



# The Cotati Independent

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Volume 1

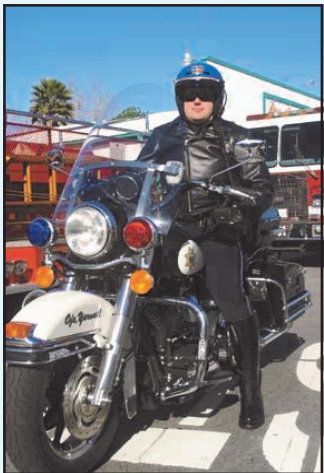
Cotati's ONLY locally owned hometown monthly newspaper

August, 2011



## Cotati Speedway Unofficially Returns

The Thursday night "Cotati Crawl" is the least of the community's concerns these days. The "Crawl" is a term to describe how college students make their way back to the university after a night of overindulgence and merriment in downtown Cotati. Now, it's the roar of speeding motor vehicles nearly every hour of every day in Cotati that has the town in an uproar in recent months. Moving violations by bicyclists are on the rise, and have been equally annoying and dangerous. Cotati lost its traffic enforcement unit last year as a result of city cutbacks that focused more on terminating critical staffing positions than on deeper salary and benefit cuts that would have kept the city working at 100% of 2008 levels. This recent reduction in the level of service has left many in the police department fighting mad, according to inside sources. The small reductions in salaries and benefits of city employees and managers has fallen far short of the reductions being suffered in the private sector over the last three years.



The Cotati Police Department has been a favorite target of both the City Council and City Manager Diane Thompson in recent budget talks since the passage of Measure A. Measure A was Cotati's half cent sales tax increase that was sold to the public as a promise to retain and support public safety staffing. To date, the CPD has seen no additional sworn officers on the beat. Since Cotati's infamous traffic enforcement officer, Jason Yarnell was stripped of his police motorcycle and reassigned to regular duty in a squad car because of budget cuts, the once feared Harley Davidson traffic enforcement bike is collecting dust at the Cotati Corporate Yard until the economy "recovers", according to City Manager Thompson.

This move essentially dropped traffic enforcement to the bottom of Police Chief Parish's priority list which has had the effect of essentially giving the green light to speeders and other traffic violations in Cotati that are escaping the long arm of the law. With a declining number of police officers on the beat, Cotati police are busy with other calls and other ongoing investigations while speeders rule the roads in Cotati.

Newly hired Chief Parish was given his marching order by City Manager Thompson to cut essential police services further, and has been forced to find private funding for the department's K-9 unit, which has infuriated the rank and file in the department and the community.

Getting a traffic ticket or DUI citation in Cotati use to be a local rite of passage for many residents in Sonoma County. Cotati once had a reputation as the city where you did not want to speed or roll through a stop sign. According to John Moore of Cotati, "Until recently, many like me were forced to have our cocktails outside the city limits to stay 'under the radar screen' of Cotati's traffic cop..."

In light of these police department cutbacks, it's fair to say that citizens can expect more traffic violations going without citations, causing pedestrians and bicyclists alike to heed caution in every area of the city as the CPD continues to lose critical funding that has been redirected to other departments.

## The Dog-Watchers Need a Watchdog.



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## New city budget does not balance and reveals alarming evidence town in serious decline

Cotati's 2011-2012 city budget was passed on June 22 over the objections of citizens in the audience. Citizens pointed out that there were many glaring omissions and "creative financing" techniques that were used to sell the budget to city council members who had not done their homework or were completely asleep at the wheel. Alarming evidence was pointed out that many critical line items in the budget had been conveniently removed

from the budget proposal to make it appear that the budget was balanced, when in fact it was not. "Any budget that omits critical elements that should be there and are not is nothing more than a fraudulent document and a hoax on the community", said, Former Cotati City Council member, George Barich.

Barich went on to point out line by line the glaring errors he discovered on June 15 at the first budget workshop in preparation of the June 22 meeting. Barich was the only citizen who actually got up and spoke on the record to this issue before the city council deliberated the budget proposal. They took less than thirty seconds of deliberation on the motion to approve.

Only two other citizens were in attendance at this city council meeting, and no members of the press were there to report on the story. The 2011 -2012 city budget is undoubtedly the most important and most critical issue facing the city. *- Continued on page 3*

## Citizen Complaints of Ethics Code Violations Ignored by City Officials.

(Cotati., CA) - In a surprising move that shocked local residents at the City Council meeting of June 22, the Cotati City Council voted unanimously to dismiss any and all standing ethics complaints filed against Mayor Janet Orchard, Councilwoman Pat Gilardi, and Councilman Mark Landman. The complaints ranged from Brown Act Violations to verbal attacks on citizens during public forums and in the local press in recent weeks.



All three ethics complaints filed separately by George Barich, Greg Karraker, and Ken Coleman were placed on the city council meeting agenda late that evening, discussed briefly by the council, and quickly dismissed for what can only be described as political expediency.

The formal charge that Mayor Janet Orchard habitually interrupts citizens during the time set aside specifically for public comment were dismissed, as was the complaint against Mark Landman for attacking the character of citizens who criticize local government on The Press Democrat website. In the same vote, a complaint against Pat Gilardi for interrupting and challenging a citizen and being out of order was also dropped.

The council's decision to drop all three complaints and file them away in a dark file cabinet for good sparked angry reaction from citizens in the audience. Cotati resident Linel Hardy was observed shaking her head in disapproval of the council action as the roll call vote was taken. According to Ken Coleman of Cotati, who filed one complaint against Pat Gilardi, "It was important for me to file this complaint in a timely manner before the situation got worse. I was interrupted mid-sentence and verbally attacked and corrected by Councilwoman Gilardi during my time to speak, which was not only unwelcome and rude, but completely out of order." Coleman went on to say, "This is not the first time Gilardi has badgered me at the podium. I also don't understand how or why our city council refuses to follow Robert's Rules of Order, which is official city policy, and continues to berate citizens like me for doing my civic duty as a citizen. I choose to get involved, participate, and exercise my right to free speech, and this is what happens. Why our city council continues to be offended by constructive criticism is not only juvenile, but offensive and unprofessional."

Former Cotati City Councilman George Barich also said, "I expect angry and rude outbursts from inexperienced elected officials who have little or no experience in government, like Mr. Mark Landman. Leadership should be all about listening and respecting those who are paying the tab at City Hall, the citizens. But Orchard and Gilardi by now should be smart enough to control their tempers in public. I also expect those council members who were appointed to office by their friends on the city council for doing their dirty work on the campaign trail to be given a 'free pass'. But it never ceases to amaze me to see such cynicism and abuse of power from experienced city officials like Gilardi and Orchard. I think it is obvious to anyone who has ever attended a city council meeting that the council simply does not appreciate constructive criticism, has a far left agenda of their own, and has little or no interest in opposing points of view. They use every trick in the book to discourage constructive criticism in any way possible."

Barich said, "These three complaints were filed for one purpose and one purpose only: to expose the misconduct, the double standard employed by this council, and to see that these ethics code violations be addressed in a formal setting in full public view to begin the civilized process of ensuring the public that the Cotati Code of Conduct is a serious document. After tonight's vote, it's clear that the Cotati Code of Ethical Conduct was enacted not to be enforced fairly and unilaterally, but as a weapon to be used against the "opposition". *- Continued on Page 3*

## Convicted Money Launderers in Cotati Laying Low

Two familiar faces at Cotati City Council meetings in recent years, Michelle Berman and Adrienne Lauby of Cotati, have apparently found other interests. These two women who prided themselves as socialists came to Cotati some years ago hoping to help transform Cotati into everything from a Sanctuary City for Illegal Aliens, to a town free of "big box" developments in Cotati similar to the new Oliver's Market proposed to be built adjacent to the freeway in Cotati. But after their run in with the law, Berman and Lauby's political efforts as well as Berman's political aspirations in Cotati have hit rock bottom.

In late 2010, both Lauby and Berman were fined a total of \$19,000 by the State of California's Fair Political Practices Commission for illegal cash contributions to the Election campaign of John Guardino in 2006. According to key witness, Former City Councilman George Barich, who assisted in the state's investigation, "...the women posed themselves as 'The Coalition to Protect Cotati's Future' (a community organization), who solicited money from unsuspecting citizens in an attempt to funnel cash donations into the Guardino campaign without their knowledge or consent".



- photo by George Barich

The scam was uncovered in 2008 when George Barich brought his suspicions that the CPCF was not legitimate to the attention of one of his campaign supporters, Phil Maher, who brought this information to the attention of the authorities. In early news reports of the incident in 2008 when the story broke, Berman admitted full responsibility for soliciting a cash donation of \$1,000 from Barich to take money out of his own election campaign account, but refused to elaborate further. Lauby asked Barich for cash in lieu of a check since that the CPCF no longer had a bank account. In return for the generous contribution, the CPCF leadership explicitly promised Barich to support Barich in his run for city council, but shortly thereafter turned around and funneled the money to the John Guardino 2006 campaign without Barich's knowledge or consent. Barich decided not to run for office in 2006 at the advice of Berman and Lauby to wait for their full support in 2008.



Linel Hardy

It became clear to authorities that the CPCF was acting as a front group for the Guardino campaign, and are still interested in talking with anyone who might have been solicited for a cash contribution.

Whether or not the Guardino campaign had knowledge of this bundling scam, the \$1000 given to the Guardino campaign was not reported to the FPPC as required by law. Both Guardino and his campaign treasurer, Linel Hardy were fined \$9,000 for their involvement by the FPPC in separate charges as well. This incident has come to be called "The Great Cotati Hustle" by many in town. John Guardino eventually moved out of town as a result of this scandal.



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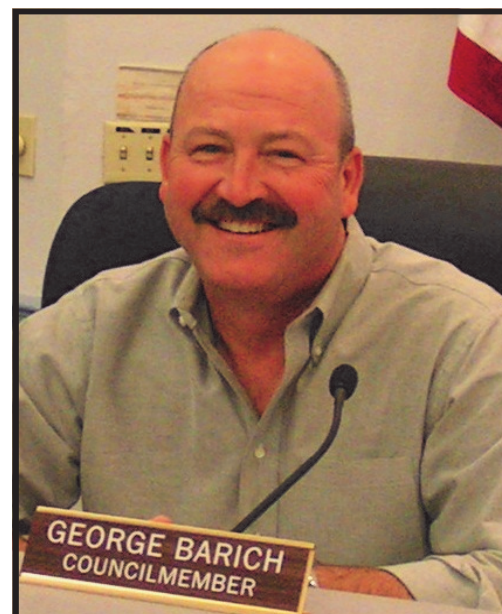
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***In politics, telling people to “Shut Up” is never really a good idea.***

One of the sad things about being an elected city leader in a small town like Cotati is accepting the fact that there are those who just can't stomach an opposing point of view. Some think they wield so much power and influence that they will try to circumvent the democratic process by simply telling people they disagree with to shut up. It's a strategy that rarely brings the desired result, does nothing to promote teambuilding, often just emboldens and empowers the opposition, and turns public opinion against those who practice "Shut Up".



**Former Cotati City Councilman George Barich**

*“Just My Two Cents”*

Case in point. The largest public spending project that Cotati will ever attempt to administer is its very own version of Main Street Disneyland, affectionately known as The Downtown Specific Plan (DSP). The DSP was actually someone's cockamamie idea to tear down a perfectly good historic downtown district, along with the main thoroughfares, and rebuild it all with "mixed use" development and almost no parking. And if you can believe this, pay for the entire public portion of the project by begging the federal government for \$73 million dollars of stimulus money over a period of three decades. Now, it's clear to anyone who has ever hopped over a U.S. border fence to have a baby that the Feds don't have the money to spare now, and won't have the money to give to Cotati in our lifetimes. Therefore, the audacity of a plan to tear down, redesign, transform, rebuild the entire Cotati historic downtown corridor and start all over again with money we don't have is shameful and idiotic at best. And if the DSP is not silly enough on its face, any businesses that might survive the loss of customers that will be caused by the construction mess the next 20 to 30 years will bring will be very few indeed. But centralized planners live for this kind of insanity and never seem to worry much about the loss of people's businesses and their livelihoods. The failed thinking of Cotati's Planning Department has always assumed that there will be more businesses to replace those that don't survive the turmoil of massive reconstruction. Ignoring common sense, these planners believe there is an infinite supply of new businesses that will magically take the place of the old businesses they drive out.

If government boondoggles like the DSP are not something for a city leader like me to stand up and challenge other city officials to defend, nothing is; unless of course, your name is Janet Orchard. During my time to speak on the proposed passage of the DSP in 2009 where I tried to cover in detail all the reasons why I felt the ill-fated Downtown Specific Plan was really a bad idea, Councilwoman Orchard interrupted me in midsentence and said, "DO WE REALLY HAVE TO LISTEN TO THIS?" Now isn't that just another way of saying, "SHUT THE HELL UP" ?

Such predictable displays of aggression from Janet Orchard must either come from a deep-seated sense of insecurity or a sheer inability to articulate an intelligent argument for massive government projects like this one. Either way, my argument against the DSP on many grounds left the bought and sold political hacks in Cotati like Janet Orchard no alternative but to attack, dismiss, and attempt to humiliate me if she could get away with it, and get away with it she did. Not even the late Councilman Bob Coleman, who was serving on the council at that time, could bring himself to defend my right to speak freely without interruption. Coleman could not be bothered with Robert's Rules of Order and fair play any more than the rest of the shills on the council.

As Andrew Klavan of PJTV says, "Shut up is the central rationale behind the leftist program most notably found in efforts to control the airways through 'The Fairness Doctrine' and on the internet through 'Net Neutrality'. Both are sneaky ways to clobber the free speech of conservatives and independents, and basically nothing more than a blatant attempt to put 'Shut Up' into law. Since liberals have failed to put 'Shut Up' into law, they continue to work hard to make it the custom of this country. 'Shut Up' is the essence of political correctness and university speech codes. Say it our way, or Shut Up !..."

As if the gazillion dollars of government overspending over the years is not bad enough, creating the massive debt our country suffers under, there are those who feel Cotati deserves its fair share of the "pork barrel" spending in Washington as much as the next freeloading city. Watching Cotati get on its hands and knees and beg the Obama Administration for a handout of millions of dollars of "funny money" printed up on the printing presses or simply borrowed from the Chinese was hard for me to swallow. The DSP will require a total of \$73,000,000 of taxpayer dollars that future generations of Cotati citizens will have to pay for (with interest, of course). With a population of 7,500, that's nearly \$10,000 per man, woman and child in Cotati, plus interest. Shut up, you say?

Calling someone a racist, a McCarthyite, a Republican, a right-winger, a teabagger, or even a Nazi is also just a way of saying, "Shut Up". This takes intolerance to the extreme, and is why so many in Cotati are proponents of the idea that any opposing viewpoint, any competing argument, any constructive criticism must be dealt with quickly and decisively at all costs. "Criticism is the cancer. Common sense, the enemy", says Klavan. "On the extreme end, the full blown leftists-communists say "Shut Up" by using prisons, re-education camps, and by putting guns in people's faces. In the West, shutting people up can be a bit more subtle." People here will simply boycott your business, attack your character, pass you over for city contracts, and use the recall process against city leaders who simply won't shut up.

"Shut Up" is on the march in Cotati as it is in many other predominantly liberal communities in our area. So now, Cotati City Hall is in complete lockstep with five like-minded liberals on the city council all moving Cotati forward off a cliff. It's important we all pay close attention to how city leaders, city staffers, and the local liberal media outlets distort, mock, insult, and exclude the conservative/independent opposition at each and every opportunity. Listen to the people the liberals don't want you to listen to. Ask questions, and what ever you do, don't shut up.

As a city leader, instead of being a city official like so many others who will do and say anything to get elected, I did find there was a place to shut up. Being a real city leader requires the skills to listen, to analyze, to discuss, to challenge, to reflect, to make motions from the floor according to Robert's Rules of Order, to discuss the motion like adults, amend the motion if necessary, discuss the amended motion, be sure to shut the hell up and bite your tongue when others are talking, bounce the motion off the public once more briefly for good measure, vote on the motion, then shut the hell up and move on.

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**Re-establish Our Constitution and Your Commitment to It.**





## Welcome

By Mike Ceremello,  
civic activist and investigative  
reporter

Welcome Cotatians, to the first issue of the *Cotati Independent*. The exercise of reading this paper and the ensuing effort to engage your own ego will undoubtedly give you the Oakland Raider experience: you will either love it or hate it. There will be little in between.

This paper is designed to fill a void created by the vacuum of socialistic democracy, where only one side has input and they not only make the rules but get the blame when their plans go awry. This is not America but some pipe dream of European origin.

There are few “statesmen” left in the political arena. Those of us who practice this theology believe in listening to all but not allowing the majority to take rights from the minority. This is why “progressives” absolutely detest the Constitution for its principles are the same.

Those of us who actively participate in government understand that Cotati is not a solitary island of leftist liberalism or liberal fascism. The entire State of California is about to sink under the loosely interpreted word of leadership emanating from Sacramento.

The problem we all should have with our government is that it is not self sustaining but doomed to failure. The scheme is 1) we destroy the manufacturing segment of our economy in the name of environmentalism to 2) destroy our ability to produce to 3) make us reliant on nations who produce poor products and represent health hazards to 4) bring us down to a quality of life of those countries rather than bringing them up to ours to 5) equally sharing misery across the world.

Further, we debase our currency by not backing it with anything of substance. This alone will guarantee the failure of our economy. We make debtors of our children and their children. Not a problem for those who don't understand basic check balancing, as they simply print more money further debasing and devalu-

ing our dollars.

Do we all want to live in compact communities of high rises and row houses? Where is crime lower, in communities such as these or in rural or suburban settings where there is room to breathe?

This newspaper is a microcosm of the real America surviving this ordeal by fire. We are not lost until we give up. Economic systems can be altered. Keynesian economics of government stimulus has already failed during the time when John Maynard Keynes lived. Evidently Mr. Obama didn't learn from history so he is doomed to repeat it.

The bottom line is there is no free lunch. You liberals can't sit back and endorse this lemming's run to the cliff of capitalistic extinction as your dearly beloved social programs will lose their funding. You are killing the Golden Goose of free market entrepreneurship which provides your taxation sustenance. How well did communism work out for Russians except for the bureaucrats feeding off the masses?

Conservatives and constitutionalists likewise can't expect the system to right itself without fighting for core values. To be silenced by the other side will no longer happen with the advent of this monthly edition. More is needed than simply making noise.

It would be far preferable to be able to remove the productive elements from our society and cloister them away in some force field mountain fortress ala Ayn Rand's description in *Atlas Shrugged*. Instead we are allowing this vivisection to occur unimpeded by a centralized government with far more power than ever intended. It occurs not just at the Federal level but is ingrained even at local levels.

You get to make the choice. You can choose to educate yourself as to what transgressions have occurred in your community as well as those planned by reading this paper or you can wallow in the bliss of your own ignorance.

Although liberalism is well represented in other media already present in Cotati, we welcome your viewpoints and arguments to be published in this paper. You don't get debate, education, or enlightenment listening to your own voice ...

the pace of job-creating firms leaving in 2009.

Mr. Vranich said that the emigration could become "a stampede" in 2011. "Business owners tell me every day that this is just not a hospitable place to do business anymore," he said. Other Republican governors with their sights on California include John Kasich of Ohio and Rick Scott of Florida. Mr. Scott told me in an interview that "we are going to create hundreds of thousands of jobs in Florida over the next eight years, and we will advertise our growth policies to businesses in places like California that don't share our pro-business policy orientation." He added: "Not having an income tax is a huge advantage over a high-cost state like California."

Mr. Kasich told Reuters earlier this month that he will try to persuade California venture capitalists to relocate high-tech firms to his state. "More of the same is not acceptable to the business community in California," he said. Unemployment in California is currently 12.4%, and over the past two years the state's jobless rate has ranked among the five-highest in the country. Businesses complain that the extraordinary power of unions, regulators and environmentalists has been an incentive to leave or not come in the first place.

We will see if Democrat Jerry Brown, the new governor, will do anything about that. If not, California's loss may be a boon for Florida, Ohio, Texas and other states.

## California Fleeing

Governors across the country adopt a new economic strategy: **Raid California for its businesses.**

By Stephen Moore

Just when you thought things couldn't get worse on the left coast, along comes more bad news for the Golden State. Across the country, Republican state legislatures and governors are adopting a new economic development strategy: **Raid California for its jobs and businesses.**

At least three Republican governors have said as much in interviews. The idea is to offer lower taxes, a more business-friendly atmosphere and the right to be left alone from overzealous regulators. "We just keep inviting California businesses to look at the economic climate in Texas, where we treat businesses like assets not villains," said Texas Governor Rick Perry.

California has some of the highest tax rates in the country, the worst bond rating and a multitude of nettlesome regulations. Chief Executive magazine just ranked California as the most antibusiness state in the nation. A new study by Joseph Vranich, a California-based business consultant, found that 144 major companies relocated plants, research facilities, headquarters or their entire operations out of California in 2010. That was more than triple

## Prop 13 Circuit Breaker Halts Tax Losses

By WAYNE LUSVARDI AND CHARLES B. WARREN

California's [Proposition 13](#) is working to halt a larger and faster erosion of the property tax base in Sacramento County and elsewhere around the state. But that is not what is being reported in the mainstream newspaper media, which only tell a "poor me" story of how property taxes are declining in the Sacramento area.

It is not the superficial absolute percentage of decline in property taxes but the [relative decline](#) in relation to the overall decline in market values that is critical. Property values go up and down in cycles and it is up to government to have rainy day fund reserves to handle the downturns. Fortunately, with Prop. 13, these declines can be managed. While without Prop. 13, the pain would be much deeper and would likely dig deeper than budget reserves.

For example, the Sacramento Bee is [reporting](#) that the Sacramento County property tax base fell by \$4 billion for the fiscal year from July 1, 2010 to June 30, 2011, resulting in a 1 percent, or \$40 million, drop in property tax revenues.

But [Zillow.com](#) indicates that the market value of single-family homes declined by about [16.7 percent from 2010](#) to 2011 (as of July 7, 2011); and by about 57 percent since 2007 at the peak of the Real State Bubble. At the market peak, the median home price in Sacramento County was about \$350,000, while today it has dropped to \$150,000.

Since 2010, the median price of a single family home

has dropped by about 16.7 percent. But due to Prop. 13, the latest decline in the property tax base has been held to 1 percent.

One of the unheralded benefits of Prop. 13 is that it serves as a circuit breaker to large fluctuations in market values, either upward or downward.

**Prop. 8 Provides for Tax Adjustments**  
[Proposition 8](#), passed in 1978, amends Prop. 13 to provide for reductions in assessed property values due to a decline in market value. Prop. 8 re-assessments are temporary and will ratchet back upward when the market recovers.

Prop. 8 property tax re-assessments do not necessarily have to be applied for by the owner and are automatically adjusted by the tax assessor in each county. Such re-assessments typically affect so-called "underwater" properties whose mortgages are more than the assessed value for property tax purposes.

Zillow.com reports that the percentage of underwater mortgages in Sacramento County is [51 percent](#).

An "underwater" property is not the same as when the assessor at his discretion may reduce the property value assessment temporarily until the market recovers. If monetary inflation takes off, as predicted by many, there may be a flight of capital out of money markets and back into real estate, at which time assessed values would be readjusted upward by the Assessor, but only for those properties that had their assessment previously lowered under Prop. 8.

Prop 13 is good for government as well as for homeowners. But don't expect to read or hear that in the newspaper or broadcast media.

## Cotati's Budget Woes Continue

(from page 1)

"The full ramification of the flawed, and some say fraudulently prepared, budget document has ramifications that will effect Cotati for years to come", said Barich. Yet, with virtually no council discussion on the budget proposal, the new budget passed unanimously. Many questions from the audience remain unanswered:

1. How is the city going to survive intact without a game plan to address the deteriorating condition of city buildings, city streets, city-owned equipment that is wearing out at an alarming rate, or simply becoming obsolete, such as the city computers, city vehicles, city sewer lines, water lines, and much of its infrastructure that has long outlived its service life?

2. How will the city provide proper police protection with the number of sworn police officers falling from 14 to 10 in just two years?

3. How will the city address growing citizen complaints that Cotati's Recreation Department has no full time director, no assistants, no volunteers and basically no recreation program for the community?

4. Why is the city refusing to address the unfunded liabilities the city faces in the long term with respect to the healthcare and retirement benefits promised to its employees in this new budget?

5. Why have the city council members themselves refused to take any pay cut whatsoever in the last decade and why do they still receive free "Cadillac" healthcare at taxpayer expense?

6. Why has the city council budget increased by \$30,000.00 over last year's budget? As the rest of the city employees have made some minor concessions in pay and benefits, city leaders continue to receive more money.

7. Why is the city refusing to save 7.5% of its total revenues towards the General Fund Reserve against its own policy enacted in 2009?

8. Why does Cotati continue to have a first time homebuyer's program on its books to assist first time homebuyers with the cost of home ownership?

9. Why has the city refused to replace the dilapidated roof at City Hall which has been deemed by engineers as "unsafe" and in need of total and immediate replacement?

10. Why is the city continuing to waste valuable city staff time looking for grant funding when every indication is that the state and federal government is broke and absolutely in no position to send Cotati any "free money"?

11. Why does the city continue to refuse to televise or webcast its city meetings on the internet when they were given \$36,000 many years ago by Comcast to do the job?

12. Why is the city feeling it is forced to lease three new police cars to replace older vehicles when leasing is far more expensive than buying the cars outright? Why are the citizens buying the City Manager a new car?

To say the 2011—2012 budget is balanced gives the citizenry a false sense of hope and security. The truth of the matter is that anyone can balance a budget by fudging the numbers, inflating the city revenue projection figures, and especially if you take items out of the budget that any responsible city would leave in and account for. The most common trick used in Cotati to attempt to balance its books over the years has been to project more revenues than are likely to come in. City revenues continue to decline, yet revenue projections remain flat. To conveniently omit certain items from a budget is as irresponsible as inflating the projected revenues to get the desired result. That's the current case in Cotati where the budget is truly a farce and an insult to the intelligence of the community.

Elected officials simply are looking at the next election season. They appear to have no compulsion to do the right thing of adopting a financially sound and realistic budget the public can have faith in. Getting re-elected seems to be more important than the future viability of the town. As long as elected officials refuse to be city leaders and play fast and loose with the city budget Cotati will continue to be on the wrong path, which will eventually jeopardize the town's ability to remain a municipality at all. To play accounting games with the budget for the sake of political expediency is the root of the problem here.

The overly optimistic budget proposals over the years, the overstaffing, and the high salaries and benefits are exactly how the city lost its \$2.5 million dollars in reserves the city once enjoyed. Without strong citizen oversight, the community can expect a continuing decline in both essential city services and a crumbling Cotati to be in our future as city management and city employees laugh all the way to the bank.

## Ethics complaints against city council members get ignored

(from page 1)

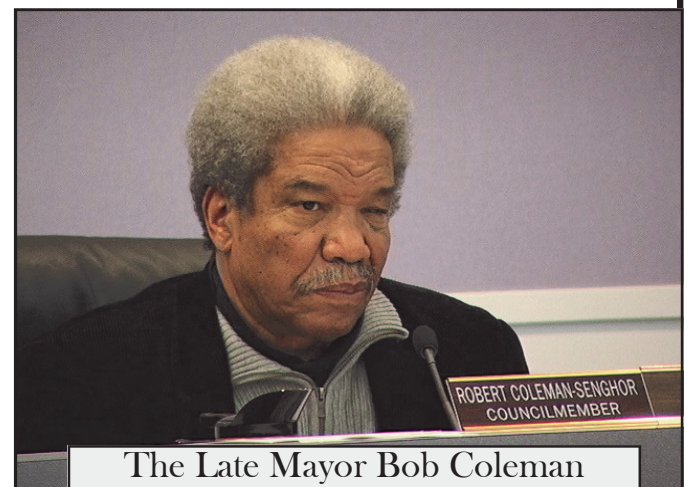
Barich went on to say, "I personally believed that this ongoing problem of the city council's disrespect for citizen input needed to be addressed before these sort of council outbursts and attacks against citizens in the press only get worse. Filing these complaints was in essence a very positive move in the right direction for our city. Our city is heading down a dangerous path of no return if this sort of unprofessional conduct is allowed to continue unabated."

Greg Karraker of Cotati commented by saying, "The council put themselves in a ridiculous position when they created this code. Their only reason for wasting taxpayer money in writing it was to use as a way to muzzle the opinions of Councilmember Barich, who saw it for the joke it is, and refused to sign it. Personally, I believe in the free and sometimes loud clash of opinions, so there is only one reason I filed my several ethics complaints: To make it clear that if a code applies to one person, then fair play dictates that it should apply to all. Obviously, the council doesn't feel that way. Once they engineered George Barich's recall, they had as much respect for this code as they do for the city's police dog.

In 2010, two ethics complaints were filed against the late Mayor Robert Coleman for racially charged comments he made on the record during publicly held city council meetings and then again in closed session. Mayor Coleman had been warned to cease making racial comments

to avoid possible litigation the city could not afford. After nearly a year of sitting on these complaints against him and constant outcries from the citizens to be heard on this issue, Mayor Coleman then, and only then, strongly urged the council to hear those complaints against him, knowing full well the council would dismiss the complaints.

Mayor Coleman had calculated that by delaying the ethics complaints as long as possible, the citizens would eventually tire and give up. But thanks to the persistence of a small handful of citizens, the pressure was felt by the Mayor, and his hand was forced. An ethics subcommittee was quickly set up consisting of council members Susan Harvey and Janet Orchard. They met in complete secrecy and decided among the two of them that there was no merit to any of the complaints filed against the Mayor. Both women justified dropping the complaints by stating the Mayor's racial remarks, which included yelling the N-word during a city council meeting and referring to council members' grandparents of Italian descent as "DAGOs" in closed session was perfectly acceptable, and warranted no further council action.



The Late Mayor Bob Coleman





# Half A Train To Nowhere

by CLAY MITCHELL, Windsor, CA

Much as Martin Luther is said to have posted up his Theses on the church door, and the Founding Fathers felt compelled to create a Declaration of the reasons for their course of action, I too, feel compelled to post a "list of grievances". This is by no means comprehensive, but serves as the basis for my opposition to the SMART District and it's project.

I love a train as much as the next guy- my family owns property that fronts on the Virginia and Truckee railroad near Virginia City, and we love it. As a resident of Windsor, under the current funding and construction plan, I will NEVER see this train serve my community. There is hardly enough funding for the proposed first phase, much less future expansion- yet we are subject to the sales tax that is paying to "build" it. This is Taxation Without Transportation, and is a travesty- especially for a town with a school district that apparently doesn't have the money to keep our kindergarten classes below 30 students! At some point, we have to put the pet projects on the shelf, and focus on core services that are vital to our community's well-being. And half a train to nowhere isn't one of them.

**GREIVANCES** 1. THIS IS NOT WHAT WE VOTED FOR! We voted for a plan that would fund and allow construction of a complete transportation system. This IOS (Initial Operating Segment) from Santa Rosa to San Rafael is not what was promised to the voters- we voted for rail and trail from Cloverdale to Larkspur.

2. WAY OVER BUDGET While the recession is deeper than expected, our concern is more specifically over the severely under-estimated costs- AT LEAST \$155 million. If that kind of inaccuracy happened in the private sector, heads would roll. Not only are the costs mounting wildly, but every month, there seems to be additional costs that were either not considered or not accounted for, while revenue slips away further and further. Despite the repeated claims of planned contingencies, conservative estimates and reasonable projections, those are all wiped away by the shear inaccuracy of the initial financial projections.

3. RIDERSHIP IS TOO LOW- After all the cuts, the estimated ridership is just 2860 daily trips in 2015- that's just 1430 round trips travelers served by the train per day! That makes no appreciable difference for road congestion, and provides minimal environmental benefit, which were the two main benefits outlined in Measure Q.

4. THIS IS CHANGING TOO FAST- This project has changed so fast that we no longer have accurate Strategic Plan or Funding Plan, and the scope is completely different. Not only that, but the numbers change substantially each month. How is it possible to accurately forecast and plan a project so many moving parts? We need a COMPREHENSIVE and ACCURATE accounting of costs prior to any further action or funding activities. Every meeting their are new or unexpected costs that were not previously included- but hey- \$5 million here, \$10 million there- it's chump-change when you're talking about a \$1.5 BILLION project, right? Not when it's MY money you're throwing around.

5. PRUDENT PLANNING IS A MUST- Until there is a clear and solid funding plan in place that will cover not only the initial construction segment but the ENTIRE SYSTEM, SMART should not issue any bonds or contracts- period!

6. LET US VOTE ON IT- If the project is going to be so different from what was originally proposed, it should go before the Voters again! Anything less is a bait and switch.

7. PTC-Positive Train Control System cost is serious! PTC is a safety system (composed of sensors and master controls) that is required by law to be installed on this project, and we still don't know how much the Positive Train Control will cost- we only know it's "\$30-\$50 million more than we expected" How much is that? We have not been told. For comparison's sake... CalTrain runs a route of similar length (just slightly longer at 78 miles), and they estimate it will cost them \$231 MILLION!

8. COMPLIANCE WITH TOD POLICIES- Voters were not made aware that the planned route and station locations did not comply with TOD (transit oriented development- super-high density around stations) policies, yet the MTC funding that was counted on was dependent on compliance with those restrictions. This funding source was listed in the 2008 Funding Plan, but the need to comply with the TOD policies was not mentioned.

9. THE FUNDAMENTAL NATURE OF THE PROJECT HAS CHANGED- SMART pretends that they are just going to build it in phases- but with what money? They are committing ALL their available funds to the First Phase (or IOS)- then what? You can't pretend that the rest of the project is just part of a later Phase- there is no money allocated for a second phase.

10. OPERATIONS COST ESTIMATES HAVE INCREASED SUBSTANTIALLY- From \$19.3 million annually in 2008 to \$26.3 million annually in November of 2010- decreasing anticipated Farebox recovery from 36% to 23% (MTC feels even this estimate is high). Why? This is an increase of 38%- on top of at least an 18% on capital costs....

11. NO DIRECT PUBLIC OVERSIGHT- The SMART Board is chosen from local government officials- city councils, county supervisors, and reps from the Golden Gate Bridge and Highway District. They are not elected to the position directly by the people. Additionally, the "Citizen's Oversight Committee" is appointed by the SMART Board- hardly an independent oversight body.

For these reasons and the multitude of minor inconsistencies and warning signs, I ask that you STOP rushing forward until a cogent, reasonable and complete plan can be formed and presented to the public for review. It is inappropriate for this project to move forward without consistent and comprehensive financial projections- both on the expense and on the revenue side.

Furthermore, the money that is being wasted on this project could be put to far better use that would benefit a far greater number of tax payers. For example, just the INCREASE in the estimated annual operating costs would cover the ENTIRE deficit in the Sonoma County Public Works road maintenance budget- allowing them to maintain ALL County roads, and not let the vast majority of them degrade back to eventual dirt roads (as their current policy is). This would benefit a vastly more significant percentage of our population than this train idea. Another example is an express Bus service- still a beneficial mass transit project, but costing a fraction as much.

The underlying issue is this- the proponents of this project envision a world un-stained by human hand- where the vast majority of the surface of the earth is not accessible for human use. They place a very low value on human quality of life, putting perceived value of "mother nature" above that of the human race. They see a world where we live in high density high-rise apartment buildings, clustered around public transportation. They feel that having a quarter acre private yard around your house is an excess, and degrades the environmental quality of our communities. As such, they are using projects like this train to implement and fund their twisted vision of the future, and to advocate for growth and zoning policies that are extreme and untenable. Additionally, they have created mechanisms such as the SMART district to funnel public funds and sweetheart deals to like-minded developers that specialize in high density "Transit-Oriented Development", espousing "Green Building" practices that adhere to the tenets of "New Urbanism". They seek to urbanize our towns, pushing residents into city centers and de-populating rural and suburban areas. This is not the Sonoma County that I want to live in.

**PLEASE SMART- STOP THE MADNESS!** [facebook.com/StopSmart](http://facebook.com/StopSmart)

## TAXPAYER UPDATE

From the Howard Jarvis Taxpayers Association

### Want Leisure Time? Work for California

By Jon Coupal

OK, now that Governor Brown's effort to gouge even more from struggling taxpayers has been derailed – at least for now – let's return to the real world where those who are still working are struggling to hold onto their jobs and homes.

If you are a working Californian, you look forward to a little time off each year. Typically this will be two weeks of vacation and, if you are lucky, a handful of paid holidays.

With an official unemployment rate of over 12 percent – and an actual rate closer to 23 percent when those who have given up looking and those who have accepted part time jobs are counted – you are probably not inclined to push the issue of an extended vacation with pay with your current or future employer. After all, he or she is struggling to survive in a state with the most hostile tax and regulatory climate in America.

Back in the fantasy realm that is our state capitol, things are very different.

Here, those living off taxpayers' dollars enjoy much more leisure time.

For example, a tentative agreement reached by the Brown administration with the California Statewide Law Enforcement Association gives new employees so many days off, they may have trouble using them all. The contract provides nearly two months off. Vacation, holidays, a personal holiday, personal development days and the personal leave program, amount to 7.7 weeks off according to the Legislative Analyst's Office. All but the personal leave program – 12 furlough days – are with full pay.

The 2011-12 budget, as approved by the Conference Committee, assumes that the state will save 10 percent in employee compensation costs for the six bargaining units with expired contracts, but this contract at 2.8 percent does not even come close. One cringes at the thought of how Brown has dealt with the unions representing engineers, scientists, stationary engineers and correctional officers, whose contracts the LAO is about to review.

Few are surprised at Brown's willingness to negotiate sweetheart deals with the government employee unions. He helped empower their collective bargaining rights when he was governor in the 1970s and they showed their gratitude with an all-out effort to elect him to that office again, last year.

The unions representing the best compensated government workers in all 50 states are so comfortable in their relationship with the governor and the majority in the Legislature, most of whom they also helped elect, that they were unwilling to take even one step back in recent budget negotiations to help close the deficit.

And here is where Brown missed his "Nixon to China" moment. Just as Nixon, because of his sterling record of anti-communism, could go against his conservative base of support and reach out to the Chinese, Brown was well positioned to look the union bosses in the eye and say "no mas!" But he proved himself incapable of seizing the moment and the gravy train for government employees will, for the moment, continue uninterrupted.

But Brown and his allies should be wary. As taxpayers continue to struggle through tough times, working more and getting less, they are fed up with a system that allows government employees to work less and get more.

*Jon Coupal is president of the Howard Jarvis Taxpayers Association -- California's largest grass-roots taxpayer organization dedicated to the protection of Proposition 13 and the advancement of taxpayers' rights.*

Submit your letters to the  
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## Letters to the Editor

Email: [editor@thecotatiindependent.com](mailto:editor@thecotatiindependent.com)

Dear Editor,

I would like to thank all those people who voted for the increase in sales tax in the City of Cotati. The City Manager has just spent over \$200,000.00 as fast as she could by adding two administration jobs to the city payroll. She now has an assistant city manager.

Let's face it. In a city of around 7,500 where the city manager does not have the problems and responsibility of a public school system or a fire department, she needs an assistant city manager to do what? To go to meetings instead of the city manager?

This is perfect example of give the politicians money and they will spend it and the cops didn't get a dime more. The city council asked for the tax increase, got it, and has now spent it, or a good part of it, for what?

In a city of this small size, it should be plain to everyone that we have too much staff at the top. The city council should realize that this is just another case over-spending to make the work of the city administration not more efficient, but just more expensive.

Barry Harris  
Cotati

Dear Editor,

President Obama owns this depressed economy. Obama did not inherit a recession. He got what the Democrat controlled Congress in the last half of President George W. Bush's second term allowed to foment, actually helping create our current financial mess.

If you look at wasteful spending on all the conflicts that have transpired under both presidents, the Obama administration has spent or wasted twice as much money in 2 1/2 years as G.W. Bush did in eight years if office. On top of that, it borrowed \$900 billion to finance \$1.2 trillion in unnecessary, unrealistic and certainly unfair policies and programs at the taxpayers' and seniors' expense.

Since President Lyndon B. Johnson signed the Social Security Act in 1967, Democrats have been taking working Americans' contributions to a program designed to assure the needy a pension. That year, it became a tax, and the government put that money in the general coffers and spent it as fast as they could.

Give me liberty or give me death, but do not give me Mr. Obama and his cronies' nonsense anymore that they are not partly to blame.

Fernando Garcia,  
Santa Rosa



## Cotati City Council Report

August 2011

by Ken Coleman, Cotati

Special Thanks to Joyce Garcia, Cotati

If you take a look at The Cotati City Council regular meeting agendas and the agendas of many of the cities that surround Cotati like Petaluma, Sebastopol, Santa Rosa, Rohnert Park, Healdsburg, Windsor, etc., you will see some common themes here on the "left coast": Redevelopment projects in the millions of dollars, city planning gone wild, budget meetings where everyone is trying to find money in hidden places rather than generating it, and various other city workshops, crisis meetings, and study sessions of all shapes and sizes taking these cities where they have never gone before. It's kind of like Star Trek. It's a bold new world all right.

Where is all the money coming from, you ask? From us taxpayers, and the well is running dry as a result of declining city revenues and little effort to stop the bleeding at City Hall. But that won't stop these cities from having their hands out at every opportunity. No wonder the country is going broke. Several Cotati citizens who stand up and question what is going on in these cities are affectionately referred to as "City Council Watchdogs" and they have been attending their Council Meetings for months and sometimes years. What I learned as a council watcher is nothing is as it seems on the surface. It takes some time to figure out the city's game plan, which is all about spending every last dime the city has and leaving the task of saving for a rainy day for when the dark clouds are right over our heads.

Currently the surrounding cities in the Sonoma County are doing all they can do to get their piece of Federal Stimulus money (if there is any left to be had, who knows?), and state Redevelopment Agency money that they have hijacked from Governor Brown. Not quite grasping that these federal and state grants are drying up or no longer available, city officials and their staffs need to come to grips with the fact that these grant funds for special projects are no longer available. The "party" is over. These cities are making a last mad rush to get their pet projects on the drawing board or completed before the State of California challenges these cities in a court of law. So in the race to get their projects in motion, our cities are going through the legal actions required to fulfill their long awaited dreams of massive government spending that seems to know no bounds. Since I am most familiar with Cotati, here's my take on what's going on here.

For the past couple of years, Cotati has been working on the "Downtown Specific Plan" that has already cost more than a million dollars of our tax dollars in outrageous planning costs, out-of-town consultants, legal fees, and other necessary steps to get this snowball of a public works project rolling. The DSP is spelled out in a really nice book you can buy for about \$80. with lots of the specifics and beautiful photos that reflects the vision of a very small group of citizens in Cotati. This vision plan which ultimately became law and the roadmap for the city for the next thirty years which is estimated to cost at least \$73 million dollars includes bicycle lanes, walkable pathways, four-story buildings in the heart of town, a big roundabout in the center of town, very little parking to speak of, mixed use development, live-work units, narrow streets, a SMART train station if it is ever built, high-density housing above retail shops downtown that will cost a fortune to rent, and is nothing less than very controversial. Of course the downtown will be torn up and transformed over time, displacing many merchants who won't be able to weather the construction and closed streets. Everyone will have to abide by the "green" building regulations the city has in place requiring developers to participate in the city's points award system which will be slowly implemented on private property owners. Makes ya just want to jump onboard this party train. The Cotati City Manager, Diane Thompson says, "Don't worry. All the money will come from state and federal grants". Who is she kidding?

Two months ago, a few of us attended a Cotati Planning Community Workshop hosted by the Planning Department with their expensive consultants from out of town. This workshop was focused on "HEAL", which has already been implemented in Cotati and is being sold to other towns, too. "HEAL" stands for Healthy Eating Active Living and is nothing more than another government program on how individual cities should promote what we put into our bodies, and regulates what local businesses can and cannot sell to the public because the public doesn't know what is good for them or not. This is all part of the Green agenda that is inspired by the questionable Global Warming platform. They are making sure through regulations that only businesses suitable for their healthy eating and drinking lifestyle mandate can set foot in Cotati, while stamping out and attacking the "Fast Food Empires", all in the name of saving America's obese children.

While creating bicycle paths that connect to other cities, these cities are neglecting major roads in need of repair and other neglected projects...hoping that we give up our cars for good, that we take up walking, bicycling and public transportation to avoid the deteriorating roads, all in the name of the common good of being more physically active. Healthy Eating and Active Living is code for WE KNOW BEST; we will dictate more of your behavior than you ever dreamed possible.



Cotati just rubberstamps these programs that have already been decided on in other like-minded communities. So basically, when we citizens attend our local meetings and stand up in opposition to these socialist programs, our input usually has no influence whatsoever because their minds are already made up. We are realizing the vast tentacles that reach everywhere and we are just touching the surface of how and why this is the case. This HEAL ordinance is the most damning threat to our liberties and freedoms, in my opinion, and is the very essence of the grand plan to transform America into a state where the government knows no bounds. We will keep our eyes open and object to more wasteful spending at City Hall that is designed to control more and more of our daily lives. We MUST join together in numbers and stand up for our rights. We don't need government to tell us how and what to eat and drink to stay in better shape.



## Independent Forum

### We'll Need Oil & Gas for Decades

By Lawrence J. McQuillan

Oil prices are now hovering over \$100 per barrel. Whenever this happens, pundits and policy wonks on both sides of the political spectrum argue we should depend less on oil and natural gas. But nobody has a believable plan to get there because of economic realities.

If the United States is going to get serious about finding energy solutions, then the first step is to have a president who understands that, while vilifying Big Oil may be good politics, it's bad policy.

First, consider the alternatives: Obama loves renewables, but they currently supply no more than 8 percent of U.S. energy needs -- and that's with heavy government subsidies.

That percentage might rise over time, but it's completely unrealistic to think renewables are a viable large-scale substitute any time soon.

More nuclear power plants? Maybe a good idea, but the dangerous situation in Japan ought to give everyone pause - if not over safety, then at a minimum over economic and political feasibility.

The fact remains that oil and natural gas supply 60 percent of American energy needs, and the percentage will remain high for the foreseeable future because they are the low-cost

energy sources, according to the U.S. Energy Information Administration.

Even by 2035, experts say more than half of the nation's energy demand will still be met by oil and natural gas. But the industry gets little thanks for it.

In President Obama's derisory words, oil and gas are "doing just fine on their own." But like other commodities, oil and gas profits are highly cyclical and prone to booms and busts.

A recent PricewaterhouseCoopers report showed that for 16 of the 20 years from 1987 through 2006, oil and gas companies earned a lower annual rate of return on invested capital than all other domestic industries combined.

Obama also says the industry is getting big bucks in subsidies each year. Not true.

Like any business, oil and gas companies qualify for tax deductions, but they are far less generous than those enjoyed by the majority of energy companies.

True, oil and gas companies receive federal energy R&D funding, but on average, electric technologies and renewables like wind and solar receive more than 22 times as much funding. Ethanol and biofuels are subsidized at a level 190 times that of oil and natural gas.

Revenues and shareholder profits can be large in good times, but the costs of finding and producing oil and natural gas are always high. With much of the world's conventional oil and gas reserves already developed, companies are turning to increasingly risky, non-conventional projects.

Production costs for offshore oil can run between \$60 and \$65 per barrel -- three to four times the price for land-based drilling. Oil sands are even more expensive.

If we judge it by who is actually meeting the nation's energy needs, then oil and gas are clearly today's work horses. And tomorrow's, too.

The truth is, as President Obama seems to be slowly realizing, economics will always trump wishful thinking and right now, and for decades to come, economics are on the side of oil and natural gas.

Lawrence J. McQuillan, PhD, is director of Business and Economic Studies at the Pacific Research Institute. Contact him at:

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## Independent Forum

# Millions for administrators and consultants, not a dime for kids and dogs

Opinion by Greg Karraker



This poster and the cute little stickers beneath it are in the window at Oliver's Cotati, conveniently located near the cash registers. If you look closely at the type in the upper right corner, it says:

***“Due to budget cuts needed to maintain city services, the Cotati Chamber of Commerce adopted the Cotati Kids’ Day Festival and Parade from the city to insure the event will be an ongoing part of Cotati’s Heritage”.***

Unfortunately, this is just one in a long line of things that have fallen to the bottom of the City Council's to do list. Koda, the police dog who has done so much to keep citizens safe, is just another line item that your City Council's two appointed members and three elected members won't include in the city budget. Back to Koda in a minute, but first, the Kids Day Parade:

How much could it cost to block off a few streets and award a few prizes to winning parade entries? The complete number is hard to find in the city budget, but last year's city budget showed \$350 for "awards and prizes." Even if they paid city staff double overtime to block a few streets for a few hours, it's hard to imagine the entire event costing more than a few thousand dollars.

On the other hand, it's easy to learn exactly how much it costs to support the city's police dog every year. In case you forgot, this is the same dog that citizens like you bought the city as a gift by raising nearly \$38,000. With a gift that generous, you'd think the City Council would at least pay for the dog's upkeep. Sorry, but here's a quote from the city's website, which you can see at [www.ci.cotati.ca.us/sections/police/k9.cfm](http://www.ci.cotati.ca.us/sections/police/k9.cfm)

***“The Cotati Police K-9 Program and “Koda” need your help more than ever. Due to decreasing budgets, our program must now be funded solely by the donations we receive.”***

Do you see a pattern here? And how much do they need every year so you can get the benefit of the dog you so willingly paid for? \$8,500.

Should you be angry with the Police Department? Absolutely not. They're the good guys here. They deserve every bit of your support, and everyone should chip in for this wonderful dog. The people who deserve your righteous anger are the City Council and staff, whose priorities are very likely different than yours.



After they threatened you with the collapse of the Police Department if you didn't support Measure A, the half-cent sales tax increase, here are some items from the 2011-2012 Budget. You might be surprised by what your City Council has done with the money you trusted them to manage:

**Update General Plan: \$500,000**  
*(This pays three Sacramento-based consultants to come in, hold community input sessions over two years that almost nobody attends, and then make minor tweaks to the same unrealistic plan the city already has.)*

**Hire Community Development Director: \$105,000**  
*(This lets Acting Community Development Director Marsha Sue Lustig assume full-time duties assisting City Manager Dianne Thompson.)*

**Legal fees: \$133,275**

**Total salaries and benefits for 6 administrators to manage a staff of 27 in a city of 7,500: \$840,209**  
*(This doesn't include the salary for the Police Chief, who pretty much manages his own department so those six administrators are really managing about a dozen staff, tops.)*

Compared to all this, a few bucks for the kids and the dog doesn't seem like such a budget-buster, does it?

By the way, getting the total salary/benefit package for these people is like pulling teeth. I had to print out a 40+ page budget and comb through it line by line, because they hide what they're paid in a number of separate budgets. Because of this, I may have even missed a few dollars

In fact, one of the cheesiest tricks of all governments, large and small, is to stuff things into different budgets, and Cotati is a master at this ploy. Two of the worst ways they hide the waste of your tax money are the Redevelopment Fund and the Enterprise Funds — Water and Sewer. Their abuse of redevelopment funds is a whole separate story, but here's a gem from the Water Operating Fund.

**Fee to Daily Acts: \$ 35,000**

Daily Acts is a Petaluma-based consultancy who specialize in water conservation seminars, backyard gardens, and other things that seem fine, till you see what you get for the \$35,000 that the city paid them from your water and sewer bill: A couple of demonstrations on how to turn your lawn into a "water-wise edible landscape." All I can say about the founder, Trathen Hackman, is to use his own words from his own website:

***“He lives in the Petaluma River Watershed where he grows food, medicine and wonder while working to compost apathy and lack.”***

Last year, Daily Acts said they converted over 5,000 square feet of lawn. They estimate this saved 60,000 gallons of water. Look at your water bill, and you'll see that the charge for combined water and sewer is \$9.57 per 1000 gallons. That means they saved the city at least \$574.20 they can account for. I'm sure there's more, but that's all the savings they take credit for on their website: [www.dailyacts.org](http://www.dailyacts.org)

Does any of this waste bother you? It annoys the daylights out of me. And there's one place where your complaints can actually be heard. The Cotati City Council meets every second and fourth Wednesday at 7 PM, at City Hall, 211 School Street. During Citizen Business, you have three minutes to tell council members and city staff exactly what you think of their "decreasing budgets." I hope to see you there.

Note: To be totally fair, by donating an undisclosed amount, Mayor Janet Orchard is a personal sponsor of the Kids Day Parade.

**Greg Karraker lives just outside Cotati. The City Council has inspired him to write a book called “The Little Picture: How Liberals, Progressives, and Twits in Local Governments Are Strangling America”. Excerpts from this book can be seen on his blog: [www.thelittlepicture.net](http://www.thelittlepicture.net)**



## Ways the New Health Law May Affect You in 2011

By Sally C. Pipes

A federal judge recently ruled President Obama's healthcare law unconstitutional. The U.S. Supreme Court will no doubt have to settle the matter, but several of the reform package's most damaging provisions have already taken root.

For starters, the new law effectively stops the construction of physician-owned hospitals throughout the country - even as it extends government-subsidized insurance coverage to tens of millions of new patients.

Section 6001 of the healthcare law required physician-owned hospitals to obtain their Medicare certification by the end of 2010. Without it, they can't treat Medicare patients.

The facilities needed to be open, however, to receive that certification. So construction halted at 45 hospitals as the New Year arrived. Work on countless others will never start, having been effectively banned by Obamacare.

This artificial limit on the construction of new hospitals will limit competition in the healthcare marketplace, driving up costs for patients.

Not only will patients have fewer hospital choices, they also may have trouble finding a doctor this year. A new survey conducted by The Physician's Foundation revealed that 40 percent of doctors planned to "drop out of patient care in the next one to three years." Sixty percent said Obamacare will "compel them to close or significantly restrict their practices to certain categories of patients" - typically those on Medicare or Medicaid.

Health reform may force many folks to give up their current insurance plans, too.

New rules requiring insurers in the individual and small-group markets to spend at least 80 percent of premium dollars on medical claims are intended to ensure that consumers get good value for their money. Instead, they'll legislate many plans out of existence. With fewer competitors to keep them honest, the insurers that survive will have an easier time raising rates.

Patients will also face new hurdles when they try to purchase over-the-counter (OTC) medications. Thanks to Obamacare, owners of Health Savings Accounts (HSAs) can no longer spend their tax-free savings on basic OTC drugs. Instead, they'll

have to pay for a doctor's appointment -- and then get a prescription for a pricier pharmacist-dispensed drug.

Consider the case of Claritin, an allergy medication that recently was approved for OTC use. A report from the National Center for Policy Analysis found that longtime users of the drug saw their per-day costs decrease 80 percent, from about \$2.50 to just 50 cents. Obamacare reverses this cost-declining trend by encouraging people to opt for higher-priced prescription drugs when a cheaper OTC medication would work just as well.

A new \$2.5-billion excise tax on pharmaceutical companies will raise health costs further. Drug manufacturers won't simply swallow this new bill; they'll pass it onto consumers in the form of higher prices. By increasing the cost of care for patients who need cholesterol-lowering statins or cancer-fighting meds, for instance, Obamacare effectively adds insult to injury.

The healthcare law will even drive up the price of food by requiring chain restaurants and vending machine operators to post calorie counts for the items they sell.

That may seem like a harmless way to arm consumers with useful information so that they can make healthful food choices. But the rule could force vending machine operators to spend up to \$100 per machine in order to refurbish their units. Consumers will have to foot that bill by paying more for their snacks.

Further, ordering vendors to display calorie counts doesn't even lead to healthier eating.

In 2008, New York City mandated the counts on menus. Researchers from New York University and Yale studied the effect of the new regulation and discovered that calorie consumption in the city actually rose 2.5 percent. Nearby Newark, New Jersey - which did not have a similar calorie-count regulation - saw virtually no change in its residents' caloric intake over the same period.

Public discontent with Obamacare will only grow as its provisions begin to take effect this year. Congress should repeal it with all due speed.

Sally C. Pipes is President, CEO, and Taube Fellow in Health Care Studies at the Pacific Research Institute. Her latest book is *The Truth About Obamacare* (Regnery)



## California Bureaucracies Violate Constitution

by Richard Geertson

Most Californians are aware of our catastrophic debt and budgetary shortfalls; newly elected Governor Brown made the California economy the centerpiece of his successful campaign.

If you have recently been convicted of a traffic violation, you are no doubt painfully aware of the exorbitant fines now being imposed for the smallest infractions. Not to be outdone, Juvenile Probation has jumped aboard the revenue gravy-train by imposing draconian fines that clearly violate both the California and U.S. Constitution.



In the case, California Farm Bureau Federation v. California State Water Resources Control Board, the court found the following: the unequal application of the fee and the lack of direct application of the fee charged by the government to the benefit provided by the government. The court decided the fees imposed can't exceed the reasonable cost of providing services necessary to the activity for which the fee is charged and can't be levied to bring in revenue to the agency.

Despite this precedent, juvenile probation levies a fee of \$150 per month (\$1800/yr), when probation only requires contact 4 times in a year; this works out to \$450 per visit! Probation also levies a fee of \$1200 to prepare a "disposition investigation" report; this fee is over and above the salary and benefits already paid to the probation employee who prepares this report during regular business hours.

Gov't Code § 50076. See Sinclair Paint,

15 Cal. 4th at 873 and 876. Citing to a court of appeal decision: "The government should prove (1) the estimated costs of the service or regulatory activity, and (2) the basis for determining the manner in which the costs are apportioned, so that charges allocated to a payor bear a fair or reasonable relationship to the payor's burdens on or benefits from the regulatory activity."

The California Constitution, Article One, Declaration of Rights, Section 17 states: Cruel or unusual punishment may not be inflicted or excessive fines imposed.

The Solano County Board of Supervisors resolution No. 2010-97 outlines a profusion of FY 2010/2011 fees, citing their "fee authority," with the caveat that the "fee charged must consider client's ability to pay." The simple fact is state of California bureaucracies are in a "revenue enhancement mode" and they impose the greatest fines upon the deepest pockets.

Solano County claims that actual costs exceed their fees, but this stems from the unequal application: Those with means are being forced to pay for those without means! Their pseudo-Marxist fee schedule flies in the face of case law. In violation of the U.S. Constitution's 14<sup>th</sup> amendment, Probation levies bloated fines and penalties "according to one's ability to pay," a blatant unequal and excessive application of fees.

Probation's response to these complaints? Supremacy and indifference as they hide behind "fee authority" they claim absolves them of adherence to the constitution (s).

Not only should these state bureaucracies be audited for decades of financial malfeasance, but they should also be forced to prove their fees are neither discriminatory nor excessive.



## Shucking the Myths About Corn

by Chef Heather Hunsaker, [www.foodonthetable.com](http://www.foodonthetable.com)

Summer screams fresh produce and nothing is more popular this warm season than corn! Since corn is America's number one crop, grown from May until September, corn is the perfect side dish for meal planning this week.

Even though corn has had a bad reputation over the years, accused of having very little nutritional value and bland taste; it is actually a very versatile, tasty and nutritional food. Corn is not only high in fiber, but is also a good source of Vitamin C, mineral manganese, and recent research shows corn providing antioxidant benefits.

Corn is ripe when it has bright green, moist husks and plump, firm kernels. It is best consumed the day it is purchased, but can be stored in an air-tight container in the refrigerator for 3 to 5 days. Fresh corn freezes well and can be stored in the freezer for 4 to 6 months. If freezing corn, it should be blanched first and then stored in heavy duty freezer packaging.

Fresh corn on the cob can be cooked in a variety of ways, from roasting, boiling, microwaving and of course grilling. Grilled corn in the cob is probably the most popular way to enjoy this summertime vegetable. To grill corn in the husks, first prepare the grill to medium heat. Soak the whole cobs in cold water for 15 minutes. After soaking, remove the corn from the water, shake off excess water and remove the silk part of the husks. Place the prepared ears of corn on grill (avoiding direct flames), and allow corn to cook for 20 minutes. Corn is done when husk is dark and kernels begin to pull away from the tip of the ear.

Corn is a staple in most American households and enjoyed in a variety of dishes and cuisines. This Roasted Corn and Black Bean Salsa can be served with tortilla chips for the perfect summer snack, appetizer, or side dish. It is also a very fresh and flavorful topping for grilled chicken or fish!

### Roasted Corn and Black Bean Salsa

Prep Time: 15 minutes Cook time: 20-25 minutes Serves 6

- 1/2 tablespoon olive oil
- 1/4 teaspoon salt
- 1/4 teaspoon black pepper
- 3 ears of corn
- 3 Roma tomatoes, diced
- 2 jalapenos, minced
- 1/2 medium red onion, diced
- 1 (15 ounce) can black beans, drained and rinsed
- 3 tablespoons fresh cilantro, minced
- 1/4 teaspoon garlic powder
- 1 tablespoon lime juice



Preheat oven to 400 degrees.

Remove husks from corn. Drizzle corn with olive oil and season with salt and pepper. Wrap each ear of corn with aluminum foil and cook in preheated oven for 20 to 25 minutes. Once cooked, allow corn to cool and carefully slice off kernels.

In a large bowl, combine corn with all remaining ingredients and toss to combine. Season with additional salt and pepper, if needed. Serve with tortilla chips or over grilled chicken or fish.

Chef Heather attended and graduated from Le Cordon Bleu College of Culinary Arts, but has been developing family friendly meals since she was nine years old in her mother's kitchen. She is an avid crockpotter and knows how to get food on the table in a pinch. She currently serves as a writer and recipe developer for meal planning site [www.foodonthetable.com](http://www.foodonthetable.com).

Amanda Yates  
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[@foodonthetable](https://www.facebook.com/foodonthetable)



## RECENT FALLEN WAR HEROES



**SPC Daniel L. Elliott, 21**, of Youngsville, N.C., died July 15 in Basra, Iraq, when enemy forces attacked his unit with an improvised explosive device. He was assigned to the 290th Military Police Brigade, 200th Military Police Command, Cary, N.C.

**LCPL. Jabari N. Thompson, 22**, of Brooklyn, N.Y., died July 17 of wounds sustained July 13 while

conducting combat operations in Helmand province, Afghanistan. He was assigned to 3rd Battalion, 2nd Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, N.C.

**SGT Jeremy R. Summers, 27**, of Mount Olivet, KY, died Jul. 14 in Paktika province, Afghanistan, after enemy forces attacked his unit with small arms fire on Jul. 13. He was assigned to the 2nd Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division, Fort Campbell, KY.

**SSG Wyatt A. Goldsmith, 28**, of Colville, WA, died July 15 at Camp Bastion Hospital, Afghanistan of injuries suffered July 15 when insurgents attacked his unit with rocket-propelled grenade fire in Helmand province, Afghanistan. He was assigned to 3rd Battalion, 1st Special Forces Group, Joint Base Lewis-McChord, WA.

**SPC Frank R. Gross, 25**, of Oldsmar, FL, died July 16 at Kandahar province, Afghanistan of wounds sustained at Khowst province, Afghanistan when an improvised explosive device caused a military vehicle roll-over. He was assigned to the 2nd Battalion, 38th Cavalry Regiment, 504th Battlefield Surveillance Brigade, Fort Hood, TX

**LCPL Robert S. Greniger, 21**, of Greenfield, MN, died July 12 while conducting combat operations in Helmand province, Afghanistan. He was assigned to 2nd Combat Engineer Battalion, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, N.C.

**Seaman Aaron D. Ullom, 20**, of Midland, MI, died while conducting a dismounted patrol in the Now Zad district, Helmand province, Afghanistan, on July 12. He was assigned as a hospitalman to 3rd Battalion, 2nd Marine Regiment, Regimental Combat Team 8, 2nd Marine Division, II Marine Expeditionary Force at Camp Lejeune, N.C.

Pray for these heroes and stand with the Band of Mothers.

[http://atlasshrugs2000.typepad.com/atlas\\_shrugs/2011/07/remember-our-fallen-warriors-.html](http://atlasshrugs2000.typepad.com/atlas_shrugs/2011/07/remember-our-fallen-warriors-.html)





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**or Text**

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# WANTED



**Fugitive Watch ID# 11-191**

The Rohnert Park Department of Public Safety released this sketch of a suspect who assaulted a female jogger on Five Creek trail on June 17th, 2011. The man used a box cutter and cut the victim's arms. Call or Text if you have any information.

## **FUGITIVE.com**

If you're a law enforcement officer, bail agent or regular citizen that's been the victim of a crime and you have a named fugitive or surveillance video or photo that you would like featured on Fugitive Watch, you can submit it to us by sending the information and photo at the **Submit a Fugitive** page on our web site [www.fugitive.com](http://www.fugitive.com), email us at [tips@fugitive.com](mailto:tips@fugitive.com) or call us at phone number 408-929-4444.

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