



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-2

Additional staff report

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June 21, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize the City Attorney to pay sum of \$89,000 in full settlement of lawsuit entitled *Long Beach Area Chamber of Commerce et al., v. City of Long Beach, Case No. 07-55691*

DISCUSSION

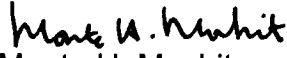
The Long Beach Area Chamber of Commerce and its affiliated PACs claimed that the City's voter approved Campaign Finance Ordinance, limiting donations to Independent Expenditure Committees, violated the First Amendment's free speech protections. The issue was fought in the trial court, where the City partially prevailed. On appeal, however, the trial court's decision was reversed. As the "prevailing party" in this civil rights action, the Chamber's PACS are entitled to recover their attorneys' fees. After negotiations, the Chamber's PACS have agreed to accept the compromised amount of \$ 89,000.00, which we opine is the reasonable settlement value.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By 
Monte H. Machit
Principal Deputy City Attorney

MHM:ivs



City of Long Beach Memorandum
Working Together to Serve

REQUEST TO ADD AGENDA ITEM

Date: June 17, 2011
To: Larry Herrera, City Clerk
From: Robert Shannon, City Attorney
Subject: Request to Add Agenda Item to Council Agenda of June 21, 2011

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Recommendation to authorize the City Attorney to pay sum of \$89,000 in full settlement of lawsuit entitled Long Beach Area chamber of Commerce et al., v. City of Long Beach, Case No. 07-55691

| Council District | Authorizing Councilmember | Signed by |
|------------------|---------------------------|-------------------|
| 3 | Gary DeLong | |
| 2 | SUGA LOWENTHAL | |
| 7 | James Johnson | for James Johnson |

Attachment: Staff Report dated June 21, 2011

CC: Office of the Mayor