

**CITY OF LONG BEACH
CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE BB**

CHARTER AMENDMENT TO CONSOLIDATE LONG BEACH WATER AND GAS DEPARTMENTS

On August 9, 2022, the Long Beach City Council placed Measure BB on the ballot. This measure would primarily amend Articles XIV and XV of the Long Beach City Charter so that the existing municipal water, sewer and gas utilities would be consolidated into a single department, governed by the existing Long Beach Board of Water Commissioners. The Long Beach Board of Water Commissioners would be renamed the Long Beach Board of Public Utilities Commissioners, and the Long Beach Water Department would be renamed the Long Beach Public Utilities Department.

This measure would transfer the administration and control of the gas utility from the City Council to the Board of Public Utilities Commissioners, including the authority to set rates and charges related to the provision of natural gas. This measure would not affect the existing Charter requirement that rates and charges for gas shall generally be based on the prevailing rates charged by other gas utilities in the Southern California region. This measure would not amend current limitations on transfers from the water, sewer and gas funds, respectively, to the City's general fund.

Other municipal utilities could in the future be added to the jurisdiction of the Board of Public Utilities Commissioners by action of the City Council. This measure would not affect any existing contract rights or obligations of the Long Beach Water Department. This measure would not affect the existing membership or terms of office of the current Commissioners.

Future General Managers of the Public Utilities Department would be jointly selected by the Board of Public Utilities Commissioners and the City Manager, and would thereafter serve at the pleasure of the Commission.

This measure would also make several changes to Articles III, V, XIV, XV, XVII, XVIII, and XX of the City Charter in order to reflect the name change of the Commission, to update outdated references, and to better reflect the evolution of operational best practices for municipal utilities.

If approved by voters, this measure would take effect immediately, but it is expected that the actual process of consolidation would take at least several months to complete.

The potential fiscal impacts associated with this measure are unclear, but it is expected that consolidation would result in increased operational efficiency and as a result, would probably lower operating costs over the long-term.

A "yes" vote favors the consolidation of the municipal water, sewer and gas utilities into a single department.

A "no" vote opposes the consolidation of the municipal water, sewer and gas utilities into a single department.

A majority of "yes" votes is required for this measure to pass.

The above statement is an impartial analysis of Measure BB. If you desire a copy of the measure, please call the Office of the City Clerk at 562-570-6101 and a copy will be mailed at no cost to you.

CHARLES PARKIN
Long Beach City Attorney