

City Manager's office and City Clerk: Please receive this **Supplemental** communication and include with the 7-PM, May 23, 2017 Regular City Council meeting agenda under **Public Hearing Item-5a, "Annual Sewer Charge Levy"** Thank You.

May 22, 2017

**To:** Hermosa Beach City Council (Justin Massey, Jeff Duclos, Stacey Armato, Hany Fangary, Carolyn Petty), City Clerk, City Treasurer, City Manager, and Contract-City Attorney.

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

**Regarding:** **Sewer Charge Levy Title placed on Property Tax Bills as being misleading, with suggested new TITLES, and other comments on the annual levy. ALSO: REMIND SENIORS OF THE EXEMPTION AND REFUND PROCESS.**

## Honorable Councilmembers and others:

The following comments and suggestions by me are given freely, and they are entirely my views and opinions on all that I've stated herein. Perhaps you should consider taking time to consider them carefully. Please ignore obvious mistakes in sentences or typos herein.

Following on is an image of the typical "Direct Assessments" that appear on annual Hermosa Property Owner county tax bills. **Notice especially that the title of the Hermosa Beach Sewer Service Charge levy appearing on these County Property tax bills has been listed therein for two years now, and without any jurisdiction indicated. It simply states;**

**SEWER SRVC CHRGE** (see the red-circled inadequate present title in following image)

DIRECT ASSESSMENTS				
SEWER SRVC CHRGE	(310)	318-0246	\$	116.96
HERMOSA BCH LGHT	(310)	318-0225		41.45
FLOOD CONTROL	(626)	458-5165		10.86
WB MWD STDBY CHG	(866)	807-6864		24.00
COUNTY PARK DIST	(213)	738-2983		5.75
TRAUMA/EMERG SRV	(866)	587-2862		86.41
SBC SAN DIST	(562)	908-4288		76.80
LA WEST MOSQ AB	(310)	915-7370		10.85

**The present title needs to be immediately updated to indicate clearly that this is a Hermosa fee, not a county fee, or other. Who selected this**

**clearly misleading title, and in fact deceptive title? Was it selected to be purposely misleading? Clearly in my view it most certainly was.**

Note that there is a limit of 16 characters for the title of each of the items listed in this tally on the "Property Tax Bill". That is no excuse for the deceptive title presently appearing when you will note my suggested alternative titles later in this supplemental.

The title used these previous two county tax years by Hermosa Beach for the so-called sewer fee clearly does not stand out as being a Hermosa Beach fee, and in fact appears to be a county fee.

This is a significant problem as some of you will recall that the consultant's work presented and almost sent to the county for the property tax bills two years ago was discovered by me to have many very significant and egregious errors with many commercial properties being significantly overcharged, and with others virtually not charged at all, and with individual condos being charged multiple fees instead of one fee.

This was all discovered by this writer's careful computer analysis of the city's hired "professional consultant's" incredibly sloppy work. I spent significant time analyzing the city's entire database at the time, that database as provided by the consultant to the city, and after acquiring it through a public records request from the city.

Since my findings of all the sloppy-work-mistakes accomplished under your sewer fee consultant's expensive watch, the city has since refused to provide to me the water usage data of each property nor even the assessment for each property basis some bogus interpretation of privacy rights which is ludicrous, especially for residential properties which are all billed basis the same rate regardless of water usage. Most apparently the Council's hired no-bid contract city attorney for life, Michael Jenkins, who in my view absolutely despises real transparency and the actually honoring, among other things, of the true intent of the Brown "open meeting" Act, played a role in preventing me from finding additional errors in the consultant's annual data, and preventing such data to be provided to me.

Nonetheless, this is exactly why the sewer fee title placed on the Property Tax Bill needs to be as enlightening to Hermosa Property owners as possible in the 16-character limit, such that they know well that this is a Hermosa Beach fee and will then look at the amount they are being charged more carefully.

My suggestion is that the Council instructs the Public Works Director and City Manager, as forcefully as possible, to immediately change the 16-character title of the sewer charge fee with the next filing to the Assessor's office, which is just around the corner, and for it to read as follows.

Instead of      **SEWER SRVC CHRGE**    the presently used poor title,

Use instead      **HERMOS SEWER CHG**    or perhaps  
                         **HB SEWER SRVC CHG**

Note the following photo-shopped image using the first of the above more transparent suggested titles for the fee. (see blue circled item in the following photo-shopped image) Note there is no doubt that this clearly is a HERMOSA sewer charge with this title.

DIRECT ASSESSMENTS				
HERMOS SEWER CHG	(310)	318-0246	\$	116.96
HERMOSA BCH LGHT	(310)	318-0225		41.45
FLOOD CONTROL	(626)	458-5165		10.86
WB MWD STDBY CHG	(866)	807-6864		24.00
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This suggested title immediately tells a Hermosa Property owner to look at the amount more closely. And if a property owner sees something out of line with the fee, he/she will be more likely to contact the city. You will notice that the Hermosa Beach Lighting assessment is itself presently quite clearly indicated as being a Hermosa Beach charge via its 16-character title.

It is my opinion that the title indicated for the Assessor to display was purposely made ambiguous by someone in city or hired by the city. Who was that who selected the present ambiguous title?

The council needs to ensure that the title of this fee is made more transparent **on the very next property tax bill**. It is also time to get this sewer charge fee consultant removed from the picture and have city staff take over the maintenance of the data updates using city staff. It should not be a complicated process and the city should have this data base better designed for other uses. Clearly no one is checking the work of this consultant since I was prevented from continuing to do just that, and at that time clearly no one in city was doing any checking at all of his delivered data and in my view, his extremely sloppy expensive work, and again other than by me and with zero cost to the city for all the errors I discovered in the consultant's incredibly sloppy work.

How much is the city paying this consultant year after year? In my view one dollar is too much! I am convinced that in many cities, counties, and statewide, such consultant-supplied data errors are more than likely very significant with next to no checks and balances of data such consultants deliver to agencies and then used to tax property owners via annual fee updates and **via these essentially sham Public Protest Hearings**.

Re: the fee increase??? Why is the fee being increased the maximum amount this year and every year by the HB Council? The Council should actually approve not a penny of

increase this year rather than the maximum increase permitted. It's been three years since the public were told all of the sewers had been fully analyzed and the work was ready to commence.

Has any substantial sewer repair been accomplished as yet? Is there any planned work going to commence during the next fiscal year? Is a new Public Works Director needed to get such projects under way? It does appear that the present Public Works Director only seems to be able to hire more consultants, and little else with regard to major projects. At least it appears that way to this civil engineer.

Absolutely nothing that I can see has been accomplished since the sewer fee's inception with respect to sewer repair other than to hire yet another new consultant to re-analyze all the sewers, supposedly already analyzed. All the Council seems to be doing for sewers is approving the maxing out of the fee annually and thus maxing more ripping off of city property owners to fund as big a sewer slush fund as possible and which fund monies will eventually be somehow re-directed to the policing of the downtown bars district, the way the Utility Users Tax (UUT) was, and after it was not used much for the Sewers as it was supposed to have been.

Thus just another unjustified action being accomplished by a City Council not at all evidently demanding real answers from their City Managers in public as to the performance of i.e. the Public Works Director with respect to such major infrastructure work that's apparently not being accomplished.

In fact all that seems to be getting accomplished is the Council's pet projects, i.e., Pickle-Ball courts, or a Half-Million dollar solar panel rooftop array for the city's country club operation, aka the Community Center, or i.e., LA LA pier lights studies, you name it. Those are fine but should be very low priority and are in fact contributing little to real transparency, long overdue public safety increases, and significant infrastructure needs, i.e. the need to repair sewers now, not to mention the stagnant 8<sup>th</sup> Street 'Safe Walks to School' sidewalks project as seemingly stuck in the mud while pedestrians continue to walk around cars, and property owner's personal encroachments on city property/easements along 8<sup>th</sup> Street. Is the council really waiting for a death to occur on 8<sup>th</sup> Street before waking up the sleepy 8<sup>th</sup> Street sidewalks project or is it wait for a pipe-dream grant that may likely never come to affluent HB?

And this brings to mind Ceremonial Mayor Massey's incredibly disingenuous and patronizing letter in the *Easy Reader* this past week re: actual neglected ADA needs in city that he's done nothing about to date, notwithstanding that Massey is a rookie councilman having spent just 18 months on council and still barely knowing what he's doing except in pushing his and some others' personal green-obsessed agendas to likely benefit his own career. Who knows why/how he popped out of nowhere to jump on the City's Council? However his letter was nonetheless disingenuous in my view, about as disingenuous and self-serving as they come. In grade school some 65 years ago, such a letter would be called brown-nosing for one's own benefit, by the other kids.

**Kindly do not fail to ensure that the 16-character title appearing on the county Property Tax Bill is changed to indicate that the fee is in fact a Hermosa Beach fee.**

Don't try to leave it to anyone to continue an attempt to deceive Hermosa Property owners again this new tax year, and kindly don't accept any bogus excuses as to why the title cannot be changed.

Also please **remind senior property owners, who are entitled**, and in the strongest terms, to apply for their refund of the sewer fee for the last two years, before the time runs out July 30<sup>th</sup> to be refunded both of the last two annual sewer fees they've paid.

Note, that from my review of the city check registers, it appears that very few seniors have applied and according to several seniors I've spoken with, that is likely because the city has made no significant effort to send a notice by snail-mail to residents whom are likely entitled. I had thought the council itself directed that to be accomplished by staff. Few seniors are evidently not even aware of the refund's availability, notwithstanding some city website postings, e-newsletter mention, or Senior Center postings, etc.

Thank you.

\*\*\* end of communication \*\*\*