

The Coalition of Labor Agriculture and Business

# WEEKLY UPDATE MARCH 24 - 30, 2024

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THANK YOU FOR SUPPORTING COLAB OF SAN LUIS OBISPO COUNTY

**1**.

### THANK YOU FOR THE HUGE CROWD, GENEROSITY, AND BIGGEST PARTY IN SLO





### SLO COUNTY SHERIFF IAN PARKINSON AND SANTA BARBARA COUNTY SHERIFF BILL BROWN HIGHLIGHTED THE EVENING TO VIGORUS APPLAUSE COLAB BOARD MEMBER BEN HIGGINS MODERATED WITH STYLE



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# <u>ALERT</u>

### SUPPORT THE COUNTY RESOLUTION URGING THE STATE AND FEDS TO EXTEND THE DIABLO NUCLEAR POWER PLANT LICENSE FOR 20 YEARS

### 10:00 AM, TUESDAY MARCH 26, 2024 SLO COUNTY ADMINISTRATION BUILDING - YOUR PRESENCE AND TESTIMONY ARE INVALUABLE

# **ATTEND & HELP MAKE HISTORY!**

Both Governor Gavin Newsom and the State Legislature asked PG&E to extend energy production at DCPP by passing <u>SB 846</u> into law. This bill provides PG&E with the state road-map to achieve extension of operations through the myriad of state agencies and permitting authorities. However, the state bill's passage is not a final determination. Various state agencies must make individual decisions to align themselves with this state law. PG&E must also obtain a federal Nuclear Regulatory Commission (NRC) license to extend operations. That license is for a 20-year period, although SB 846 would restrict operations within that 20-year license to five years.

#### **Important Points:**

- DCPP employs approximately 1200 employees who live in our communities. Their children go to our schools. Their spouses also work in our business. They contribute greatly to the fabric of our community.
- More importantly, DCPP produces about 18,000 gigawatt-hours of electricity annually, which is about 9 percent of California's in-state generation. Its baseload power sustains us through good and bad weather, especially through the hot summer months when energy usage is at its highest.
- Recent extreme heat events and wildfires have highlighted the need to plan for additional risk to California's energy reliability. In 2020, a heat event resulted in rotating outages. In 2021, dry conditions resulted in a wildfire in Oregon that impacted transmission lines that California depends on for reliability. The fire resulted in a loss of 3,000 megawatts of imported electricity to California. In 2022, California experienced record-high temperatures, creating flex alerts and warning. On September 6, 2022, California experienced a new record peak load at 52,061 megawatts, nearly 2,000 megawatts higher than the previous record, despite significant efforts to reduce load during this peak period.
- Electricity demand in California has also increased. This increase is due in no small part to the growing electrification of businesses, homes, and modes of transportation. Couple this change in electricity consumption with more frequent record-breaking high temperatures, and higher peaks in demand are the result.

- At the same time, the State has become more and more reliant on renewable and zero-carbon generating resources. To reduce greenhouse gas emissions and help improve air quality and public health, the State's goal is to transition all energy generation to clean energy resources, primarily solar and energy storage at utility scale. Granted, California's ambitious target of increasing renewable generating sources has been unprecedented. However, the transition has not kept up with demand, putting grid reliability in jeopardy.
- In their resent study of this subject, the California Energy Commission (CEC) determined that it is prudent to extend energy production at Diablo Canyon Power Plant to protect against energy supply shortfalls, while growth in renewable generation grows to ultimately supplant the DCPP's production. The CEC has determined that this is consistent with the state's emission reduction goals. SB 846 echoed this need and allows for a five-year extension opportunity, which most experts believe is too short of a period of time for the renewable generating sources to come on line sufficient enough to meet our energy demands.
- Although DCPP is not legally defined as a renewable energy resource, its energy generation produces no green-house gases. So, its continued operation is essential to help us meet the State's climate goals while ensuring our energy needs are met.
- Diablo Canyon Power Plant is a safe, clean, and vital energy resource for our state and communities. Please support the continued safe operation of DCPP so we can all enjoy the clean energy it provides until the renewable generating sources are capable of carrying the load.
- Please support Item 35 on today's agenda.

#### SEE ITEM 35 BELOW FOR MORE DETAILS, PAGE 7

# THIS WEEK PAGE 6

# **SLO PENSION TRUST**

**POSITIVE INVESTMENT RETURNS CONTINUE** 

# **BOARD OF SUPERVISORS MEETING**

**RESOLUTION TO EXTEND DIABLO FOR 20 YEARS** 

### CLOSED SESSION NOTHING ON NEW CAO YET

OCEANO AIRPORT RESOLUTION PAULDING RECEIVING PRESSURE TO CLOSE IT COASTAL COMMISSION ALSO STALKING AROUND

### LAST WEEK PAGE 10

# **SPECIAL BOS MEETING MARCH 18<sup>TH</sup>**

COUNTY ADMINISTRATOR CANDIDATE INTERVIEWS

# **NO REGULAR BOARD OF SUPERVISORS MEETING**

# LOCAL AGENCY FORMATION COMMISSION CANCELLED

# **OTHER AGENCIES DORMANT**

**EMERGENT ISSUES** SEE PAGE 10

A GREAT IDEA FROM THE WALL STREET JOURNAL IF YOU DON'T GET YOUR PERMIT ON TIME, THE COUNTY FOREGOES THE FEES

FRESH BATCH OF YIMBY HOUSING BILLS CLASH WITH COASTAL PROTECTIONS (AGAIN) AFTER A LEGISLATIVE VICTORY LAST YEAR, PRO-HOUSING LEGISLATORS AND ADVOCATES WANT TO STRIP THE CALIFORNIA COASTAL COMMISSION OF MORE AUTHORITY IN ORDER TO SPUR HOUSING DEVELOPMENT

### TAX INCREASE ON MEDI-CAL MANAGED CARE PLANS REALLY FOR GOVERNOR'S \$73 BILLION BUDGET DEFICIT?

This is money being taken out of your pockets to pay the governor's bad debts

### COLAB IN DEPTH SEE PAGE 19

### CALIFORNIA'S DEFICIT: BRING YOUR ALIBIS BY WILL SWAIM

# **OUR PERILOUS, MAGNIFICENT, PERILOUS FUTURE**

*To believe that the future may just be more wonderful than we could ever imagine is not fantasy; it is an informed, realistic perspective. And it completely disarms the manipulative narrative of fear.* BY EDWARD RING

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

SLO County Pension Trust Meeting of Monday, March 25, 2024 (Scheduled)

**Item 9 - Monthly Investment Report for February 2024.** The results were positive in February, and momentum continues into March.

	1-month	YTD	2023	2022	2021	2020	2019
Total Fund (%) (Gross)	1.3	1.7	8.9	(8.0)	15.2	8.9	16.3
Policy Index (%)*	blicy Index (%)* 1.3		10.2	(9.7)	12.8 10		16.4
		YTD	2023	2022	2021	2020	2019
Market Value (millions)		\$1,715	\$1,694	\$1,614	\$1,775	\$1,552	\$1,446

 Poincy index as of Nov. 2021 Strategic Asset Allocation Poincy with 2024 Interim targets:

 Public Mkt Equity 20% Russell 3000, 17% MSCI ACWI ex-US

 Public Mkt Debt 4% Bloomberg/Barclays US Aggregate,

 Risk Diversifying
 8% Barclays 7-10yr Treasury, 7% Barclays 5-10yr US TIPS

 Real Estate & Infrastructure 14% NCREIF Index (inc. Infrastructure)

 Private Equity 12% actual private equity returns

 Private Credit 10% actual private credit returns

 Liquidity 8% 90-day T-Bills

 Pending annual updates to interim targets.

**Board of Supervisors Meeting of Tuesday, March 26, 2024 (Scheduled)** 

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**Item 35 - Submittal of a resolution that supports operation of Diablo Canyon Power Plant for 20 years.** During the February 27, 2024 Board Meeting, Supervisor Dawn Ortiz-Legg proposed that the Board consider adopting a Resolution supporting the relicensing of the Diablo Nuclear Power Plant for 20 years instead of five years, as has been proposed by the legislature. Supervisors Arnold and Peschong concurred with her by supporting the motion to have staff prepare the Resolution and return at a future meeting. Supervisors Gibson and Paulding vigorously opposed the motion.

The excellent Board letter on this item contains a concise history of the issue and a list of important reasons why the plant's operation should be continued. It also contains key steps in renewing the license by the Federal Nuclear Regulatory Commission.

The NRC anticipates making a decision on PG&E's license renewal application in August 2025. As part of the license renewal process, the Coastal Commission must conduct a Federal consistency review to determine whether the license renewal would affect land or water use or natural resources within the coastal zone and whether it is consistent with the applicable provisions of the California Coastal Act.

There are numerous agency and PG&E requirements outlined in SB 846 to solidify the path toward DCPP extended operations, and progress has been made in meeting them. Some significant milestones include:

- In November 2023, PG&E submitted its license renewal application to the Nuclear Regulatory Commission (NRC). The application was accepted by the NRC on December 19, 2023.
- In December 2023, the California Public Utilities Commission (CPUC) issued a decision conditionally approving extended operations of the DCPP until October 31, 2029, for Unit 1 and October 31, 2030, for Unit 2.
- In January 2024, the Department of Energy (DOE) announced its final decision to award PG&E \$1.1 billion as part of the DOE Civil Nuclear Credit Program. The funding under this program is to support the continued operation of nuclear power plants which were scheduled to be decommissioned.

The proposed Resolution is displayed below:

Attachment 1

### IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_\_, 2024

PRESENT: Supervisors

ABSENT:

RESOLUTION NO.\_\_\_\_\_

#### DIABLO CANYON POWER PLANT: KEY CLIMATE SOLUTION FOR ENERGY SECURITY AND RELIABILITY BEYOND 2030

The following resolution is hereby offered and read;

WHEREAS, climate change has led to increased uncertainty, with extreme weather locally, nationally and around the globe; and

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WHEREAS, on February 28, 2024, the U.S. House of Representatives passed H.R. 6544 (Atomic Energy Advancement Act), in a bipartisan vote of 365-36, to accelerate nuclear energy technologies and modernize regulations; and

WHEREAS, on March 4, 2024, President Biden signed the fiscal 2024 spending bill for the Department of Energy allocating \$2.7 billion for domestic uranium production, with strong bipartisan backing; and

WHEREAS, Diablo Canyon Nuclear Power Plant (DCPP), California's last operating nuclear power plant, is located in San Luis Obispo County and has operated safely since 1985 under the U.S. Nuclear Energy Commission, which protects public health and safety and has the authority to shut down DCPP, if there is any concern; and

WHEREAS, DCPP meets high safety standards with additional oversight from the Diablo Canyon Independent Safety Commission, along with other third-party experts, undergoing the most rigorous assessment of any nuclear power plant in the world; and

WHEREAS, DCPP is California's largest clean energy generator, operating 24 hours per day, 365 days a year, rain or shine; and is the County's largest private employer with 1300 head-of-household jobs, and also provides millions of dollars in annual property taxes for our children's schools; and

WHEREAS, DCPP is a critical, fixed energy generating asset, providing California state wide reliability, including 8.6% of California's energy and 17% of its clean energy; and

WHEREAS, DCPP is currently undergoing an extensive review and process, fulfilling the provisions of SB 846, passed in 2022, to continue operations until 2030; and

WHEREAS, these extraordinary efforts by Governor Newsom and the State Legislature are appreciated, as are the Biden Administration's Department of Energy award of \$1.1 billion dollars in credits supporting the continued operations of safe and reliable nuclear energy facilities, protecting thousands of jobs while avoiding an increase of carbon emissions; and

WHEREAS, the U.S. Department of Energy lists nuclear power as safe and reliable clean energy, that helps reduce carbon emissions and address the threat of global climate change; and

WHEREAS, on December 2, 2023, at the World Climate Action Summit 28th Conference of the Parties (COP 28) to the U.N Framework Convention on Climate Change, the United States joined 20 countries from four continents in signing the Ministerial Declaration to Triple Nuclear Energy (Ministerial Declaration) as a key step toward reducing gas emissions by 2050; and

WHEREAS, signatories to the Ministerial Declaration "recognize the importance, where technically feasible and economically efficient, of extending the lifetimes of nuclear power plants that operate in line with the highest standards of safety, sustainability, security, and non-proliferation, as appropriate;" and

WHEREAS, the International Energy Agency states that nuclear energy, alongside renewables, can make a significant contribution to achieving sustainable energy goals and enhancing energy security; and

WHEREAS, California has an important leadership role in technological innovation to advance nuclear applications and processes in order to supply the terra-watts of electricity for data

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centers, clean tech manufacturing, electrification of transportation among many other every day needs to drive the world's 7th largest economy; and

WHEREAS, San Luis Obispo County is the sole location in California where nuclear energy is commercially generated, offering significant nuclear expertise, world class educational facilities and operational excellence; and

WHEREAS, San Luis Obispo County follows an "all the above approach," generating energy at DCPP, two utility-scale solar plants generating 800MW, and offshore wind projects, all driving innovations, investments, jobs and producing carbon free energy; and

WHEREAS, San Luis Obispo County respectfully requests that the State of California give strong consideration to extending the DCPP operational lifespan up to 20 more years. Doing so offers certainty, ensures material forecasting, assists workforce planning, drive down costs and together with renewables, DCPP enhances grid stability and energy security for all our families and communities.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of San Luis Obispo, State of California, supports the continued operation of Diablo Canyon Power Plant for another 20 years.

Item 36 - Closed Session- PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (16) Consider Public Employee Appointment for the Position of County Administrative Officer; and (17) Consider Public Employee Appointment for the Position of Human Resources Director. As of 5PM, Saturday, there was no posting of a selection for CAO on the County website.

### **MATTERS AFTER 1:30 PM**

Item 38 - Submittal of a Resolution supporting the continued operation of the Oceano Airport and recognizing its important role in San Luis Obispo County. The write-up indicates that Supervisor Paulding has been receiving pressure from community groups that wish the County to close the airport. The item states in part:

At the February 27, 2024, Board Meeting, the Board requested that staff prepare a draft resolution supporting the continued operation of the Oceano Airport ("Airport") and recognizing its important role in the County of San Luis Obispo. The referral was made by Supervisor Paulding. In his referral, Supervisor Paulding explained what prompted the referral was the fact that various community groups and members have recently expressed opposition to the continued operation of the Airport citing environmental justice related concerns, and that these concerns were echoed by the California Coastal Commission ("commission") when the commission recently reviewed a Coastal Development Permit ("CDP") submitted by the Airport for a maintenance and improvement project.

The Board letter does not describe which community groups wish to close the airport or why they wish it closed. The County Department of Airports prepared the Board letter, which is totally in support of its continuation. The record is full of scores of letters from pilots and others who wish the airport to remain open. There are no letters as of this writing from any community group or individuals supporting shutdown of the airport. It has been reported in the media that there are groups that would like the airport to be replaced by wetlands. The California Coastal

Commission has been hostile to the Airport and has required the County to conduct a major planning effort prior to making any improvements.

Perhaps Supervisor Paulding wishes to shut off the pressure for him to close the airport by some of his constituents with a powerful set of reasons and a firm "no way" by the Board.

There is no data in the report about how many airplanes are based at the field, how many takeoffs and landings there are per year, how much revenue the County receives from hangers and aircraft parking, how much revenue the County receives from fuel sales, and how much it costs to run the field. Are there other tenants? This is typical of the County's aversion to real analysis of issues. Again, how are we doing? Is the airport a cost center or a profit center?

The County Budget simply lists the cost.

**Oceano Airport Operations** 

Oceano Airport is a small, general aviation airport that serves as a critical point for air ambulance, California Highway Patrol, and Cal Fire activities in addition to providing general aviation facilities for airport users.

Provide strategic oversight and long-term planning for the Oceano Airport through the timely and efficient administration of airport business and financial management. Operate and maintain the airfield, facilities, and property in support of general aviation.

Total Expenditures: \$247,625 Total Staffing (FTE): 0.00

There is a rumor that Supervisor Gibson bases an airplane at the field. If this is true, will he recuse himself from action on the matter?

**Item 39 -** 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.

# LAST WEEK'S HIGHLIGHTS

Special Board of Supervisors Meeting on Monday, March 18, 2024 (Completed)

Item 1 - The Board interviewed candidates for the County Administrator position.

No Board of Supervisors Meeting on Tuesday, March 19, 2024 (Not Scheduled)

The next regular meeting will take place on March 26, 2024.

Local Agency Formation Commission Meeting of Thursday, March 21, 2024 (Cancelled)

The workload has been light this year.

# **EMERGENT ISSUES**

Item 1 – A great idea from the Wall St. Journal – If you get <u>DON'T</u> your permit on time, the County foregoes the fees.

# A Simple Idea for Speedier Government

he slow gears of government frustrate business, but they turn a little more quickly if you threaten to starve the machine. Take a look at Pennsylvania, where endless waits for permits cleared up as soon as agencies were forced to return the fees.

Gov. Josh Shapiro launched the policy last year with a pledge to whip the bureaucracy into shape. He ordered every state agency to adopt a strict timeline for issuing permits, and created a single office for businesses and individuals to apply. Then came the hard ball. He added a program called PAyback that requires the state to refund application fees if it fails to issue permits on time.

The program has been running for less than six months, and the state's top business regulator announced early results last week. The Department of Environmental Protection, which decides when developers can break ground, has reduced its backlog for new permits by 41%. Individual workers are benefiting too. Car salesmen, pharmacists and real-estate brokers are getting licenses in less than half the time it used to take.

The threat of revenue loss was enough to put a spring in the step of sluggish bureaucrats, even before they lost any revenue. Pennsylvania secretary of state Al Schmidt told the state Senate that all 55,000 permits approved since November were issued within the specified time. Applicants got what they came for quickly, and no refunds have been issued.

The quick reform is no surprise because these fees are big business for state agencies. Each aspiring nurse in the state hands over a \$70 permit fee along with a \$95 initial licensing fee, for example. For that price, the government stamps credentials that the applicants have already demonstrated in a stateapproved course.

Permitting delays are particularly painful for developers, where long waits for state approval can stall major projects. The water utility in Johnstown, a small city in Pennsylvania's southwest, received a state permit in November to upgrade a dam nearly five years after it first applied. Local officials say the cost of the upgrades rose about 20% while their application was processed.

It shouldn't take threats to speed up these approvals, but give credit to Gov. Shapiro for providing incentive for responsive, rather than rapacious, government.

#### Item 2 – Fresh batch of YIMBY housing bills clash with coastal protections (again)



By Ben Christopher, March 18, 2024 Cal Matters

Waves break near beach homes in Malibu on Dec. 28, 2023. Photo by Damian Dovarganes, AP Photo

#### **IN SUMMARY**

After a legislative victory last year, pro-housing legislators and advocates want to strip the California Coastal Commission of more authority in order to spur housing development.

Last year, state lawmakers broke from tradition by not including <u>an exception for the California</u> <u>coast</u> in a major housing law.

That deliberate omission came despite opposition from the California Coastal Commission — the voter-created state agency tasked since 1976 with scrutinizing anything that gets built, demolished, dug, divvied up, fixed, tamped down or clear cut within the California Coastal Zone. A stretch of land that grazes the entirety of California's 840-mile coast, the zone reaches inland from high tide, 1,000 feet at its narrowest and five miles at its thickest.

"Once you start exempting classes of development from the <u>Coastal Act</u>," Sarah Christie, the commission's legislative director, warned CalMatters at the time, "there will be no shutting that barn door."

Sure enough, a small herd of bills now trotting through the Legislature would further erode the commission's long-guarded authority in the interest of spurring more housing on some of California's most exclusive, valuable and tightly regulated real estate.

The bills — all by Democrats — take different tacks:

- Exempt from the Coastal Act <u>apartment projects that make use of density bonus law</u>, a policy that lets developers build taller, higher and with fewer restrictions if they set aside units for lower income residents. It's by San Diego Assemblymember David Alvarez.
- Make the same exception for <u>accessory dwelling units</u>, often known as granny units or casitas. It's by Encinitas Sen. Catherine Blakespear.
- Force the Commission to more quickly process appeals of locally-approved apartment buildings, also a Blakespear bill.
- Cut a chunk of San Francisco <u>out of the Coastal Zone entirely</u>. It's authored by that city's senator, Scott Wiener.

Together they show that many pro-housing legislators have taken heart from last year's battle for the coast.

"The Coastal Commission and the Coastal Act have been a bit of a sacred cow and that has meant that it has been carved out of a lot of bills," said Sen. Blakespear. Reevaluating whether that should be the case is "an area of an emerging focus from the Legislature."

The commission is opposed to Wiener's bill to redraw the San Francisco coastal boundary unless it's dramatically amended. While it has yet to take formal positions on the remaining bills, it's clear they don't welcome this legislative trend.

"We're troubled by the number of bills this year that seek to undermine the Coastal Act in the name of promoting housing," said Coastal Commission Executive Director Kate Huckelbridge in a written statement. "We know from experience that abundant housing and coastal resource protection are not mutually exclusive."

The commission is likely swimming against the political current. Last year's <u>apartment boosting</u> <u>bill</u> squeaked through the Assembly's Natural Resources Committee over the opposition of its chair, <u>Arletta Democratic Assemblymember Luz Rivas</u>.

That committee has a new chair now: Culver City Democratic, Assemblymember Isaac Bryan, whom many <u>expect to be more receptive to housing production bills</u>. Ditto for the Assembly as a whole. The new Democratic speaker, Salinas' Robert Rivas (no relation to Luz Rivas), has signaled that he wants the Legislature to <u>do more than "chip around the corners" on housing policy</u>.

What needs protection?

In recent years, state lawmakers have passed a <u>slew of bills</u> stripping local governments of their ability to delay housing projects. In most of California now, a developer interested in building <u>most forms of affordable housing</u> or accessory dwelling units need not conduct an extensive environmental analysis, submit to public meetings or win over skeptical elected officials.

But whatever authority local governments have lost, the Coastal Commission has retained. That puts the Coastal Zone, which is largely undeveloped but also includes significant chunks of urbanized beach communities including Santa Monica, Venice, Long Beach, San Diego and Santa Cruz in a separate regulatory universe from the rest of the state.

And for good reason, say the commission and its defenders.

"Sea level rise is a serious threat along the coast and, in particular, in urbanized areas," said Joel Reynolds, western director of the Natural Resources Defense Council, an environmental legal advocacy nonprofit. "The Legislature was very aware of the fact that the scope of the (Coastal Act) was going to cover developed areas in addition to undeveloped areas. I think the case for that has only gotten stronger."

In 1972 voters — concerned that encroaching development was cutting off coastal access for all Californians, and outraged by the <u>1969 Santa Barbara oil spill</u> — passed an initiative to create the California Coastal Commission. Its rallying cry was "Save our Coast" — a determination to keep California's shores from becoming a West Coast version of Miami Beach.

Within a few years the Legislature made the commission a permanent agency with broad authority to protect the state's coastal resources. Those include the natural variety, such as wetlands, estuaries, creeks and the state's chalky, erosion-prone bluffs, but also human-centric benefits such as public access, cheap accommodations, ocean views, social and cultural diversity, and aesthetics. Pro-housing advocates argue that the law should apply less rigidly in places where dense development already exists.

"A 10-unit mixed income project in Venice Beach simply does not have the environmental salience as the Santa Barbara oil spill," said Louis Mirante, a lobbyist with the Bay Area Council, which is co-sponsoring the Alvarez density bonus bill. "The Coastal Act is so dubious of housing it harms the environment."

The environmental case for more coastal construction goes like this: More apartments in downtown Santa Cruz or Santa Monica will allow more people to live closer to the state's job centers without the need for long commutes and <u>air-conditioned sprawl</u>.

That view represents a break from the kind of environmentalism that birthed the Coastal Act, in which restricting development and democratizing the planning process was seen as the best way to protect the Earth. As public concern over climate change has eclipsed that conservationist impulse, a fissure has emerged within both the California and national Democratic coalition between development skeptics and a <u>new coalition of liberal 'build-baby-build'-ers</u>.

"The commission has very strong muscles to stop things, because that's most of their job. But their muscles to help things happen are basically non-existent," said Will Moore, policy director at Circulate San Diego, a transportation and housing advocacy nonprofit that is also cosponsoring the Alvarez bill. As a result, the commissioners "protect us from a lot of bad things," he said. "But housing is a good thing."

He emphasized that the density bonus law, for example, only applies to places already zoned for multifamily housing: "Nobody is going out and building a skyscraper in the lagoon."

#### Coastal elites

Just shy of 1 million people live in California's coastal zone, according to an analysis provided to CalMatters by Nicholas Depsky, a climate change research consultant at the United Nations Development Programme.

That sliver of the state population — less than 2.5% — does not represent the state as a whole. Roughly two-thirds of those coastal dwellers are non-Hispanic whites, according to Depsky's analysis. That would make the coastal zone roughly twice as white as California's population.

It's also an enclave of relative affluence. A <u>UCLA School of Law research paper from</u> <u>2011</u> found that neighborhoods just inside the Coastal Zone had lower population densities and fewer children than those just outside of it. The homes themselves were 20% more expensive, even after the researchers added statistical controls for a home's distance from the beach.

The researchers attributed the difference to the introduction of <u>the Coastal Act and its tighter</u> regulatory scheme on new housing, which "triggered both supply and demand effects that on net have gentrified the area."

Members of the Coastal Commission and its staff regularly counter that it has never rejected a proposed affordable housing project. In fact, even if rejecting housing projects was the commission's goal — which the commission stresses is not the case — it rarely gets the opportunity to do so.

In most of the cities that dot the coast, regulatory enforcement has been delegated to local authorities through <u>commission-sanctioned development plans</u>. The public can appeal projects approved by those local authorities to the Coastal Commission itself, but only in designated areas especially close to the shore and other protected waterways.

Those appeals are relatively rare.

Of the <u>1,261 coastal development permits issued</u> by local governments last year, just 48 were appealed, according to commission data. In roughly two-thirds of those cases, the commission deferred to the local government and declined to review the project. The Commission only denied two of the projects after accepting their appeals.

Commission critics argue that looking solely at the number of appeals ignores all the housing that was reduced, slowed down or saddled with higher costs as it made its way through the regulatory process. They also point to a hypothetical universe of developments that would have been proposed in a more development-friendly regulatory regime but weren't, out of fear of the Coastal Act.

"I suspect a lot of projects don't get proposed knowing that there's going to be an additional delay and additional appeal risk," said Nolan Gray, research director for pro-development California YIMBY. "We only see the projects where the developer is like, 'YOLO!""

A proposed condo development, Pisani Place, in Los Angeles' Venice neighborhood, is one recent example of a housing project that wasn't flat-out denied by the Coastal Commission, but died in the face of its regulatory scrutiny anyway.

Despite it being approved by the city of Los Angeles, the Coastal Commission took issue with the designs and overall benefits of the project. The project included affordable units, but they were half the size of the market-rate condos and located partially below the sidewalk.

Commission staff noted that the project raised concerns about the "equitable distribution of environmental benefits," that its various density bonuses were not "the least impactful on coastal resources," and that the proposed building was "out of character with the surrounding structures because it does not respect the prevailing height or mass of the existing residences."

Rather than redesign the project under the Coastal Commission's guidance, the developers withdrew their application this month.

A middle ground on the coast?

Robin Rudisill, co-founder of Citizens Preserving Venice who appealed the project, said the developer never made a compelling case that the project's use of state density bonus law was consistent with the Coastal Act. She blamed the Los Angeles for approving the project anyway.

"If the city had done its job, this poor developer would have understood the correct regulations along the way and maybe he could have made modifications that would have made things work," she said.

Current law requires that the <u>Coastal Act and state density bonus law</u> be "harmonized so as to achieve the goal of increasing the supply of affordable housing in the coastal zone while also protecting coastal resources and coastal access."

What that means in practice — especially when the two statutes often seem to require opposite outcomes — isn't always easy to say. Rudisill said she knows of a "reasonable" middle ground when she sees it, pointing to a handful of <u>density bonus</u> projects sitting in the planning pipeline for Venice.

"They're getting a lot of extra units. They're getting extra height and, you know, some variances and open space and yards and everything," she said. "But they're not asking for the max. They're not getting greedy."

The current regulatory system allows for a nuanced debate, said Rudisill. "It may take some hard meetings and listening to the community and really understanding the impact," she said. "That's why it's a discretionary decision."

From the outside, that nuanced debate — which the bills under consideration this year would do away with or severely limit — can look a lot like haggling.

In Santa Cruz, a density bonus project proposed along the San Lorenzo riverwalk was <u>appealed</u> to the Coastal Commission last October. The commission rejected the appeal, allowing the project to move forward, after the developer agreed to <u>spend hundreds of thousands of dollars on</u> <u>affordable housing</u> and to construct a series of publicly accessible walkways through the property.

Exempting that project from the Coastal Act would mean "then we wouldn't be having any of these debates about 'community character," said Lee Butler, the city's planning director. "But we could also be vulnerable to the scenario where we are seeing density bonus used to preclude public access."

# Item 3 - Tax Increase on Medi-Cal Managed Care Plans Really for Governor's \$73 Billion Budget Deficit?

*This is money being taken out of your pockets to pay the governor's bad debts* By <u>Katy Grimes</u>, March 19, 2024



California Democrat lawmakers are pushing a bill to increase the tax on Medi-Cal managed care plans by another \$1.5 billion, to fund the state share of cost in the Medi-Cal program. Or so we are told. While this appears to be in-the-weeds legislative lingo, it also appears to be a money grab to help Gov. Newsom shore up his <u>\$73 billion budget deficit</u>... on the backs of the state's poorest people, and physicians who can't get full reimbursement for treating Medi-Cal patients. This is what third world countries do when the results of Socialism or Communism come home to roost. All you need to know is this is money being taken out of your pockets to pay the governor's bad debts.

Assembly Bill 119 in 2023 authorized amendments to the Medi-Cal Managed Care Organization Provider Tax (MCO tax), affecting the budget of the Department of Health Care Services, according to bill analysis.

Last year, the MCO tax was to expire.

#### 2024's Senate Bill 136 increases that tax, as the bill language shows:

Existing law sets forth certain taxing tiers and tax amounts for purposes of the tax periods of April 1, 2023, to December 31, 2023, inclusive, and the 2024, 2025, and 2026 calendar years. Under existing law, the Medi-Cal per enrollee tax amount for Medi-Cal taxing tier II, as defined, is \$182.50 for the 2024 calendar year, \$187.50 for the 2025 calendar year, and \$192.50 for the 2026 calendar year.

# **This bill would raise that tax amount for that tier to \$205 for all 3 of those calendar years.** (*emphasis the Globe*)

SB 136 seeks to impose another \$1.5 billion General Fund tax increase, which will be matched by federal funds to give the governor \$3.1 billion.

Last year's MCO Tax (<u>Assembly Bill 119</u>) also taxed health plans, however, those revenues were intended to fund Medi-Cal providers with much-needed rate increases to Medi-Cal physicians.

This MCO Tax will not fund rate increases, but will instead be used to backfill the Governor's massive budget shortfall.

The bottom line is that AB 119 was a bad bill and was passed and signed into law by Gov. Gavin Newsom in June 2023. And Democrats are back with another bad bill to help provide cover for additional funding for Newsom's budget deficit.

I wonder what federal auditors would say about this scheme...

The governor will be able to "shift" \$3.1 billion from the Medi-Cal Provider Payment Reserve Fund to the general fund to help shore up his \$73 billion budget deficit. How many other state agency budgets are facing such a scheme?

<u>Republican lawmakers warned</u> in Assembly floor debate Monday that the "shift" and additional tax affects the long-term stability of the Medi-Cal Managed Care Organization Provider Tax-funded provider rate increases by creating a fiscal cliff when the MCO Tax expires. Or the governor will just get another bill passed to extend the tax...

Assemblyman Vince Fong (R-Bakersfield) called this another "tax," and reminded lawmakers that promises were made last year of no increases on the MCO tax. Fong said the governor was "diverting funds to cover state mismanagement."

The vote on SB 136 was telling, almost entirely along party lines, but with a few curious abstentions on such a blatant tax increase:

This budget scheme does nothing to improve California's healthcare system, which is why it is curious that Republicans, including the Minority Floor Leader, Assemblyman Heath Flora (R-Ripon), who is the policy leader, did not vote against the tax bill (<u>his second questionable vote</u> in one legislative session).

Republican Leader Assemblyman James Gallagher (R-Yuba City) voted an affirmative "no" on AB 136 (the second vote in one legislative session his number 2 guy did not vote with him).

And it is just a tax being used as a bait-and-switch funding mechanism to provide relief to the General Fund.

"Historically, these taxes on managed care plans — the MCO tax — have been swept into the state's general fund, used to balance the budget whenever times got tough," Politico <u>reported</u> in June when AB 119 was passed. "But this year, nearly every health care advocate and elected official in the state was demanding the money stay in the health care system." Until the Governor needed \$3.1 billion for his deficit.

Notably, California has added millions more people to Medi-Cal in recent years, including illegal immigrants, so asking for the additional tax last year made sense – which is really where the costs are going.

"For the coming year, the deal hews closely to what Newsom proposed in May," Politico <u>reported</u>. "Some of the money will be used to balance the budget, with \$3.5 billion going into the general fund. Three specialties will get a boost to their reimbursement rates: Primary care, OBGYN and some mental health care services will start being paid 87.5 percent of what the federal government pays them through Medicare."

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 <u>California's War Against Donald Trump: Who Wins? Who Loses?</u> California Globe – March 20, 204.

### **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

# CALIFORNIA'S DEFICIT: BRING YOUR ALIBIS BY WILL SWAIM

Governor Gavin Newsom helped create — and is now faced with — the biggest budget deficit in Golden State history.

In the summer of 2022, California governor Gavin Newsom, apparently high on the smell of cash, announced that California had just smashed through the state-budget equivalent of the first four-minute mile: a one-year surplus of \$100 billion. Calling it "simply without precedent," Newsom bragged, "No other state in American history has ever experienced a surplus as large as this."

"Neither the governor nor the Legislative Analyst's Office acknowledged how precarious that 'surplus' was," says Mark Moses, author of The Municipal Financial Crisis: A Framework for Understanding and Fixing Government Budgeting.

Just one year later, Newsom announced — this time without the trumpet blasts, chest-thumping and press tour — that California was \$32 billion in the red. Today, the governor is staring into the business end of a \$78 billion deficit.

You didn't have to be a prophet to see the financial chaos coming. In this state's notoriously mercurial tax system, which depends largely on revenue from just 150,000 wealthy Californians and massive, occasional paydays to investors in the state's tech sector, what went up in 2022 was certain to fall hard, fast, and soon. Nor did the governor acknowledge the troubling fact that there was never a surplus: Even in go-go days of 2022, California's state and local debt was accelerating toward \$1.6 trillion, about 17 times Newsom's one-year "surplus," which included unfunded retirement benefits for government employees.

The bottom line: The bad news was a surprise only to those who took Newsom seriously.

For those people, the first red flag popped up in December, when the independent Legislative Analyst's Office (LAO) pegged the deficit at \$68 billion. With the doomsday clock ticking, the

governor's finance office issued a bland but candid "budget letter" to all state agencies, urging them to throw overboard anything not nailed to the state constitution. "It is vitally important that state government is efficient, effective, and only expends funds that are necessary to the critical operation and security of the state," the finance office declared. "As such, all state entities must take immediate action to reduce expenditures and identify all operational savings achieved."

That would be sound guidance in all circumstances. But this is California, and back in 2022, when Newsom was still feeling like the casino's biggest whale, he spent as if there'd be money forever, boosting spending to \$308 billion, more than double Jerry Brown's last, 2019 budget of \$140 billion. In the Year of the Historic Surplus, there were gifts for almost everyone and a soundtrack of Vegas slots paying off. Offering ten wonderful ways he'd spend \$100 billion, the governor's June 30, 2022, press release led with, "Cha-ching! You just received a deposit!" — a one-time payment of up to \$1,050 to 23 million Californians, for a total of \$9.5 billion. The reason for this populist largesse? "Global inflation. Rising costs. It's hard out there and we know it."

In a state where even people working at the highest levels of government don't appear to understand the relationship between massive government cash infusions and inflation — or the dangers of misreading one-time bumps in tax revenue — expensive "surprises" are to be expected, especially when so many California reporters love the governor as much as they hate math and "the rich." Earlier this year, Newsom continued to assert that the deficit is just \$38 billion, despite the LAO's \$68 billion estimate. Confronted with that disparity, Newsom-aligned, arithmophobic media retreated to more comfortable reportage, superficially characterizing the deficit as a mere political fight between a powerful governor and the constitutionally independent LAO. Those few reporters who asked Newsom to defend his sunnier (but still dire) projection got a Kamala Harris–style word salad:

This deficit projected number \$37.86 billion . . . that we're looking to close . . . those of you who've been writing about a different number, I hope you're immediately correcting that number. We have been pretty damn transparent with you . . . by making the point publicly, not just privately, that that number was not the number but continues to be reported as gospel.

More recently, the state controller has come back with more bad news: "Fiscal year-to-date receipts underperformed estimates contained in the 2024-25 Governor's Budget by more than \$6.7 billion, or 5.3 percent."

So, the real deficit is not \$38 billion (as estimated by Newsom), or even \$68 billion (per the LAO's first estimate), but a whopping \$78 billion. This is far higher than the previous statedeficit record of \$54 billion, set in the Covid year of 2020. It is — Newsom could but will not say — "simply without precedent."

California's Legal War against Activision Blizzard Shows the Process Is the Punishment But Newsom has tried to make the deficit sound like a good thing, "a story of correction," he called it, "a story of normalization after a period of tremendous amount of distortion." Thinking of the budget as a tale in which a historic surplus is a "distortion" and a crisis is "normalization" might seem like standard operating procedure to the governor, a man with a politician's firm grip on theater and an open marriage to facts. Also familiar to Newsom is control of the information space: Last fall, without explanation, his department of finance suddenly ceased publication of California's city finances: too much bad news. Similarly, the Newsom administration has been remarkably slow to file legally required financial statements: The 2022 Annual Comprehensive Financial Report is MIA, leading former state senator John Moorlach (my colleague at California Policy Center) to grumble, "The annual comprehensive financial reports for the next few years will be sad reading. The best we can hope for is that they will at least be timely."

Newsom's habit of ignoring — or masking — reality runs through his entire administration. In 2020, his secretary of labor brushed off multiple warnings — from the federal government and the state's own auditor — that California's unemployment system was vulnerable to hackers. But enhancing security checks on unemployment recipients might, the administration argued, limit the access of marginalized people to government funds that were rightly theirs. And so the alerts went unheeded.

And then the deluge: When Covid hit, the federal government loaned billions of dollars to the states. When the dust cleared, California had lost \$33 billion of that federal loan to fraudsters, including international criminal gangs and people in prison. Per CalMatters, "California now bears the unhappy distinction of having about as much unemployment debt as all other states combined."

Newsom might have demanded budget cuts to pay off that federal loan. Or he might have raised taxes. Either option was politically charged, and so Newsom left the dirty work to the feds: He let the loan repayment lapse — triggering an automatic spike in federal payroll taxes paid by California businesses.

In dealing with the deficit, we're also seeing Newsom's perform as he imagines a budget hawk might.

First, he discounted to \$38 billion the actual \$73 billion loss and vilified those with more dire assessments. Second, he tapped the state's rainy-day fund for \$13 billion, cutting that reserve in half with just one executive order. Third, as longtime California columnist Dan Walters observed, Newsom "dug deep into the bag of tools that the state has historically used to paper over deficits, including spending deferrals, loans from special funds and accounting tricks, such as a maneuver involving school aid." In one instance, Newsom pushed this June's payroll costs to July, which is the beginning of the next fiscal year. The additional drag on next year's deficit will be some other Newsom's problem.

In the meantime, he embarked on remarkable new spending. He announced that the state will pay \$5 billion to cover health-care insurance for illegal immigrants. And though he has already spent a remarkable \$20 billion to reduce homelessness — while the number of people on the street continues to grow — Newsom asked voters on March 5 to approve a \$6.4 billion bond program that would feed California's voracious homelessness—industrial complex but almost no one else. The vote is nearly even, and thanks to California's notoriously open-ended system of counting ballots, a final result on that initiative is still uncertain.

The effects of these sleights of hand will be more clearly revealed with the governor's annual "May revise." That's when Newsom will lay his cards on the table, showing the 120 members of the state legislature his opening bid in negotiations to balance the budget. Reductions in government services are off the table: A majority of those 120 men and women — and Newsom himself — owe their seats to political campaigns financed by powerful government unions with no interest in job cuts, pay cuts, or haircuts. The lawmakers will have until June 30 to balance the biggest budget deficit in the state's history.

By then, the deficit may be larger still, so enormous that Newsom might envy Ronald Reagan, who said that he never worried much about the federal deficit: "It is big enough to take care of itself."

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# OUR PERILOUS, MAGNIFICENT, PERILOUS FUTURE

# *To believe that the future may just be more wonderful than we could ever imagine is not fantasy; it is an informed, realistic perspective. And it completely disarms the manipulative narrative of fear.* BY EDWARD RING

The establishment narrative in the United States is pathologically negative, with its centerpiece being the climate "crisis." A generation of America's youth has been indoctrinated to believe the planet's ecosystems are on the brink of catastrophic collapse, bringing with it chaos and doom. As if that weren't enough, Americans are perpetually inundated with panic over disease, racism, gender bigotry, capitalist oppression, and the terrifying rise of white supremacist Nazis. And all of this, every bit of it, is overstated hyperbole, if not complete bunk.

The hidden agenda behind all this doom and panic isn't really hidden anymore. This is a power grab. A venal consensus among America's wealthiest elites to further centralize their own power and control. The dynamics of this are well understood by anyone who has already had their **Red** <u>Pill moment</u>. The over-the-top and coordinated media attacks on Trump, commencing in 2015 and escalating every year, opened the eyes of millions. Additional millions awakened during the COVID lockdown, as everything from school curricula to mainstream public health advice was often revealed to be indifferent, if not destructive, to the interests of normal Americans. Now questioning everything, the momentum of America's electorate today is in the direction of sanity.

For this reason, we may hope that as the narrative is debunked, the agenda will dissipate as well. Maybe we won't have another lockdown. Maybe "15-minute cities" won't turn into high-tech prisons. Maybe rural America and a decentralized farm economy will not only survive but recover their vitality. Maybe we will have school choice, and maybe anonymous cash will survive. Maybe we won't destroy our energy independence; maybe we won't end up eating bugs instead of beef. Losing our freedom and prosperity is not inevitable.

But to improve chances for a fundamental realignment of the American electorate—a virtuous cascade of landslide elections—there is a weapon available to Americans fighting the elitist takeover of our institutions that isn't being wielded nearly enough. Optimism in every permutation imaginable. Joy, anticipation, and unshakable confidence in the future. There are powerful, data-driven counterarguments, based on genuine scientific skepticism, that refute the entire pathologically negative establishment narrative, and those counterarguments must be heard. They must be heard without reservations and without respite. They are the fuel of persuasion. They are contagious. They are transformative.

The world is not in the midst of a climate crisis. There is nothing happening with climate and weather in the world that cannot be addressed through normal investments and adaptation.

America is the most inclusive, welcoming nation in the history of civilization. Capitalism, when competition is preserved and monopolies are contained, is the most uplifting economic model ever conceived. Despite the tragic reality of ongoing conflict and hardship around the world, overall there has never been less poverty, disease, and war than today.

To believe that the future may just be more wonderful than we could ever imagine is not fantasy; it is an informed and realistic perspective. And it completely disarms the manipulative narrative of fear. No, we aren't all in terrible danger, and therefore, no, we don't have to give up our prosperity and our freedom.

#### Uncertainty and Peril, Boundless Possibilities

If growing resistance to the doom narrative promulgated by America's elites may undermine that narrative, destroying it entirely requires an alternative vision. And to do this requires not only the emotions of persuasion—optimism, joy, anticipation, and confidence—but also an embrace of the innovative spirit that has been hijacked by dormers. Technology is not our enemy; its threat is found in the motivations of the people who wield it. The freedom-loving optimist must be willing to wade into the weeds of technology policy. In those weeds, our destiny and our future are going to be decided.

Because the climate "crisis" is the foundational premise upon which America's elites are systematically implementing a technology-driven police state characterized by perpetual monitoring and rationing of virtually all activity—our food, water, transportation, homes, and businesses—it is there we may focus on critical technology decisions and tradeoffs that are being decided right now.

For example, how renewable energy is sourced and delivered can vary greatly depending on whether it is centralized or decentralized. In California, the state legislature has recently reduced financial incentives for residential rooftop photovoltaics. But that action does not eliminate subsidies; it only means that California's beleaguered taxpayers and ratepayers will transfer even more billions to giant centralized wind farms and utility-scale photovoltaic installations. Nor is this about practicality. Decentralized photovoltaic systems generate power where it is consumed, reducing the need for massive investment in new high-voltage transmission lines to deliver electricity from remote renewable energy generation sites onto the grid.

Similarly, California's state legislature forces taxpayers and ratepayers to subsidize <u>utility scale</u> <u>battery farms</u> to buffer and store the intermittent power generated by solar and wind farms. But by adding <u>vehicle-to-grid technology</u> to California's privately owned EVs, if only 10 percent of California's automobiles were EVs (a realistic niche), they would be capable of storing over 30 gigawatt-hours of electricity per day. They could be driven to work, charged from the grid during the day when surplus solar power is currently wasted, then plugged in at night to collect surplus wind energy and power residences without relying on grid electricity.

These choices aren't meant to suggest that renewables can replace coal, oil, gas, nuclear, and hydroelectric power. They can't, and they shouldn't. But if renewables are to remain one part of an all-of-the-above energy strategy, then how they are implemented matters a great deal. The choice to decentralize solar, wind, and battery assets into the hands of millions of private small property owners can potentially save billions in subsidies while also distributing ownership.

Another example of how new technology can be channeled in extremely productive ways, or not, concerns food production. We've all heard the nightmare scenarios whereby mass food

production may transition to protein based on bug tissue or "cultivated meat." But there are other innovations that ought to have universal appeal. <u>Indoor agriculture</u>, where food is grown in a controlled indoor environment, offers an opportunity to avoid use of pesticides and herbicides. High-value crops, including tomatoes and most other vegetables, can be grown indoors, creating what may be an opportunity for small, decentralized indoor farmers to compete with agribusiness.

It isn't possible to predict what innovations are coming, much less prescribe in advance the strategies that will be necessary to mitigate the ones that are awful and promote the ones that are awesome. This is why, for example, mandating a massive transition to EVs and "net-zero" risks draining hundreds of billions out of the economy, on the backs of working families, when in a few years a solid-state battery or a breakthrough in solar concentrator technology will render these massive investments in today's EV and photovoltaic technology completely obsolete. California's current policies, ironically, betray a *lack* of faith in the power of innovation.

It isn't a huge stretch to move from not only believing that civilization isn't already doomed to also believing we can develop and manage new technology in ways that are almost all going to be good for humanity. And the danger only gets worse—much worse—if we withdraw from the fight.

Human progress has always fitfully advanced, with setbacks along the way that at times lasted for centuries. That doesn't have to be our fate in this era. We may cure disease, eliminate hunger and poverty, negotiate peace, explore space, extend life, deliver inexhaustible energy and abundant water, nurture wilderness and wildlife, and preserve a decentralized economy where wealth and ownership are broadly distributed among a population in which the vast majority of people enjoy middle-class lifestyles. Things may actually just get better and better. It is possible. It is a choice.

We must find this vision, embrace it, negotiate its particulars, and fight for it. Or it will be defined for us by people who have demonstrated no wish to share the wondrous products of innovation that are just around the corner.

Edward Ring is a senior fellow of the Center for American Greatness. He is also the director of water and energy policy for the California Policy Center, which he co-founded in 2013 and served as its first president. Ring is the author of Fixing California: Abundance, Pragmatism, Optimism (2021) and The Abundance Choice: Our Fight for More Water in California (2022). This article first appeared in the American Greatness of March 20, 2024.



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