

May 17, 2022

Long Beach City Council and Mayor
City of Long Beach, CA

Dear Councilmembers and Mayor,

I am writing to you to express my opposition in the strongest possible terms to the **The Placement of a Charter Amendment to merge Long Beach Water Department and Gas Department.**

This protest letter is almost a continuation or a modification of what I provided to this Council back in 2018 with a few modifications because the premise of what is being proposed in 2018 is just as misleading as it is today and is again just a way to cover up for incompetence by City leadership with more of the same.

This measure is an essential component of the failed attempt to continue the illegal extortion of LBWD rate payers in violation of the California Constitution Prop 218 that was found illegal not once but three times. The City is now required to return all illegally gotten monies to rate payers, nearly 40-million dollars, in what was in essence a secret tax, unseen while effectively raising the prices of one of the most essential resources: our water. The same could certainly happen with the consolidation of the utilities. According to the measure that is being proposed, the City is not clearly indicating how much revenue is being proposed for the General Fund or if possible illegal transfers from the combined Departments will be halted. The amendment does not even mention if the proposed New Charter or even the Existing Charter language for LBWD and Gas Department will be modified to eliminate any sort of mention of transfers to the City General Fund. To expect that an "independent" Board will manage the combined agencies as stands now is ludicrous. Since we know nothing is independent not even the independent Redistricting Commission or the Ethics Commission or even our City Council.

This proposal has nothing to do with good governance, this is developing another behemoth of a bureaucracy, and we pay for it with higher secret taxes disguised as even higher utility fees. Who suffers? The poor, the small businesses, the quality of service, and all of the residents of our City.

Furthermore, proposed Charter Amendment will undoubtedly add the ability of the City to add any other City-operated utilities to the new combined utilities department (that could potentially include such utilities as Storm Drains, Street Pavement, Trash Collection & Recycling to name a few) further adding to resident's tax burden. This proposed Charter Amendment does not even include a requirement for and Independent Watchdog to assure that illegal transfers are not occurring.

If you continue to destroy the "Esprit de Corps" of our Water Department Employees with this takeover, all the theoretical efficiencies of the merger are meaningless. You will destroy our water department, not yours. You will place in danger one of our most precious natural resources, which you do not own.

Sincerely,

Juan E. Ovalle
Long Beach Resident and Water Department Rate Payer