

# EMAIL PUBLIC COMMENTS

## BOARD OF UTILITIES COMMISSIONERS

### BOARD MEETING JUNE 17, 2025

Total Comments: 3

ITEM	NAME	ADDRESS / EMAIL	RECEIVED
#6 - Recommendation to adopt Resolution UT-1538 adopting the annual budget for the Long Beach Public Utilities Department for the fiscal year 2025-2026 and authorize staff to transmit the Resolution and the budget to the City Manager, Mayor, and City Council.  <b>Suggested Action:</b> Approve recommendation.	Diana Lejins	<a href="mailto:dianalejins@yahoo.com">dianalejins@yahoo.com</a>	6/16/25

#### COMMENTS

##### COMMENT #1

According to the CA State Auditor:

The California State Auditor can investigate potential violations of Proposition 218, which limits the ability of local governments to impose property-related fees, assessments, and taxes. The State Auditor can conduct performance audits and financial audits of local agencies and is authorized to access all records and documents necessary for these audits. Proposition 218 itself outlines specific procedures for local agencies to follow when imposing property-related fees and assessments, and the State Auditor can examine whether these procedures are being followed.

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Proposition 218 and Local Government:

Proposition 218, adopted by California voters in 1996, added Articles XIII C and XIII D to the State Constitution. These articles place restrictions on how local governments can raise revenue through property-related fees, assessments, and taxes.

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- o The California State Auditor is authorized to conduct audits of local agencies, including cities, counties, and special districts. This includes audits related to Proposition 218 compliance.

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Auditing Proposition 218:

The State Auditor can investigate whether local agencies are following the procedures outlined in Proposition 218 when imposing property-related fees and assessments. This includes examining whether proper notice was given to property owners, whether a public hearing was held, and whether the fees or assessments are proportional to the benefit received by the property owner.

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## Access to Information:

The State Auditor has broad access to records and documents of local agencies to conduct audits, including those related to Proposition 218 compliance.

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## Whistleblower Protections:

The State Auditor also accepts whistleblower complaints from state employees and members of the public who report improper governmental activity, including potential violations of Proposition 218.

- It also establishes that revenue from the fees and charges may not exceed the costs of providing such services. Proposition 218 helps ensure that the proposed levy amount is proportionate to the cost of the related governmental activity and prohibits local governments from using fee revenue on unrelated expenses. Dec 19, 2024

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Because energy utilities generally operate as monopolies, state law empowers the California Public Utilities Commission (CPUC) and the Public Advocates Office (Cal Advocates)—an independent consumer advocacy group within the CPUC—to protect customers from potential abuses related to the rates that the utilities charge.

The CPUC performs its regulatory role in part by requiring utilities to account for their proposed energy rate increases in formal proceedings, known as the general rate case, at the start of each three- or four-year rate cycle. In between these proceedings, utilities may use a separate process to request that the CPUC authorize rate changes. In either circumstance, Cal Advocates' role remains essentially the same: it advocates on behalf of customers for the lowest possible rates consistent with reliable and safe service levels.

## AI Overview

- Natural gas is often considered a public utility: This means that the companies providing natural gas service are typically subject to government regulation due to the essential nature of the service and the infrastructure involved, which often creates a natural monopoly.
- Regulations are in place to ensure fair and reasonable rates: Regulatory bodies, often state-level Public Utility Commissions (PUCs) or equivalent, are responsible for overseeing utility rates.
- The Federal Energy Regulatory Commission (FERC) also plays a role: While not setting the price of natural gas production itself, FERC regulates the transportation of natural gas on interstate pipelines, affecting the costs associated with delivery to consumers.
- Rate-setting proceedings (Rate Cases): Utilities must go through a formal process called a "rate case" before a PUC to request changes in rates. This involves demonstrating the need for any rate increases and justifying them based on costs, operations, and proposed capital investments.
- Cost-based and revenue requirement considerations: Rates are typically set based on the utility's authorized revenue requirement, which is the total amount of money they need to recover costs, attract investment, and earn a reasonable profit. This revenue requirement is then allocated to different customer classes and structured into specific rates.

\*\*\*\*\*In summary: While natural gas companies need to cover their operational costs and generate a reasonable return, their pricing is not completely unchecked. It's subject to the oversight and approval of regulatory bodies, which aim to ensure that rates are fair, reasonable, and provide for reliable service.

## AI Overview

\*\*\*\*\*Proposition 218 does not mean that gas companies in California can charge anything they want.

Here's why:  
Proposition 218 focuses on "property-related fees" imposed by local governments. It was passed to restrict how local governments impose taxes, assessments, and fees, including those for services like water and sewer.

- \*\*\*\*\*Restrictions on Fee Use:  
Proposition 218 prohibits using property-related fees for purposes other than the service for which they are charged. This means utility fees cannot be used to fund general governmental services like police or fire.  
\*\*\*\*Budget Workshop???? Totally misleading misnomer....  
What is the purpose of a workshop? The aim of a workshop is to bring a group of people together around a specific subject. The aim is to encourage learning, collaboration, problem-solving or the creation of new ideas. Unlike a traditional meeting or conference, a workshop is often interactive and participative.  
\*\*\*\*Hugely concerning is that the Long Beach utilities were combined not too long ago, with the promise that costs would be reduced overall. But, in reality, the rates were raised 9% in 2023, 11% in 2024, 10% in 2025, and it is proposed to be about 12% this coming year.  
This Board consistently sends \$\$ to the General Fund as excess and usually closely matches the amount of the yearly raise. This is very telling and not conforming to the spirit nor definitions expressed in Prop 218. It is blatant stealing from the rate payers.  
Concurrently, when seniors get a social security raise, it ends up being cancelled by raises in Medicare fees. So while this Board continues flagrantly raising rates, seniors are being priced out of their homes.  
So, next time you drive by a homeless encampment, please acknowledge your part in making that happen. Nothing to be proud about!  
\*\*\*\*\*If there are any rate increases, it should NEVER be more than the current CPI (Consumer Price Index).

Please acknowledge receipt, share with Board members, and post to the Agenda of 6-17-2025.  
Yours truly  
Diana Lejins  
Greater LB Taxpayers Union

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COMMENT #2

On Mon, Jun 16, 2025 at 1:03 PM diana lejins <dianalejins@yahoo.com> wrote:

I object to the current utility rates being proposed. Be forewarned...your seemingly addictive habit of raising rates to the max that closely correspond to "excess" general fund transfers may end up in a lawsuit.

<https://www.beninkslavens.com/blog/2021/06/court-enters-12-6-million-judgment-against-the-city-of-palo-alto-for-overcharging-gas-utility-ratepayers-without-voter-approval-in-violation-of-propositions-218-and-26/>

**Court Enters \$12.6 Million Judgment Against The City Of Palo Alto For Overcharging Gas Utility Ratepayers Without Voter Approval In Violation Of Propositions 218 and 26**  
by Vincent Slavens | Jun 27, 2021 | Firm News |

In a taxpayer action, a judge of the Santa Clara County Superior Court ruled that the City of Palo Alto violated California Constitution article XIII C (“Propositions 26/218”) by imposing, without voter approval, rates, fees, and charges for gas utility service that are more than the reasonable cost of providing the service. In particular, the Court found that the City of Palo Alto designed its gas rates to finance transfers of money from its gas utility to its general fund for general government services unrelated to the provision of gas service, and that this practice violates Propositions 26/218, an initiative amendment to the California Constitution, in the absence of voter approval. The Court has found that the City of Palo Alto owes refunds to all ratepayers for the amounts it collected which exceed the City’s reasonable cost of providing gas service. On June 25, 2021, the Court entered judgment against the City of Palo Alto.

It also establishes that revenue from the fees and charges may not exceed the costs of providing such services. Proposition 218 helps ensure that the proposed levy amount is proportionate to the cost of the related governmental activity and prohibits local governments from using fee revenue on unrelated expenses.

\*\*\*Rates should never be raised more than the most current CPI.

Yours truly,  
Diana Lejins  
Greater Long Beach Taxpayers Union

PS. Your "so-called" workshops are anything but and only serve to further undermine your already fragile credibility.

Please acknowledge receipt, share with Board members, and post to the May 17, 2025 Agenda.

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COMMENT #3

Please post this to the Utility Commission so-called Budget workshop meetings - May 1 and 15, June 12 And, share with participants.

To Utility Commissioners  
It was brought to my attention today that the so-called workshops you are conducting are not really workshops as defined by numerous sources. They are, in fact, just meetings disguised as workshops to deceive the public into thinking that our city government really cares about what matters to the citizens....shameful!  
From reports to me, I gathered that the only public input allowed would be the three-minute allotment per citizen. And, NO questions will be allowed. This absolutely does NOT fit either the definition nor the spirit of a "real" workshop. These meetings should be aptly renamed...Break Your Bank Utility Spending Meetings.

Please enter this submission into the record and provide copies, as a lawful objection of this misnomer, to participants from the city and Long Beach citizenry.

I have gathered information from legitimate sources below to support my claims:

The 14 rules of workshops emphasize active participation, respect, and focus to create a productive and engaging environment. These rules help ensure that everyone contributes, stays on topic, and tackles problems collaboratively.

Here are the 14 rules of workshops:

1. Everyone participates, no one dominates: Encourage all attendees to contribute their ideas and perspectives.
2. Spark creativity: Foster a mindset of innovation and exploration.
3. Handle conflicts: Establish a positive and productive way to address disagreements.
4. Tackle problems, not people: Focus on solutions rather than assigning blame.
5. Maintain a clean workspace: Ensure a safe and organized environment.
6. Maintain focus: Stay on topic and avoid distractions.
7. Be present, or be elsewhere: Encourage full participation and avoid multitasking.
8. Be the crew, not the passenger: Actively engage in the workshop rather than passively observing.
9. Make ideas tangible: Turn abstract concepts into concrete plans.
10. Stay on topic: Ensure discussions remain relevant to the workshop's goals.
11. Use proper equipment: Utilize tools and resources effectively and safely.
12. Be open and curious: Approach the workshop with a willingness to learn and explore new ideas.
13. Avoid distractions: Minimize interruptions and maintain focus on the task at hand.
14. Be respectful: Listen actively to others, value their perspectives, and contribute thoughtfully.

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What is the purpose of a workshop?

What is the purpose of a workshop? The aim of a workshop is to bring a group of people together around a specific subject. The aim is to encourage learning, collaboration, problem-solving or the creation of new ideas. Unlike a traditional meeting or conference, a workshop is often interactive and participative.

\*\*\*\*\*

Dictionary Definition:

A meeting at which a group of people engage in intensive discussion and activity on a particular subject or project.

B. "For events that do not have a primary focus on water / sewer issues....a financial contribution of \$1,000 or LESS will be considered by the board.

C. "....the Board will also take into consideration other factors such as past financial contributions from the Water Department,.... the makeup of the audience participating in the event in terms of size and free public access as compared with a limited, paying audience...."

\*This proposal to sponsor a politically-motivated event does NOT fit into the parameters of said Statement. And, public access (you know, the ones who pay your excessive rates and taxes) is not free nor affordable. This type of event has NOT been sponsored in the past and it should not be now.!

In a recent lawsuit, that resulted in a mass refund, your previously-approved 30+ million dollars in rate raises was shown to prove your decisions are not always proper nor legally appropriate. Please do not undermine the water department's integrity even further.

Hasn't this city done enough to destroy the faith and confidence we have in OUR water department.?!

As a private person, you can certainly pay the price to attend. But, to use ratepayer \$ would be nothing less than a slap in the face to the citizens of Long Beach. If you insist on making a donation, then do it directly and to a cause that is NOT connected to any politician nor given an appearance of corruption. This especially applies to a politician who was responsible for your appointment to the commission...quid pro quo.? Any donation towards this proposed event is nothing more than political pandering.

The bigger question here is are you truly an independent citizen-oriented commission or just another bunch of "go-along-get-along" city hall puppets.?!

Please post this letter in the agenda for the record.

Yours truly,  
Diana Lejins  
Long Beach Taxpayers Union