

**City Clerk and City Manager's office:**

*This is a 'Supplemental Testimony submitted for [Consent Ordinances Item 3-a of the July 14, 2015, Regular Hermosa Beach City Council meeting agenda.](#)*

July 14, 2015

**To:** Mayor Nanette Barragan and Councilmembers (Carolyn Petty, Hany Fangary, Michael DiVirgilio, and Peter Tucker), City Clerk Elaine Doerfling, City Manager Tom Bakaly, Assistant to City Manager, Community Development Director Ken Robertson, Public Works Director Andrew Brosyna, Finance Director Viki Copeland, and contract-City Attorney Michael Jenkins.

**From:** Howard Longacre, a Hermosa Beach resident.

**Regarding:** **Missing base-charge for all non-vacant commercial parcels, and summary review of "Errors and Omissions" mentioned in this and my prior three supplementals for this Item-3a.**

**Reference:** *(my 3 prior Communications for this Item 3-a)*

1) Prior Supplemental Dated 7/11/2015;

["https://hermosabeach.legistar.com/View.ashx?M=F&ID=3860601&GUID=D8F812F7-A092-485F-91F4-BC7C13D032C4"](https://hermosabeach.legistar.com/View.ashx?M=F&ID=3860601&GUID=D8F812F7-A092-485F-91F4-BC7C13D032C4)

2) Prior Supplemental Dated 7/12/2015;

["https://hermosabeach.legistar.com/View.ashx?M=F&ID=3860602&GUID=8CC30BE2-A370-4B36-8A25-62A3D1DC1D48"](https://hermosabeach.legistar.com/View.ashx?M=F&ID=3860602&GUID=8CC30BE2-A370-4B36-8A25-62A3D1DC1D48)

3) Prior Supplemental Dated 7/13/2015;

**IMPORTANT:** Every Parcel's Sewer-Charge-Fee as applied (circa: 6/22/15) is viewable in the tables beginning after the 14th page of this prior supplemental. There are 5 included tables in sort on Street Address, or by Charge-Fee, or also in the case of commercial by Primary Assessor's publicly available Primary Property Owner's Name. (Use following link)

["https://hermosabeach.legistar.com/View.ashx?M=F&ID=3860603&GUID=BCA19615-94C6-40EE-9712-A93E8158E110"](https://hermosabeach.legistar.com/View.ashx?M=F&ID=3860603&GUID=BCA19615-94C6-40EE-9712-A93E8158E110)

**Honorable Mayor, Councilmembers, and others:**

The following are my comments, given freely, and they are entirely my views and opinions on everything I've stated herein.

Supplemental Communication from H. Longacre to Consent Ordinances Item 3-a of the  
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**Regarding:** Missing base-charge for all non-Vacant Commercial Properties and summary review of "Errors and Omissions" as mentioned in my prior three supplementals for this Item-3a

I have summarized the "Errors and Omissions" in the enumerated list below (on pg-3) which I discussed in my three prior communications for this Item-3a (See also References above)

Unfortunately, I inadvertently failed to mention the most obvious "Error and Omission" with respect to the assessments made for commercial parcels, basis the nonsensical, different assessment methods used for commercial parcels vis-a-vie residential parcels.

For vacant parcels the consultant accepted that you chose to assess a yearly fee of \$57.50 for each vacant parcel (whether it was 500 square feet in area, or up to 100,000 square feet in area). I.e. if it is a single parcel having a single assessor's ID number and property tax bill it is simply assessed \$57.50. Notwithstanding, that is of course illogical and unfair in and of itself. As a professional engineer the consultant should have made that clear to you instead of emphasizing that other agencies do things that way or that it would be too difficult to do it more correctly, when in fact it would not be significantly more difficult to assess fees more equitably, correctly and honorably.

In theory the vacant lot charge is an ongoing charge for having the sewerage system available and maintained for when a parcel one day needs to connect to the sewerage infrastructure. Nonetheless because the fee is not based on parcel size and/or street frontage it is egregiously unfairly being assessed between differently-sized vacant parcels.

**Notwithstanding this illogical-unfairness though, this brings us to the most significant error in assessments with regard to commercial parcels, given that the Council chose to assess non-vacant commercial parcels basis water usage.**

A base-vacant lot fee was not included for non-vacant commercial parcels! In other words there was not a "minimum charge" for a commercial-parcel that was using no water or very little water. Every commercial-parcel should have been charged first, a vacant-parcel fee, and then additionally by formula, the water-usage fee on top of that.

This is essentially how billing is accomplished for water, gas, or electric service.

Should a user happen to use very little of a service, the user would still pay a minimum charge once being connected.

There are some developed parcels that have been assessed a charge-fee of only 91 cents per year. It is nonsensical that a developed commercial parcel, connected to the sewerage system, would be assessed a fee less than that for vacant lot. Unfortunately this is just

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another indication that the consultant gave the City's staff and you on council very, very, very poor advice and service.

Following is a summary of some of the more glaring "Errors and Omission" I've discussed in these four communications.

- 1) Over one hundred commercial (non-commercial-condo) parcels having been assessed less than that of a vacant parcel.
- 2) Multiple commercial condo complexes most-evidently not having been assessed properly due to incomplete water-consumption being determined by the consultant. Example the 200 Pier Avenue 53-unit office-condo complex, the 1300 The Strand "Beach House" condo-hotel complex, and then other commercial condo complexes.
- 3) Multiple situations where water-consumption data received was evidently based on assessor's pseudo-parcel (or mailing) addresses rather than obscure addresses the water company bills parcel owners/tenants on a parcel.
- 4) Many situations where water-consumption data was evidently applied to other parcels simply because those parcels happened to have the same assessor's pseudo-parcel (or mailing) address.
- 5) Many instances of the apparent lack of receiving all water consumption data from the water company, most likely due to there being multiple water meters for a particular parcel using non-assessor parcel addresses.
- 6) Many instances of low assessments likely due to the water data that was acquired being for a time period when the parcel was not using its normal annual usage of water or when the parcel's developments were perhaps vacant or being remodeled etc.
- 7) The use of old, defective, or incomplete L.A. County assessment data, mailing lists, without cross-checking with city records or in other manner, resulting in residential homes, possibly condos in existence for 3 or more years being assessed as vacant lots.
- 8) Inaccurate water usage records resulting in obviously similar water usage parcels having egregiously different assessments. Examples: Two separate parcels with similar 3-story office buildings at the NW corner of Artesia and Pacific Coast Highway (PCH), and then a parcel containing a laundromat on Pier Avenue having a very large assessment vis-a-vie a parcel on PCH over twice the size having an assessment of less than \$10.

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- 9) Missing parcel(s) from the list of all parcels in the city. Example, a large vacant parcel directly north of the My Fit Foods store on PCH; This being an indication that there are likely other missing parcels due to the use of non-cross-checked and verified L.A. County data.
- 10) Many parcels that are narrow strip-vacant parcels (perhaps utility easements) being charged a full vacant lot fee when such parcels have virtually no opportunity or potential to ever be developed, or in any manner to benefit or have a relationship to sewerage usage, but which again are being assessed a full vacant lot charge-fee in violation of Proposition 218.

--- End of this Supplemental ---

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