

# **Sutter County Taxpayers Association**

P.O. Box 1232, Yuba City, CA 95992  
www.suttertaxpayers.com  
530-673-6562

***To ensure, by means of an informed and knowledgeable public and active participation in government, that Sutter County government entities operate with honesty, integrity and cost-effectiveness.***

Fall 2015

*You are invited to hear*

## **Taxpayer Advocate George Runner**

Mr. Runner is Vice-Chair of the State Board of Equalization. First elected in 2010 and re-elected in 2014, he represents more than nine million Californians. During his tenure, he has worked tirelessly to improve California's tax policies and practices and to create and retain more private sector jobs in our state. Prior to his service on the State Board of Equalization, he served twelve years in the State Legislature, in both the Assembly and the Senate. Mr. Runner authored California's 'Amber Alert' on behalf of missing children and, with his wife, authored 'Jessica's Law' addressing sex offenses against children. He has received countless awards from communities and organizations ranging from California State Sheriffs' Association to the California Community College Trustees; and, not the least of which is perfect legislative scores from the Howard Jarvis Taxpayers Association.

**Thursday, October 29, Noon  
Ruthy's - 229 Clark, Yuba City.  
Call 673-6562 for Reservations.**

### **Proposition 13 is Under Attack**

The Howard Jarvis Taxpayers Association "Taxing Times" fall newsletter reports that "Serious attacks against Proposition 13 are coming from the Legislature and the initiative process simultaneously, and the targets are both businesses and homeowners."

In the Legislature, Senate Constitutional Amendment 5 would increase taxes by \$9 billion annually.

SCA 5 would increase taxes on commercial property which would be a change from Prop. 13 which taxes commercial and residential under the same rate. Known as a "split roll" tax, it would place a massive new burden on business property, including small businesses and residential rental property. Another attack is Assembly Constitutional Amendment 4 which would lower Prop. 13's mandated two-thirds vote to 55 percent to increase special taxes.

Through the initiative process, an initiative that would increase property taxes on both business and residential property has been filed with the Attorney General's office. Titled "Lifting Children and Families Out of Poverty Act" it would impose a surcharge on more valuable properties, thus reinstating a system where increases in value would be penalized with much higher taxes.

So, taxpayers, stay alert to these efforts by joining and supporting the Howard Jarvis Taxpayers Association and the Sutter County Taxpayers Association who are looking out for you.

## **RECOLOGY WANTS RATE PAYERS TO PAY FOR MISMANAGEMENT**

This summer a 2% increase in Recology's rates was approved by the six member agencies of the Regional Waste Management Authority (RWMA). Those agencies are Yuba and Sutter Counties and the cities of Marysville, Wheatland, Yuba City and Live Oak. The 2% increase isn't so bad, but there is more to come.

Recology was fined \$440,440, by the California Regional Water Quality Control Board on April 16, 2015 for not fully complying with an August 29, 2013 Cleanup and Abatement Order "to address issues that have resulted in storm water bench mark exceedances, landfill gas generation, migration of landfill gas into the groundwater and groundwater impacts." In other words, Recology was not properly preventing the creation of landfill gas and was not properly containing the leachate created when storm water mixed with green waste.

While some of the work required under the Cleanup and Abatement Order has been completed, Recology is faced with the cost of upgrading its composting and green waste area to ensure that leachate does not exceed allowable amounts and does not percolate into the landfill or flow off site. Recology wants the rate payers to pick up the bill and is offering to limit RWMA member agency rate payers to 81% of \$2.75 million cost. Recology is requesting approval of another rate increase of "around 2%" over a three-year period starting in

2016-17 year. The increase would be on top of the 2% increase which started on October 1 of this year. This year's 2% increase is more than the justified increase of 1.44%. The explanation for bumping the increase to 2% was to add additional funds to the "Rate Stabilization and Capitalization" fund for unforeseen improvements to the composting/green waste area.

**Background:** Recology closed the Marysville landfill site in 1997 and was issued Waste Discharge Regulations (WDRs) by the California Regional Water Quality Control Board, Central Valley Region, laying out the requirements for the landfill cover and requirements for monitoring groundwater and gases from the facility.

In January 2003, the Central Valley Water Quality Control Board issued Waste Discharge Regulations Order R5-2003-0093. This order specifically prohibits 1) the discharge of any waste at this site; 2) the discharge of solid or liquid waste or leachate to surface waters, surface water drainage courses or to groundwater; 3) the discharge of waste to ponded water from any source.

Since 2003, Recology has been issued several Notices of Violation of the 2003 Order by the Central Valley Water Control Board but has failed to comply with the 2003 regulations and with State Water codes which resulted in the Cleanup and Abatement Order. An email from Wendy Wyels, Supervisor, Compliance and Enforcement Section, Central Valley Regional Water Quality Control Board states: "Due to the lack of compliance with the 2003 WDRs, in 2013, Board staff negotiated a Cleanup and Abatement Order with Recology; the purpose was to list the actions and timelines by which Recology would improve its leachate collection system and come back into compliance with its WDRs. Recology agreed to the Order. If Recology had implemented the work described in the Order, then there would not have been a fine."

The Sutter County Taxpayers Association strongly objects to Recology asking rate payers to pay for a corrective project that was caused by Recology management not following the rules laid out by the Central Valley Water Quality Control Board in

2003. Rate payers should not have to pay for Recology’s mismanagement.”

An amendment to the Recology contract to make rate payers pay for the work is on the Yuba City City Council’s October 6 agenda. It will be on the agendas of the other RWMA agencies in the near future. SCTA encourages rate payers in all jurisdictions to attend and voice their opinion.

### **Civic Openness in Negotiations (COIN)**

Well, once again closed negotiations between local governments and their employee organizations are costing the taxpayers. In closed negotiations during fall of 2014, Sutter County agreed to establish a “wellness clinic” for its 970 county employees at a cost of \$700,000 the first year and \$600,000 per year after that. This “wellness clinic” is for county employees and their families for non-emergency health care with no co-pay and is in addition to taxpayers providing 80% of the employee health care insurance cost.

Had Civic Openness In Negotiations (COIN) been in effect during Sutter County employee negotiations last fall, we citizens could have commented on the Wellness Clinic issue and could possibly have stopped or redirected the expenditure of taxpayer dollars to needed positions such as an Internal Auditor, Sheriff’s deputies, a Human Resources director and others.

For openness and transparency, SCTA is strongly encouraging Sutter County and cities of Live Oak and Yuba City to adopt COIN which was first adopted by the City of Costa Mesa in 2012. More recently, Rancho Palos Verdes enacted their own version called “OPEN” (Open Public Employee Negotiations). These are the requirements under COIN developed by the City of Costa Mesa:

- Hire an independent negotiator to represent the city.
- Have an independent auditor determine the fiscal impacts of each benefit listed in the employee association’s current contract and

publish a report of that analysis at least 30 days before negotiations begin for a new contract.

- Produce a public report that details the fiscal impacts of each proposal for new contracts compared to the current contract.
- Have the City Council publicly report from closed sessions any portion of the negotiations—along with their fiscal impacts—that are no longer being considered.
- During each round of negotiations, have council members acknowledge in writing that they read and considered the report detailing the fiscal impacts of each offer.
- Allow the public to review and comment on proposed employee contracts during at least two City Council meetings prior to a vote.
- Place the proposed employee contracts and any related materials on the City’s website at least seven days before the first council meeting where the proposed contracts will be on the agenda.

SCTA encourages all of you who read this article to contact your county supervisors and city council members and urge them to implement COIN. It is the public’s right to have a say in how our tax dollars are being spent.

### **A Success Story**

On the Yuba City City Council meeting agenda for September 15 was an item urging Yuba City to join the Fix Our Roads Coalition which was supported by the League of California Cities. The Fix Our Roads Coalition supports increases in gas and diesel fuel taxes and an increase in registration fees to raise additional money for highway and local road repairs. The meeting was held at River Valley high school and several classes of students were present to learn about how city council meetings are run.

The back story on this is that the State Legislature purposely excluded funding for basic maintenance for existing roads, highways, bridges and more in this year's budget. After "shorting" transportation, Governor Brown immediately demanded that the Legislature pass new taxes to fund these essential infrastructure needs. This "political blackmail" play took place as state revenues are at their highest, and the just-signed state budget was the largest ever. The Legislature failed to get enough votes to pass the tax increases, but the current administration's efforts to raise taxes will undoubtedly continue.

SCTA President Pat Miller spoke to this issue and urged the council to vote no, stating a yes vote on this issue was a yes vote on increasing taxes. Pat cited the record state income, record budget and the liberals plan to raise taxes. She also spoke to the students and urged them to contact their local and state officials to tell them not to pass new taxes. Her message was well received by the students.

Having Yuba City join the Fix Our Roads Coalition died for lack of a second on the motion.

## **Levee Update**

Work has progressed on the \$290 million project to upgrade 37 miles of levee on the west side of the Feather River from Star Bend south of Yuba City north to the Thermalito Afterbay in Butte County. The project officially began on July 25, 2013 with slurry placed in a one-mile section north of Star Bend in what was left of that construction season. Construction on levees is only allowed during the "dry season" from April 15 to November 1 each year.

During the 2014 construction season, 17.5 miles of slurry wall were placed in Sutter and Butte Counties. This year 5.5 miles of slurry wall and 1.5-mile of berm were constructed in Butte County. The Sutter Butte Flood Control Agency had hoped to complete the project this year. However, work start was delayed until July due to cultural resource discoveries in the levee in Sutter County.

Next year, 2016, work will include placing three miles of slurry wall and installing relief wells in Butte County and fixing three gaps in Sutter County at the Fifth Street Bridge, the Union Pacific Railroad crossing and the Yuba City Wastewater Treatment Facility. We have been assured that these gaps are not a safety concern, but work must be done to meet federal and state criteria to grant 100-year and 200-year flood protection status, respectively. Work will also be done on just under a one-mile stretch at Laurel Avenue south of Star Bend.

Once completed the cities of Biggs, Gridley, Live Oak and most of Yuba City will have 200-year flood protection. Meanwhile, efforts are underway to secure funding to fix the nine-mile section between Star Bend and the Sutter Bypass to bring it up to 100-year protection status.

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***If you are not already a member, we invite you to join the Sutter County Taxpayers Association. We are looking out for you!***