



Date: September 25, 2018
To: Mayor and Members of the City Council
From: Patrick H. West, City Manager *T.M.L.*
Subject: Charter Amendment Summaries

Attached for your reference are two summary documents concerning the four City-sponsored Charter Amendments (AAA, BBB, CCC, and DDD) on the November 6, 2018 ballot. The first is a one-page summary of the ballot measures. The second is a more detailed "Common Questions and Answers" summary. Both of these documents can be used to provide information to the public.

City staff are not permitted to advocate for the measure, or use City resources for the purposes of advocacy, but are permitted to provide unbiased information. Please be aware that the City Attorney has opined that the use of social media for the distribution of these documents, or for the general discussion of the ballot measures, is not permissible on City equipment, City social media, or on City time. However, these documents, or a link to them, may be placed on your respective websites or sent out once in your newsletters. You may also refer residents with questions to these documents.

If you receive questions from residents on the Charter Amendments, please refer them to www.longbeach.gov/CharterAmendments.

Please let me know if you require additional information.

Attachments

CC: CHARLES PARKIN, CITY ATTORNEY
LAURA L. DOUD, CITY AUDITOR
DOUGLAS P. HAUBERT, CITY PROSECUTOR
MONIQUE DE LA GARZA, CITY CLERK
TOM MODICA, ASSISTANT CITY MANAGER
KEVIN JACKSON, DEPUTY CITY MANAGER
REBECCA GARNER, ASSISTANT TO THE CITY MANAGER
DEPARTMENT HEADS

LONG BEACH CHARTER AMENDMENT BALLOT MEASURES

The City Charter is the basic document that defines the organization, powers, functions, and essential procedures of the City of Long Beach government. It is the most important legal document of any city. Any proposed amendments, or changes, to the City Charter require a vote of Long Beach residents, with a simple majority to pass. The City Council has placed four charter amendment measures on the ballot for the November 6, 2018 Election. A brief description of each follows:

Measure AAA - City Auditor's Authority

If passed, this measure will authorize the City Auditor to conduct performance audits of City departments, boards, commissions and offices. Performance audits are defined as independent assessments of programs, functions, operations, or management designed to enhance performance, cost savings, efficiency or service improvements.

Measure BBB - Three-term limit on Mayoral and City Council Service

If passed, this measure will provide that no person may serve, during his/her life time, more than three terms as Mayor, and more than three terms as City Councilmember. The proposed measure would further prohibit any candidate for the office of Mayor who has served three terms or City Councilmember who has served three terms from running as a write-in candidate.

Measure CCC - Ethics Commission

If passed, this measure will establish a seven-member City Ethics Commission to impartially administer and implement the provisions of the City Charter, statutes and ordinances concerning campaign finance, lobbying, conflicts of interest and governmental ethics. Enforcement of ethics laws would continue to be carried out by the state Fair Political Practices Commission, the Attorney General, District Attorney, City Attorney and City Prosecutor, as appropriate.

Measure DDD -- Citizen Redistricting Commission

If passed, this measure would establish the Long Beach Independent Redistricting Commission with sole authority for establishing Council districts following the U.S. decennial census, or more frequently if necessary. The City Charter currently grants the City Council the authority to establish or change Council district boundaries.

This information sheet is provided for informational purposes to describe the practical effects of the proposed Charter Amendments. This information sheet does not advocate a yes or no vote on the ballot measures.

For more information visit www.longbeach.gov/CharterAmendments

COMMON QUESTIONS AND ANSWERS REGARDING CITY OF LONG BEACH BALLOT MEASURES

The City Charter is the basic document that defines the organization, powers, functions, and essential procedures of the City of Long Beach government. It is the most important legal document of any city. Any proposed amendments, or changes, to the City Charter require a vote of Long Beach residents, with a simple majority to pass. The City Council has placed four charter amendment measures on the ballot for the November 6, 2018 Election.

Measure AAA - City Auditor's Authority Charter Amendment

Measure BBB - Three-term limit on Mayoral and City Council Service Charter Amendment

Measure CCC - Ethics Commission Charter Amendment

Measure DDD - Citizen Redistricting Commission Charter Amendment

Measure AAA

What is Measure AAA?

Measure AAA is a City Charter Amendment to explicitly authorize the City Auditor to conduct performance audits of City departments, boards, commissions and offices. Performance audits are defined as independent assessments of programs, functions, operations, or management designed to enhance performance, cost savings, efficiency or service improvements. The proposed measure would also provide that the City Auditor shall have timely access to all City records including but not limited to financial records, contracts, documents, systems, files, property and other internal records, unless restricted or prohibited by law.

Why was Measure AAA placed on the ballot?

Measure AAA was placed on the ballot by the City Council to eliminate ambiguities in the City Charter regarding the duties of the City Auditor and her/his access to City records.

What will happen if Measure AAA passes?

If approved by Long Beach voters, Measure AAA will eliminate ambiguities and makes the duties of the City Auditor and her/his access to City records clear.

What will happen if Measure AAA fails?

If Measure AAA fails, the current Charter provision will remain in effect. The current definition of the City Auditor's duties and her/his access to City records will remain.

Measure BBB

What is Measure BBB?

Measure BBB is a City Charter Amendment to provide that no person may serve, during his/her life time, more than three terms as Mayor, and more than three terms as City Councilmember. The proposed measure would further prohibit any candidate for the office of Mayor who has served three terms or City Councilmember who has served three terms from running as a write-in candidate.

Why was Measure BBB placed on the ballot?

Measure BBB was placed on the ballot by the City Council to limit the number of terms the Mayor and City Councilmembers to three. The City Charter currently allows the Mayor and City Councilmembers can serve to serve two terms, as well as unlimited number of terms as a write-in candidate. Once a write-in candidate wins a primary election as a write-in candidate, his/her name can appear on a general election ballot.

What will happen if Measure BBB passes?

If approved by Long Beach voters, Measure BBB will provide that from the November 6, 2018, general municipal election and for all future elections, any write-in candidacy will count towards the three-term limit. The proposed measure would further prohibit any candidate for the office of Mayor who has served three terms or City Councilmember who has served three terms from running as a write-in candidate.

What will happen if Measure BBB fails?

If Measure BBB fails, the current Charter provision will remain in effect. The Mayor and City Councilmembers will have a two-term limit and may serve an unlimited number of terms as a write-in candidate.

Measure CCC

What is Measure CCC?

Measure CCC is a City Charter Amendment to establish a seven-member City Ethics Commission to impartially administer the provisions of the City Charter, statutes, and ordinances concerning campaign finance, lobbying, conflicts of interest and governmental ethics. The Commission would also make recommendations to the Mayor and City Council concerning the effectiveness of these laws; assist City departments in developing conflict of interest codes; advocate for understanding of the Charter, City ordinances and the roles of elected and other public officials, City institutions and the City electoral process; develop an educational program to familiarize newly elected and appointed officers and employees, candidates for elective office and their campaign treasurers, and lobbyists with City, state and federal ethics laws and the importance of ethics to the public's confidence in municipal government; and perform such other duties as may be established by the Charter or the Municipal Code. Enforcement of ethics laws would continue to be carried out by the state Fair Political Practices Commission, the Attorney General, District Attorney, City Attorney and City Prosecutor, as appropriate.

Why was Measure CCC placed on the ballot?

Measure CCC was placed on the ballot by the City Council to enhance the monitoring, administration, and enforcement of governmental ethics laws in the City of Long Beach. The independent Ethics Commission would help monitor the City's existing lobbying ordinance and promote and enforce good government measures for both elected and appointed members of the City's government.

What will happen if Measure CCC passes?

If approved by Long Beach voters, Measure CCC would establish a City Ethics Commission. The Mayor and City Auditor would each appoint two members to the Commission, to be confirmed by the City Council. The remaining three members would be appointed by the initial four Commissioners, following a public recruitment and application process. Staffing for administrative and management functions of the Commission will be addressed in the Municipal Code. The Commission will have a budget, as determined by the City Council, sufficient to conduct the Commission's mission and business. There is an expected fiscal impact that the City Council will need to address.

What will happen if Measure CCC fails?

If Measure CCC fails, a City Ethics Commission will not be created. The administration and implementation of the existing provisions of the City Charter, statutes and ordinances concerning campaign finance, lobbying, conflicts of interest, and governmental ethics will continue to be under the purview of the City Council. Enforcement of ethics laws would continue to be carried out by the state Fair Political Practices Commission, the Attorney General, District Attorney, City Attorney and City Prosecutor, as appropriate.

Measure DDD

What is Measure DDD?

Measure DDD is a City Charter Amendment to establish the Long Beach Independent Redistricting Commission with sole authority for establishing Council districts following the U.S. decennial census, or more frequently if necessary. The City Charter currently grants the City Council the authority to establish or change Council district boundaries. The proposed measure sets forth requirements and criteria that the Commission must follow when it draws Council district boundaries. The Commission's maps must create districts that are as nearly equal as practicable in population, comply with the federal and state constitutions and other applicable laws, and are geographically contiguous. The Commission must also consider the following criteria when drawing a map: existing neighborhoods and community boundaries, communities of interest, integrity and compactness of territory, geography and topography, natural and artificial barriers and boundaries, preservation of population cores that have consistently been associated with each Council district, and any other Commission-adopted criteria.

Why was Measure DDD placed on the ballot?

Measure DDD was placed on the ballot by the City Council to remove the City Council from the redistricting process, so that decisions about which neighborhoods and communities remain together in the same district for voting and representation purposes are made in the most neutral or unbiased manner possible.

What will happen if Measure DDD passes?

If approved by Long Beach voters, Measure DDD would establish the Independent Redistricting Commission. The Commission would have 13 Commissioners. Nine Commissioners – one from each existing Council district – would be selected from a pool of qualified applicants by a "screening panel," as described in the proposed measure; those nine persons would then select the remaining four Commissioners, plus two alternates. There is an expected fiscal impact that the City Council will need to address.

What will happen if Measure DDD fails?

If Measure DDD fails, an Independent Redistricting Commission will not be created. The City Council will retain the authority to establish or change Council district boundaries.

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