

TAX NEWS

Only a reduction in public indifference will bring about a reduction in government spending.

819 A Street (21), San Rafael, CA 94901 • Tel (415) 456-7910 • Fax 456-4198 • Fall 2007

Visit our website: www.marintaxpayers.org

Annual Meeting

WHEN: Saturday, Oct. 27, 10 a.m.-1 p.m.
WHERE: “Old IRS building,” west of Hwy 101, at 101 Lucas Valley Road, 1st floor.
SPEAKER: Atty. Wayne Lewis Lesser on “OUR Lawsuit for YOUR Right to VOTE,” with Q. & A. session after. Refreshments.

MUTA recommends:

STATE MEASURES: There are none.
LOCAL MEASURES:
A. Reid Union School District
B. Inverness Public Utilities District
C. Mesa Park District
D. Stinson Beach Fire Protection District
MUTA takes **NO POSITION** on all four.

Director Vote—Dues Due

This meeting is when we have our annual election of Directors. Your ballot for the individuals standing for election or reelection is enclosed.

Three candidates are on MUTA’s ballot:

- Don Erbel, nominated by the Board;
- Robert Koch, appointed for a one year term, now standing for election to a three year term;
- Fielding Greaves, standing for 10th reelection.

It’s also time to renew your membership in MUTA, and to get a new member. Your dues statement is enclosed, along with a special request for an added donation to help us fight unreasonable taxes.

It is numbers that give us our strength.
“EMGAM: Every Member Get A Member!”

“Representative government is doomed once the people learn they can vote themselves benefits from the public treasury.”
— Alexis de Tocqueville

President’s Message

by MUTA President Gary Ford

Let’s cut to the chase. We need new members. Our all-volunteer MUTA board is almost overwhelmed by the many issues we face, such as: (1) College of Marin bond funds and building program; (2) SMART rail debate heading for 2008 election; (3) Unfunded pension liability, county and city, the millions taxpayers must pay in future years; (4) MMWD’s planned desalination plant, costing millions, with low public approval; (5) Increasing immigration problems: housing, crime, disease, prostitution, blight, impacting traffic, schools, hospitals, and other agencies. (6) Grandiose plans of Board of Supervisors to build a major health center in San Rafael’s canal district, for many more millions.

These issues are but a few continuous areas the MUTA monitors. We need more members, able to attend the 10 a.m. Tuesday BOS meetings, or an afternoon 4 p.m. meeting of a Sanitary District mulling a multimillion dollar project with no taxpayer input, or an evening city council meeting in your town, so many meetings, more than our overworked board can cover. That’s why we need more volunteers, more new members.

Please call me at the MUTA office, 456-7910, or e-mail me at garyeford@yahoo.com. You can contribute in many, many ways.

Marin United Taxpayers Association
819 A St, #21, San Rafael, CA 94901

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Marin General Hospital

by Former MUTA Director Norman Carrigg, M.D.
(This article expands material first published as a letter
in the *Pacific Sun* of Aug. 31, 2007)

The 2007 problems of Marin General Hospital have their genesis in the middle 1980s. The district hospital, built on donated land and with a general obligation bond, opened its central wing in 1952. The elected Marin Healthcare District board did not run the hospital; that was left to a hired administrator. In 1982, the board replaced a docile long-time administrator, Ray Bolinger, with Henry J. Buhrmann who had been discovered at Burlingame's Peninsula Hospital by a headhunter, Bill Hoyt, who was paid \$10,000 for the deed. Although Buhrmann had never administered any hospital before accepting the position, he demanded and got a higher salary than Bolinger had ever received.

Buhrmann had discussed "reorganization" with its elected directors in the Fall of 1984, but that was kept sub rosa until after the 1984 election, when it surfaced. Buhrmann's role model might have been Peninsula's administrator, Charles Mason. What has been accomplished at Peninsula has been replicated in Marin. Using the same Burlingame lawyer, Quentin Cook, it was a totally smooth operation. Even the term used for privatization—"reorganization"—seemed harmless. The Marin Independent Journal, then a Gannett paper, was of enormous assistance by its silence in 1985. MGH had placed double full-page ads in the IJ and placed its publisher, Robert Weil, on the board of the hospital's foundation. The public awakened in 1985 to discover that the district residents no longer controlled their community hospital. It had been privatized by 5 to 0 with a 30-year lease to a MGH shell corporation established by Buhrmann and Cook.

Millions of dollars of public assets were transferred to the MGH shell corporation in 1985. Probably the comment of a county supervisor at the time, Gary Giacomini, was the

most memorable about the event: "The biggest theft of public property in Marin's history."

Now it seems incomprehensible that the five directors would sign a lease so lopsided that the lessee could operate the hospital without accountability, behind closed doors.

Surprisingly, the directors were sophisticated individuals. Two were doctors: Peter Eisenberg and Grace Goebel-d'Esmond. A former nurse, Jeanine Gisvold, by then a lawyer, also was a signer. The Marin Healthcare District board is essentially powerless now.

While the five elected directors of the Marin Healthcare District were giving away Marin General H in 1985, a different scene was unfolding at Mount Diablo Hospital, Concord. A privatization attempt was thwarted by extensive *Contra Costa Times* coverage. Its legendary publisher, Dean Leshner, was responsible for its superlative coverage.

There has been little public anger since 1985. The plain fact is that MGH is a bottom-line Sutter business. There are quality-of-care issues and problems because of inadequate staffing. Although the board is described by one of its members, Dr. Larry Bedard, as "dysfunctional" (and he may be that), I disagree that the entire board is dysfunctional. The monthly meetings can be raucous, but that is not new. I have been following the board since 1974. In the 70s, *Sun* publisher Steve McNamara once described board meetings as "theater of the absurd." Better that the elected board be contentious rather than harmonious—as in 1985 when the five gave away the community hospital.

In 1992 MUTA Director Nancy McCarthy authored legislation carried by Southern California Senator Newton Russell. It passed both houses quickly and was signed into law by the governor. No longer can opportunists take over as they did MGH in Marin. Only voters can decide about the disposition of public property. The people of California can thank Ms. McCarthy for saving the district hospitals that would otherwise have been targets in 1992 and thereafter.

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Why MUTA opposes MMWD plans for a Desalination Plant

by MUTA Director Basia Crane

The current estimated cost for MMWD to construct a desalination plant on the Bay has skyrocketed to upwards of \$173, nearly two and a half times the original estimates. (*Marin Independent Journal*, Feb. 5, 2007)

The source water for the proposed plant, San Francisco Bay, is designated a “toxic hot spot” by the State Water Resource Control Board. (Bay Protection & Toxic Clean-up Program established in 1989 by the SWRCB); ...MMWD has identified over 209 types of polychlorinated biphenyls (PCBs) and 44 types of flame-retardants (polybrominated diphenyl ethers (PBDEs) in the Bay source water (p. 3, “Engineering Report, MMWD Seawater Desalination Pilot Program,” Kennedy/Jenks Consultants in association with CH2M HILL 0468029, Jan. 26, 2007).

...Although MMWD has identified a need for additional water supplies only in drought years, the proposed desal plant is scheduled to operate year round.

...It is estimated that operating costs of the proposed desal plant could run as high as \$12 million per year (not including capital carrying costs estimated to be an additional \$6 to 8 million), easily doubling MMWD’s yearly energy tab for Marin’s now largest energy user.

The residual sludge waste extracted by the proposed plant (with its high concentration of PCBs and PBDEs) will likely be deposited at Redwood Landfill, an already overburdened waste disposal site in close proximity to San Francisco Bay (p. 36, Engineering Report).

...Rising sea levels caused by global warming could inundate “... old shoreline military installations that could leak biological and chemical contaminants into the Bay if soaked.” Thereby further polluting the Bay source water for MMWD’s proposed desalination plant (*San Francisco Chronicle*, “Consequences of a Rising Bay,” 2/18/07).

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SMART’s huge spending binge

by MUTA Vice Pres, Dennis Brown

The North Coast Rail Authority (NCRA) now projects that there will be six freight trains per day with as many as 60 cars versus the EIR base of no more than six freight trains a week. A new EIR is needed to properly inform the taxpayers. SMART’s board of directors is very concerned that freight operations will have an adverse impact on the commuter rail sales tax ballot measure. This measure was rejected by the voters in the November 2006, but SMART hopes to put it back on the ballot in 2008.

Sonoma and Marin Counties registrars of voters have invoiced SMART \$360,000 for costs of last November’s Measure B. SMART approved spending \$25,000 for a consultant to develop a Request for Proposal (RFP) for a final design and/or construction of the system through mid-2007. SMART has already contracted with HDR Engineering Group for @1.4 million in technical services. Their environmental consultants have spent almost \$4.2 million, and their “community outreach” consultants have a contract for \$1.2 million with another \$300,000 to be added.

SMART implies it has spent only \$1.2 million for management and administration, and has contracted for only \$582,000 for station planning. All this money, spent for a system that has not even been approved by the taxpayers/voters.

With a continuing guideline of pre-2006 construction costs budget estimate of \$5.6 million per mile, is this rail agency timely updating necessary?

Is SMART open and transparent in providing for an informed taxpayer in their forthcoming ballot request for voter approval?

“Government expands to absorb revenue and then some.” —News anchor Tom Wicker, quoted by Harold Faber in *The New York Times Magazine*, 17 March 1968

Report on College of Marin

by MUTA Secretary Basia Crane

This year the College of Marin board of trustees unanimously approved a new 4-year contract for President Frances White, boosting her pay from \$184,000 to \$232,000, with an annual retention incentive of at least 3 percent of her salary. The COM budget is about \$89 million. By contrast, the County Administrator Matthew Hymel is paid \$204,470 this year to administer a county budget of about \$400,000 million. Spendthrift COM trustees thus contribute to unreasonable spiraling salary inflation.

MUTA would have preferred that White's deal include incentives regarding enrollment and the ambitious 2-campus construction projects, to give taxpayer/voters ways of measuring White's performance. Apparently, the only thing required of White is that she not take another such job in the next four years.

COM trustees are not turning their attention to an EIR for renovations at Kentfield and Novato campuses, set for Nov. approval. MUTA hopes the public will attend these meetings. When approved, the EIR will allow start of several building projects. One just endorsed by trustees is a \$55 million, 77,000 sq. ft. math & science building, its size modified to minimize visual impact on neighboring Laurel Avenue.

Two historical flood neighborhoods are next to the Kentfield campus: Graton Park and Kent Avenue. They do NOT, as falsely claimed in the Measure C implementation EIR of July 2007, have "less-than-significant impacts."

Credit enrollment continues to decline at COM, as better course offerings and free tuition draws students to Santa Rose Junior College.

Four years ago voters approved a \$249 million bond measure. Repayment with interest will cost taxpayers double that amount. Have Marin voters been asked to go into "bondage" for the next 20 years to build over-sized college castles for an ever-shrinking educational market?

"Continued dependence upon relief induces a spiritual and moral disintegration fundamentally destructive to the national fiber. To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit."
—Franklin Delano Roosevelt,
Message to Congress, 4 Jan 1935

Send Your Renewal Now; & Get MUTA a New Member

Enclosed is my check for my own Renewal (), or for my Renewal and a New Membership for a friend (), made payable to M.U.T.A. for \$10___, \$15___, \$25___, Donation \$___, **Other** \$___.

(NOTE: If including NEW MEMBER dues for a friend, don't forget to include friend's name, address, phone number and e-mail address on a separate sheet.)

NAME _____

ADDRESS _____

CITY _____ ZIP _____

e-mail _____

Telephone _____

Return Ballot and check to MUTA at
819 A Street (#21), San Rafael, CA 94901

Remember:

"BONDS = TAXES PLUS INTEREST"

URGENT!

If you are on the Internet, PLEASE give us your e-mail address. It will help in getting our newsletter and any other communications to you more quickly.

"The law can be an instrument of equalization only as it takes from some persons and gives to other persons. When the law does this, it is an instrument of plunder."

—Frederic Bastiat, *The Law*, p. 31