peschong dissenting. There was considerable discussion and debate. Supervisor Ortiz-Legg argued that some of the overhead fee increases be rejected. The Board did agree to reduce the proposed 30% increase for the administrative overhead fee to 20%. The staff must have listened to her when she objected to the initial study deposit and came back with a lower formula.

**Background:** The permitting fees are detailed below. When the Board considered fee increases back in November, Planning and Development fees were deferred to a future meeting due to various questions about redundancy. These included the Initial Study Fee, the 30% Fee for Contract Management, and the Technology Fee. These are actually fees on fees, in that they are assessed on top of the actual fees charged for permit processing. They cover “overhead” costs. Remember that overhead fees for utilities, building maintenance, support from other departments, and so forth are already charged through the “annual cost allocation plan.” Planning is charged about \$2.9 million in overhead by this internal transfer. The staff report defends the three fees and recommends that the Board adopt them as well as the rest of the P&B proposed fees. The overall impact is a 21% increase for 2023 to 2024.

The staff has returned with arguments for maintaining the overhead fees, including the Technology Fee, Contract Management Fee, and Initial Study Fee. Excerpts are listed below:

*Initial Study Deposit FY 2022-23 was the first fiscal year that the Department’s new Fee Structure was in place. The key change was the separation of Environmental Review fees from Land Use Permit fees. Since this new Fee Structure was in place, staff have been able to use actual data to reevaluate several fees for the proposed FY 2024-25 fee schedule. As a result of this effort, staff updated several time and motion studies to reflect more accurately how applications are currently processed. One of these updates resulted in an increase to the deposit for Environmental Initial Studies (indicated as “Environmental - Initial Study Fee (deposit)).*

**30% Administrative Fee for Contract Management** - In the Planning Division, outside consultants are primarily used for the following: • When the Department lacks the in-house expertise Examples of this include Environmental Impact Reports (EIRs), expanded Initial Studies, and peer reviews of technical studies (archaeology, biology, geology), and legal lot

verification for certificates of compliance. • To balance workload Due to staff vacancies and the experience level of our planners, we will rely on consultant services to write staff reports, including findings and conditions, prepare environmental documents (e.g., initial studies), and present at hearings. As far as case types, this includes general plans amendments, minor use permits, conditional use permits, initial studies, and subdivisions. The Department has the expertise to process this work but, given staff vacancies and experience level, it would result in substantially longer processing times.

This one is apparently separate and on top of the one above.

**The Administrative Fee** covers department staff time (of various classifications) associated with the following:

- Procurement of Professional Service Contracts, including but not limited to obtaining cost estimates from consultants.
- Preparing and reviewing contracts for services with internal and external staff, including Counsel.
- Coordinating the final execution of contracts and amendments to appropriate parties.
- Coordinating and preparing the staff reports for contracts that need Board approval. This includes staff time to review the Board item and for staff to add this item to the Board's agenda.
- Managing and tracking contract limits on Purchase Orders which includes the creation of new purchase orders and changing existing purchase orders based on changes in project scope and contract amendments.
- Creating and reconciling the Environmental Trust Accounts which includes working with applicants to request additional funds, where applicable.

• County-Wide Overhead costs which include services provided by County Counsel and the ACTTCPA and other services provided by the County.

**COLAB Note: Is this one due to the County Cost Plan \$1.9 million charged to Planning.**

• Department Overhead to cover the indirect costs that aren't directly billed to the applicant, which includes the Records Management team's time for the planning and coordination of all of our Department's Hearing Bodies, including the Planning Commission and other Management staff time that is not directly billed to the applicant, as well as the carrying cost of consultant invoices.

**Technology Fee** - The Department's Fee Schedule also includes a Technology Surcharge to support the cost of staff to manage EnerGov/PermitSLO, the County's permit tracking software system, and to pay for technology upgrades and replacement. The technology fee will be assessed at 8.6% (up from 7.6% from the prior fiscal year) of the total permit fee. The increase is primarily due to increases in Salaries and Employee Benefits and Consumer Price Index (CPI) increases. EnerGov is the system used to process land use and building permits, as well as being the system of record for land use and building permits. Through EnerGov, the Department can offer online options for submitting permit applications, applicants can monitor the progress of permits and the public can access records in real time and submit suspected code violations. As the ability to issue and track permits is a requirement of land use and construction agencies, it is critical that the Department has a technology solution that is accurate, reliable and supports the public's interest in self-service, online submittal, electronic review, and corrections, as well as provides access to publicly available records.

**And you thought automation should make things faster, better, and less costly:**

**Planning and Building - Fund Center 142**

Planning and Building provides land use planning, development and permit review, and resource management and monitoring for the unincorporated areas of the county.

Board Discretion Type	Current total	Recommended Changes					New total	Fees at full cost recovery
		Unchanged	Increasing	Decreasing	New	Deleted		
Full	241	35	179	15	10	12	239	218
Partial	0	0	0	0	0	0	0	0
None	5	5	0	0	0	0	5	1
<b>Total</b>	<b>246</b>	<b>40</b>	<b>179</b>	<b>15</b>	<b>10</b>	<b>12</b>	<b>244</b>	<b>219</b>

Proposed Fee Changes				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	Explanation
1002	Agricultural Offset Clearance Fee - Water Duty Factor - RTB Deposit	-	\$3,570	New
1005	Agricultural Preserve - Notice of Full Non-Renewal	-	\$754	New
1004	Agricultural Preserve - Contract Cancellation and/or Preserve Disestablish - RTB Deposit	-	\$3,856	New
24041	Scanning surcharge for Building Commercial Plan submitted via hard copy	-	\$207	New
24042	Scanning surcharge for Building Residential Plan submitted via hard copy	-	\$102	New (fee consolidation)
21004	Electrical Service, New / Meter Replacement	-	\$347.00	New (fee consolidation)
21009	Generator / Compressor Installation	-	\$494.00	New (fee consolidation)
23004	Air Handler / Boiler / Chiller	-	\$359.00	New (fee consolidation)
23010	Furnace - New or Replacement	-	\$326.00	New (fee consolidation)
24004	Awning / Canopy / Covered Porch (supported by building)	-	\$426.00	New (fee consolidation)

Proposed Fee Changes				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	Explanation
21002	Compressor Installation	\$426.00	-	Fee Consolidation
21003	Electrical Service, New	\$300.00	-	Fee Consolidation
21005	Electrical Service - Meter Replacement	\$300.00	-	Fee Consolidation
21008	Generator Installation	\$426.00	-	Fee Consolidation
23003	Air Handler	\$310.00	-	Fee Consolidation
23005	Boiler	\$310.00	-	Fee Consolidation
23006	Chiller	\$310.00	-	Fee Consolidation
23009	Furnace - New	\$281.00	-	Fee Consolidation
23011	Furnace - Replacement	\$281.00	-	Fee Consolidation
24003	Awning / Canopy (supported by building)	\$368.00	-	Fee Consolidation
24013	Covered Porch	\$368.00	-	Fee Consolidation
43007	Scanning Surcharge for Building Plans Submitted via Hard Copy	\$348.00	-	Fee Consolidation

Significant Fee Increases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
4003	Continuance - All Hearing / Board Types	\$133	\$943	609%
17004	Environmental - Initial Study (RTB deposit)	\$6,534	\$15,381	135%
17011	Geologic Review - Tier I	\$1,936	\$3,096	60%
17012	Geologic Review - Tier II	\$2,483	\$3,589	45%
3004	Project Modification - Tier I	\$706	\$1,289	83%
3005	Project Modification - Tier II	\$1,358	\$2,533	87%
8002	Lot Line Adjustment - Minor	\$1,241	\$3,254	162%
20015	New Construction - Residential (multifamily) - Plan Check	\$1.05	\$1.74	66%
20016	New Construction - Residential (multifamily) - Inspection	\$1.01	\$1.22	21%
20003	New Construction - Assembly, High Hazard, Institutional- Plan Check	\$1.71	\$2.08	22%

Fee Grouping Fee Increases by Fee Grouping				
Fee Grouping	% Change	Explanation		
New Construction Plan Check and Inspection Fees	8%	Increase in Salaries, CPI, and other related changes		
Fixed Fees _ Mechanical	14%	Increase in Salaries, CPI, and other related changes		
Fixed Fees _ Plumbing/Gas	14%	Increase in Salaries, CPI, and other related changes		
Fixed Fees _ Electrical	14%	Increase in Salaries, CPI, and other related changes		
Fixed Fees _ Grading	14%	Increase in Salaries, CPI, and other related changes		
Fixed Fees _ Building Miscellaneous	14%	Increase in Salaries, CPI, and other related changes		
Fixed Fees _ Other Building (Fire-rated and Time extension)	14%	Increase in Salaries, CPI, and other related changes		
Land Use and Other Fees	8%	Increase in Salaries, CPI, and other related changes		
20006	New Construction - Business, Mercantile - Plan Check	\$1.69	\$1.96	16%
20007	New Construction - Business, Mercantile - Inspection	\$1.08	\$1.37	27%
20012	New Construction - Factory and Industrial, Storage - Plan Check	\$0.53	\$1.80	240%
20013	New Construction - Factory and Industrial, Storage - Inspection	\$0.41	\$1.27	210%
20024	New Construction - Shell - Plan Check	\$0.89	\$1.25	40%
20025	New Construction - Shell - Inspection	\$0.72	\$0.88	22%
43009	Technology Fee	7.6%	8.6%	12%

Significant Fee Decreases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
1003	Agricultural Preserve - Application for Land Conservation Contract (New, Replacement, or Amendment)	\$5,594	\$2,206	(61%)
1006	Agricultural Preserve - Notice of Partial Non-Renewal (J25)	\$2,157	\$1,486	(31%)
1007	Agricultural Preserve - Williamson Act Land Conservation Contract - Compliance Review with APRC Hearing/Referral Response (J27)	\$3,087	\$865	(72%)
1008	Agricultural Preserve - Williamson Act Land Conservation Contract - General Compliance Review (building permits, vacation rentals) (J26)	\$1,209	\$182	(85%)
20021	New Construction - Residential Accessory Structure - Plan Check	\$1.70	\$0.98	(42%)
20022	New Construction - Residential Accessory Structure - Inspection	\$0.87	\$0.68	(22%)

Significant Fee Decreases				
Fee Indicator No.	Fee	FY 23-24 Fee	Proposed FY 24-25 Fee	% Change
20036	New Construction - Utility & Misc (commercial accessory structure) - Plan Check	\$1.14	\$0.97	(15%)
20037	New Construction - Utility & Misc (commercial accessory structure) - Inspection	\$0.76	\$0.69	(9%)
20027	New Construction - Tenant Improvement (A, H, E, I) - Plan Check	\$3.15	\$1.36	(57%)
20028	New Construction - Tenant Improvement - (A, H, E, I) Inspection	\$1.89	\$0.96	(49%)
20033	New Construction - Tenant Improvement (F, S) - Plan Check	\$1.91	\$1.17	(39%)
20034	New Construction - Tenant Improvement (F, S) - Inspection	\$1.35	\$0.82	(39%)
26002	Construction Waste Management Plan (CWMP) - Non-Compliance Fine	\$20 Per Ton	\$1.00 per square foot	N/A

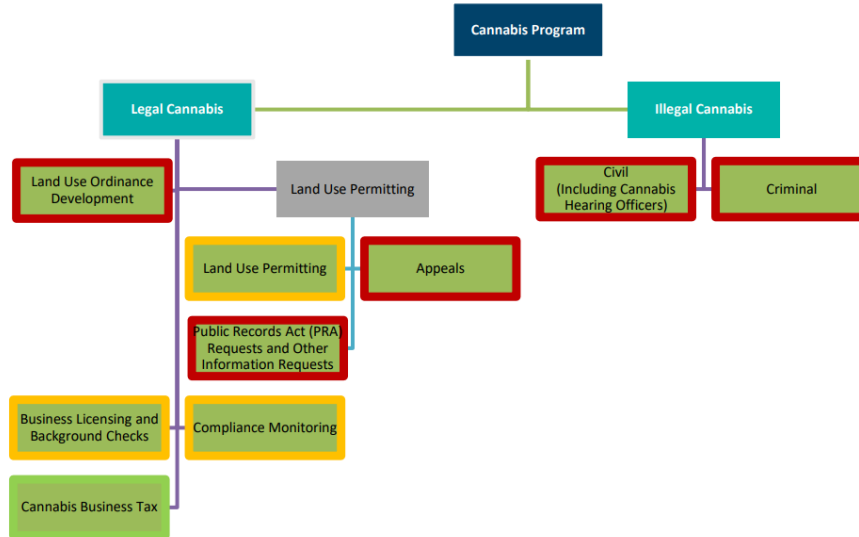
**Item 25 - Hearing to consider an ordinance amending Auditor-Controller-Treasurer-Tax Collector (ACTTC), Planning and Building, and Sheriff-Coroner Cannabis Fees in the County Fee Schedule "B" for Fiscal Year 2024-25.** The rates were raised 3/2 per the staff recommendation, with Arnold and Peschong dissenting.



The Hearing was less contentious than we predicted. We thought that the cannabis growers and applicants would turn out in force. However, there were only about 10, and they seemed exhausted and resigned to defeat.

No one talked about the regulatory impact on the black market. Remember, the main reason cited by cannabis activists statewide was that legalization would eliminate the black market, and would thereby reduce pressure on the criminal justice system and free up space in jails.

The chart below illustrate the deployment of cannabis regulation.



**Funding Key**

Outlined in Red = Funded partially or fully by the General Fund:

- Land Use Ordinance Development - No way to fund through user fees (funded by the General Fund)
  - PRA's - Limited ability to charge user fees (funded by the General Fund)
  - Appeals - Limited ability to charge user fees (partially funded by the General Fund)
- Illegal Cannabis - No way to fund through user fees - cost recovery/restitution/administrative fines only against responsible parties (majority funded by the General Fund)

Outlined in Yellow = Should be fully offset by user fees

Outlined in Green = General Fund revenue (Development and Administration of Tax - no way to fund through fees)

### Auditor Controller

Auditor-Controller-Treasurer-Tax Collector Cannabis Fees				
Fee Description	Current Fee	Proposed Fee	Fee Amount Decrease	Percent Decrease
Cannabis Tax Compliance Program	\$3,918	\$3,303	(\$615)	-15.7%

### Planning and Building

Planning and Building Cannabis Fees				
Fee Description	Current Fee	Proposed Fee	Fee Amount Increase	Percent Increase
Amendment to Approved Land Use Permit - Cannabis Deposit (R26cn)	\$8,662	\$9,587	\$925	10.7%
Appeal (Cannabis) - Approval / Denial of a Cannabis-Related Land Use Permit, or Request for Review of an Environmental Determination (A30cn)	\$850	\$850	\$0	0%
Business License Review - "Cannabis" (L01cn)	\$300	\$307	\$7	2.3%
Zoning Review - "Cannabis" (L04cn)	\$404	\$409	\$5	1.2%
Conditional Use Permit / Development Plan - "Cannabis" (RTB Deposit plus Processing Costs) (L45cn)	\$13,455	\$14,921	\$1,466	10.9%

Minor Use Permit - Tier II - "Cannabis" (RTB Deposit plus Processing Costs) (L31cn)	\$11,266	\$12,187	\$921	8.2%
Minor Use Permit -Tier III - "Cannabis" (RTB Deposit plus Processing Costs) (L32cn)	\$12,496	\$13,755	\$1,259	10.1%
Pre-Application Meeting - "Cannabis" (L52cn)	\$1,443	\$1,581	\$138	9.6%
Pre-Application Meeting with Site Visit - "Cannabis" (L53cn)	\$1,652	\$1,818	\$166	10.0%
Environmental - Exemption (Cannabis) (EX01cn)	\$1,588	\$1,756	\$168	10.6%
Environmental - Initial Study - Cannabis (RTB deposit plus processing costs) (IS01cn)	\$12,907	\$13,940	\$1,033	8.0%
Cannabis Greenhouse - Plan Check	\$.56 per sq foot	\$.98 per sq foot	\$0.42	75.0%
Cannabis Greenhouse - Inspection	\$.42 per sq foot	\$.68 per sq foot	\$0.26	61.9%
Cannabis Hearing Docket Fee (H10cn)	\$365	\$404	\$39	10.7%

## Sheriff's Office

Sheriff's Office Cannabis Fees				
Fee Description	Current Fee	Proposed Fee	Fee Amount Increase	Percent Increase
Cannabis Business Application (Cultivation) Phase 1	\$12,600	\$14,142	\$1,542	12.2%
Cannabis Business Application (Cultivation) Phase 2	\$12,030	\$12,311	\$281	2.3%
Cannabis Business Application (Non-Cultivation) Phase 1	\$12,600	\$14,142	\$1,542	12.2%
Cannabis Business Application (Non-Cultivation) Phase 2	\$10,991	\$11,204	\$213	1.9%
First Year Site Visits (Cultivation)	\$11,570	\$12,884	\$1,314	11.4%
First Year Site Visits (Non-Cultivation)	\$9,423	\$9,640	\$217	2.3%
Cannabis Business License Background for Added Partner	\$3,079	\$3,973	\$894	29.0%

Annual Cannabis Business Fee (Cultivation)	\$18,702	\$20,493	\$1,791	9.6%
Annual Cannabis Business Fee (Non-Cultivation)	\$15,441	\$16,214	\$773	5.0%
New Location Background (Cultivation)	\$18,804	\$16,675	(\$2,129)	-11.3%
New Location Background (Non-Cultivation)	\$16,931	\$15,223	(\$1,708)	-10.1%
Cannabis Business Employee Background	\$628	\$764	\$136	21.7%
Cannabis Labor Contractor Background	\$3,302	\$3,542	\$240	7.3%
Major Violation	\$16,396	\$19,483	\$3,087	18.8%
Minor Violation	\$4,958	\$5,436	\$478	9.6%
Notice of Nuisance	\$1,244	\$1,397	\$153	12.3%

New Fees - Proposed

Sheriff's Office New Cannabis Fees		
Fee Description	Current Fee	Proposed Fee
First Year Site Visits (Testing Facility)	\$0	\$2,818
Annual Cannabis Business Fee (Testing Facility)	\$0	\$4,784

**Financial Impact**

Legal Cannabis Fee Estimated Budget FY 2024-25

	FY 2024-25 Projected Expense*	FY 2024-25 Fee Revenue**	General Fund Support
ACTTCPA	\$123,882	\$123,882	\$0
Planning and Building	\$122,056	\$106,333	\$15,723
Sheriff-Coroner	\$1,809,229	\$865,471	\$943,758
<b>Total</b>	<b>\$2,055,167</b>	<b>\$1,094,015</b>	<b>\$959,481</b>

The tax revenue is not listed here. Does the tax revenue even cover the 1 million general fund subsidies?

**SLO County Council of Governments (SLOCOG) Meeting of Wednesday, February 7, 2024 (Completed)**

**F2 - Supplemental Funding Update (Feasibility of a 1/2 cent Sales Ballot Measure in November, 2024).** The Board voted 6/5 to continue the process to assess the chances of a 1/2 cent sales tax for transportation improvements passing in the November 2024 general election. Supervisor Arnold dissented, while Supervisors Gibson, Ortiz-Legg, and Paulding were in favor. City representatives who dissented included Atascadero Mayor Moreno, Pismo Mayor Waage, Arroyo Grande Councilmen Guthrie, and Morro Bay Mayor Wixom.

Some of the city representatives are concerned that that the scheduling of this measure in November 2024 would compete with the other measures that they will be scheduling. They are worried that placing both a county-wide measure and their individual measures on the ballot at the same time will result in the defeat of both.

The real underlying issue is that the cities, SLO County, and the State are all broke. There are too many hogs eating from the same tax base trough, while they are crying poor yet pushing for more services and staffing at the same time. The individual city economies and the countywide economy are being outstripped by the demand for taxes and fees.



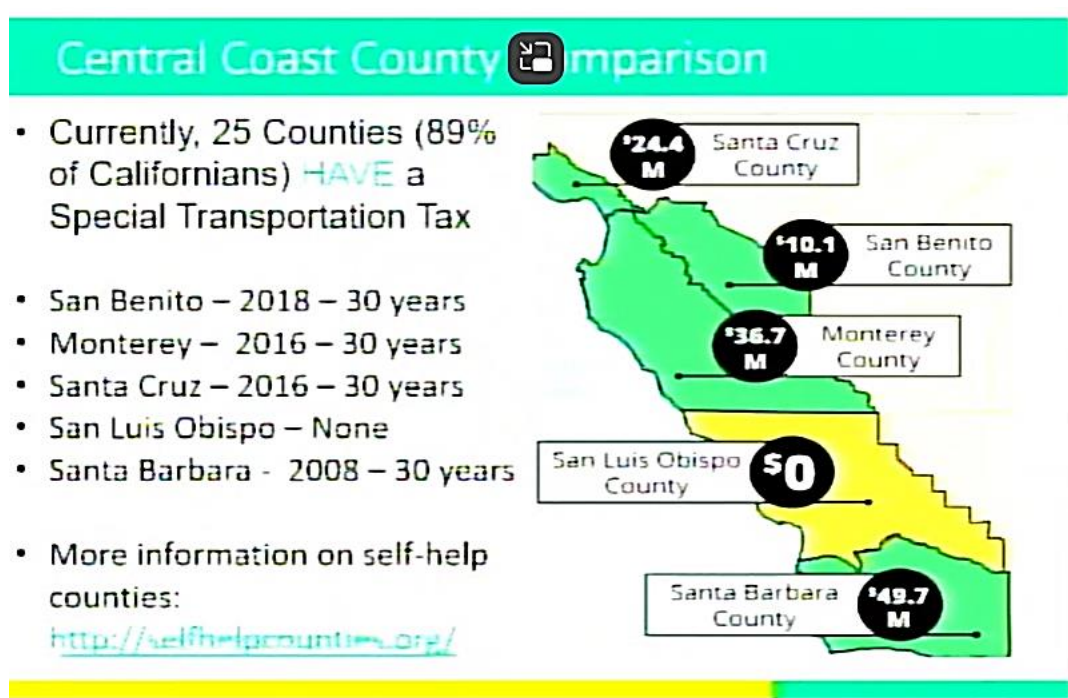
Meanwhile, the SLOCOG staff and all the city managers and County Administrator are attempting to figure out how to configure a ballot measure that would cause their respective elected bodies to join in support. The elected officials should tell them and the County Administrator to stop, and instead to develop a plan that would prioritize public safety and road maintenance, which can be funded from the taxes and fees that already exist within the scope of the economy. They could also consider elimination of duplicative agencies and functions (economies of scale) which each of their jurisdictions operate. They might also consider policies that would accelerate economic growth, such as development of the county’s mineral resources, siting of destination resorts, and zoning in of estates and ranchettes (high taxpayers/low government service consumers).

After all, who represents the taxpayer?

The SLOCOG presentation again noted that the 20-year road infrastructure deficit in the County has reached \$2.3 billion. A sales tax which began returning about \$35 million per year might generate a total of \$900 million over its lifetime.

The staff advocates cite a number of reasons to support the tax:

**1. Everyone else is doing it:**



**2. Ability to leverage:**

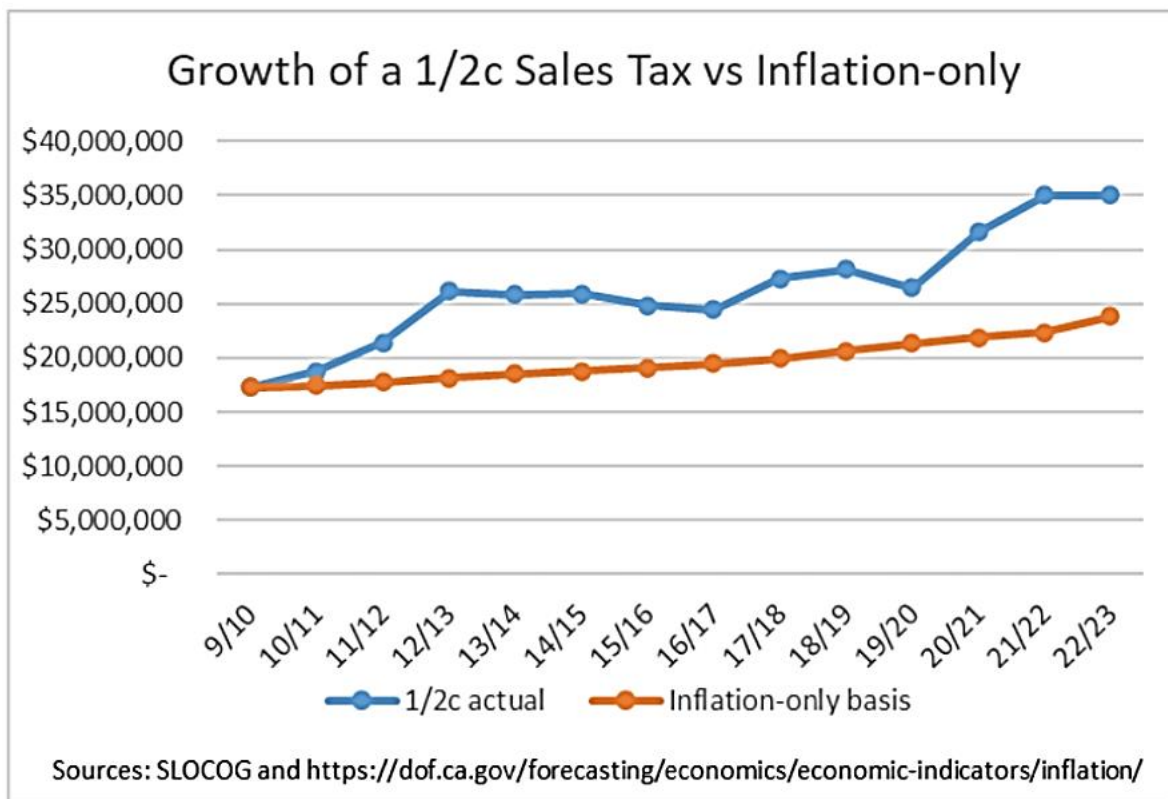
*Comparing one investment category (Active Transportation), Santa Cruz recently ‘won’ \$147m from Sacramento using their 2016 sales tax measure funds. The Santa Cruz region has another \$53m remaining in measure funds to use as leverage for more Active Transportation grants. In comparison, SLOCOG’s long range plan projects \$184m for Active Transportation in our region between 2023 and 2045. Monterey will spend \$600m from their 2016 measure funds on road maintenance and improvements in the coming decades. This is on top of their local*

jurisdictions' annual investments and state or federal allotments, and they will use some of it to leverage or 'win' State and Federal funds, out pacing our region.

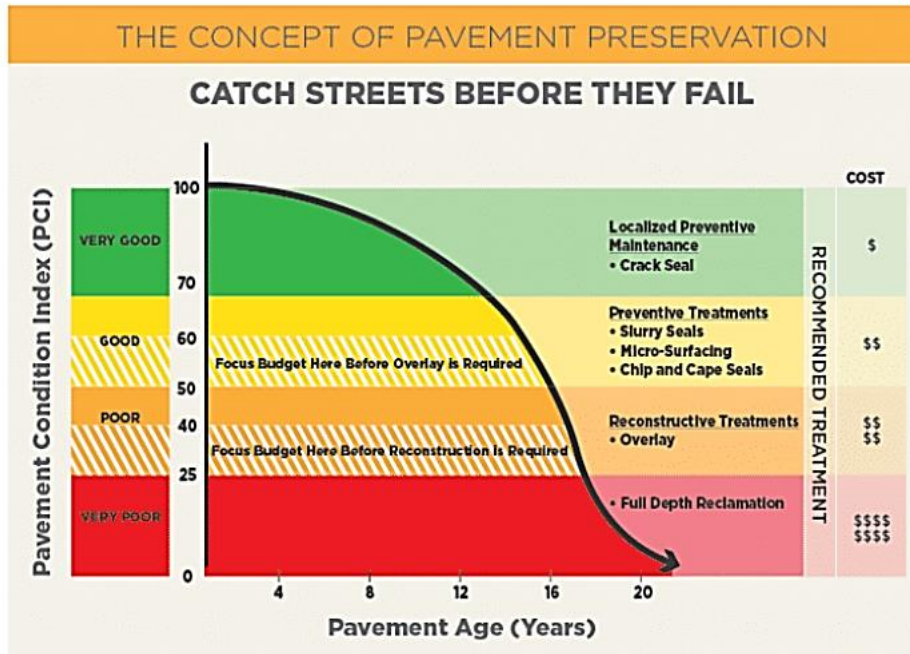
With the failure of Measure J in 2016, the region lost out on over \$180M in the last 6 years and this could have easily doubled by capturing grants and competitive funds returned to the region. The impact of dedicated transportation sales tax for successful measure counties is evident. Those counties deliver more projects and investments, faster, and at lower cost.

### 3. Shrinking Fuel Tax:

Reliant on the fuel tax, locally, we have a funding problem. Most of our jurisdictions have pavement conditions that are too low which cost more to maintain at a low level than to maintain at a 'very good' level and do existing or emerging congestion or safety issues ,



### 4 The roads are decaying rapidly:



2023 RTP Figure 5-3: 2022 Local Infrastructure Conditions

JURISDICTION	ROAD MILES (STREET CENTERLINE)	PAVEMENT CONDITION INDEX	
		EXISTING	TARGET
Arroyo Grande	67.5	56	70
Atascadero	145.0	49	75
Grover Beach	45.0	52	60
Morro Bay	53.5	63	70
Paso Robles	149.4	57	62
Pismo Beach	37.0	67	72
San Luis Obispo	135.1	70	70
Incorporated Cities	632.5	59	68
San Luis Obispo County	1,099.5	60	65
<b>Regional Total *</b>	<b>1,732.0</b>	<b>59</b>	<b>68</b>

*Note: Data collection from individual jurisdictions within SLOCOG's area of influence began in 2021 and ended in 2022. Data may vary across jurisdictions based upon reporting times and when the data was available.*

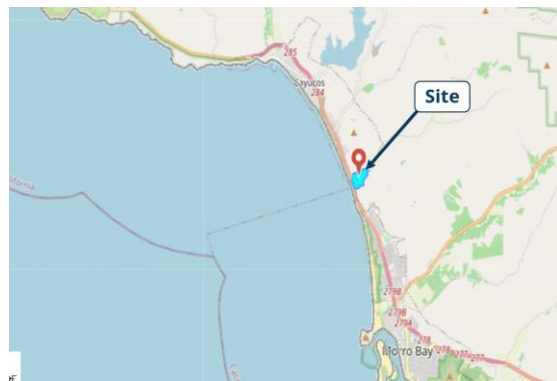
**Item F5 - Draft 2024 SLOCOG State & Federal Legislative Platform & Central Coast Coalition (CCC) Legislative Platform.**

This one contained the usual litany of efforts to obtain more Federal and State funding. There were references to some of the climatist sacred cows, such as CO<sub>2</sub> reduction and sea level rise.

**Planning Commission of Thursday, February 8, 2024 (Completed)**

**Item 4 - Determination of conformity with the County General Plan for the acquisition of a 17.36-acre parcel (APN 073-075 019) from the Cayucos Sanitary District for a future park, coastal access, and open space uses as identified in the County General Plan's Park and Recreation Element. The parcel sits between the community of Cayucos and the City of Morro Bay. The County Estero Area Plan, which is consistent with the County's Local Coastal Program and General Plan, identifies this area as the Estero Marine Terminal with policies promoting the use of the property for recreational activities such as parks and bicycle trails. The item was approved unanimously without discussion on the consent agenda. Where's the planning?**

**Background:** What a waste. What a great site for a beautiful 5-star hotel, which would generate millions of new dollars in sales taxes, property taxes, and hotel taxes each year. These in turn could be used to moderate the relentless pressure for fee increases. Open space is a sacred cow. The coast line in this section is already full of access points, and this land is actually across the street (Hwy 1). A hotel with a bar, several restaurants, and a deal on pool use and beach club membership for local residents would actually increase access more than a vacant weed lot hammered by the northwest wind.





**California Coastal Commission meetings of Wednesday, February 7, 2024, Thursday, February 8, 2024, and Friday February 9, 2025 (Completed)**

There are no controversial matters pertaining to SLO County on the Agenda. Southern California Gas is seeking a permit to repair a pipe at Old Creek, which was damaged in last year's winter storms. The staff recommends approval. The item will be considered during the Friday meeting.



**EMERGENT ISSUES**

**Item 1 - Wall Street Journal warns of yet one more attempt to sabotage your life.**



# THE WALL STREET JOURNAL.

DOW JONES | News Corp \*\*\*\*\*

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## Now the Climateers Want Your Tires

Progressives spent last year torturing home cooks by threatening gas stoves and dishwashers in pursuit of energy efficiency. Now the climate brigade is going after drivers. A new bill in Washington state would give regulators the ability to ban tires that create a drag on fuel efficiency.

The proposal would give the state Department of Commerce authority to prevent the sale of replacement tires that the state says have too much “rolling resistance,” which decreases the fuel efficiency of the vehicles. Rolling resistance depends largely on the weight and depth of a tire tread, the grippy thick part that keeps you from sliding off the road in a storm.

Washington state isn’t Arizona, and even Seattle progressives need their Outbacks to get safely to the Cascades. The deeper the tread, the stronger and heavier the tire is. This means the car gets fewer miles per gallon, but it also means drivers will have a better grip on the road. The bill would cover all replacement tires for cars and light trucks up to 10,000 pounds.

The proposed legislation says the new standards “may not adversely affect tire safety or tire longevity as demonstrated by the independent testing of wet grip or traction.” That’s a good caveat, but if the new standards aren’t going to reduce safety and grippiness, why does the next section create an exemption for snow tires? The biggest difference between snow tires and regular tires is the depth and pattern of the tread.

The bill says adopting the new standards “could result in an approximate cumulative reduction of 600,000,000 gallons of gasoline and 1,500 gigawatt hours of electricity” between 2026 to 2035. That’s assuming the drivers buy into the program and don’t take a Sunday road trip to Idaho or Oregon to buy their tires from dealers beyond Washington state lines.

Washington has a rare triple whammy here in a bill that would limit consumer options, make tires more expensive and make drivers less safe. It underscores how progressives are using climate as an excuse to intervene in nearly every corner of the U.S. economy.

### Item 2 - Ringside: California is Hardly Harvesting the Deluge



*California’s water agencies are letting millions of acre feet of fresh water pour into the San Francisco Bay every year* By Edward Ring, February 8, 2024

A historic barrage of atmospheric rivers hit California. Across the Sierra Nevada and down through the foothills into the valley, rivers turned into raging torrents, overflowing their banks and flooding entire communities. California’s Central Valley turned into an inland sea, as low lying farms and grasslands were incapable of draining the deluge.

That was 1861, when one storm after another pounded the state for 43 days without respite. Despite impressive new terminology our experts have come up with to describe big storms in this century – “bomb cyclone,” “ark storm,” and “atmospheric river” – we haven’t yet seen anything close to what nature brought our predecessors back in those pre-industrial times over 150 years ago. But we are getting rain this year. Lots of rain.

According to the National Weather Service, by the time 2024’s first two atmospheric rivers are done with California, the state will have been inundated with an estimated 11 trillion gallons of water. That’s 33 million acre feet, in just 10 days. Are we harvesting this deluge? In this new age of climate change, which purportedly portends years of drought whipsawing occasionally into a year or two of torrential rain, do we have the means to take those so-called big gulps into storage?

Rather than speculate over California’s glacial (poor choice of words) progress towards ways to harvest more water from storms in a state too warmed up to ever have a big snowpack again (except for last year, and maybe this year), how are we using the assets we’ve already got?

To answer that question, one must navigate the arcane recesses of the California Dept. of Water Resources website, and reference their “historical data selector.” Using this interface it is possible to determine for any day or range of days, how much water flowed through the Sacramento San-Joaquin Delta into the San Francisco Bay, and how much water was diverted into southbound aqueducts by the pump stations located near the City of Tracy on the southern edge of the Delta.

This data may be arcane, but it isn’t ambiguous. During the first 36 days of 2024, through February 5, 2.05 million acre feet have passed through the Delta and out into the SF Bay, and 356,000 acre feet has been pumped into aqueducts. That is, of the 2.4 million acre feet that flowed through the Delta so far this year, 15 percent of it has been saved. That’s not much. But the devil is in the details.

Around this time of year, to protect fish, the “Integrated Early Winter Pulse Protection Action” is put into effect. For two weeks, pumping is restricted to prevent the possibility of endangered fish – allegedly pushed downstream by storm driven accelerated current in the Delta – from getting trapped in the powerful pumps that lift water out of the Delta and into the aqueducts. But where is the evidence that turning down the pumps is doing any good? If this is about the endangered Smelt, and if they are so critical to the Delta ecosystem, where are they?

If the environmental benefits of restricted pumping during storms are debatable, the consequences are not. During the first 22 days of 2024, before the pumps were turned down, 24 percent of the outbound Delta flow was diverted into the aqueducts. On average, 36,000 acre feet per day flowed out of the Delta and into the ocean.

During the subsequent 14 day partial shutdown of the pumps, 89,000 acre feet per day was permitted to flow out to the ocean. Between January 23 and February 6, the Delta pumps were operating at a mere 27 percent of capacity during not one, but two major storms. During this period, if both Delta pumps had operated at full capacity, the daily flow from the Delta into the San Francisco Bay would still have been 187 percent more than the pre-pulse flow, and an additional 297,000 acre feet could have been diverted to flow south and into storage.

Turning down the pumps for these past two weeks, therefore, deprived Californians of a quantity of water that is arguably worth *billions*. Let's not forget that our state legislature intends to spend \$7 billion (before overruns) to restrict urban water use to 42 gallons per day per person and kill all "nonfunctional" lawns, in order to save around 400,000 acre feet per year.

The activists, ideologues, vendors, contractors, consultants, nonprofit corporations, journalists, opinion shapers, and experts that control and serve California's state water agencies need to consider their credibility outside their own powerful echo chamber. Restricting Delta pumping during two big storms is another example of how they are squeezing the life out of farmers and urban water agencies, and by extension, the people of California. But watch out. Spring is coming, and it isn't just rain clouds that are clearing up.

For the last 40 years, agency scientists have been able to set policy without serious opposition. This unwarranted bureaucratic power is based on the landmark case *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.* It finds that "when a legislative delegation to an administrative agency on a particular issue or question is not explicit but rather implicit, a court may not substitute its own interpretation of the statute for a reasonable interpretation made by the administrative agency."

What that ruling has done is empower activist bureaucrats hired by biased government agencies to present analysis developed internally or through contractors, and turn that analysis into policy, and if anyone challenging these expert opinions brings their own equally credentialed experts into the courtroom, the judge is required to defer to the government agency's experts and disregard the plaintiff's experts. But the precedent set by this 1984 case was challenged before the US Supreme Court last month, with a ruling expected later this year.

If courts are no longer required to defer to an agency's expert, California's water agencies are going to have a lot of explaining to do, starting with why they're letting millions of acre feet of fresh water pour into the San Francisco Bay every year, during "bomb cyclones" that, even while they wreak fury on the state, also bestow plenty of water for fish and for people.

*Edward Ring is a contributing editor and senior fellow with the California Policy Center, which he co-founded in 2013 and served as its first president. The California Policy Center is an educational non-profit focused on public policies that aim to improve California's democracy and economy. He is also a senior fellow of the Center for American Greatness. Ring is the author of two books: "Fixing California - Abundance, Pragmatism, Optimism" (2021), and "The Abundance Choice - Our Fight for More Water in California" (2022). This article first appeared in the California Globe of February 8, 2024.*

**Item 3 - Ballot Confusion – Open and Closed Primaries Article from CalMatters 2024 Voter Guide, February 9, 2024**

There are different rules for the presidential contest and state races on the March 5 ballot. And each party has its own rules.

No wonder a lot of California voters are confused about how to cast ballots in the March 5 primary. It's really two primaries wrapped into one, with two different sets of rules.

For the U.S. Senate, U.S. House and state legislative races, California holds an “open” primary. Voters, no matter how they’re registered, can pick anyone of any party.

Which means, for instance, that you don’t have to be a registered Republican to vote for a Republican candidate in the U.S. Senate primary — you can do that if you’re registered with no party preference or another party, even if you’re a Democrat?

And if you want to vote for one of the Democrats in the race, you’ll have that option even if you’re a registered Republican.

The top two vote-getters, regardless of party affiliation, advance to the November general election.

Become a CalMatters member today to stay informed, bolster our nonpartisan news and expand knowledge across California.

But it’s different for the presidential primary.

Get the facts before you vote in this year’s primary election.

You can only cast a ballot on the Republican side — at this point, a choice between frontrunner Donald Trump and challenger Nikki Haley — if you are registered in California as a Republican. The state GOP has chosen to stage a “closed” presidential primary, which also means that voters registered with no party preference cannot participate. (The same applies to the Green and Peace and Freedom parties).

But the California Democratic Party allows even voters who aren’t registered Democrats to vote in its presidential primary — although there’s a catch. Unaffiliated voters — who are otherwise set to receive ballots that don’t have the presidential race on it — will need to request a ballot that includes the presidential race. (The American Independent and Libertarian parties also allow no party preference voters.)

To change your party registration, you’ll need to re-register to vote. The last day to register online for the primary is Feb. 20. If you are registering or re-registering less than 15 days before March 5, you must complete same-day voter registration and request your ballot in person at your county elections office or polling location.

Have more questions about voting? You’ll find answers in CalMatters’ 2024 Voter Guide. CalMatters – February 9, 2024.

**Item 4 - California bill would ban all plastic shopping bags at grocery stores** *(by Adam Bream)*



*California Democratic state Sen. Catherine Blakespear gestures toward a person covered in plastic bags during a news conference at the Capitol in Sacramento, Calif., on Thursday, Feb. 8, 2024. Blakespear has authored a bill that would ban all plastic shopping bags in California. (AP/Adam Beam)*

SACRAMENTO, Calif. (AP) — California would ban all plastic shopping bags in 2026 under a new bill announced Thursday in the state Legislature.

California already bans thin plastic shopping bags at grocery stores and other shops, but shoppers at checkout can purchase bags made with a thicker plastic that purportedly makes them reusable and recyclable.

Democratic state Sen. Catherine Blakespear said people are not reusing or recycling those bags. She points to a state study that found the amount of plastic shopping bags trashed per person grew from 8 pounds per year in 2004 to 11 pounds per year in 2021.

“It shows that the plastic bag ban that we passed in this state in 2014 did not reduce the overall use of plastic. It actually resulted in a substantial increase in plastic,” Blakespear, a Democrat from Encinitas, said Thursday. “We are literally choking our planet with plastic waste.”

Twelve states, including California, already have some type of statewide plastic bag ban in place, according to the environmental advocacy group Environment America Research & Policy Center. Hundreds of cities across 28 states also have their own plastic bag bans in place.

The California Legislature passed its statewide ban on plastic bags in 2014. The law was later affirmed by voters in a 2016 referendum.

If the Legislature passes this bill, it would be up to Democratic Gov. Gavin Newsom to decide whether to sign it into law. As San Francisco’s mayor in 2007, Newsom signed the nation’s first plastic bag ban.

*Adam covers California government and politics. Associated Press Morning Wire. Feb 8, 2024*

## **Item 5 - Legislators unveil measure to ask voters for \$1 billion offshore wind bond**

*(By Alejandro Lazo - February 8, 2024)*



*A wind farm off the coast of Rhode Island, shown in December, 2023. California is planning its first offshore wind farms. Photo by Julia Nikhinson, AP Photo*

## IN SUMMARY

The funds would help California ports expand to handle giant wind turbines and other equipment. California's first offshore wind farms are on a fast track off Humboldt County and Morro Bay.

In a step toward building the first massive wind farms off California's coast, three Assembly members today proposed a [\\$1 billion bond act](#) to help pay for the expansion of ports.

The bill, if approved, would place a bond before voters aimed at helping ports build capacity to assemble, construct and transport wind turbines and other large equipment. Long Beach and Humboldt County have plans to build such expansion projects.

Port expansion is considered critical to the viability of [offshore wind projects](#), which are a key component of the state's ambitious goal to switch to 100% clean energy. The California Energy Commission [projects](#) that offshore wind farms will supply 25 gigawatts of electricity by 2045, powering 25 million homes and providing about 13% of the power supply.

The first step to building these giant floating platforms has already been taken: The federal government has leased [583 square miles of ocean waters](#) about 20 miles off Humboldt Bay and the Central Coast's Morro Bay to five energy companies. The proposed wind farms would hold hundreds of giant turbines, each as tall as a skyscraper, about 900 feet high. The technology for floating wind farms has never been used in such deep waters, far off the coast.

An extensive network of offshore and onshore development would be necessary. Costly upgrades to ports will be critical, along with undersea transmission lines, new electrical distribution networks and more.

The Port of Long Beach, for instance, is planning Pier Wind, a \$4.7 billion, 400-acre offshore wind turbine assembly [terminal](#). One of the largest and busiest ports in the nation, it is the only location in California close to being able to assemble and deploy turbines, [according to previous CalMatters reporting](#).

In Humboldt County, some federal grants have been awarded to develop its small port for wind farms. The federal Department of Transportation last month [awarded the Humboldt Bay harbor district \\$426.7 million](#) to build a new marine terminal where turbines can be assembled and transported.

The proposed bond measure was announced today by [Rick Chavez Zbur](#), a Democrat from Los Angeles, as well as other members of the Assembly. [Jim Wood](#), a Democrat from Ukiah, and [Josh Lowenthal](#), a Democrat from Long Beach, are coauthors.

[Two separate](#) climate bond bills also aim to pay for climate-related projects, such as shoring up vulnerable communities and wildfire prevention efforts. Each house has passed its own version of a bond. Negotiations over whether they will appear on the November ballot remain open.

The debate over adding debt comes as California faces a projected \$38 billion deficit, according to Gov. Gavin Newsom's estimate last month.

Zbur, the lead author of AB 2208, the offshore wind bond bill, said at a press conference today that he is in talks with legislators who authored the climate bonds about earmarking funds for offshore wind in lieu of moving ahead with his proposed bond measure.

“We are engaged with discussions with them on that, and that would be another alternative to moving forward,” Zbur said. “Our goal today is really to make sure that this \$1 billion is included in the range of bonds.”

CalMatters has reported that offshore wind [has raised many issues](#) for California since it is experimental technology on a fast track off Humboldt County and Morro Bay. Humboldt officials hope the projects would boost their struggling economy, while some Central Coast residents are fighting the wind farms because they say it would industrialize their coastline.

**This article first appeared in the Cal Matters of February 9, 2024**

## **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**

### **SIMPLIFY PERMITTING AND UNLEASH ENERGY PRODUCTION** **BY ERIC OLSON AND LAUREN AGPOON**

Streamlining approvals will unlock investment in reliable and affordable energy projects—and ease the burden on Americans’ wallets.

American families face an invisible “permitting tax,” which hits struggling households hardest. Consumers pay this levy in the form of higher electricity and gas prices, which arise from the bureaucratic delays that tie up energy-infrastructure projects. A streamlined approval process would unlock investment in reliable and affordable energy projects and ease the burden on Americans’ wallets.

The laborious permitting process deters investors and developers from starting projects and constrains their budgets. Just to complete the required environmental-impact statement under the National Environmental Policy Act (NEPA) takes an average of 4.8 years. For essential electric-transmission projects, the average jumps to 6.5 years. Some projects sit a full decade before final approval, adding needless uncertainty for investors who allocated significant capital to these ventures. The advocacy group Clean Power for America estimates that permitting hurdles jeopardize 100 gigawatts of clean-energy initiatives this decade, potentially thwarting \$100 billion in domestic investment and 150,000 American jobs.

The Mountain Valley Pipeline exemplifies the extensive litigation obstacles confronting natural-gas-infrastructure projects. The 303-mile pipeline from West Virginia to Virginia underwent an extensive regulatory-review process, received Federal Energy Regulatory Commission approval in 2017, and began construction in 2018—but then litigation derailed its progress for years. It ultimately took a second legislative intervention (the passage of the June 2023 debt-ceiling bill), which deemed the MVP’s completion in the national interest and restricted judicial review, to enable construction to resume in July 2023. A project that had long since won regulatory approval still needed an act of Congress to overcome permitting hurdles and litigation-caused delays.

Two major changes would streamline the energy-project-permitting process—one legislative, the other judicial. First, Congress should pass Senator Joe Manchin’s Building American Energy Security Act of 2023. The legislation sets two-year timelines for major project reviews and one-year limits for lower-impact ones. It empowers project sponsors to seek court orders if agencies miss deadlines. It requires a single coordinated environmental review, limits excessive litigation delays, and prioritizes efforts of national strategic importance. The Building American Energy



Security Act represents the sensible solution needed to speed key plans, while upholding environmental protection.

Second, the Supreme Court should significantly limit or overturn the *Chevron* doctrine. The Court's 1984 holding in *Chevron v. Natural Resources Defense Council, Inc.* required courts to defer to relevant federal agencies in their interpretations of ambiguous statutes. The doctrine encourages agency overreach and lets officials block projects by exploiting statutory ambiguity. This creates significant uncertainty and compliance costs for energy-infrastructure developers, who must navigate layers of regulation subject to differing agency whims. The pending *Loper Bright Enterprises v. Raimondo* case offers the Court an opportunity to reconsider *Chevron* and restore the proper balance of power.

To build critical domestic energy infrastructure and maintain reliability for American consumers, firms need permitting processes with transparent guidelines across all energy sectors. Enacting the Building American Energy Security Act of 2023 and overturning the *Chevron* doctrine would help modernize America's outdated permitting process, uphold environmental standards, and reclaim our global leadership in energy innovation.

*Eric Olson is the Mervin Bovaird Foundation Professor in Business at the University of Tulsa. Lauren Agpoon is an MBA candidate at the University of Tulsa. This article first appeared in the February 8, 2024 City Journal magazine*

## **THE DECADENCE OF IDENTITY POLITICS GENDER STUDIES COMES TO POLICING BY HEATHER MCDONALD**

Among anti-cop legislators, “defund the police” may have lost some currency, but “demoralize the police” is doing just fine.

On January 30, the New York City Council passed the How Many Stops Act, over the veto of Mayor Eric Adams. The law requires New York police officers to fill out a form nearly every time they interact with a civilian. If, for example, an officer asks a potential bystander to a shooting if he had witnessed that shooting, the officer will have to complete a form listing the bystander's race, sex, and age. Are there other potential witnesses in the area who urgently need to be contacted before they disperse? Too bad. Identity-based paperwork comes first. (If an officer waits to the end of his shift to finish filling out the forms, he will still likely need to have made some contemporaneous record of his encounters.)

The department's personnel will spend hundreds of hours a day cumulatively on this bureaucratic task—time diverted from bringing criminals to justice.

The rationale for this unnecessary bill, like almost everything encumbering policing today, is the council's belief that the NYPD routinely harasses people of color, whether suspects or witnesses. Never mind that civilians in these newly red-taped investigatory stops are free to ignore the officer's questions, preserve their anonymity, and walk away. The council still sees a bigoted purpose in an officer's reaching out to the public for help in solving crime.

The How Many Stops Act is innocuous, however, compared with California’s data-collection requirements for police officers. New reporting obligations under the Racial & Identity Profiling Act require California officers to fill out an eight-page form (up from four pages last year) with nearly 200 fields when they make what is known as a custodial stop (meaning the civilian is not free to walk away).

The form, generated by the California Department of Justice, comes straight from race- and gender-studies classrooms. The officer first documents whether he, **the officer**, is a “cisgender man, cisgender woman, transgender man, transgender woman, or nonbinary person.” To avoid placing a retrogressive “gender” straitjacket on the state’s public servants, the form allows an officer to check **both** “Nonbinary person” **and** one of the other categories, such as “Cisgender woman.” “N/A” is not an option; the officer **must** list a sexual identity. Naturally, there is also an extensive “Officer race or ethnicity” section, asking whether the officer is “Asian, Hispanic/Latine(X), Black/African, Native American, Middle Eastern or South Asian, Pacific Islander, White,” or a combination of the above.

Then the officer documents the civilian’s “perceived sexual orientation: LGB+ or Straight/Heterosexual” and the civilian’s “perceived gender: Cisgender man/boy, Cisgender woman/girl, Transgender man/boy, transgender woman/girl, or nonbinary person.” Here, too, the discerning officer is allowed to surmise that the person stopped is both a “Transgender man/boy” and a “Nonbinary person.” How is the officer to make those judgments, without engaging in culpable “stereotyping”? Police academies across the state are going to have to contract with Judith Butler for a “gender theory” module. The civilian’s “perceived race or ethnicity” must be as narrowly described.

California created this form, of course, to gin up antipolice narratives. Once an officer’s identity profile is merged with that of the person stopped, the possibilities of finding some form of identity oppression are virtually endless. (On January 23, a Superior Court judge in Sacramento, responding to a petition from California law-enforcement associations, temporarily enjoined the California attorney general from requiring officers to document their “gender” on the Racial Identity & Profiling Act stop form. The state of California must submit its opposing motion by February 27.)

California and New York remain racked by carjackings, looting, and gang shootings. Under the phony charge of racism, officers in both states have cut back on proactive policing, however essential such self-initiated activity is to solving crime. They will do even less proactive policing now, if any such discretionary activity saddles them with insultingly irrelevant forms. Police rushing from one call for help to another are not concerned with the hothouse niceties of distinguishing “nonbinary” from “cisgender.”

California’s Racial & Identity Profiling Act and New York City’s How Many Stops Act have nothing to do with public safety and everything to do with fealty to identity politics. Both are glaring examples of how profoundly Democratic elites misunderstand the challenges of maintaining law and order.

*Heather Mac Donald is the Thomas W. Smith Fellow at the Manhattan Institute, a contributing editor of City Journal, and the author of When Race Trumps Merit. This article first appeared in the City Journal of February 10, 2024.*



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