

8/24/2020

Edcgov.us Mail - Public Comment (Written) for Aug. 25th Agenda Matter #40, Trash Tonnage Fee and Dump Rebuild Fee (i.e., Taxes)

Public Comment #40



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1 message

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Sun, Aug 23, 2020 at 6:37 PM

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Dear Madams & Sirs of the Board,

This message is intended to provide public comment on the August 25 2020 Agenda matter #40 for Environmental Management's Request to increase rates by over 8%

Facts.

County collects \$2.70/per ton of trash that goes to the material recovery facility (MRF or Dump). The total revenue from this source is approximately \$260,000 or more. Staff are requesting to increase this fee from \$2.70 to \$10.80 – a 300% increase.

County also taxes all residents through property tax for several waste related items. CSA #10, Solid Waste, is a \$17/per property tax that currently funds union mine landfill management (a closed landfill) and funds Environmental Management Department. Total revenue from this source is unknown and unreported by Staff in their request to increase fees/taxes.

County budgets to collect \$840,000 or more in revenue related to the 5% garbage revenue. Another \$880,000 is budgeted from cable television revenue.

County Environmental Management Department previously received Garbage Franchise Revenue to offset Departmental Costs. County Management has not recommended to continue that funding model since approximately 2016. If Environmental Mgmt. Department received the revenue from just the Garbage Franchise, there would probably be no need to increase a fee by 300%.

If the rates go up by the proposed amounts, or any amount, the 5% franchise revenue total goes up. Essentially, these rate increases will further pad the General Fund in a hidden pass-through.

Questions that County Management, Legal Team, and the Board must ask itself and answer to the public.

Just because it is legal to put the garbage franchise revenue into the General Fund, and then to use it at the discretion of the Board, at what point is it unethical or immoral to not apply those funds into a corresponding County function, while concurrently raising a fee by over 300%?

If an argument is made that the garbage franchise revenue is being used to offset impacts to the road system, then do the privately maintained roads, such as HOA's, have a valid argument to request a portion of the revenue you are collecting and using for that purpose?

Has nothing been learned from the Austin Litigation? The \$2.70/ton fee hardly has a nexus to the purpose of the fee, yet you are considering increasing the burden put on that weak justification by 300%. Are you prepared to defend the County against a fee with an illegitimate nexus?

The single consultant study provided in the Staff report... was it of a competitive process and has it been provided with any peer review?

From the conversation that occurred about this matter earlier in August, it seems as though the El Dorado Hills area could deny the fee increase because the County has not followed proper protocols. Could El Dorado Hills be given the opportunity to have that alternative peer review of any fee study that was performed? Doesn't Cameron Park have the same situation?

Is the Board of Supervisors fully aware that this fee increase also has an attached 2% per year escalator? That 2% escalator has no justification, no basis in economic factors, and further puts the County in a position in which it will have to defend itself against illegitimate fees/charges.

Why is the staff report focusing on per pick-up charges without placing the full impact into context for the public from which you expect to further tax? For instance, you have a per-pick-up amount listed, but what is the total revenue "take" by community or jurisdiction? Show the public where you plan on putting the burden; show us how you put that fee to use in those areas; show us the real justification?

Are you aware that applying the Revenue from Garbage Franchise to the Department needs would solve this issue? And, please ask Staff to be specific about Departmental changes to consider to reduce costs:

1. The technological improvements that could be made
2. Modernization in the Department that could take place
3. Contracting-out for the reporting that is claimed to be the big burden in the Department.

What is the actual 'need', financially, to run the Department? If the garbage revenue is \$840,000 and you will pull-in over \$1,000,000 from the tonnage fee, will the excess revenue also go into the discretionary fund of the County? At what point is this taxation without representation/justification?

Concerning the MRF capital project and the Crowe Report, there are multiple references to "unforeseen circumstances" clauses of the contract between EDDS and the County. Yet, the capital project has no "unforeseen" costs. The project has been mismanaged and allowed to balloon to a nearly \$30,000,000 renovation. No good project manager – or steward of public funds for that matter – would permit a \$12,000,000 project to double. Or in this case to increase by 150% to an expected \$30M project.

1. Where is the justification for this cost being "unforeseen"?
2. The rate-payers that are expected to pay for this ask for justification across the entire project. And, if public funds are paying for this project, then how is it that no oversight by a public entity has occurred to this point? If it has been overseen by a public official, then they should be terminated for allowing this to happen.
3. Again, is the County prepared to defend itself on this illegitimate tax being cloaked as a "fee" increase to pay for a private company to enhance its assets? Just look at the profitability of the company on the stock exchange. They have collected the funds and have the funds to make this capital project happen without coordinated bilking between County and El Dorado Disposal staff.
4. Has a list of contractors been provided to the Board during this review? Are there any conflicts of interest to consider here on this major capital project and tax/fee issue?

On the Capital Project of the MRF – it's a dump! Why does it have to be so darn expensive to build that dump all over again? What are other municipalities' costs for dump improvements?

The Agenda matter states that all of this funding is coming from User Fees and Franchise Fees. However, that's not true at all. Franchise fees are not being applied toward this matter, otherwise, there'd be no 300% increase to the tonnage fee.

How many of the Board members have taken this item to a conversation with a constituent or group of constituents? Feel free to utilize the context provide here, from constituents, to have that conversation and to come back to the dais with perspective.

With so much missing from the Staff reports, and so many unanswered questions at this point, you might want to ask, "Are the questions being asked here more rhetorical in nature because the asker and their affiliates already have the answers?"

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Please do the right thing, for all of our sakes.

Thank you, John T., EDC Resident

Sent with ProtonMail Secure Email.