

Huntington Beach is unique in so many ways. It is why we all live here.

We have the longest coastline in Orange County.

We are the only Orange County city to have a World Champion Little League team.

We host the U.S. Open of Surfing.

And we are the only Orange County city that requires property owners to pay an extra tax to subsidize some City Hall employees' retirements.

You read that right.

For years, every property owner has been paying an extra property tax to cover the cost of some City Hall employees' retirements.

Go look at your tax bill, it is right there in black and white: "Huntington Beach City Employee Retirement."

And since 2002, the City Council has raised this tax five times, raising it by 115%.

Other Orange County cities make their employees pay their own fair share of their retirement.

We are the only city that forces taxpayers to pay extra, so that City Hall employees don't have to.

That's what Measure __ is all about.

Partnering with Mayor Don Hansen, we set out to stand up for Huntington Beach taxpayers and eliminate this tax.

Our taxes should be used to pay for more policemen and more firefighters. We should prioritize keeping our city beautiful by cleaning and protecting our coastal shores and wetlands.

But instead, we taxpayers are being forced to have our taxes used to subsidize the retirements for City Hall employees. That's just wrong.

The Orange County Register recently wrote "Huntington Beach voters would do themselves a favor by ending this tax."

By voting YES on Measure __, Huntington Beach will no longer be the only Orange County city that forces taxpayers to pay an extra property tax to subsidize the retirements of City Hall employees.

YES on Measure __.

www.stoptheHBtax.com

Frank Morrell



City of Huntington Beach

2000 Main Street ♦ Huntington Beach, CA 92648

(714) 536-5227 ♦ www.huntingtonbeachca.gov

Office of the City Clerk

Joan L. Flynn, City Clerk

July 25, 2012

Mr. Frank Morrell
21181 Shaw Lane
Huntington Beach, CA 92646

Re: Requested Revisions to The Argument in Favor of Measure _____

Dear Mr. Morrell,

As the City of Huntington Beach's City Clerk I serve as the Elections Official. The position comes with considerable responsibility to follow and enforce elections laws and standards. One of the laws that I must seek strict compliance of is that all election materials printed and presented to the voters must be true and accurate. In viewing the ballot argument that you submitted I found several clauses which violate the standard and I would like to present you with the opportunity to review and edit the statements.

The law provides that ballot arguments shall be made available for inspection and copying for a period of ten calendar days following the deadline for submission of those materials. (ELEC. CODE § 9295.) During those ten days, any voter or the elections official may seek a writ of mandate or injunction requiring any of the materials to be amended or deleted. A writ of mandate or an injunction may be issued upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of the Elections Code, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law. The writ may be filed by any voter of the jurisdiction in which the election is being held or the elections official. It must name the elections official as respondent, and the person or official who authored the material in question as real parties in interest. If the elections official brings the mandamus or injunctive action, the board of supervisors of the county shall be named as the respondent and the person or official who authored the material in question shall be named as the real party in interest. (ELEC. CODE § 9295.)

Morrell Letter
July 25, 2012

The two clauses for which I am requesting a revision are the following paragraphs:

"Every other Orange County city makes their employees pay their own fair share of their retirement."

I have statistical information which provides the amount each city requires of both their safety and miscellaneous employees toward their pension costs. I can make it available to you if you would like to peruse it. It will show that if you are referring to full payment when you use the words "fair share," then using "every" is false. An accurate statement would be achieved by replacing the word "many" or "some" for the word "every." Your statement could be revised to: Many other Orange County cities make their employees pay their own fair share of their retirement.

The final section is: *"If these City Hall employees were paying their fair share, more money would be available to pay for more Policemen, more Firefighters. More would be available to keep our City beautiful by cleaning and protecting our coastal shores and wetlands."* This is a false statement-the tax can only be collected for the purpose of funding retirement costs. If the tax is repealed by the voters, the City will in fact have even less money for other general purposes because the City is contractually obligated to pay the PERS retirement costs and presumably the obligations would be funded with general fund money, leaving less for other general services. Please refer to the attached impartial analysis, paragraph six for confirmation of this analysis. I am requesting that you revise the above paragraph.

In the interest of complying with the law and avoiding unnecessary court proceedings I urge you to revise your ballot argument and resubmit it by 5:00 p.m. on Friday, July 27th.

Rebuttal arguments will now be due on Wednesday, August 1st by 5:00 p.m.

Sincerely,


Joan L. Flynn, CMC, MPA
City Clerk

Attachment: Impartial Analysis

C: Don Hansen