



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-5

ROBERT E. SHANNON
City Attorney

HEATHER A. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

November 16, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt minute order to grant an application from Elenor Dolores Marshall for a widow's pension.

DISCUSSION

We are in receipt of an application from Elenor Dolores Marshall for a widow's pension. Robert Lee Marshall, who died on or about the 30th day of September, 2010, was a retired Fire Captain in the Long Beach Fire Department, having retired from active duty on September 20, 1960. Mrs. Marshall has filed an application for a widow's pension under the provisions of Subsection (4) of Section 187 of the Charter of the City of Long Beach prior to its repeal.

We are of the opinion that Elenor Dolores Marshall is entitled to a widow's pension. We are transmitting herewith the declaration of Mrs. Marshall and a form of minute order to be adopted by your honorable body granting Elenor Dolores Marshall a widow's pension effective October 1, 2010.

SUGGESTED ACTION:

Approve recommendation.

ROBERT E. SHANNON, City Attorney

By


Christina L. Checel
Deputy City Attorney

CLC:kjm
Attachments
A10-02995

Dominic Holzhaus
Anne C. Lattime
Monte H. Machitt
J. Charles Parkin

C. Geoffrey Allred
Gary J. Anderson
Richard E. Anthony
Amy R. Burton
Christina L. Checel
Randall C. Fudge
Charles M. Gale
Barbara J. McTigue
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin
Linda Trang
Theodore B. Zinger

1 MINUTE ORDER
2 FOR THE ADOPTION OF A WIDOW'S PENSION
3 FOR
4 ELENOR DOLORES MARSHALL
5

6 Councilmember _____ moved, second by
7 Councilmember _____, that the communication of the City
8 Attorney and the accompanying declaration be received and filed, and it appearing from
9 the application for a widow's pension that, ROBERT LEE MARSHALL, who died on or
10 about September 30, 2010, was a retired Captain in the Long Beach Fire Department,
11 having retired from active duty on September 25, 1960; that ELENOR DOLORES
12 MARSHALL is his widow and is entitled to be granted and to be paid during her lifetime,
13 or until she remarries, an annual pension equal to fifty percent (50%) of the salary attached
14 to the rank of Captain, to become effective October 1, 2010, and that such payments shall
15 be made from such funds as the City may be required to provide for that purpose.
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18 ADOPTED: _____
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DECLARATION

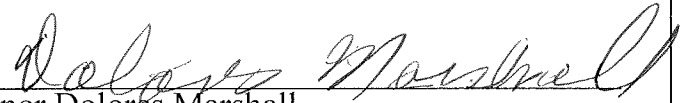
ELENOR DOLORES MARSHALL states:

I am the widow of ROBERT LEE MARSHALL, who died on or about the 30th day of September, 2010; that the decedent at the time of his death was a retired Captain with the Long Beach Fire Department; that the declarant and Robert Lee Marshall were married on June 10 1938, in the City of Loney Beach State of CALIF., and that said marriage continued until the death of Mr. Marshall.

That the declarant makes this declaration for the purpose of obtaining a pension under the provisions of Subsection (4) of Section 187 of the Charter of the City of Long Beach, prior to its repeal.

I declare under penalty of perjury under the laws of the State of California that the foregoing statement is true and correct.

Executed this 25th day of OCTOBER, 2010.

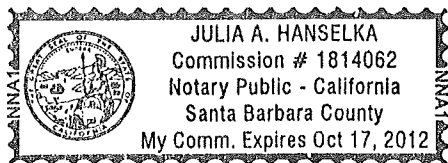

Elenor Dolores Marshall

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF SANTA BARBARA } ss

On OCTOBER 25 2010, before me, JULIA A HANSELKA,
a Notary Public, personally appeared ELENOR DOLORES MARSHALL
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is are subscribed to the within instrument and acknowledged to me that he she they
executed the same in his her their authorized capacity(ies), and that by his her their
signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.



Julia A Hanselka
Signature of Notary Public

[Place Notary Seal Above]