


**From:** [Heather](#)   
**To:** [-- City Clerk](#); [-- City Council](#)  
**Subject:** Public Comment: Constitutional Right to Sue Government  
**Date:** Monday, December 2, 2024 2:36:26 PM

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Petaluma City Council and Community:

I urge the City Council to vote NO on tonight's City Council agenda item number 7 presented by the city attorney "to add Chapter 4.50 entitled "Exhaustion of Administrative Remedies for Challenges to Fees, Charges, and Assessments on Real Property".

This ordinance incorrectly suggests that people are eager to sue the city and tries to limit one's ability to sue the government, a violation of our constitutional rights. This assembly bill is likely to be defeated at the state level, is not required to be adopted by any local agencies, and does nothing to address the reasons people are forced to sue the city of Petaluma.

The staff report included with this agenda item claims the new ordinance "ensures a meaningful opportunity to resolve ratepayer concerns before resorting to litigation, reducing the risk of unexpected legal battles and promoting transparency." In reality, because there is no "meaningful" way to resolve concerns directly with the city and a complete lack of transparency in our city government, suing is often the only real option to resolve issues with the city. Due to the transparency issues and the "go along to get along" attitude of our city council majority, there simply are no real checks and balances in place and the appeal process is performative at best.

The staff report continues to claim that the new ordinance "may lead to additional administrative hearings to assess the validity of the City's actions", but "the resources required for these hearings are expected to be minimal, especially when compared to the potential costs of defending a lawsuit." While that should be true, the M-Group benefits the most from their own errors because they overstaff every possible government meeting to defend their actions, delay and prolong resolutions, and bill taxpayers the maximum amount for their hourly "work".

Furthermore, if an individual appeals to the city, the M-Group will take full advantage to overbill for hours clearly not spent on the process. For my appeals to the city that cost less than \$300 each, I was billed ~\$35k for what the M-Group alleges was time spent on them (see my appeals from 5/23/23 and 9/11/23 for The Floodway Community Marketplace).

If you truly want to address the number of lawsuits being filed against the city of Petaluma, I strongly suggest you fire the M-Group, bring our planning department back inhouse, replace the city attorney with a qualified attorney who is loyal to the city and not the M-Group, and stop ignoring citizen concerns.

As somebody who is in the process of suing the city for the violation of my constitutional property rights, I guarantee I was not eager to do so. But one can only tolerate being ignored, insulted, retaliated against, and ripped off for so long.

Petaluma can and should do much better!

Regards,

Heather Kratt