



OFFICE OF THE CITY ATTORNEY

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ORD-40

CHARLES PARKIN
City Attorney

GARY J. ANDERSON
Assistant City Attorney

November 1, 2022

DAWN A. MCINTOSH
Assistant City Attorney

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare an Ordinance of the City Council of the City of Long Beach amending the Municipal Code to increase the refund threshold for City Manager and City Attorney authorization to \$50,000, read for the first time and laid over to the next regular meeting of the City Council for final reading.
(Citywide)

DISCUSSION

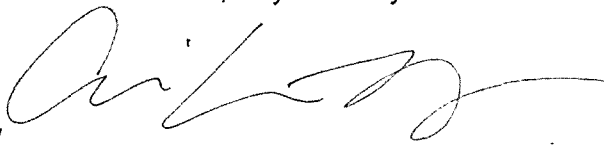
Pursuant to the City Council's request on October 18, 2022, this office has prepared and submits the above-described Ordinance for the Council's consideration and approval.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

CHARLES PARKIN, City Attorney

By 

Erin Weesner-McKinley
Deputy City Attorney

EMW:ag
A22-02127

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTION 3.48.040
RELATING TO REFUND-CONDITIONS OF PAYMENT

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 3.48.040 of the Long Beach Municipal Code is hereby
amended to read as follows:

3.48.040 Refund - Conditions of payment.

The refund may be made to the person who paid the money under any of
the following conditions:

A. If the amount paid is one thousand dollars (\$1,000.00) or less
and if the department head to which the money was paid authorizes the
refund in accordance with prior written authorization of and subject to
conditions imposed by the City Manager;

B. If the amount paid is fifty thousand dollars (\$50,000.00) or
less and if the department head to which the money was paid, with the
approval of the City Attorney, authorizes the refund; provided, however, that
refunds of one thousand dollars (\$1,000.00) or less made in accordance
with the provisions of Subsection A. of this Section shall not require the
approval of the City Attorney;

C. If the amount paid is more than fifty thousand dollars
(\$50,000.00) and the department head to which the money was paid, with
the approval of the City Attorney and the City Council, authorizes the
refund.

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Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2022, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

3.48.040 Refund—Conditions of payment.

The refund may be made to the person who paid the money under any of the following conditions:

- A. If the amount paid is one thousand dollars (\$1,000.00) or less and if the department head to which the money was paid authorizes the refund in accordance with prior written authorization of and subject to conditions imposed by the City Manager;
- B. If the amount paid is ~~fifty ten~~ thousand dollars (~~\$150,000.00~~) or less and if the department head to which the money was paid, with the approval of the City Attorney, authorizes the refund; provided, however, that refunds of one thousand dollars (\$1,000.00) or less made in accordance with the provisions of Subsection A. of this Section shall not require the approval of the City Attorney;
- C. If the amount paid is more than ~~tenfifty~~ thousand dollars (~~\$150,000.00~~) and the department head to which the money was paid, with the approval of the City Attorney and the City Council, authorizes the refund.

(ORD-06-0011 § 1, 2006; Ord. C-6664 § 1, 1989; Ord. C-5558 § 1, 1980; Ord. C-5377 § 1 (part), 1977; prior code § 2715.1)