



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

**C-2**

ROBERT E. SHANNON  
City Attorney

HEATHER A. MAHOOD  
Chief Assistant City Attorney

MICHAEL J. MAIS  
Assistant City Attorney

PRINCIPAL DEPUTIES

Barbara D. de Jong  
Dominic Holzhaus  
Belinda R. Mayes  
J. Charles Parkin

DEPUTIES

C. Geoffrey Allred  
Gary J. Anderson  
Richard F. Anthony  
Amy R. Burton  
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Randall C. Fudge  
Charles M. Gale  
Anne C. Lattime  
Monte H. Machit  
Barbara J. McTigue  
Barry M. Meyers  
Cristyl Meyers  
Howard D. Russell  
Tiffani L. Shin  
Linda Trang

September 2, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Adopt Resolution in Opposition of Proposition 8 on the 2008 California General Election Ballot that if Passed Would Eliminate the Right of Same Sex Couples to Marry.

DISCUSSION

Pursuant to your request of August 19, 2008, this office has prepared and submits the above-described resolution for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By   
J. CHARLES PARKIN,  
Principal Deputy City Attorney

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO.

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH IN OPPOSITION OF  
5 PROPOSITION 8 ON THE 2008 CALIFORNIA GENERAL  
6 ELECTION BALLOT THAT IF PASSED WOULD  
7 ELIMINATE THE RIGHT OF SAME SEX COUPLES TO  
8 MARRY

9  
10 WHEREAS, in May 2008 in the In re Marriage Cases, the California  
11 Supreme Court held that individuals of the same sex have the right to marry under the  
12 California Constitution; and

13 WHEREAS, the California Supreme Court further held that state statutes  
14 that limit marriage to a relationship between a man and a woman violated the equal  
15 protection clause of the California Constitution; and

16 WHEREAS, the California Supreme Court found that limiting marriage to  
17 opposite-sex couples "will, as a realistic matter, impose appreciable harm on same-sex  
18 couples and their children, because denying such couples access to the familiar and  
19 highly favored designation of marriage is likely to cast doubt on whether the official family  
20 relationship of same-sex couples enjoys dignity equal to that of opposite-sex couples";  
21 and

22 WHEREAS, the efforts of the City of Long Beach to provide a safe and  
23 secure City free of discrimination will be undermined by any state initiative that would  
24 impose differential treatment of certain individuals based on defining characteristics such  
25 as gender, race, ethnicity, religion and sexual orientation;

26 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
27 follows:

28 Section 1. The City of Long Beach hereby strongly opposes Proposition

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333 West Ocean Boulevard, 11th Floor  
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1 8 an amendment to the California Constitution to eliminate the right of same-sex couples  
2 to marry and urges voters to oppose this measure in the 2008 California General  
3 election.

4 Section 2. The City Clerk is directed to transmit a copy of this resolution  
5 to the members of the Long Beach delegation, to the California Assembly and Senate, to  
6 the League of California Cities, and to other officials, agencies, entities, and individuals  
7 as may be deemed appropriate by the City Manager.

8 Section 3. This resolution shall take effect immediately upon its adoption  
9 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

10 I hereby certify that the foregoing resolution was adopted by the City  
11 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the  
12 following vote:

13  
14 Ayes: Councilmembers: \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_

18 Noes: Councilmembers: \_\_\_\_\_  
19 \_\_\_\_\_

20 Absent: Councilmembers: \_\_\_\_\_  
21 \_\_\_\_\_

22  
23  
24 \_\_\_\_\_  
City Clerk