


City of Long Beach

Working Together to Serve

06-0385
Memorandum

Date: May 15, 2006

To: Members, Charter Amendment Committee

From: Heather A. Mahood, Assistant City Attorney 

Subject: **Recommended Change to Charter Sections Relating to Elected Officers' Residency Requirements**

The California Supreme Court has effectively invalidated the present pre-election residency requirements for the offices of Councilmember and Mayor, which require that candidates be legal residents and voters of the district "at least thirty (30) days immediately preceding the first day upon which candidates are permitted to file nominating petitions for such office." This residency requirement is too broad because it counts back from the opening of the nomination period, rather than the deadline for the filing of the candidate's nominating papers.

In order to retain the thirty (30)-day residency requirement, this office recommends that Section 201 be revised to read as follows:

"Sec. 201. ELIGIBILITY.

"No person shall be eligible to hold the office of City Council member or Mayor unless such person is a legally registered voter and resident of the Councilmanic District if and from which nominated for City Council, or of the City if nominated for Mayor, at least thirty (30) days immediately preceding the last day upon which candidates are permitted to file nominating petition for such office with the City Clerk."

HAM:fl

cc: Chris Shippey, Assistant City Manager

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