

Howard Jarvis Taxpayers Association

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Taxpayers Are Not Mushrooms

By Jon Coupal

Taxpayers are not mushrooms. So why do government officials keep us in the dark and feed us manure? Two seemingly unrelated stories are unfolding in California that are illustrative of the mind-set of some in government that citizens and taxpayers are entitled to know neither how their money is being spent nor how it will be spent in the future.

The first story takes place in Petaluma, a small city in Sonoma County. There, a city resident had some questions about a certain “intergovernmental charge” Petaluma is imposing on its own sewer department.

The charge is not insignificant. At over \$9 million, it represents a levy of over \$500 per citizen. Now, according to the City, the \$9 million charge represents indirect costs incurred by the City for the benefit of the enterprise of providing sewer service.

Fair enough. But our City resident, who also happens to be a former city council member, has real suspicions that the costs cannot be justified and that the City is simply trying to pad its general fund at the expense of those who use sewer service. In other words, a classic hidden tax.

Moreover, it is apparent that the City is “double dipping” — charging an administrative fee for work that is *already* accounted for through intergovernmental charges.

In order to confirm what seems fairly obvi-

ous, our stalwart citizen has tried repeatedly to obtain public records to verify his suspicions. But the City has stonewalled the release of the requested documentation. No fewer than a half dozen verbal, written and e-mailed requests have been ignored. When the citizen submitted a formal request under the California Public Records Act seeking detailed information, the City produced only a two page summary — a meaningless and nonresponsive document.

In sum, the City of Petaluma has made clear its intentions never to reveal the requested financial records.

The second story has a similar theme. In Sacramento, there is an effort bordering on desperation to keep the professional NBA team, the Sacramento Kings, from leaving the city. The ultrarich owners of the team, the Maloof family which owns the Palms Casino in Las Vegas, are trying to milk the taxpayers for all they are worth. They are also getting a lot of help from Sacramento city and county officials.

Despite overwhelming evidence that public subsidies for professional sports franchises are at best a wash for taxpayers and usually a negative, city and county leaders have placed a quarter cent sales tax increase on the ballot to pay for, among other things, a new NBA arena. (Of course, the Kings owners want *all* the revenue from the naming rights, parking, concessions and surrounding businesses, but *taxpayers* will pay for the debt service on the project.)

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The proposed tax — which is trailing badly in the polls — is flawed for many reasons, not the least of which is the fact that “the deal” hasn’t been worked out yet between the City, the County, the Kings ownership, and the developer of the proposed site. Indeed, even *after* the tax hike measure was put on the ballot, the Maloofs stormed out of a negotiation session over the number of parking spaces they would get.

In the wake of the collapsed negotiations, a city official sent a revised proposal to the Kings ownership via e-mail. Because voters will be voting on this proposal in a few short weeks, the opponents of the tax demanded that the communication between the government officials and the ownership of the franchise be released to the public.

The reason is simple: Taxpayers and voters want to see how much the City of Sacramento is willing to give away in public subsidies to the team owners. The answer to that question is likely to have a dramatic effect on how local citizens will vote on the tax increase.

But, just like Petaluma, Sacramento officials have refused to disclose this obviously public communication.

Two years ago, Proposition 59 presented the following question to California voters: “Shall the Constitution be amended to include public’s right of access to meetings of government bodies and writings of government officials while preserving specified constitutional rights and retaining existing exclusions for certain meetings and records?”

By more than 83%, California voters said “yes” to the question of making the availability of public documents a *constitutional* right. The failure to provide public documents is violation of that right.

In both Petaluma and Sacramento, government officials are wrongfully keeping information from the public that the public has the right to know. In both Petaluma and Sacramento, officials have revealed their disdain and contempt for the voting public and further revealed their arrogant attitude that says: “We know better than you — how dare you interfere with us?”

But Petaluma and Sacramento have one more thing in common. They were both sued by Howard Jarvis Taxpayer Association. It is time we let the courts weigh in and tell secretive officials about the importance of open government.

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