

# COLAB

San Luis Obispo County



The Coalition of Labor Agriculture and Business

## WEEKLY UPDATE JANUARY 21 - 27, 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)



**SLO COUNTY DISTRICT ATTORNEY DAN DOW CAN'T COME TO THE COLAB  
DINNER THIS YEAR BECAUSE HE IS DEPLOYED TO THE MIDDLE EAST  
HE WILL BE WITH US IN SPIRIT  
*YOU CAN COME BY CAMEL OR OTHERWISE, BUT PLEASE COME!***

California Army National Guard's 40th Infantry Division's mission in the  
Middle East

*Lt. Colonel Dow boasts a distinguished military career, currently holding the  
position of military judge for the California Army National Guard. He has  
dedicated 30 years of service to the United States, encompassing active Army  
duty, U.S. Army Reserve, and the Army National Guard <sup>1</sup>*

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<sup>1</sup> Background by the Paso Robles Press, September 20, 2023

**THIS WEEK  
SEE PAGE 4**

**SLO PENSION TRUST**

**HEAVY TRAINING ON FIDUCIARY DUTIES OF BOARD COUNTY, IWMA, AND OTHER BOARDS COULD LEARN SOMETHING**

**BOARD OF SUPERVISORS**

**INTRO OF LARGE CANNABIS FEE INCREASES**

**AG LIASON ADVISORY BOARD CONSOLIDATION**

**PLANNING AND BUILDING 21% FEE INCREASE BACK  
STAFF REJECTS ELIMINATING OVERHEAD FEES**

**BOS SET TO MAKE WORKING FROM HOME PERMANENT  
WILL RECONFIGURE SOME OFFICES ON THEORY THAT THEY WILL  
NEVER GO BACK**

**- PRIVATE SECTOR NOW REJECTING WORKING FROM HOME -**

**AIR POLLUTION CONTROL DISTRICT**

**WOOD SMOKE REDUCTION PROGRAM**

**THEY WILL PAY YOU TO GET RID OF YOUR FIREPLACE**

**ELECTRIC VEHICLE CHARGING STATION INCENTIVES  
YOU ARE PAYING FOR THEM WITH YOUR DMV FEES**

**FREE AIR PURIFIERS GIVEAWAY**

**YOU ARE PAYING FOR THEM FROM UNDISCLOSED SOURCE**

**LAST WEEK  
SEE PAGE 20**

**SPECIAL BOARD MEETING JANUARY 16<sup>TH</sup> 6:00 PM**  
***BOARD MAJORITY VOTES FOR REDISTRICTING COMMISSION***

**NO REGULAR BOARD OF SUPERVISORS MEETING**



## **LAFCO**

### ***MUNICIPAL SERVICE CAPACITY REVIEWS OF THE AVILA BEACH AND CAMBRIA COMMUNITY SERVICE DISTRICTS***

#### **EMERGENT ISSUES**

**SEE PAGE 24**

**SUPREME COURT TO DECIDE IF HOMELESS-  
CAMPING BANS VIOLATE CONSTITUTION**

***GREEN ENERGY DESTROYING CALIFORNIA'S  
COAST: MORRO BAY WIND FARM PROJECT***

#### **COLAB IN DEPTH**

**SEE PAGE 31**

**THE 16 FRONTS OF ENGAGEMENT TO SAVE AMERICA**

***2024 is the year Americans must defeat the enemy's demolition plan***

**BY SCOTT S. POWELL**

**CALIFORNIA'S FISCAL IRRESPONSIBILITY**

**CREATES \$58 BILLION BUDGET DEFICIT**

**BY LEE OHANIAN**

#### **ANNOUNCEMENTS**

**SEE PAGE 37**

**SLAY THE DEATH TAX**

**THIS WEEK'S HIGHLIGHTS**

**ALL MEETINGS ARE AT 9:00 AM UNLESS OTHERWISE NOTED**

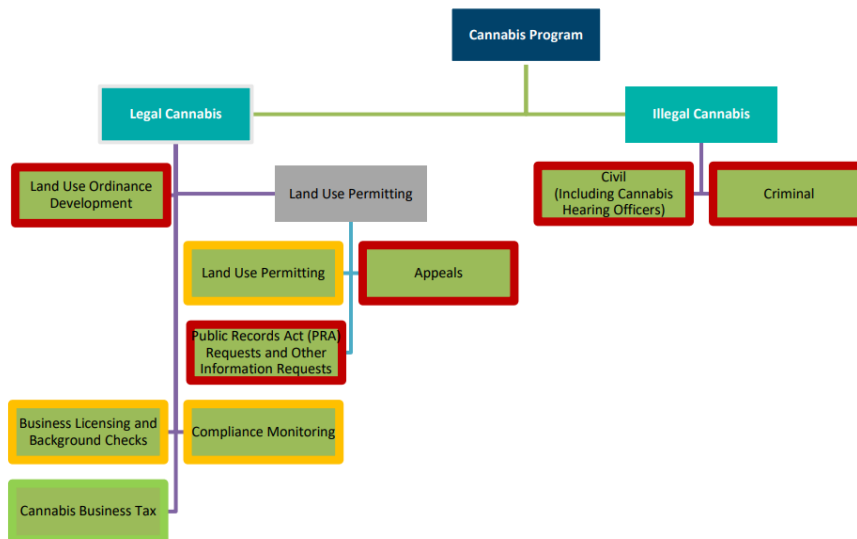
**SLO Pension Trust Meeting of Monday, January 22, 2024 (Scheduled)**

The December financials were not ready for posting on agenda website. These will be handed out at the meeting and are therefore not reported here.

**Fiduciary Training:** Much of the meeting focuses on the ethical responsibilities of the Trustees. These policies and documents are very positive and could serve as an analogy for training by the County Counsel of the Board of Supervisors as well as department heads, and the Boards of some of the other County agencies such as the Integrated Waste Management Board, SLOCOG, and the ACPD.

**Board of Supervisors Meeting of Tuesday, January 23, 2024 (Scheduled)**

**Item 1 - Introduction of 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. Hearing date set for February 6, 2024.** This constitutes early warning for the February 6, 2024 hearing during which fees related to Cannabis administered by various departments will be considered.



| Funding Key                             |  |
|---|--|
| <b>Outlined in Red</b>                  | = Funded partially or fully by the General Fund:   |
| • <u>Land Use Ordinance Development</u> | - No way to fund through user fees (funded by the General Fund)  |
| • <u>PRA's</u>                          | - Limited ability to charge user fees (funded by the General Fund)   |
| • <u>Appeals</u>                        | - Limited ability to charge user fees (partially funded by the General Fund)   |
| • <u>Illegal Cannabis</u>               | - No way to fund through user fees - cost recovery/restoration/administrative fines only against responsible parties (majority funded by the General Fund) |
| <b>Outlined in Yellow</b>               | = Should be fully offset by user fees  |
| <b>Outlined in Green</b>                | = 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>     |

**Item 6 - Request to approve a resolution to remove several membership categories and add a new Produce Representative and a new Agricultural Stewardship Representative to the County Agricultural Liaison Advisory Board.** The write-up explains the logic.

*The ALAB members support consolidation of the current membership categories of Vegetable Industry Representative, Strawberry Industry Representative, Environmental Representative, and Organic Grower/Direct Marketing Representative into two new categories to the Agricultural Liaison Advisory Board, as set forth below:*

*One representative from the produce industry, nominated by local commodity associations for a four-year term, and one representative of the agricultural stewardship community with a record of participation in agricultural stewardship practices and/or agricultural sustainability organizations for a four-year term.*

*ALAB members voted unanimously to support the proposed membership changes and ALAB recommends that the Board of Supervisors approve the attached resolution.*

*Three of the four existing membership categories affected by the resolution are currently vacant. The current Vegetable Industry Representative meets the requirements of the proposed Produce Representative, and in accordance with the ALAB Operating Guidelines, will continue to serve in that capacity through the end of the existing term*

**Item 15 - Introduction of an Ordinance amending Planning and Building Fees in the County Fee Schedule “B” for Fiscal Year 2024-25. Hearing set for February 6, 2024.** This is another early warning of a fee increase hearing set for Feb. 6, 2024. 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.

| Budget to Budget Fee Revenue Comparison |              |                            |                           |
|---|--------------|----------------------------|---------------------------|
|   | \$ Amount    | Year to Year \$ Difference | Year to Year % difference |
| FY 2023-24 Budget                       | \$8,469,270  |                            |                           |
| FY 2024-25 Projected*                   | \$10,181,473 | \$1,712,203                | 21%                       |

\*Calculation based on FY 2023-24 Budgeted activity at the FY 2024-25 Proposed Fee amounts.

**Item 19 - Request to approve 1) two facility maintenance projects to complete design development for each of the opportunities identified through the Telework Space Analysis and reconfigure space occupied by the Clerk Recorder’s Office, Human Resources Department, and Auditor Controller-Treasurer-Tax Collector-Public Administrator; and 2) two related budget adjustments totaling \$2,482,000 for FC 200 - Maintenance Projects from the General Government Building Replacement Designation, by 4/5 vote.** So many County employees are now working from home, (“telecommuting”) that some departments do not need as much office space as in the pre-COVID era. This in turn means that the County can rearrange and consolidate some departments’ office space. Collaterally, they can reduce the amount the County is renting in commercial office buildings. This item, if approved, would



allocate nearly \$2.5 million for rearranging various office spaces on the theory that the working from home policy is permanent.

All this sounds commendable; however, it does not consider the short and long term impacts of allowing employees to work from home. What if the work at home experiment fails, is made illegal by the State or the Feds, or is otherwise found to be problematic after the County has rushed to construct reassigned space?

Check out the recent Forbes magazine article, below, on some national perspectives.

## **Bosses are fed up with remote work for 4 main reasons. Some of them are undeniable**

Story by Jane Thier

The golden age of remote work seems to be ending. [The Wall Street Journal is reporting](#) that even tech firms (the first industry that told employees they could work from home forever just a few years ago) are getting engineers and project managers back in the office. The economic blogger [Kevin Drum](#), formerly of Mother Jones, has taken note of the increasing anti-remote literature and is making a bold prediction about the future of work: there is none. It's not going to look much different than it's ever looked. That's because the remote work revolution just isn't going to materialize.

“Companies that put up with [remote work] for a long time are finally getting sick and tired of [it],” Drum [wrote on Sunday](#). The reason for that is fairly straightforward: Working from outside the office “simply isn't as productive as office work, no matter what remote workers say. Too much evidence has piled up to credibly deny this any longer.”

He pointed to [return-to-office pushes](#) at tech companies where most jobs could be remote, particularly [Salesforce](#), [Google](#) and Meta. Then he highlighted four key pieces of evidence, although asterisks abounded. Still, Drum is worth listening to on this matter: Along with figures like Brad DeLong and Ta-Nehisi Coates, he thrived in the Wild West days of blogging, and at Mother Jones and independently he displayed an aptitude for paying attention to what the data says about major economic subjects and cutting out the noise.

For his part, Drum expects most of the private sector to go back to work in the physical sense. “There was remote work before the pandemic and there will be a little more after the pandemic,” he wrote. “But it's going to be measured in a small handful of percentage points, not as a revolution in work.” Drum, who since [leaving Mother Jones in 2021](#) has been blogging semi-daily from his home in Orange County, Calif., did not respond to Fortune's request for comment.

Most remote workers insist they won't be going back to their [sad desk lunches](#), and many companies are still promising they [won't take attendance ever again](#), but maybe they should listen to Drum's warning. Here's why the tide is turning against remote work (rightly or wrongly).

## **#1: Remote work is bad for new hires and junior employees**

This one is not nearly as controversial as it sounds. Especially when you're new on the job, being physically present can be an enormous leg up; even the [supposedly anti-office](#) Gen Z workers acknowledge the overwhelming truth of this.

“We know empirically that [new Salesforce employees] do better if they're in the office, meeting people, being onboarded, being trained,” [CEO Marc Benioff said](#) in March. “If they are at home and not going through that process, we don't think they're as successful.”

That could also hurt companies; a recent [Paychex](#) survey found that [80% of new hires](#) will quit a job if they had a poor onboarding experience—which is much more likely to be the case if they're welcomed aboard from a distance.

Nearly one-third of employees told Paychex they found their onboarding experience confusing. That figure jumped to 36% for remote workers, who were most likely to feel undertrained, disoriented, and devalued after onboarding, compared to their in-person counterparts.

As a one-time entry-level product manager, Drum wrote, “I can't even imagine what it would have been like trying to learn what I needed to know if everyone I had to work with was available only via [Zoom](#) or phone or Slack. It's one thing for existing teams to continue working well from home; it's quite another to get a new member of a team up and running.”

It's a shame, because [proximity bias](#) poses an enduring threat to career advancement. But attempting to get around by staying home as an entry-level worker means you'll be swimming against the current.

## **#2: Workers admit that remote work (sometimes) causes more problems than in-person work**

When executed incorrectly, hybrid work plans can create discordant, unproductive teamwork. That's especially true when teams don't make an effort to align their in-office days.

Also, remote work has its fair share of downsides. Drum linked back to [McKinsey research](#) he had highlighted in his [“midterm report on remote work”](#) from December, which found that remote workers are much more likely to report mental and physical health issues and hostile work environments. That's not the worst of it: [60% of bosses](#) recently admitted that if they had to make job cuts, they'd come for their remote workers first.

Usually, Stanford economics professor and remote work expert Nick Bloom [has told Fortune](#), companies mess up these kinds of plans because they fundamentally misunderstand why people want to work in-person or remotely in the first place. The disaster scenario, which too many companies end up in, is when everyone must come in two days per week or so, with no further clarity.

“Then they come in and realize their team is all at home, which defeats the purpose,” Bloom said. “They didn't come in to use the Ping-Pong table, and there's no point in coming in just to shout at Zoom all day.” Plus, Bloom, who advocates for organized hybrid arrangements, agrees with pro-office zealot Benioff that newer workers [need the office most](#).

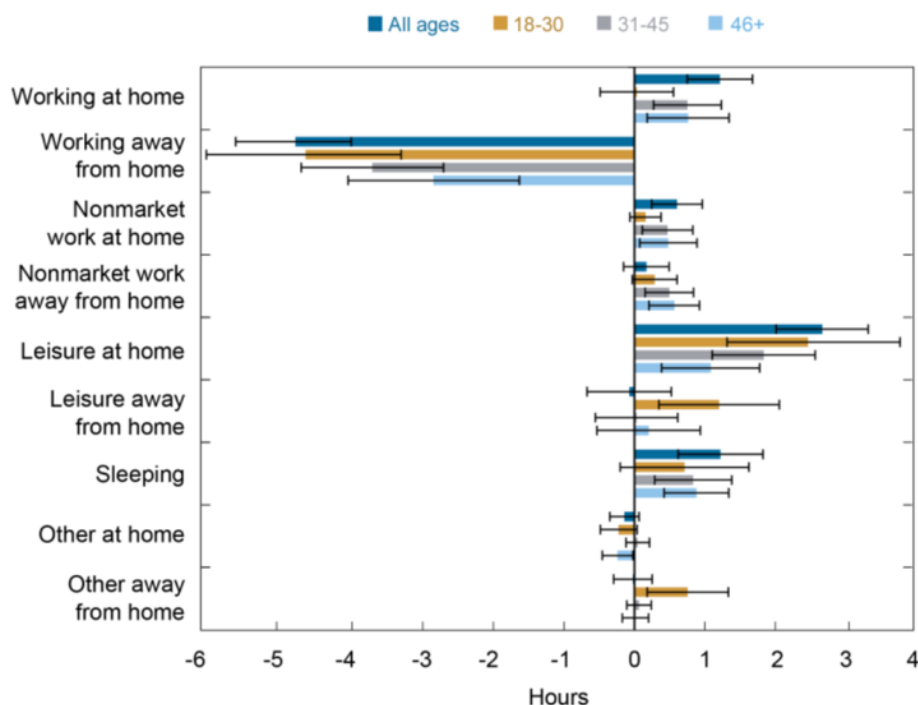
### #3: Remote workers put in 3.5 hours less per week compared to in-person workers

Sure, it's true that remote workers squeeze in errands, exercise and laundry between 9 and 5, but just how much? A [working paper](#) submitted to the National Bureau of Economic Research in January found that remote workers worldwide save 72 minutes a day on average just from avoiding their commute, and that on average, of that time saved, 40% [goes to extra work](#).

Drum is unconvinced about the effects in America—and so is the federal government's own dataset.

For his part, Drum sees a 3.5-hour decline in hours worked, and he got the figure from an [October 2022 report](#) by Liberty Street Economics, an arm of the Federal Reserve Bank of New York. Researchers David Dam, Davide Melcangi, Laura Pilossoph, and Aidan Toner-Rodgers made calculations based off the [American Time Use Survey](#), a nationally representative survey by the Bureau of Labor Statistics that measures both the amount of time people spend on various activities and where the activities occur. In a damning chart, they found that remote workers “decreased time spent working” and instead increased their time spent on “leisure and sleeping.” The chart clearly showed an increase roughly between three and hours in time spent on things that are, well, not work.

#### Employees Decreased Time Spent Working and Increased Their Leisure and Sleeping



Source: Authors' calculations using the American Time Use Survey.

Note: Error bars represent 90% confidence intervals.

Bosses are fed up with remote work for 4 main reasons. Some of them are undeniable© **Provided by Fortune**

Maybe in the rest of the world, workers are taking time not spent commuting and plowing it back into work, but the government's own data in the U.S. tells a different story. A 3.5 hours less story.

#### **#4: Productivity plummets on days when everyone is working remotely (anecdotally)**

In March, Drum [wrote a post](#) highlighting what the CEO of an HR tech firm told the [Wall Street Journal](#): On days his team is working remotely, new subscriber counts plummet 30%. But that's just one anecdote; even Drum himself says the stat is amazing—"if [the CEO] isn't exaggerating."

A piece of hard data in Drum's favor here is the shocking decline in productivity across five straight quarters, unprecedented in the postwar era. EY-Parthenon's chief economist Gregory Daco [told Fortune](#) that he's heard similar stories from clients across sectors of "reduced productivity because of the new work environment." Daco added that remote work is only one piece of the puzzle here. "The difficulty is that there is no magic productivity wand."

Other experts are more skeptical. "What I suspect is if you took out all the time at work talking about the Super Bowl, politics, your weekend, etc., working from home would involve more actual working minutes [than working in an office]," Bloom, the remote work evangelist, told [Fortune's](#) Tristan Bove.

Workers themselves certainly beg to differ on this point. According to a recent [Pew Research survey](#), pro-remote workers (especially parents and caregivers) have a better work-life balance and are more productive and focused. According to an [October 2022 survey](#) of white-collar workers from Slack's think tank, Future Forum, those with full schedule flexibility showed 29% higher productivity scores than employees with no flexibility at all, and remote and hybrid workers reported 4% higher productivity than their fully in-office counterparts.

The Pew survey respondents acknowledged that not being in the office could be hurting their opportunities for advancement, mentoring and making connections, but they believe they're more productive.

But the tide is turning for many reasons, and whether workers believe they're more productive remotely or actually are, they may not have much of a choice in the matter.

*This story was originally featured on [Fortune.com](#)*

#### **Other issues that are occurring include:**

**Labor "equity" issues:** It is argued that employees who perform analytical, legal, financial, regulatory, and other desk assignments can work from home on computers. Obviously, hands on employees such as laborers, inspectors, nurses, firefighters, corrections officers, deputy sheriffs, tradesmen, and many others cannot work from home. The split will eventually raise equity questions as the convenience of no commute (and its costs), not having to dress up, the ability to forego childcare costs, the ability to tend to home maintenance issues, and so forth will raise



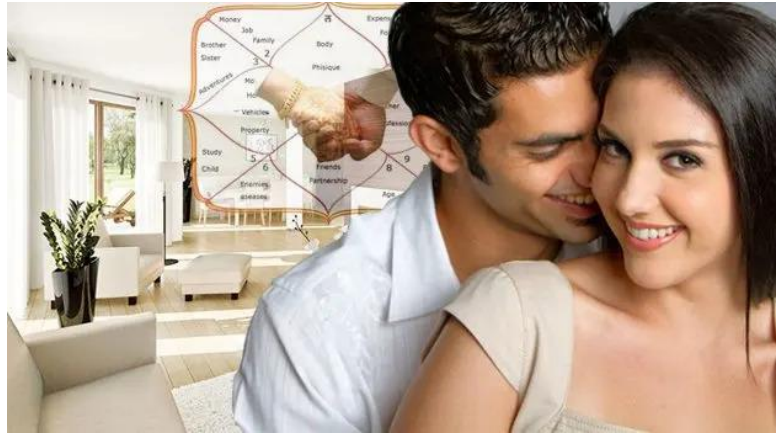
significant equity questions. These, in turn, will induce pressure for higher pay and benefits for those who cannot work at home.

### At the bargaining table



**Non-work related Interruptions:** The distracting possibilities are endless at home.





**Less Esprit De Corps and synergy:**



At every Board meeting employee retirement presentation, the department heads, managers, and employees themselves all extoll the virtues of in person hands on mentoring, mutual support, personal leadership, etc., over the course of their careers.

Often, personal bonds develop and lifelong friendships and marriages occur. This has even happened to some elected Supervisors.

**Less informal tips and communication:**





**Public servants have a higher calling and should look sharp and be present out of respect for the citizen taxpayer, especially upper level managers, executives, professional/analytic office types, and aspiring up and comers.**

Professional Dress



**Working in your bathrobe and boxers in the kitchen or spare bedroom is depressing:** Instead, getting up, taking a run, showering, dressing up, hitting the commute (you can listen to news shows and get an update on public affairs), knocking off some phone calls on your hands-free car phone, and getting a little wired on coffee, sets you up to hit the playing field with enthusiasm and confidence.

**Loss of Situational Awareness:** Running a large, complex, all-purpose government requires situational awareness. Being out in the community or in the office, keeping up with the news, keeping up with societal trends, and other exposure is important. Problems and opportunities can hit from any direction. It is somewhat analogous to air combat pilots, who must maintain extreme situational awareness to survive. Being on the ground in the office and in the field is essential to developing and maintaining this vital skill. County managerial, executive, and

analytical employees are already too confined to professional silos with rigid job classifications. Locking them up in their bedroom is not going to help this situation.



### County Policy for who can work at home

*The County Department Head will determine if he/she wishes to establish a teleworking arrangement in his/her department. Prior to establishing a telework program, he/she may consider the following:*

- *Not all jobs are eligible for telework based on the nature of the position*
- *The work can be performed from a remote or alternative non-County location*
- *The work can be performed without negatively impacting service delivery*
- *There is a clear way to measure the work the employee completes*
- *The alternate work site is suitable for the type of work to be performed*
- *Sensitive and/or confidential data is reasonably protected and not placed at a higher risk because of the telework arrangement; and complies with the security requirements of IRS Publication 1075, including worksite inspection*



**Item 29 - 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. This is now a standing item at the end of each Board Meeting.

**SLO Air Pollution Control District Meeting of Wednesday, January 24, 2024 (Scheduled)**

**C4 - Your Board is requested to authorize the acceptance of additional funding from the state for the expanded Fiscal Years 2021-2023 Wood smoke Reduction Program.**

**The Board letter states in part:**

*This third round of the Program offers financial incentives for homeowners countywide to replace old, inefficient, and highly polluting wood stoves, wood inserts, or fireplaces with cleaner burning and more efficient home heating devices to reduce greenhouse gas emissions, criteria pollutants, and air toxics.*

**And**

*State Wood smoke Reduction Program: The Wood smoke Reduction Program is part of the California Climate Investments, a statewide program that invests California Cap-and-Trade dollars from emission sources to reduce greenhouse gas emissions, strengthen the economy and improve public health and the environment. The Program-wide goal for the state is to distribute 75% of the total state funding to residents of disadvantaged and low-income communities and low-income households and tribal lands. APCD will continue to run this program as it was brought to your Board in September 2023.*

The California Air Resources Board (CARB) seeks to ultimately ban wood burning fire places and stoves as well as outdoor barbeques . This program is just the beginning.

**C7 - Request to adjust the funding for the CALeVIP Electric Vehicle (EV) Charger Incentive Program.** The item authorizes more funding from a State grant to be used for electric vehicle charging stations. The write-up indicates that they are having difficulty finding sites. Thus, it is a little confusing. In any case, most of the funding (nearly \$1 million) comes from your DMV fees.

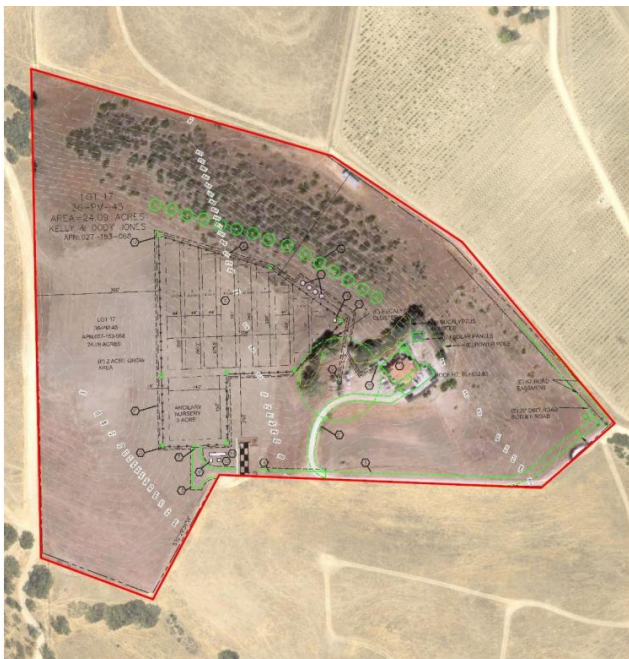
**D2 - Authorize Community Air Protection Implementation funds to execute the next round of the Clean Air Rooms Program providing air purifiers to qualified low-income households across SLO County and approve attached Budget Adjustment Request.** The recommendation states in part:

*In our first round of the Clean Air Rooms Program, we did a pilot of the program in the communities of Oceano and designated AQI forecast zones on the Nipomo Mesa. With this 2024 Program, the APCD's goal is to provide HEPA devices to any SLO County residents who are traditionally underserved and/or who may not have the means to purchase an air purifier on their own. This program expands across all SLO County for residents that qualify as low-income.*

The write-up provides no data on the number of units installed, the cost, or if anyone's health has improved. Do they install these in the homes of smokers? The program is funded by a State grant for which the funding source is not disclosed.

**Planning Commission Meeting of Thursday, January 25, 2024 (Scheduled)**

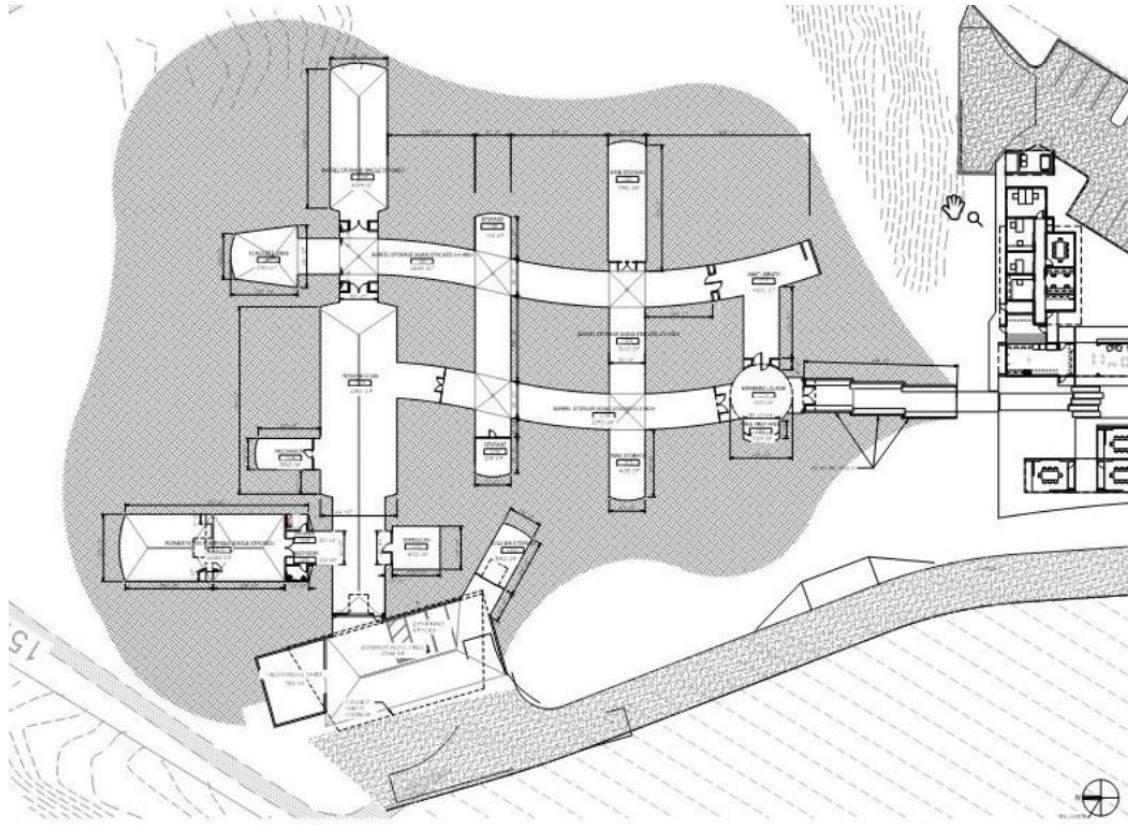
**Item 7 - Hearing to consider a request by Buffalo Management Group for a Conditional Use Permit (DRC2019-00241) to allow for the establishment of 2 acres of outdoor cannabis cultivation canopy, 0.5 acre of outdoor ancillary cannabis nursery, and ancillary transport of cannabis grown on-site on a 24-acre parcel. The project would result in approximately 3.66 acres of site disturbance, including 350 cubic yards of earthwork, to be balanced on-site. The project includes a request for the modification of the standards set forth in the County of San Luis Obispo Inland Land Use Ordinance (LUO) Section 22.40.050.D.3 to allow the outdoor cultivation area to be located 263 feet from the southern property line where 300 feet is required. The project is located within the Agriculture land use category, at 1793 Sutliff Road, approximately 1.4 miles southwest of the community of San Miguel, in the Salinas River Sub Area of the North County Planning Area. The staff recommends approval of the project. Apparently, the Army doesn't mind having a grow across the fence.**



**Item 8 - Hearing to consider a request by Guillaume Fabre (Solene Vineyard LLC) for a Conditional Use Permit (DRC2021-00025) to allow the phased development of a 27,248-square-foot winery facility, including a 19,101-square-foot underground wine cave system with a 3,505-square-foot exterior covered work area and a 4,642-square-foot administration building and tasting room with 3,117 square feet of interior space and 1,525 square feet of exterior space. The winery would increase the annual case production from 5,000 cases per year to a maximum of 10,000 cases per year. The project include a request for modification of the County of San Luis Obispo Land Use Ordinance standard Section 22.30.070.D.2.d(1) setback standards that require a 200- foot setback from each property line to allow the underground wine cave system/outdoor work area to be set back 34 feet and 5 inches from the northern property line and the administration building and tasting room to be set back a minimum of 141 feet and 4 inches from the southern property line. The project would result in approximately 2.6 acres of ground disturbance on a 26.69-acre parcel including 14,900 cubic yards of cut and 12,200 cubic yards of fill, to be balanced on-site (difference accounts for 15% soil shrinkage). The project site is within the Agriculture land use category and is located at 2040 Niderer Road, approximately 4 miles west of the city of Paso Robles in the Adelaida Sub Area of the North County Planning Area. The staff report finds no reasons to deny the project. Neighbors are banned together to oppose it. They have provided extensive information to support their opposition.**







## BUILDINGS AND UNDERGROUND WINE CAVES

# LAST WEEK'S HIGHLIGHTS

No regular Board of Supervisors Meeting on Tuesday, January 16, 2024 (Not Scheduled)

The next regular meeting will be on Tuesday, January 23, 2024 (Scheduled).

Special Meeting of the Board of Supervisors on Tuesday, January 16, 2024, 6:00 PM (Completed)

**Item 1 - A study session to review the proposed County Ordinance to create a County of San Luis Obispo Citizens Independent Redistricting Commission.** The Board voted 3/2, with Arnold and Peschong dissenting, to direct staff to begin the process for creating the Commission. Gibson and Paulding were completely in the tank for the new layer of process and cost. Ortiz-Legg feigned some technical concerns but in the end voted for it. Voters may be given a chance to vote on the County ordinance, or the Legislature could adopt it on behalf of the County with a spot bill sponsored by State Senator Laird. The County is pursuing both paths for now as contingencies pending a future final decision.

**Background:** The meeting was actually designed to be a rally to promote the establishment of a Citizens Redistricting Commission to process for the next supervisorial redistricting in 2030. We expected a loud claque of former public administrators, the League of Women Voters, and leftist interest groups at the meeting to cheer the process on. Apparently, the proponents figured the



action was a done deal, as only a representative from the League of Women Voters and an official of the SLO Democratic Party showed up to testify in support. Gibson and Paulding stated that they had received an overwhelming amount of written correspondence in support, although this was not posted as an attachment to the item.

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.

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 judgment to leak in. It's somewhat like attempting to ban sex. The natural forces are just too strong to be entirely avoided. The Qualification for Commissioners is outlined below:

*The recommended process for establishing the Commission and selecting qualified applicants is outlined in the proposed attached ordinance and summarized below:*

*1. Number of members and qualifications:*

- a. Eleven members.*
- b. Resident of the County of San Luis Obispo and registered to vote in San Luis Obispo County.*
- c. Have not changed registered political party affiliation or no political party affiliation within the past five years immediately preceding the date of his or her appointment to the commission.*
- d. Have voted in San Luis Obispo County in at least one of the last three statewide elections immediately preceding his or her application to be a member of the commission.*
- e. The member must also be eligible under the provisions of Elections Code § 23003 or any successor provision governing qualifications of commissioners for independent redistricting commissions as detailed in the ordinance. Section 23003 was recently amended and has codified the qualifications which include:*

- i. Cannot be appointed by the legislative body.*
- ii. 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.*

*iii. 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.*

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

Voters may be given a chance to vote on the County ordinance, or the Legislature could adopt it on behalf of the County with a spot bill sponsored by State Senator Laird. The County is pursuing both paths for now as contingencies, pending a future final decision.

### **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
- 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.*

### **And in 2030**

*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 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.*

### **What’s the rush?**

2030 is 6 years off. Moreover, the Supervisors are directly elected by the people and are accountable to the people. Why interpose this filter?

**Local Agency Formation Commission (LAFCO) meeting of Thursday, January 18, 2024 (Completed)**

### **Summary**

State law requires that LAFCOs conduct periodic municipal service reviews of cities, special districts, and community service districts within their respective counties. A fairly detailed

analysis of the services they provide, future service needs, future capacity, and financial capacity are included. The reviews are conducted on 5-year cycles. The Cambria Community Service District and the Avila Beach Community Service District are being reviewed at this meeting. The reports indicated that the 2 districts are generally in good shape, although water and fire service could become a problem for the Cambria District in the future as the population grows. The detailed reviews are listed at the links below:

**Item B1 - Municipal Service Review and Sphere Of Influence Study for Cambria Community Services District.**

[B-1\\_CCSD+MSR+&+SOI+Study+Staff+Report.pdf \(ca.gov\)](#)

**Item B2 - Municipal Service Review and Sphere Of Influence Study for Avila Beach Community Services District.**

[https://slo.lafco.ca.gov/files/aa372c7af/B-2\\_ABCSD+MSR+%26+SOI+Study+Staff+Report.pdf](https://slo.lafco.ca.gov/files/aa372c7af/B-2_ABCSD+MSR+%26+SOI+Study+Staff+Report.pdf)

The stability of the districts is important, because if they fail, the County ends up taking over the services, thus diluting its finances and reducing other services.

## EMERGENT ISSUES

**Item 1 - Supreme Court to Decide If Homeless-Camping Bans Violate Constitution – By Ryan Mills**



A sidewalk filled with tents in San Diego, Calif., July, 31, 2023(Mike Blake/Reuters)

While many American cities continue to struggle with proliferation of homeless camps in their parks and on their sidewalks, the U.S. Supreme Court has agreed to hear a case that could determine if enforcing bans on those camps is a violation of the Constitution.

The Supreme Court on Friday agreed to review an appellate court ruling in *Johnson v. Grants* pass, one of two Ninth Circuit rulings that limited the ability of municipalities to enforce



camping bans against involuntarily homeless people with nowhere else to go and when there is not enough shelter space for all of them. Critics say the rulings have supercharged the proliferation of homeless camps in Western states.

“The court’s decision to hear this case is a welcome development for cities nationwide, but especially in the west, that have suffered from a homelessness crisis largely as a result of the Ninth Circuit’s misguided decision to essentially create a constitutional right to sleep on the streets,” Timothy Sandefur, vice president of legal affairs for the Arizona-based Goldwater Institute, said in an email to NATIONAL REVIEW.

“The Ninth Circuit’s decision,” he said, “is based on the demeaning notion that people who choose to live in public parks and on sidewalks ‘can’t help it’ — a nonsense idea that hurts both the homeless and the hardworking taxpayers who must suffer from the dangerous conditions caused by the Ninth Circuit’s ruling.” The ruling, he continued, “has destroyed businesses, wrecked public parks, and worsened conditions for the poorest Americans — many of whom need treatment that the Ninth Circuit’s ruling essentially blocks them from receiving. That’s wrong morally and constitutionally, and we look forward to the Supreme Court fixing this judge-created mess.”

In the 2022 Grants Pass case, the Ninth Circuit ruled 2-1 that the small, lower-income city of Grants Pass in southern Oregon can’t enforce anti-camping ordinances “against homeless persons for the mere act of sleeping outside with rudimentary protection from the elements, or for sleeping in their car at night, when there is no other place in the City to go.”

That case came on the heels of a 2018 ruling in *Martin v. Boise*, in which the lower court held that enforcing criminal anti-camping restrictions on people who don’t have “access to temporary shelter” violates the Eighth Amendment’s ban on cruel and unusual punishment.

The Ninth Circuit’s rulings in those cases apply to the nine Western states in its jurisdiction.

Grants Pass petitioned the Supreme Court in August, arguing that the Ninth Circuit’s ruling conflicts with rulings by the California Supreme Court and the Eleventh Circuit. The *Johnson v. Grants Pass* case offered the Ninth Circuit an opportunity to course correct after its *Martin* ruling, lawyers for the city wrote. Instead, the court “doubled down” and denied a rehearing “over the objections of 17 active and senior judges, who explained that the Ninth Circuit should have reconsidered this ill-conceived judicial experiment,” they wrote.

The Grants Pass lawyers contend that there is no reliable way for a police officer to determine if someone is “involuntarily” homeless, or to know precisely how many homeless people are on the streets and how many open shelter beds are available at any time.

“Time is of the essence,” they wrote. “The consequences of inaction are dire for those living both in and near encampments: crime, fires, the re-emergence of medieval diseases, environmental harm, and record levels of drug overdoses and deaths on public streets.”

More than two dozen amicus briefs, representing the perspective of hundreds of groups and people — including big city leaders, politicians, civic groups, business organizations, downtown residents, law-enforcement leaders, state attorneys general, and conservative think-tankers — were filed late last year urging the Supreme Court to overturn the Ninth Circuit ruling.

The briefs said that the homeless camps in their cities and states have become “hubs of drug abuse,” have “overwhelmed” parks, fouled waterways with “human waste” and “toxic materials,” littered youth-baseball dugout with drug paraphernalia and dirty needles, and have been the sites for rising numbers of fires and drug-overdose deaths.

Ed Johnson, director of litigation at the Oregon Law Center, which represents the homeless plaintiffs in Grants Pass, told in an email that the Ninth Circuit’s ruling was narrow and consistent with decades of Supreme Court precedent.

“The issue before the Court is whether cities can punish homeless residents simply for existing without access to shelter,” he said. “This case is not about a city’s ability to regulate or prohibit encampments. That has always been permissible, is explicitly allowed under the Ninth Circuit’s ruling, and is not at issue here. Nevertheless, some politicians and others are cynically and falsely blaming the judiciary for the homelessness crisis to distract the public and deflect blame for years of failed policies.”

“The U.S. Constitution does not allow cities to punish people for having an involuntary status, including the status of being involuntarily homeless,” Johnson added.

Last year, NATIONAL REVIEW reported on a ruling by an Arizona judge who ordered the city of Phoenix to dismantle a massive downtown homeless camp known as “the Zone.” Maricopa County Superior Court Judge Scott Blaney said that the Ninth Circuit rulings in the *Martin* and *Grants Pass* have “created an unworkable mandate based on questionable legal analysis,” and they “partially tie the hands of cities that seek in good faith to address the growing homeless encampment epidemic.”

“To the extent that a state trial court judge could have any influence on the United States Supreme Court’s decision to review a lower court ruling, this judge would respectfully urge the U.S. Supreme Court to review the *Grants Pass* ruling and, by extension, the *Martin* decision,” Blaney wrote in his 27-page ruling in that case.

*Editor’s Note: This story has been updated with a comment from Ed Johnson, director of litigation at the Oregon Law Center, which represents the homeless plaintiffs in Grants Pass*

**RYAN MILLS** is an enterprise and media reporter at NATIONAL REVIEW. He previously worked for 14 years as a breaking news reporter, investigative reporter, and editor at newspapers in Florida. Originally from Minnesota, Ryan lives in the Fort Myers area with his wife and two sons. [@ryanamills77](#)

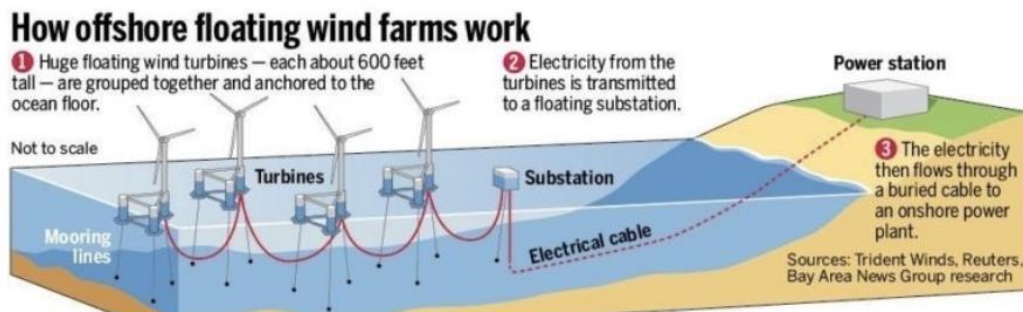
## **Item 2 - Green Energy Destroying California’s Coast: Morro Bay Wind Farm Project**

*The Morro Bay project which consists of a 376 square mile area 20 miles off the coast between Morro Bay and Cambria*

By Robert Sidenberg, January 14, 2024

The Morro Bay wind farm project is moving forward at a rapid pace regardless of the numerous negative impacts this will have on the marine life and our communities. Port San Luis is being

considered as a location to serve as a base for the construction and maintenance of hundreds of 1,000 foot tall wind turbines which would require a massive alteration project drastically changing the Port's current primary mission from **“To serve the public with an array of commercial and recreational fishing and boating opportunities while ensuring an environmentally responsible, safe, sustainable harbor that preserves our marine heritage and character”** to the plan for a larger, industrialized port with a mission to serve large ships, cranes and other related equipment. Unsurprisingly the majority of people who live in the PSL/Avila Beach area and those that use the port for fishing, boating, and camping are not happy about with this.



The first stage of the development of the wind farm project, the site surveys will begin soon within the coming year. The Bureau of Ocean Energy Management (BOEM) whose mission is to **“Manage development of U.S. Outer Continental Shelf energy and mineral resources in an environmentally and economically responsible way”** and the California Coastal Commission which is **“Committed to protecting and enhancing California’s coast and ocean for present and future generations through careful planning and regulation of environmentally-sustainable development, rigorous use of science, strong public participation, education, and effective intergovernmental coordination”** have green-lighted the developers to proceed with this process regardless of numerous well documented, adverse and sometimes deadly affects this activity will have on the marine environment.

The site surveys require the use of high resolution sonar equipment using up to and above 228 decibels to analyze the ocean floor. This procedure alone has shown to have drastic effects on various marine life. The threshold for hearing damage, masking, and stress reactions for many fish is 120 decibels. Salmon can die at 219 decibels, other fish including rock fish can die at 207 decibels, and there is significant mortality to zooplankton populations as well.



The site surveys will take place where the wind turbines will be located which is right in the middle of a major migratory path for numerous whale species, Salmon, Tuna and many other migratory fish and marine birds. This area is one of the most unique and biodiverse marine areas in the world. The site survey also includes the area in front Diablo Canyon where a main power cable will run from the wind turbine area to the power plant. It should be pointed out that since the beginning of site surveys that began in December, 2022 for offshore wind projects off the coast of New Jersey, 83 large whale deaths and 369 small cetacean (whales, dolphins and porpoises) stranding have occurred. Up 164% from the prior year. Lawmakers, local officials, fishing industry associations and wildlife groups along the Atlantic Coast have called for an offshore wind development moratorium amid an uptick in marine mammal deaths. The project developers and BOEM claim these deaths are not the result of any wind farm activity but are the result of ship strikes and/or climate change however the evidence does not support this. There has not been such an increase of this magnitude elsewhere where wind farm activity is not present. Regardless BOEM has chosen to move full steam ahead.

The Final Environmental Assessment dated October 2022 conducted by the Bureau of Ocean Energy Management for this project declared any negative impact to marine life and birds related to the development of the wind farm to be **negligible** even though there is considerable evidence to the contrary that brings into question the accuracy of BOEM's assessment. Common sense would suggest that placing these kind of structures in the middle of a primary migratory route would be problematic alone. And the effects the equipment used during the site surveys on marine life is certainly more than just negligible.

In 2012 The California Coastal Commission denied a similar permit for PG&E to use sonar for testing at 230 to 252 decibels. Their report stated "The project would also adversely affect Marine Protected Areas, fish and other invertebrates, involving both physiological impacts as well as economic impacts to commercial and recreational fishing by precluding fishing and potentially affecting fish behavior and biology". The Coastal Commission also previously denied a permit to the Navy, who wanted to conduct sonar testing at 154 decibels.

The Morro Bay project which consists of a 376 square mile area 20 miles off the coast between Morro Bay and Cambria is just the first of many more planned wind farms all along the California coastline. This is not a "Not in my backyard "thing". This is a "Not in anybody's backyard "thing".

Of all the possible ways available to produce electricity, wind farms are definitely the most inefficient and costly. Consider the tremendous amount of land and ocean space required for wind turbines and battery plants to achieve the goals set forth to produce the same amount of electricity we are already producing using more reliable methods on a fraction of the space. As if the harm from wind energy to the environment is not bad enough consider the economic and financial affects. Wind and solar energy projects rely **entirely** on subsidies and tax credits. The federal government estimates the subsidies alone for these projects over the next 20 years will total over \$3 trillion. Production tax credits for wind generation will add hundreds of billions more. All this money will be financed by both state and federal government with additional debt and the resulting interest payments adding trillions of dollars more. Many people don't care how much debt our government takes on because they don't understand the consequences. The fact is



the consequences are catastrophic. We all will be paying for this through increased energy fees and taxes for years.

**In the case for wind energy the extreme negative impact to the environment along with the high cost far exceed any benefit. This ambitious plan to cover our oceans and earth with wind turbines defies logic.**

In addition, wind farm energy is not emission free. Most of the factories that build the turbines are located in China and are not emission free. And the equipment used to install and maintain the turbines is not emission free. BOEM estimates air emissions from the operations and maintenance of the wind farm to be as much as 38,038 tons per year. Emissions from the construction will add another 325,255 tons of emissions.

All forms of renewable energy including wind energy are not reliable since they depend on another source of energy that is not always present. As my friend Wade Allison, Professor of Physics at Oxford University in the UK so eloquently stated, “The generation of electricity by wind tells a disappointing story. The political enthusiasm and the investor hype are not supported by the evidence, even for offshore wind, which can be deployed out of sight of the infamous My Back Yard.”

The actual physical science of converting wind to electricity shows it to be very inefficient, thus requiring a large number of turbines to produce the required amount of electricity. Also there would need to be batteries to store the electricity needed when the turbines are not producing which is a major problem since the technology to store that much electricity does not exist and according to Professor Allison is not possible. But even if it was the result would be enormously large areas of land and ocean covered with wind turbines, solar panels, and battery plants that still would not produce enough electricity to meet our needs. So we will always need more reliable methods to be available.

Nuclear energy is emission free and natural gas is a relatively clean burning fuel. These forms of producing electricity are efficient, affordable, and require very little space. There have been great improvements in both nuclear and natural gas power plants over the past 30 plus years and will be continually improved upon. Small nuclear reactors can be built quicker, cheaper, and safer than before and do not need to be located on the coastlines. And with the advancement of carbon capture technology natural gas power plants can and will be virtually emission free. There has been major advancements made in reducing emissions in all fuel powered motors for cars, trucks, boats, and equipment.

The plan to eliminate the use of fossil fuel and cover the planet with wind farms and solar panels is simply not practicable nor is it necessary. You really have to ask yourself what is really going on here.

My hope is that the California Coastal Commission does their job and re-examines the BOEM environmental analysis and denies the site survey permits. But if that does not happen we must do whatever we can to stop this. We, the citizens need to be informed, involved and make our opinions about wind energy known to those that have been given the authority to make decisions that affect us and our communities. Most of these commissions and boards are occupied by non-elected people who are appointed by elected officials such as the governor and various state and federal representatives. Most of our local elected officials are very supportive of this offshore

wind project and the agencies in charge of protecting our natural resources like the California Coastal Commission, California State Lands Commission, Bureau of Ocean Energy Management, National Marine Fisheries Service, and U.S. Fish and Wildlife Service are all following suite and approving every facet of this project regardless of the obvious negative impacts.

**It appears that BOEM as well as the other agencies involved that are supposed to be representing us the people in protecting our oceans and coastlines are instead representing and working for the wind developer companies.**

All of these agencies are required to allow public comment before decisions are made. There are opportunities now and going forward for our voices to be heard regarding this wind farm project. We must speak up now!

React Alliance [reactalliance.org](https://reactalliance.org) a local organization established to educate and inform the public about the issues involved with this project and offshore wind in general has a website that is a good place to start. Check out the events and meetings page for information on the latest meetings and forums that everyone can attend and/or make or post comments.

Here is the link for a BOEM meeting event that people can access now and make comments:

<https://www.federalregister.gov/documents/2023/12/20/2023-27930/notice-of-intent-to-prepare-a-programmatic-environmental-impact-statement-for-future-floating-wind>

Comments must be submitted by 8:59PM PT/11:59PMET on February 20, 2024.

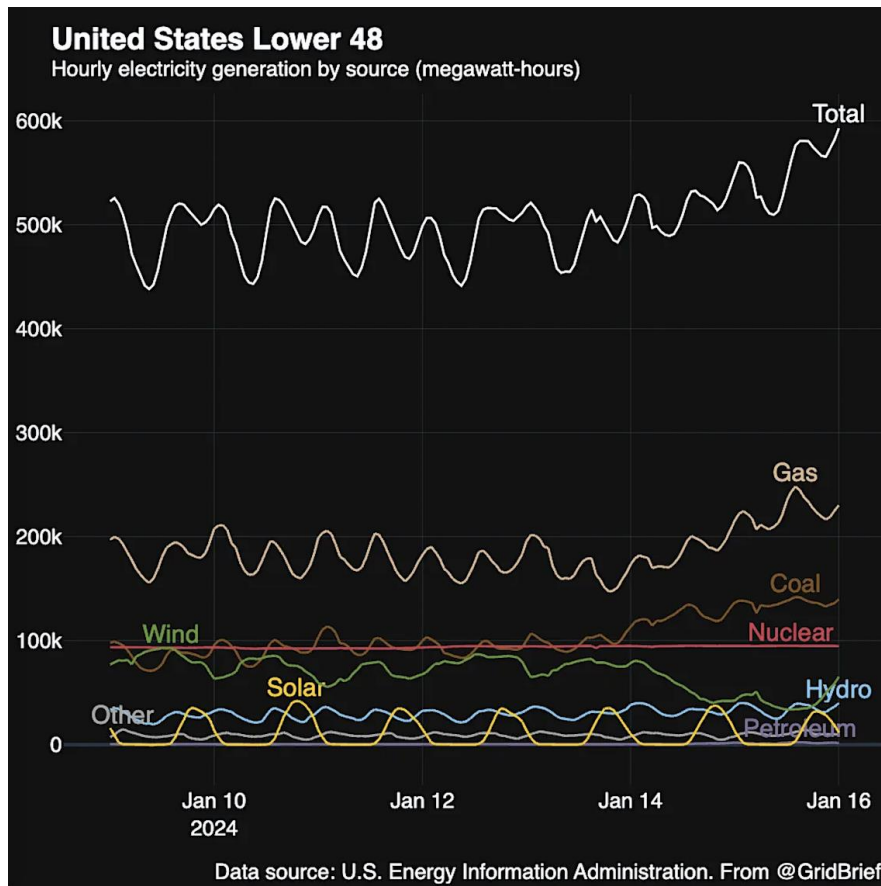
Help Save Morro Bay and Port San Luis.



*Robert Sidenberg was born and raised in Richmond, Va., has lived in Arroyo Grande, CA on the Central Coast since 1985, and has been a recreational sport fisherman for 38 years, fishing out of Port San Luis.*

### **Item 3 - What Keeps The Lights On?**

Most of the country is in the grip of a cold snap, and demand for electricity is high. So where is our power coming from? Fossil fuels and nuclear energy. This chart is from the invaluable Grid Brief:



America runs on natural gas, coal and nuclear power. Everything else is an afterthought. Note that over the last few days, when demand for electricity has spiked, wind turbines have contributed almost nothing. That is typical. When it gets very cold, the wind tends to die down. In fact, if it gets cold enough wind turbines draw electricity from the grid, and thus become a net negative factor. And solar power is consistently pathetic.

The idea that America can be run on wind and solar power is absurd, but the grifters promoting that fantasy are sucking many billions of dollars out of our economy, with a goal of eventually shifting trillions of dollars into their pockets.

January 17, 2024 JOHN HINDERAKER , POWERLINE

**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**

# THE 16 FRONTS OF ENGAGEMENT TO SAVE AMERICA

*2024 is the year Americans must defeat the enemy's demolition plan.*

BY SCOTT S. POWELL

This new year Americans need to think differently about their personal goals because the country that makes their aspirations possible is in a late stage of a planned and controlled demolition. There are two primary impediments to people fully recognizing and doing what is necessary to save their country. First, there is the normalcy bias, which is the tendency to assume the future will be an extension of the past. Second, there is a tendency to avoid discomfort and pain and live in denial of very real problems.

What is difficult for many to understand is that America is being destroyed from within by elites in and out of government. So, for those whose normalcy bias is strong or others with a tendency live in denial, let us review the sixteen components of internal demolition currently taking place in the United States:

[1] The Biden administration's open border policy has unlocked the floodgates of a replacement migration, which displaces existing American citizens from access to jobs, housing, healthcare facilities and schools. Massive in-migration also changes demographics, voting patterns and electoral outcomes.

[2] The foundational rights of America such as life, liberty, individual responsibility, and property—already weakened by decades of public-school and media indoctrination—are now facing frontal assault and subversion from cultural Marxism engendering entitlement, rewriting American history and destroying historic monuments.

Let there be no mistake, a country without borders and without respect for its heritage is no longer a country. But there is a lot more:

[3] The marginalization of religion and morality that has undermined the nuclear family has also contributed to the atomization and disassociated behavior among younger generations of Americans, making them ill-equipped for present challenges and successful family formation.

[4] The removal of religion and belief in God from American schools and cultural institutions, and replacement with secular progressive creeds—notably cultural Marxism—has brought about a society characterized by people of weaker individual character and a society characterized by division and frayed social and political fabric.

[5] The ongoing sexual revolution, which has gone beyond same sex relationships to embrace the normalization of Transgenderism, has brought about mass confusion, high suicide rates, and the undermining of many women's sports—all a consequence of disassociating with natural God-given identity.



[6] The ever-expansion of class warfare at all levels of society, which is the main thrust and contribution of cultural Marxism, undermines the ability of government to function and brings us ever closer to political and economic collapse. The most recent form of class warfare is the planned mass outbreak of anti-Semitism that has brought violence and disruption to major universities across the U.S.

[7] Massive corruption of elites inside and outside the government—compromised by graft, bribery, and insider trading—brings attendant dysfunction, misallocation of resources and it undercuts government's primary function of protecting and serving the welfare of the people.

[8] The elite capture of most traditional and social media by the military-industrial complex, the medical-industrial complex, and the global intelligence-industrial complex, has enabled the control of propaganda narratives that have kept the public ignorant about the most important issues of health, welfare, economics, war and peace.

[9] The loss of election integrity and the rise of vote fraud in the US demoralizes the public and undermines the moral stature and legitimacy of what was the shining example of government of, by, and for the people in the Constitutional Republic of the United States.

[10] The systematic attack on the police and law enforcement by well-funded cultural Marxist elites who embrace Critical Legal Theory is bringing about urban chaos and incivility across the US.

[11] The politicization, corruption and two-tiered judicial system that has arisen in America, which makes lawfare a preferred weapon of choice, provides government funded courts and prosecutors with unlimited government resources to bankrupt private citizens who become political targets. This includes the deep and broad weaponization of most government agencies—including the DOJ, FBI, CIA, DOD, IRS, and DHS—to intimidate and undermine political opposition, and to undermine elections and the constitutional rule of law.

[12] The internal demoralization and weakening of the American military by way of diminishing traditional meritocracy and increasing mandated training and protocols of Critical Race Theory (CRT) and Diversity, Equity, and Inclusion (DEI), have directly contributed to current crisis-level recruiting shortfalls in all three major military services.

[13] The transformation of the profit-based free market system through DEI's cousin ESG—Environment, Social, Governance, is a combination of socialism through the back door and mandated environmental and social governance, which together will reduce economic growth and the opportunities that growth creates.

[14] The global elite-driven transformation of the US energy sector through the creation and sustenance of global warming and climate change narrative propaganda promotes more expensive and less reliable so-called sustainable solar and wind power, while undermining the more reliable and less expensive hydrocarbon energy, based on petroleum and natural gas.

[15] The current trends of the global elite-driven consolidation and control of the US agricultural industry, fertilizer, and food production supply chains—if unchecked—will bring on food shortages and potential mass starvation.

[16] The reckless increase in US national debt escalates risk and makes America unsustainable. In 2003, the US national debt stood at \$3.9 trillion, which was at that time 36% of US GDP. Today US national debt is over \$34 trillion, which is 123% of US GDP—an increase of 772% in just twenty years.

Such a factual recitation is shocking and may suggest that America’s best days are behind us. But with growing numbers of people becoming disillusioned with continuous lies and deceit emanating from authority figures, there is a great awakening among truth seekers and spiritual revivals are happening across the land.

Indeed, American people have a secret weapon, and we greatly outnumber the global elitists in the vanguard of orchestrating America’s demise. That secret weapon is repentance and our faith in and reliance on God who will deliver. Although we may have to walk through the valley of the shadow of death, since God is just, we know the wicked cannot prevail. The Psalmist (94:15) reminds us that “the Lord will not cast off His people, nor will He forsake His inheritance.” Take heart, organize, and discover the joy of serving to save America.

*Scott Powell is senior fellow at Discovery Institute. His timeless book, ‘Rediscovering America’, was #1 Amazon New Release in the history genre for eight weeks. (<https://www.amazon.com/dp/1637581599>).*

## **CALIFORNIA’S FISCAL IRRESPONSIBILITY CREATES \$58 BILLION BUDGET DEFICIT BY LEE OHANIAN**



In what can only be described as gross fiscal mismanagement, California must now deal with a state budget deficit of as much as \$58 billion in the next fiscal year and ongoing deficits of about \$30 billion through 2028. Since California must balance its state budget, this means deferring planned spending until later years, using \$18 billion in reserves, and considering new tax proposals. But California is already ranked as having the [third-worst tax climate in the country](#), behind only New York and New Jersey. California, New York, and New Jersey also rank first, second, and fourth, respectively, among [states losing the largest numbers of residents last year](#), and future tax increases will almost certainly lead to more people leaving California.

California's fiscal mess is self-inflicted. State spending is too high, previous budgets prioritized the wrong items, and tens of billions have been wasted in the process. Just a year and a half ago, California's state government was awash in funds from \$600 billion of federal COVID relief and extremely high tax payments from the state's highest earners, many of whom paid over \$1 million in personal state income taxes. Temporarily high funding led California to increase its state budget way too much, particularly in a state that is shrinking. Between 2019 and 2023, California's population declined by about 472,000, yet the 2022–23 budget increased by 43 percent over its 2019–20 level, [with a budget press release that led off with “Cha-ching!”](#)

The 2022–23 budget ballooned to \$308 billion, over \$23,000 per household. There seemed to be cash for every political agenda, including relocation incentives for businesses willing to move to California from anti-abortion states, funding for healthcare irrespective of an individual's immigration status, and nearly \$54 billion in climate initiatives. There was so much money that Newsom played the part of a TV game show host who gave away \$750,000 in cash prizes to contestants who received COVID vaccinations.

But with federal COVID relief ending, and tax payments far below those of previous years, California's Legislative Analyst's Office (LAO), a nonpartisan research agency that provides fiscal information and advice, is projecting [a \\$58 billion budget deficit](#) for fiscal year 2024–25, an amount that exceeds the general fund budgets expenditures of all states other than New York and Texas for 2022, [which is the latest data available](#). Newsom has proposed a 2024–25 budget of \$291.5 billion, which is unrealistic, not only because it is far too high for the coming fiscal year but because he is unwilling to recognize the enormous fiscal problems the state faces in future years. Newsom believes that state revenues will “return to the pre-pandemic trend,” which flies in the face of the fact that the state has lost nearly 348,000 jobs since January 2020, an interval during which the rest of the country has added over 5.2 million jobs.

He believes that the LAO's forecasted \$58 billion deficit is \$20 billion too high, choosing instead to be [“a little less pessimistic”](#) than those who specialize in the state's fiscal affairs—a team that understands that the state has lost not only nearly half a million in population but more than 27,000 taxpayers with an adjusted gross income of at least \$200,000 and over \$29 billion in tax revenue, both in just one year of Newsom's governorship.

In addition to reducing the LAO's deficit forecast by \$20 billion, Newsom is using several gimmicks to try to make his \$291.5 billion budget balance. This includes moving \$3.4 billion from one spending account to another and deferring June 2025 state government paychecks to July, so that they will get counted in the 2025–26 fiscal year. Then there is draining the

state's [rainy-day fund of over \\$18 billion](#), which represents more than half of the account's current balance.

California's budget problems are not just a consequence of spending too much. It is spending that has not produced what was intended. Our schools continue to fail most students, with only about one out of four being proficient in math, reading, or science. Our roads, dams, and levees receive a grade of about a D+ from the American Society of Civil Engineers. California high-speed rail, which was supposed to have been completed three years ago, now has no pathway to completion, despite billions spent. And for all that California has spent on climate issues, our carbon emission reductions have been more than offset by wildfires, which reflect the state's deficient management of forests and oversight of utilities.

The reality is that neither Newsom nor the Democratic supermajority-led State Senate or State Assembly has any intention of reducing state spending to a reasonable level, which means that new taxes will almost certainly be coming. The State Assembly held a hearing on a wealth tax last week that would include a 1.5% levy on global assets held by Californians with a net worth of \$1 billion as early as this year, and on those with a \$50 million net worth by 2026. If such a proposal were to pass, it would of course simply drain the state of its remaining high earners. Newsom indicates he won't sign such a bill, but the proposal is out there, and who knows what future governors will do.

A ballot proposition is scheduled for a vote this year that would require any California state or local municipality tax increase be approved by two-thirds of voters. But Newsom and the Democrats within the state legislature have succeeded in petitioning the Supreme Court to consider removing the proposition from the ballot under the argument that if passed, it would significantly change the state's constitution, which itself requires a two-thirds majority vote by the state legislature. Arguments are expected to be held next month.

[About the proposition](#), Newsom spokesperson remarked, "This radical effort led by wealthy business interests impermissibly seeks to completely restructure our system of government in a way that will hobble the state's ability to respond to future crises."

State budget crises do not happen because taxes are too low. They happen because state politicians spend far too much. Today's politicians are not worried about future budget crises. They are worried about losing their ability to raise taxes whenever they like. And if the ballot proposition remains and passes, it will not be because of wealthy business interests. It will be because political leaders cannot effectively manage a budget nor deliver value to their constituents.

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*This article first appeared in the Hoover Institution Daily Report of January 19, 2024.*



## ANNOUNCEMENTS

### Slay the Death Tax

HJTA needs about 1.2 million signatures by February 5th to qualify the Repeal the Death Tax Act for next November's ballot

By [Katy Grimes](#), January 16, 2024 4:19 pm

Last week when Gov. Gavin Newsom was sharing his proposed 2024-2025 budget, he insisted that he was opposed to a proposed wealth tax. And sure enough, [Assembly Bill 259](#) by Assemblyman Alex Lee (D-Palo Alto), which will impose an annual “worldwide net worth” tax of 1 percent on net worth above \$50 million, rising to 1.5 percent on net worth over \$1.0 billion, was killed in committee that afternoon.

However, the governor has been mum about another type of wealth tax – California’s sneaky Death Tax, which adds a new tax on property inherited by a family member, which was already was taxed over the years of ownership.

In 2020, [Proposition 19](#) resurrected the Death Tax on families whose property is left to loved ones when they die, putting their homes, property and businesses at significant risk. While the initiative was cleverly disguised as a benefit for the elderly and disabled communities, Proposition 19 caused far more harm than good.

[In May](#), Senator Kelly Seyarto (R-Murrieta) introduced [Senate Constitutional Amendment 4](#), to restore taxpayers’ property rights by reversing the state’s “death tax” written into in [Proposition 19](#). Deviously titled “[the Property Tax Transfers, Exemptions, and Revenue for Wildfire Agencies and Counties Amendment](#),”

SCA 4 would have reversed one of the largest property tax increases in state history, a little-noticed provision of Proposition 19 that revoked the ability of families and parents to pass property to their children without any change to the property tax bill, [according](#) to the Howard Jarvis Taxpayers Association.

However, [Democrats killed Seyarto's SCA 4](#) in a legislative committee. I remember when the Death Tax was first slayed.

“It was 1986 when the parent-child exclusion from reassessment was first added to the state constitution,” Susan Shelly [recently wrote](#). “A growing number of Californians were angry to discover that state law treated death and inheritance as a “change of ownership” under Prop. 13, triggering reassessment to current market value just as if it was a sale. The legislature proposed a constitutional amendment that would allow parent-child transfers of a home and a limited amount of other property, such as a small business or a rental property, without reassessment.” “The parent-child transfer protection passed by a unanimous vote in both houses of the legislature, and then was approved by 75% of voters statewide.”

Howard Jarvis Taxpayers Association [elaborates](#) on how Proposition 19 hurts taxpayers: Proposition 19, had two main elements. The first was expanded “portability” of base-year property taxes. Homeowners who are 55 years of age or older, who are victims of a wildfire, or who are disabled may now move to a replacement home anywhere in the state, of any value, and take the base-year property tax assessment of the old home with them to a new home up to three times.

Now to the other part of Proposition 19. Previously under the state constitution, property transfers between parents and children, and sometimes grandparents and grandchildren, were excluded from reassessment. These family members could transfer a home of any value and up to \$1 million of assessed value of other property, such as a small business property, a vacation cabin, or a rental property, without any increase in the property tax bill. This taxpayer protection was added to the state constitution in 1986 by Proposition 58 (parents and children) and in 1996 by Proposition 193 (grandparents and grandchildren) with overwhelming public support.

Proposition 58 was approved by more than 75% of California voters, and Proposition 193 was approved by nearly the same margin. Now, *these taxpayer protections are gone*.

Proposition 19 has replaced 58 and 193 with a very narrow exclusion for family transfers of property. Only a principal residence that the inheriting child occupies as his or her permanent primary residence is eligible for an exclusion from reassessment. Unless the new owner can move in within one year, the property is reassessed to market value. Business properties and rental properties lose the protection entirely.

So, what can be done?

Susan Shelly [continues](#), “the Howard Jarvis Taxpayers Association, where I am on staff as VP of Communications, is collecting signatures to put an initiative on the ballot that would repeal the tax increase that was hidden in Prop. 19, without touching the other provisions in it. The official petition is available at [RepealTheDeathTax.com](#) and can be downloaded and printed on one sheet of ordinary letter-size paper. This enables instant distribution of the petition throughout the state. Theoretically, a million people could download the petition at the same time, fill it out and sign it, and have one other registered voter in the household also sign it.”

It's easy. Click on [RepealTheDeathTax.com](#) and/or

**[Click here to DOWNLOAD the official petition RIGHT NOW](#)**

[RepealTheDeathTax.com](#) has more details **HERE**:  
[Read the Initiative here.](#)

Please note: You must print and sign the petition with paper and ink. It's not electronic.

Follow the easy instructions. And please note:

**DEADLINE EXTENDED! Return signed petitions to HJTA postmarked by FEBRUARY 5**

Download the official, legal petition to put the **REPEAL THE DEATH TAX** initiative on the November 2024 ballot.

Complete instructions are included in the pdf file.

Get your petition in the mail ASAP – before February 5th.

### [Katy Grimes](#)

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 Against Donald Trump: Who Wins? Who Loses?](#)

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