

From: Gerrie Schipske [<mailto:schipske@gmail.com>]
Sent: Tuesday, August 7, 2018 12:14 PM
To: CityClerk <CityClerk@longbeach.gov>; Charles Parkin <Charles.Parkin@longbeach.gov>
Subject: Please forward to Mayor and City Council for Hearing Today

Contact: Gerrie Schipske (562 201-1296) August 7, 2018

Taxpayer Advocate and Former Councilmember Schipske Files Objections to Descriptions for Charter Amendments Dealing with Merger of Utilities and Giving the Mayor and Council a Third Term in Office

Former Councilmember Gerrie Schipske today filed a notice with the City Clerk concerning the proposed ballot titles of the Charter Amendments which would merge the City's utilities and extend the terms of office for the Mayor and the City Council. Schipske contends that pursuant to Election Code 9203, the ballot titles are misleading because they do not include enough information for the voter and actually hides the real intent and impact of the amendments.

Schipske asks that the City Attorney make the necessary changes before the Council proceeds. Election Code 9204 allows a voter to request the court to direct the City Attorney to amend a ballot title when it is found to be ballot title false, misleading, or inconsistent with the requirements of [Section 9203](#) .

Notice to Mayor and City Council:

"Long Beach Utility Consolidation. Shall the City Charter be YES amended to consolidate the existing gas, water and sewer utilities and potentially other future City-operated utilities into a single utility department overseen by a five-member Public Utilities Commission, the members of which shall be appointed by the Mayor, subject to Council confirmation?"

The "short title" above quoted totally fails, directly or indirectly, expressly or impliedly, to indicate that the proposal is intended to make major changes in the City Charter and the structure of City government.

The short title fails to disclose that the measure merging the water and gas departments will eliminate the Charter established Water Department and the Board of Water Commissioners, which have operated in an independent manner since 1954. This proposed merger is not a ministerial action taken by City management. This is a substantive change in the City Charter and the oversight of the Water Department.

"City of Long Beach Term Limits Amendment. Shall the City YES Charter be amended to limit the Mayor and City Councilmembers to serving three terms and to prohibit individuals who have already served three terms from being elected as write-in candidates?"

The "short title" above quoted totally fails, directly or indirectly, expressly or impliedly, to indicate that the proposal is intended to extend the terms of office for the Mayor and City Council from two to three.

The short title fails to disclose that this amendment to the City Charter will eliminate the current two term limitation and replace it with a third term and further eliminate the right of voters to elect a candidate who runs as a "write-in."

The City cannot opt to provide "all the sweet" and "exclude the bitter" in providing a short title that is defective in that it fails to disclose the substantive changes in the structure of City government and elections. As such, the titles are clearly misleading and do not substantially comply with Elections Code 9203.

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