Opinion: Bipartisan overhaul of ACA needed

By Clint Purvance

The Republican Party's decision on March 24 to pull the vote to repeal the Affordable Care Act was met with disappointment and relief. While backers of the newly proposed legislation were disappointed that they could not find sufficient support, residents who depend on the Affordable Care Act's medical protections and insurance options felt relief. Hope continues for a broad bipartisan approach to changing this complex legislation resulting in improved coverage balanced with affordability for our citizens.



Clint Purvance

California policymakers have made a diligent effort to make the Affordable Care Act and healthcare reform work. State legislators have elected to expand eligibility for low-income families and put forth legislation to manage out-of-pocket costs.

One-third of California residents and two-thirds of the state's children depend on MediCal for medical coverage. Individuals eligible for MediCal include the lowest income families and individuals with specific diseases, disabilities, and/or medical conditions.

Currently, 9,500 residents in the South Lake Tahoe area

receive MediCal benefits, more than double the number of MediCal participants in 2014. Combined with support from Barton Health's certified enrollment counselors, the South Shore's uninsured population rate has reduced from 26.2 percent in 2012 to 14.7 percent in 2015.

With the increase in MediCal and insured patients in the last four years, Barton Health has seen greater demand for health care services. As an independent health care system, Barton Health has responded to the community's needs by expanding specialty services, including palliative care, psychiatry, urology, and telemedicine. We have recruited additional pediatricians, family medicine physicians, and obstetrician/gynecologists as well as a trauma surgeon, spine specialist, and pain management doctor. Our focus on prevention has grown and we look forward to providing more preventative care options when the Robert Maloff Center of Excellence opens next winter.

With the Affordable Care Act, the health care landscape has changed. While more wellness and preventative services are covered, insurance companies have restructured putting more financial burden on the patients.

Healthcare systems have responded by making sure patients have access to additional wellness services, insurance coverage, and financial assistance programs. Financial assistance programs may include price estimator tools, point of service pay programs offering discounts for upfront pay, payment plans, and charity programs. These efforts are intended to reduce out-of-pocket health care costs for all patients.

While we are thankful more patients have additional access to health and wellness services in our community, our health system is aware of areas that need attention. We are hopeful Congress will address the insurance market's rising health care premiums and stabilize private insurance rates for residents who pay high out-of-pocket costs.

Barton Health strives to serve the needs of all community members and visitors, with a focus on improved access to care. We are working closely with the California Hospital Association, American Hospital Association, and the American Medical Association to advocate for our patients and find long term, bipartisan solutions. We are listening to input from patients and the community and making changes.

Every person deserves to have options and choices they can afford to live a healthy life.

Clint Purvance is the CEO and president of Barton Health in South Lake Tahoe.

Letter: Drug Store Project a community success

To the community,

“Choices, what are yours?” was the theme of our efforts in keeping our youth drug free. I want to thank the many agencies, service clubs, businesses, and volunteers who provided assistance with the 14th annual Drug Store Project event on April 4 at Lake Tahoe Community College.

Teaching our youth about the dangers of all drugs; marijuana, alcohol, tobacco, e-cigarettes, over-the-counter as well as prescriptive medications, gets more challenging each year as states provide new legislation and products are packaged to entice our minors. This year our 320 sixth-grade students had the assistance of over 200 volunteers to send a clear message that they are valued.

The agencies and groups who provided this program strongly believe that a difference can be made for our kids. Collectively we believe that if youth are provided knowledge about the effects drugs have on the body, the mind, family and social life, productivity, and overall life experiences, many more will choose not to experiment and not to participate in drug use. If we can collectively put off the “age of onset” to experimentation, then we can see a difference for our youth. Less drug use means less demand. Less demand is less costly in lives and in all facets of the economy.

We’re especially proud of the South Tahoe High School Friday Night Live members, themselves past participants in the program when younger, who took their day to emphasize to the younger youth that drugs do not need to be a part of their lives. They can “choose” to stay healthy and safe. We also continue to have the assistance of our California National Guard assigned to the Joint Task Force Domestic Support – Counter Drug and Naval Air Station-Fallon military personnel.

Tahoe Youth & Family Services is the agency under which our program is based. It takes money and people to make this event happen for our youth. The Drug Store Project continues to be supported completely through donations, grants, and in-kind donations from businesses.

I’d like to extend my gratitude to the following entities:

Barton Health, California Conservation Corps, California Highway Patrol, CalStar, Cal Tahoe JPA, Camelot Party Rentals, Diamond Valley School, El Dorado Community Foundation, EDC District Attorney, EDC Mental Health, EDC Probation, EDC Public Defender, EDC Search and Rescue -Tahoe Team, EDC Sheriff’s Office, EDC Sheriff’s STAR, EDC Superior Court, Harrah’s H.E.R.O.s, John Valverde-photographer, Joint Task Force Domestic Support-CD, Kiwanis Club of Tahoe Sierra, Lake Tahoe Community College, Lake Tahoe Resort , LTUSD, Lake Valley Fire Protection District, Lake Valley Firefighter’s

Association, Naval Air Station-Fallon, Nevada Funeral Services, Optimist Club of Lake Tahoe, Sierra Community Church, Soroptimist International of Tahoe Sierra, South Lake Tahoe Fire Department, South Lake Tahoe Police Department, South Lake Tahoe Police Officers' Association, South Tahoe Drug Free Coalition, STHS Friday Night Live, South Tahoe Middle School, Tahoe Douglas Fire Protection District, Tahoe Douglas Rotary, Tahoe Turning Point, Tahoe Youth & Family Services, Zephyr Cove Elementary and the many amazing community volunteers.

We hope that you and your child openly discuss the dangers of all drugs on a regular basis. Get educated together and know what is happening in your community. We invite every parent of a child who experienced the program to take the time to complete the parent survey **online**. Your input will help our program for future years.

Gratefully,

Lisa Huard, Drug Store project coordinator

Opinion: Why cyber attacks are hard to combat

By Christopher S. Chivvis and Cynthia Dion-Schwarz

Imagine that the United States is hit by a cyberattack that takes down much of the U.S. financial infrastructure for several days. Internet sites of major banks are malfunctioning. ATMs are not working. Banks' internal accounting systems are going haywire. Millions of people are affected.

The first question that policymakers might debate is whether such an attack deserves a military response. But several problems immediately arise. First, would the U.S. government—and specifically the National Security Agency—know for certain who had conducted the attack?

Without being able to attribute the attack, or if there were some uncertainty about who was responsible, it would be very hard to strike back. Unlike conventional attacks, cyberattacks can be difficult to attribute with precision to specific actors. In the event of a major cyberattack, pressure to respond would be immediate—and probably intense. But if a country strikes back and the forensics are erroneous, then the retaliation will have unnecessarily and inadvertently started a war.

Russia's alleged meddling in the 2016 U.S. presidential elections has brought the issue of cyber war again to the top of the news, but the possibilities it raises are only the tip of the iceberg when it comes to the role of cyber operations in modern warfare. Most—although not all—analysts agree that cyber will be a key domain in the conflicts of the future. Exactly how cyber will impact these future conflicts, however, is hard to say with any certainty. Cyber weapons are not like missiles or tanks; because their initial impact is in the information domain, their effects are much harder to judge.

Even in cases where an attack is linked to one specific country—say, Russia—it could be hard to know for sure whether it was directed by the Russian government.

This is because governments like the Russian government appear to rely heavily on third parties to develop their cyber weapons and conduct their attacks. This offers them many benefits—deniability being one of them—but it also offers them less control over what their cyber warriors actually do — creating a so called "principle agent problem."

In other words, an attack that originates from within the Russian cyber world might be the work of the Kremlin—or it might not. This further complicates the choice of response.

Sometimes, the culprit will be clear, of course. But in these cases, the question is how, specifically, to respond.

Some advisors might push for a cyber counter-attack that inflicts equal damage on the guilty party. But this isn't always possible. If the perpetrator is a party like North Korea, then there is no equivalent financial system to target. But should the United States instead use conventional military weapons like a cruise missile, perhaps on Pyongyang's cyber training facilities? A strike like that would clearly risk serious escalation of the conflict. It might be seen as disproportionate if the U.S. financial system had recovered in the interim with relatively minimal real damage.

Imagine, however, that the attack is against the U.S. power grid or oil and gas infrastructure. This kind of attack could easily have military consequences if it were extensive. The U.S. military has backup power generation capability as well as stocks of fuel reserves, but these stores are not infinite. If such an attack on U.S. infrastructure has military consequences, the case for a cyber retaliation—or even a Tomahawk cruise missile strike—starts looking a lot stronger.

Even if the U.S. power grid were seriously affected by a cyberattack, however, and the United States knew with a high degree of confidence who the guilty party was, there would be reasons for caution—especially if the attack was an isolated incident and there were no other signs of aggression or malign intent.

This is because cyberattacks can have unanticipated consequences. With any military strike, collateral damage is always possible, but with most conventional attacks, methods of assessing and avoiding collateral damage are well

developed, and based on well-established physics principles and observational experience.

But cyber weapons don't operate like missiles or tanks. They attack the underlying network or computer systems. The possibility of unexpected effects in the cyber world is much greater.

For example, a cyberattack on an electrical grid might be intended to knock out the lights in a specific location, but end up affecting a whole region's energy supply. The world saw this potential with the Stuxnet worm: Apparently intended for a very specific, isolated network (an Iranian control system), the worm was discovered precisely because it spread beyond its intended target into other related networked systems. Stuxnet did not attack other control systems, but only because the designers programmed in a self-destruct date. If the designers had been less cautious, its effects would have been much more widespread.

Therefore, before targeting a cruise missile at that (hypothetical) cyber hub in Pyongyang, the U.S. president would want to have at least some knowledge of both the intentions of the attacker and the consequences (including secondary effects) of the response—otherwise the United States might be starting a war by accident.

But a desperate foreign leader might miscalculate that he can get away with a surreptitious attack on U.S. infrastructure for exactly these reasons—and that in and of itself is cause for concern.

This is why context will make a big difference. It's relatively easy to assess the damage done by an attack on America's infrastructure, but less easy to assess the intent of that attack. If the U.S. power grid is seriously disrupted by a cyberattack during an ongoing war with a known aggressor it will be much easier to strike back—with kinetic (i.e.

physical) force or with cyber weapons—simply because it will be easy to assume the attack was intentional.

Alternatively, a fearful foreign leader might lash out at the United States if she or he fears the United States is on the verge of conducting a devastating cyberattack. The hostility might come in the form of a massive, pre-emptive cyberattack, a conventional attack, or in the extreme, even a nuclear salvo.

Since the ability to mount cyberattacks depends on keeping targeted vulnerabilities secret, both sides may fear that their adversaries possess capabilities that have far-reaching destructive potential – even when they don't. This fear in turn could increase the tendency toward pre-emptive action and hence escalation.

Cyber adds new and significant uncertainty to warfare, making it difficult both to deter and respond. It will take time and a great deal more research and analysis before the problem is fully understood.

Christopher S. Chivvis is associate director of the nonprofit, nonpartisan RAND International Security and Defense Policy Center. Cynthia Dion-Schwarz is a senior scientist and the Manager of Cyber and Data Sciences Programs at the nonprofit, nonpartisan RAND Corporation. This essay is part of an Inquiry, produced by the Berggruen Institute and Zócalo Public Square, on what war looks like in the cyber age.

Letter: Hellman clan donates

to Bread & Broth

To the community,

“This is our fourth time volunteering and our family loves it,” said Lenny Hellman on behalf of himself and his wife, Sarah, and daughter, Samantha Lee. “Our experience is rewarding as we are able to contribute to the community.”

Hosting their first Adopt A Day of Nourishment on March 27, the Hellman family members were welcomed by the Bread & Broth volunteers as they joined in helping with the meal’s setup, serving and cleanup.

While taking a break from the dinner’s serving line, Hellman commented that, “We appreciate Bread & Broth and value their service to the people of South Lake Tahoe. We hope to continue our contribution and donate our time every year. Thank you for allowing us to host and join the wonderful team of volunteers. We served 91 patrons.”

The enthusiasm of Lenny, Sara and Samantha was contagious and they made the dinner guests feel welcomed, which was an extra added bonus to the hot, tasty dinner consisting of roast pork loin, mashed potatoes, cole slaw and a wide assortment of yummy desserts. Sponsors like the Hellman family are wonderful examples of how family members can share the experience of doing good works and creating lasting memories of the joy of helping others.

Carol Gerard, Bread & Broth

Opinion: Stop blaming California for Trump

By Joe Mathews

Is California to blame for Donald Trump?

That may seem a preposterous question to ask of a state that voted so decisively against the new American president that it was responsible, all by itself, for his loss of the popular vote.



Joe Mathews

Yet, the president's opponents and allies have fingered California as the place that produced Trumpism.

The case starts with hard geographic facts. Twitter, which the president uses to spew bile, is a California creation. Reality television, which turned the real estate developer into a national entertainer, is a Hollywood gimcrack. And Breitbart—the alt-right media entity that modeled the toxic mix of xenophobia, authoritarianism, and conspiracy-mongering that is Trumpism—is based in L.A.

Also, many leading figures in Trump's world have California ties. Among these are top White House strategist Steve Bannon, who lived in L.A. while working in Hollywood; top Trump policy aide Stephen Miller, from Santa Monica; Breitbart writer-turned presidential special assistant Julia Hahn; influential

Trump national security official Michael Anton; and UC Irvine economist Peter Navarro, now helping Trump un-make the global trade system.

More broadly, as Jason Willick and James Hitchcock showed in "The American Interest," California thinkers—including billionaire Peter Thiel, the Hoover Institution's Victor Davis Hanson, Bay Area entrepreneur Ron Unz, software developer Curtis Yarvin, journalist Mickey Kaus, blogger Steve Sailer, and affiliates of the Claremont Institute—have helped build a case for Trump's disruptive, anti-immigrant nationalism.

The leap from this roster to the idea of Trumpism as California product involves many competing narratives, most of which divide into two camps.

Those who dislike Trump point out that Trumpism draws from various historical strains of prejudice that California incubated: anti-Chinese laws in the 19th century, the Japanese internment during World War II; the California Legislature's persecution of people for "un-American activities" (before Joe McCarthy), and anti-immigrant politics in the second half of the 20th century. Even today, our most high-profile industries—Hollywood and Silicon Valley—practice exclusionary policies, visible in everything from the paucity of minority leads in films, to the sexism in the executive suite at Uber.

Those more sympathetic to Trump argue the converse proposition—that California has been far too welcoming to immigrants, embracing demographic change at a pace that's too fast for too many people. "The American Interest" essay identified Trumpism as a backlash against "mass immigration… which produced a demographic transformation of the Golden State without parallel in the rest of the country."

The Trumpians themselves have gone further, justifying their own bigotry as a rebellion against California's supposedly tyrannical liberalism and political correctness. Miller railed

against diversity programs at his own Santa Monica High; Bannon has called the presence of Asian American CEO's in Silicon Valley a sign of breakdown in American civil society.

It's tempting to dismiss such flawed logic out of hand. Most children know that it's wrong to blame one's own poor conduct on the conduct of others. And California contains so many multitudes that it has always been a big, rich, easy target for any narrative of blame. "Success makes so many people hate you," Marilyn Monroe, child of Los Angeles, once said.

But the "Trump as California product" narratives, while bogus, touch on just enough truth that they deserve a more impassioned response.

That response starts with acknowledging California's problematic history, and present. The liberals in charge here really do have feet of clay, prejudice remains too present, and the state faces big challenges in infrastructure, housing and schooling.

But we also should assert our hard-earned success: California has made profound progress in becoming a more inclusive place. It was not easy—we had to survive the L.A. riots and divisive 1990s ballot fights over immigration and affirmative action.

Despite predictions from the left (especially the writer Mike Davis) and from the right that a diverse California would come apart, our state is better off by nearly every measure. As we became more diverse, our inner cities became safer, our valleys less polluted, our people better educated.

California is thus the most effective rebuttal of Trump's false and bigoted claims that American inner cities are full of violence, that immigrants bring danger and voting fraud, and that foreigners are taking American jobs. Which is why the Trumpians are so fixated on discrediting California.

It's tempting to call such people traitors to California, but

that would give them too much credit and feed their overdeveloped sense of victimhood. They're really opportunists, who irresponsibly scapegoat a whole state for its supposed bigotry when their own bigoted appeals have elevated them to power in Washington.

California has its problems and prejudices. But that's no excuse for Trumpians to put their crap on our home state.

Joe Mathews writes the Connecting California column for Zócalo Public Square.

Opinion: Sustainable sourced goods not new

By Calvin Schermerhorn

Today, land developer and businessman William Cooper is best known for founding Cooperstown, N.Y., home of the Baseball Hall of Fame. But back in the 1790s, Cooper was a judge and a congressman who used his power to market a different sort of pleasure—American-made maple syrup—as an ethical homegrown alternative to molasses made from cane sugar, which was at that time farmed by slaves. He took tours of the Eastern Seaboard, extolling the virtues of "free sugar," as he called it. Maple sugar never really took off as a sugar substitute, but Cooper's advocacy made it a favorite of abolitionists, eager to improve society through virtuous goods.

It sounds distinctively modern—fair trade, sustainably sourced, slave free—all familiar touchstones of ethical capitalism in America today. To many of us, morning coffee just seems more enjoyable when the worker picking the beans

earns a living wage; a shrimp cocktail, more palatable when it is not processed by children forced to toil in peeling sheds. When trendy apparel is impossibly cheap, and likely the handiwork of exploited laborers, the conscientious consumer seeks an alternative.

Many Americans assume we're living in a unique moment for ethical commerce, and witnessing the dawn of moral capitalism. But what seems new is actually a 250-year-old tradition, launched by a small cadre of 18th century religious reformers: Quakers and other evangelical Protestants. For activists in both the United States and Britain, sugar was the conspicuous commodity that crystalized the evils of the age because of its role in the trans-Atlantic slave trade. It was a product, they argued, that ethical consumers should avoid.

Sugar cane, which is native to Asia, had been rare in Europe until the 15th century, when Spanish and Portuguese merchants discovered that it grew well on the Canary Islands and Madeira. Columbus carried cane cuttings to the Caribbean in 1493, and Santo Domingo became the site of the region's first sugar mill in 1516. But it was Portuguese slave traders who figured out how to really profit from sugar, forcing captive Africans to work on the equatorial islands of São Tomé and Príncipe. The traders reinvested their profits to buy more slaves to grow sugar in Brazil. In the 17th century, the Dutch took over the slavery-fueled Brazilian and Caribbean sugar operations, followed by the British and French a hundred years later.

The sugar trade was lucrative and competitive because Europeans and Americans had gone sweets-mad. British sugar consumption quadrupled during the 18th century. Production in Haiti, a French colony, increased 40 percent from 1760 to 1791. By the last decade of the 1700s, Britain and France each claimed close to 40 percent of the still-growing commercial sugar market. Enabled by slavery by the mid-19th century, 12 million Africans had been forced into the holds of slave

ships, about two million dying en route.

Abolitionists in Britain organized, petitioning Parliament to end the slave trade. Vested interests, however, fought back, marshalling an array of excuses: slavery was salutary to British wealth and success, slavery was civilizing to lazy Africans, and if Britain didn't claim slavery's wealth, a competitor would.

So the Quakers and their allies looked for another strategy—and found it in 1791. The year had been a propitious one for abolition, with a slave revolt breaking out in Haiti and an unsuccessful but attention-grabbing attempt to abolish slavery pushed in Parliament. Against this backdrop, Baptist printer William Fox published "An Address to the People of Great Britain on the Utility of Refraining from the Use of West India Sugar and Rum," urging Englishmen to stop buying sugar on moral grounds. Admired and promoted by Thomas Clarkson, the leading abolitionist in England, Fox's "Address" was published in several editions, with a quarter-million copies in print by 1792. Historian Timothy Whelan contends that it was "the most widely distributed pamphlet of the 18th century," exceeding the reach even of Thomas Paine's "Rights of Man."

In response to Fox's treatise, about 300,000 consumers, mostly women purchasing household goods, boycotted West Indian sugar—and created the first free produce movement in history. The effort was huge by modern standards, involving 2.8 percent of the British population—and helped turn public opinion against slavery. The abolitionist British poet Robert Southey even penned an anthem for the popular cause, writing in a sonnet: "O ye who at your ease/ Sip the blood-sweeten'd beverage," not caring whether "beneath the rod/ A sable brother writhes in silent woe."

Britain banned the trans-Atlantic slave trade in 1807, but not because of the protests: Passing a ban gave Britain, which was

at war with Napoleonic France, a pretext to attack French shipping. After the conclusion of the Napoleonic Wars, British consumers again mobilized. The boycotts of the 1820s were bigger than those of a generation earlier, perhaps more than half a million consumers—mainly female—participating. Leaders formed a Free Labour Company to source sugars in India, and again the protest was felt in Parliament, which abolished slavery in the British West Indies in 1833.

The idea that ethical demand drives supply soon crossed the Atlantic, but isolated American activists like Cooper struggled to be heard. Quaker Benjamin Lundy opened a "free produce store" in 1820s Baltimore. But as an abolitionist editor who set up a printing press in a slave port, he was deeply unpopular. The shop was burgled and after discovering that enemies paid a black man to commit the crime Lundy refused to prosecute.

Leadership of American consumer protests fell to African Americans like New York shopkeeper David Ruggles, who advertised in 1828 that his sugars were "manufactured by free people, not by slaves." The Colored Free Produce Society of Pennsylvania (CFPS) organized in 1830. It was an African American antislavery organization dedicated to educating consumers about who grew and processed their cotton, sugar, and tobacco. The CFPS was a success, quickly boasting 500 charter members who were able to buy 50-pound bags of free sugar.

African American women became the movement's leaders. Judith James and Laetitia Rowley led the Colored Female Free Produce Society in 1831, composed of members of Philadelphia's Bethel Church. They drew on women's purchasing power to force change. At each of the first five Colored Conventions delegates urged black consumers to buy free. One resolution called on "colored capitalists" to invest in free labor stores, and in 1834 African American businessman William Whipper opened one next to Bethel Church. Lundy, the Baltimore Quaker, praised black

women’s efforts and said they should be a model for white female activism.

These consumer movements against slave-grown sugar were swimming against a tide. The federal government propped up U.S. domestic sugar interests with protective tariffs, and Americans’ sweet tooth was even sharper than Britons’. On average, each American ate 12 pounds of the stuff each year in 1830, increasing to 30 pounds by 1860. (Per capita, we consume several times that quantity today.) In a world of cheap sweets, Americans cared less about the provenance of their pies and cookies. Abolitionists shifted their strategy to opposing cotton, the great symbol of American slavery, with retailers pledging to work with slave-free suppliers and abolitionists, once again, promoting free produce as a means to fight slavery.

For all the organizing, the crescendo of the free produce movement in America was scarcely audible. Between 5,000 and 6,000 people abstained from slave-produced products. As many as 1,500 joined free produce societies. One source claims 10 percent of Quakers—10,000 in all—were active abstainers.

Today’s activists carry this older movement’s torch. NGOs like Amnesty International decry the use of forced labor in the consumer electronics business, and scholar-activists like Kevin Bales point out the connections between slavery and environmental degradation. Even U.S. states now facilitate ethical shopping. In 2010, California, the world’s sixth-largest economy, passed the Transparency in Supply Chains Act, which requires large firms to disclose efforts to eradicate slavery and human trafficking among their suppliers. The push led some companies to seek out new sources for slave-free cottons and ethically-farmed food.

But sugar is, to some extent, still bloodstained. It’s been 500 years since the first sugar mill was built in the Dominican Republic, but hundreds of thousands of debt-bound

Haitians continue to toil in squalor and poverty in the cane fields earning below-subsistence wages. That certainly looks like modern-day slavery. While the Quaker-inspired fight for "ethical capitalism" continues—both as a goal and as an ideal—crusaders have never fully reformed that sweet symbol.

Calvin Schermerhorn is an associate professor and faculty head of history in Arizona State University's School of Historical, Philosophical, and Religious Studies. His most recent book is "The Business of Slavery and the Rise of American Capitalism, 1815-1860" (Yale, 2015).

Opinion: Brown Act stifles public interaction

By Joe Mathews

California's Ralph M. Brown Act, approved in 1953, has become a civic Frankenstein, a gag rule that threatens the very public participation it was supposed to protect.

The act's requirements of advance notice before local officials conduct a meeting has mutated into strict limitations on their ability to have frank conversations with one another. Brown Act requirements that we, the public, be allowed to weigh in at meetings have been turned against us, by way of a standardized three-minute-per-speaker limit at the microphone that encourages rapid rants and discourages real conversation with local officials.



Joe Mathews

In effectively silencing citizens and their representatives, the Brown Act has empowered professionals outside the civic space—lawyers, labor unions and especially developers—to fill the conversation void.

At a UC Irvine conference on the Brown Act in which I participated, speakers discussed how local elected officials and staff members, wary of talking to or even emailing each other and violating the Brown Act rules against unannounced meetings, often communicate through developers, who are much freer to meet and talk.

This is why proposed reforms to limit the influence of developers—Los Angeles Mayor Eric Garcetti just announced a ban on meetings between city planning commissioners and developers—never work. Under California's Brown Act, developers are often the best conduit for local officials to get information to their colleagues.

The fundamental problem with the Brown Act is not that the law changed. It's that the law has stayed too much the same, while California governance has changed radically.

In the 1950s, when the Brown Act was passed, local governments largely ruled via broadly applied laws, policies, and plans. But in subsequent decades, court decisions, state laws, and ballot initiatives like Proposition 13 have limited the power of governments. So to retain some self-determination, local governments have worked around the law, ignoring plans and policies they once followed, and instead embracing ad-hoc

decision-making. The most important tool for today's local governments is not the ordinance or the general plan but rather negotiations, through union contracts and developer agreements.

In this era of government by negotiation, the Brown Act is unhelpful when it's not beside the point. First, the act's limits on meetings end up restricting the ability of elected officials to participate fully in such negotiations. Second, the Brown Act covers only public meetings, and thus doesn't get people into meetings where city officials make decisions behind closed doors. All too often the public hears about negotiations only once deals are done, and brought to a council or a board for approval.

Consulted only at that late stage, California citizens understandably respond by opposing their local politicians fervently and uncompromisingly. In this way, the Brown Act encourages the worst sort of NIMBYism.

Many ideas have been raised for changes in the law. But the act has created a regime so antithetical to the goal of public participation that it might be better to scrap it and start over—with a framework providing local governments with more flexibility as long as they pursue policies that enhance public participation. The National Civic League has a model participation ordinance that suggests what such a law could look like.

Who could oppose such sensible changes? Answer: Civic and media organizations are suspicious that reform would limit access; they claim local officials are being overly cautious in limiting conversations because of fear of Brown Act violations. But local governments say the caution is well-advised, given how easy it is to sue for violations of the act, and thus block important projects.

While the debate over the Brown Act continues, the everyday

reality of California public meetings grows ever more absurd. On a recent Saturday at my local school board, our city's mayor—one of only a handful of people in attendance—rose to ask questions about the board's management of a newly passed school bond, the largest in our small district's history.

The mayor is a public works lawyer with long experience with bonds, and her questions were fair and straightforward. But the board members wouldn't answer them. Instead, they tried to cut her off after just three minutes, noting that's the limit on public comment. When one board member sought to answer the mayor's questions, the school superintendent interrupted to say that any exchange could be a violation of the Brown Act.

Any law that won't let a mayor and a school board talk freely about their city's most important construction project at a public meeting is a bad law. Until our local governments move past the Brown Act, Californians will find it hard to have the kinds of conversations that local democracy requires.

Joe Mathews writes the Connecting California column for Zócalo Public Square.

Opinion: EDC Republicans taking action

By Terry Gherardi

The newly seated El Dorado County Republican Central Committee (RCC) began the year by taking positions on proposed legislation and/or actions by local and state elected officials. Or, that which effects county residents and their families.

The first action from the RCC was in response to the Board of Supervisors' vote to send a letter in support for two state bills: SB1 and AB1, increasing vehicle registration fees and also, tax increases for gasoline and diesel fuels. In their letter, the RCC asked that supervisors rescind their support for the two bills that "particularly harm rural counties, the most, like El Dorado, because our residents have to drive more miles compared to that of a typical urban California family."

On the Feb. 7 BOS agenda Supervisor Michael Ranalli raised the matter as a recommendation for the board to reconsider its Jan. 24 letters of support to Assemblyman Jim Frazier and state Sen. Jim Beall, authors of the bills. By a unanimous vote, the supervisors asked county CAO Don Ashton to take a "watch" position,as the two bills move through the legislative process; to be reviewed by the board at a later date.

On March 8, after receiving letters from Sheriff John D'Agostini, El Dorado County RCC and Assemblyman Kevin Kiley, the El Dorado County Office of Education Board unanimously voted to approve Roseville-based John Adams Academy's request to locate a K-12 campus in El Dorado County. Months earlier the Buckeye Union School District denied a charter petition request for the campus even though John Adams Academy was widely supported by families in the area and is in compliance with state education code.

John Adams was founded in 2010 and is fully accredited by the School Commissions of the Western Association of Schools and Colleges. It is the only classical education, tuition free TK-12 school in Northern California.

Recently, the RCC was joined by the El Dorado County unit of the California Republican Assembly signing a letter to Supervisor Ranalli, requesting the BOS support a resolution declaring that El Dorado County complies with federal immigration laws and does not constitute a sanctuary jurisdiction.

A similar request by the county Republican's was sent to the Placerville City Council, but this time requesting that the council oppose state Sen. Kevin DeLeon's SB54 to declare California a sanctuary state. Decisions or actions by both the BOS and City Council are expected in the next couple of weeks.

At their meeting on March 13, RCC members unanimously voted to state their positions on several issues, including approval of letters to BOS Chairman Shiva Frentzen and Patti Borelli, chairwoman for the El Dorado County Transportation Commission, encouraging both county supervisors and transportation commissioners to support AB496, proposed by Assemblyman Vince Fong and co-authors Assemblymen Kevin Kiley and Frank Bigelow, both who represent El Dorado County. AB496 is for transportation funding in the state of California. RCC Chairman Todd White noted that "this plan ensures billions of dollars for California roads and infrastructure without raising taxes on hardworking California families. AB496 also ensures that money collected for transportation goes towards infrastructure, instead of being directed to the state's General Fund."

In the same letter to the EDC Transportation Commission Chairwoman Patti Borelli the RCC expressed their opposition to the EDCTC's recent support of Senate constitutional Amendment 6, by state Sen. Scott Wiener. In their letter the RCC stated, "We believe that by lowering the threshold for raising taxes proposes a dangerous precedence." Adding, "In a state already plagued by out-of-control irresponsible spending, making it easier to raise taxes is not an appropriate and/or sustainable solution for hardworking El Dorado County citizens." SCA6 proposes to lower voter approval for new taxes from 66 percent to 55 percent.

The last letter approved by the RCC was addressed to Gov. Jerry Brown, expressing the committees support of Proposition 66, and their opposition to Briggs and Van De Kamp vs. Brown lawsuit filed to block the implementation of Proposition 66,

stating, “The RCC feels compelled to have their committees perspective with the governor on the lawsuit, since one of the plaintiffs is Ron Briggs, a former elected official and resident of El Dorado County.”

Voters approved Proposition 66 in 2016, and according to McGregor Scott, former U.S. Attorney for the Eastern District of California and co-chair of the “yes” on 66 campaign, “Proposition 66 was passed by the voters because they are sick of lawyers who oppose the death penalty, constantly undermining the system with lawsuit after lawsuit.” He added, “It is not at all ironic, and, is in fact a slap in the face to the voters, that their response to the passage of Proposition 66 was to file another lawsuit trying to thwart the voters.”

Adding to the irony by the action of former County Supervisor Ron Briggs, is that his father, former state Sen. John Briggs, sponsored the State Death Penalty Law as a 1978 ballot measure.

In a final action at their March meeting, the RCC voted unanimously to authorize Chairman Todd White and District 1 member/delegate Joy Knight to sign a resolution to support House Joint Resolution (H.J. Res. 61), referred to as the Flag Amendment, which would amend the Constitution to provide: “The Congress shall have power to prohibit the physical desecration of the flag of the United States.”

Additionally, the RCC resolved to support the effort of the Citizens Flag Alliance, a coalition of veterans, civic, businesses and fraternal organizations, to achieve adoption of the Flag Amendment, H.J. Res. 61 in the 115th Congress.

The El Dorado County Republican Central Committee is an elected body of the California Republican Party. Each of the county supervisor districts has anywhere from two to six elected or appointed representatives who serve Republican’s in

their district. More information is available on the county party's website.

Terry Gherardi is with the El Dorado County Republican Central Committee.

Letter: Grateful for Ernie's generosity

To the community,

A big thank you to the Ernie's Coffee Shop for hosting the Aktion Club fundraiser on March 22.

Staff at Ernie's were flipping hundreds of burgers throughout the evening as orders where being taken by the skilled waitresses. Kiwanis of Tahoe Sierra and Aktion Club members greeted and seated everyone throughout the evening.

We wish to thank Nathan Bergner, Kent Baer, the wonderful staff at Ernie's and Kiwanis members for volunteering their time to make this a successful event. Again, thanks to everyone who help make this such a fun and successful event.

Proceeds from this event will go towards a leadership conference and to local community organizations.

Carmen Delgado, Kiwanis

Opinion: Fixing the roads, sensible style

By Larry Weitzman

Bakersfield Assemblyman Vince Fong has introduced a sensible piece of legislation, AB496, as part of the legislative session for 2017. The winter-spring rain and snow demonstrated to California residents that our roads and culverts are in terrible shape, especially in El Dorado County where our Board of Supervisors in the last few years squandered our treasury (the 15 percent raise in 2013) of more than $50 million effectively on county salaries in the face of our crumbling roads. For all the analysts in EDC government, less would result in more.



Larry Weitzman

In an attempt to raise new revenue our supervisors have supported new taxes whether directly such as new taxes on hotels, increase in franchise fees and new sales taxes, and indirectly in the support of new state Senate and Assembly bills such as SB1 and AB1 which will raise gasoline and other fuel taxes and vehicle registration fees with the promise they will be used for new roads and maintain roads. What they didn’t tell us with respect to those bills is about two-thirds of the new revenue of about $7 billion would be siphoned off for other pet projects like high speed trains to nowhere. After public backlash, that support is in limbo.

The reason for Fong's AB496 was because gasoline taxes and vehicle registration fees have already been siphoned for other purposes like to balance our already bloated budget packed with welfare for politicos, state employees and our failing pension system, never mind public welfare. In other words, for SB1 and AB1 it will be a continuation of the prior tax increases for roads, trust us (the government) with more of your money and watch what happens? Nothing, the roads will continue to decay.

What Fong's legislation does is to ensure that vehicle registration fees, especially truck weight fees, gas taxes, money borrowed from the transportation funds, vehicle insurance fees, vehicle sales taxes and a whole lot more all get used for roads instead of going into the general fund. Analysts estimate this legislation will raise $5.6 billion annually and $2.2 billion in one-time revenue with absolutely no increase in taxes. SB1 and AB1 will simply raise gas, registration and other taxes and that money will probably get stolen from road maintenance, too. Certainly, a good portion of those potential funds are earmarked for the bullet train to nowhere.

A March 24 EDC board letter signed by Chairwoman Shiva Frentzen directly supported the principles AB496, but also added several twists by supporting a few propositions not contained in AB496. Three of which I am going to discuss here. In Frentzen's letter it stated as one of the bullet points: "Invest Cap and Trade revenues in Greenhouse Gas (GHG) reducing road maintenance, transit, bicycle/pedestrian, and freight projects." Frentzen makes an excellent point which along with new oil severance taxes of 5 to 10 cents a gallon are nothing more than hidden additional gasoline taxes probably totaling more than 25 cents a gallon. But these taxes are pass through taxes hidden from the end consumer that hurt the poorest of Californians who can least afford this necessary commodity. Frentzen is on the money here.

Next on the bullet points is: “Ensure that non-gas-diesel vehicles owners pay their fair share of roadway capital investment and maintenance.” Of course, the first question is what is a fair share? The reality is that electric cars are light vehicles anywhere from about 3,000 to 5,000 pound for a Tesla P100D. Consequently, road damage from these vehicles is negligible. Road damage is mostly caused by heavy trucks weighing 80,000 pounds or close to that. In the extreme, how much road maintenance is required from a motorcycle either gas or electric? The answer is effectively none.

And why should we be just another subsidy for electric cars? What should be done is to eliminate all subsidies for EVs. First is the elimination of the $10,000 tax credit on purchase of EVs from the federal and state government. Second is the elimination of zero emitting vehicle (ZEV) credits created by the federal government to the tune of about $10,000 or more per vehicle sold. Third is the elimination of heavily discounted electrical energy rates from utility companies like SMUD and PG&E which are currently discounted by half or more. In fact, SMUD offers for $599 unlimited charging for your electric car for two years. Lucky SMUD customers who don’t use electric cars are paying for that or about 99.9 percent of SMUD customers foot that bill. And the fourth subsidy is carpool lane passes. Car pool lanes are ridiculous to begin with (creation of a Gov. Jerry Brown appointment, Adriana Gianturco, which is a story unto itself) as they are paid for by drivers who can’t use them. All subsidies should be removed for electric cars. As to higher registration fees or a per mile tax, without the subsidies described above it wouldn’t be necessary as there would be no electric cars as there would be no market.

Finally, Frentzen wrote: “Evaluate long-term equitable transportation funding sources like the Road Charge Pilot Program to replace the gas tax.” This would solve the gas tax issue with respect to EVs. Oregon has as pilot program. It is

in addition to the gasoline tax and there is much doubt that a mileage tax would ever replace the gasoline tax. To make such a tax is fair it could be no more than a penny a mile as small cars which average 35 mpg would be paying about 35 cents a gallon like the current gas tax which is about 35 cents a gallon. But to make it fair the tax would have to be weighted based on vehicle weight, like big 80,000 pound trucks would pay 5 to 10 cents a mile and so on. And how would we tax out of state vehicle and trucks that use our roads? Gasoline taxes solve that problem, mileage taxes don't.

What about California vehicles that go out of state, the odometer would still be counting yet they would be double taxed every time when buying gasoline out of state and interstate trucks buy lots of fuel out of state.

Gasoline taxes seem the fairest way. High fuel economy cars use less gas and large trucks use the most fuel. And they have weight fees. If we stop subsidizing EVs, they will become like in about 1910, a thing of the past again. Frentzen does support all of Fong's ideas. These additional three items above are not Fong's. In 1900 EVs had 38 percent of the market, by 1905 that market dropped to 7 percent. By 1911 when Charles Kettering invented the electric starter first used on the Cadillac, electric cars were sold next to the buggy whips.

Larry Weitzman is a resident of Rescue.