

Fresno County assessor Dictos may hire lawyer after supervisors decline \$2 million grant for his office

By Marc Benjamin

Paul Dictos

THE FRESNO BEE

Fresno County Assessor Paul Dictos wants to fight for a three-year, \$2.06 million grant awarded to his office that county supervisors are unwilling to budget.

Dictos plans to hire a lawyer to learn whether supervisors overstepped their jurisdiction by rejecting the money.

A majority of supervisors accepted the grant this month, but four votes were required to send the money to Dictos' office. He got only three.

It wouldn't be the first time an elected official contended that the Fresno County Board of Supervisors overstepped its boundaries in keeping an elected county official from running a department.

Under the state Government Code, an elected department head can challenge a board of supervisors, and the board "shall contract with and employ legal counsel to assist" in a case where the county counsel would have a conflict of interest. Likewise, Dictos' lawyer can't come from the county counsel's office.

In 2010, Sheriff Margaret Mims sued supervisors after they trimmed her budget and ordered her not to close floors and allow inmate releases. The county won the suit and the case was settled in 2013, but the county had to pay legal costs that topped \$450,000.

In 1995, the state Supreme Court ruled against then-Fresno County Clerk Susan Anderson when she fought supervisors who wanted the Fresno County Superior Court to take over courts administration from her office. But, in that case, the county paid Anderson's \$40,000 in legal fees.

Anderson, who later became a county supervisor, said she has spoken with Dictos about his situation and he asked about the process of hiring a lawyer.

Dictos said the \$2.06 million grant would let him hire 11 people so his office can get caught up on assessments. He said his office staff is a year behind. He also said the funding will let him hire staff to install a new computer system that can interact with the Fresno County tax collector's office.

"I'm not trying to be a bad guy, but I have to have a solution to this problem," Dictos said. "I have \$2 million and I can't use it. It's gotten personal. They should respect the office, not me."

Dictos is worried that his office may have to return the grant money, which supervisors allowed him to seek earlier this year. Under the grant's terms, he must file a report with the state in April to outline how the grant money has been spent.

Supervisors Debbie Pochigian and Phil Larson voted against accepting the grant. A "yes" vote from one of the two would free up the money. Larson is retiring at the end of this month.



The board discussed the issue in closed session last week and will likely address it again next month when two new supervisors join the board.

Poochigian said last week that she opposes the grant because she doesn't want to give Dictos additional tools to collect more taxes. She said she did not want to comment further because of potential litigation.

Larson accused Dictos of targeting agriculture when he hiked taxes on some Fresno County property owners for not complying with Williamson Act rules, a state law under which a landowner agrees to keep a property in agricultural use for 10 years. In exchange, the county appraises the land based on farm uses, rather than potentially higher value commercial, industrial or residential development.

Larson said he heard from residents who had property taxes raised.

"A range operator had to pay a tax bill 124% higher, a farmer in Kerman's taxes went up 54% and a guy in Rolinda's went up 30%," said Larson. "He targeted only those in the Williamson Act."

Supervisor Henry R. Perea said he's unsure how the case will end, but it will likely cost the county thousands. He supported Dictos' department getting the grant.

"It's a test of powers among co-equals," he said. "They (elected department heads) are subordinate to us in some ways, but he did something that (some) board members didn't like and they're going to punish him, so he's hiring a lawyer to find out who's right."

But Perea said the issue is about using a grant, not having a philosophical argument about taxes.

"Our board is asking why Paul wants to waste all this money (on lawyers) and in my mind the question is, why do they want to waste this grant?" Perea said.

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