

Sarah Mayer *Public Comment - COLAB*

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From: Andy Caldwell <andy@colabsbc.org>
Sent: Friday, January 5, 2024 9:41 AM
To: sbcob
Cc: Laura Capps; Joan Hartmann; Das Williams; Steve Lavagnino; Bob Nelson; Mona Miyasato
Subject: Public Comment Jan 9, 2024 (closed session item- AMR lawsuit)
Importance: High

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COLAB

The Coalition of Labor, Agriculture & Business

Public Comment for Closed Session Jan. 9, 2024

Dear County Supervisors,

As you are aware, the county's stated mission and values includes "conducting all services and decision making using the highest ethical standards and fiscal responsibility while communicating consistently and striving for transparency". It is high time you put these words into practice.

In my 33 years of serving as a county government watchdog, I have never seen a board of supervisors have such utter disdain for ethical standards, fiscal responsibility, and transparency. Examples abound.

For instance, there was the state mandate that all oil pipelines be equipped with check valves. This mandate was authored by Supervisor Das Williams when he was a member of the state assembly no less. Yet, when Exxon asked for what should have been an over-the-counter permit to install this safety equipment, they were denied and are now being forced to sue the county. Regarding financial responsibility, the county, by way of denying the permit, is foregoing much needed tax revenue by way of Exxon resuming oil production, and taxpayers are being forced to pay for needless litigation. Specifically, The ExxonMobil suit will cost millions in attorney's fees and potentially the County is liable for a taking which could cost \$2.8 Billion!

Then there was the debacle involving the Toro Canyon oil spill wherein the county spent over a million dollars trying to thwart the district attorney's investigation of the county's failure to properly maintain the equipment that ultimately ended up with the county pleading guilty to both a felony and a misdemeanor. After all was said and done, Supervisor Williams, as chair, said that accepting responsibility for the spill and the operation of the equipment was "the right thing to do". Why wasn't it the right thing to do before you attempted to evade responsibility and culpability for doing the wrong thing? Again, a waste of taxpayer dollars and the complete lack of transparency as it reflects the failures of the county to be a good steward of the environment as you demand all others to be.

The third example has to do with the complete failure of the county to be ethical as it relates to the ambulance contract that AMR won fair and square. The county has been caught breaking the law and lying to the court (and the public) while trying to steal the ambulance contract. Why not admit what you did was wrong? Why not settle with AMR and the state and do the right thing by awarding the contract to AMR in accordance with the bid process that they won?

As you know, COLAB has reams of documents in our possession that prove without a doubt that once your board canceled the contract bid that AMR won, your staff went behind closed doors and concocted a plan and scheme to eliminate the opportunity for AMR to continue to serve as our county's ambulance provider. You and your staff pretended to create a new ambulance permit system that would allow both AMR and County Fire to share the contract, but again, it was all pretenses. Your county fire chief along with Assistant CEO Tanya Heitman completely ignored the staff members who were designated by state law to create a level playing field between all permit applicants by excluding AMR from the meetings having to do with the development of the permit system. As a result, the superior court has issued a preliminary injunction against the county forbidding it from handing over the ambulance contract to county fire because AMR and the state are expected to prevail in court! You could be liable for the court costs, AMR's attorney's fees, not to mention the damages associated with false dealing in a public contract. And don't get us started over the fact that the fire department spent over a million dollars without board approval buying ambulances before they were awarded the contract!

Do the right thing. Come out from behind closed doors. Admit you blew it (we note: Supervisor Lavagnino alone voted against this debacle in the end). Hand the contract to AMR and quit wasting taxpayer money and what little reputation you have left for ethics, financial responsibility, and transparency.

Andy Caldwell
Executive Director
COLAB