



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

October 23, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt minute order to grant an application from Viola Hess for a widow's pension.

DISCUSSION


We are in receipt of an application from Viola Hess for a widow's pension. Jack Hess, who died on or about the 19th day of September, 2007, was a retired Captain in the Long Beach Fire Department, having retired from active duty on October 16, 1980. Mrs. Hess 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 Viola Hess is entitled to a widow's pension. We are transmitting herewith the declaration of Viola Hess and a form of minute order to be adopted by your honorable body granting Mrs. Hess a widow's pension effective September 20, 2007.

SUGGESTED ACTION:

Approve recommendation.

ROBERT E. SHANNON, City Attorney

By 
Christina L. Checél
Deputy City Attorney

CLC:kjm
Attachments
07-04733

PRINCIPAL DEPUTIES

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

DEPUTIES

Gary J. Anderson
Richard F. Anthony
Christina L. Checél
Alysha P. Choi
Lori A. Conway
Randall C. Fudge
Charles M. Gale
Monte H. Machit
Anne C. Lattime
Lisa Peskay Malmsten
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin

1 MINUTE ORDER
2 FOR THE ADOPTION OF A WIDOW'S PENSION
3 BY
4 VIOLA HESS
5

6 Councilmember _____ moved, second
7 by Councilmember _____, that the communication of
8 the City Attorney and the accompanying declaration be received and filed, and it
9 appearing from the application for a widow's pension that, Jack Hess, who died on
10 or about September 19, 2007, was a retired Captain in the Long Beach Fire
11 Department, having retired from active duty on October 16, 1980; that Viola Hess
12 is his widow and is entitled to be granted and to be paid during her lifetime, or until
13 she remarries, an annual pension equal to fifty percent (50%) of the salary
14 attached to the rank of Captain, to become effective September 20, 2007, and that
15 such payments shall be made from such funds as the City may be required to
16 provide for that purpose.
17
18

19 ADOPTED: _____
20
21
22
23
24
25
26
27
28

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION

VIOLA HESS states:

I am the widow of Jack Hess, who died on or about the 19th day of September, 2007; that the decedent at the time of his death was a retired Captain with the Long Beach Fire Department; that the declarant and Jack Hess were married on October 8, 1938, in the City of Long Beach, State of California, and that said marriage continued until the death of Mr. Hess.

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 2nd day of October, 2007.

Viola R. Hess
Viola Hess

NOTARY ACKNOWLEDGMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } ss

On October 2, 2007 before me B.E. KOZAK,

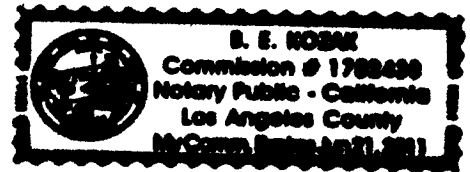
a Notary Public in and for said State, personally appeared

Viola Hess personally known to me (or 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.

WITNESS my hand and official seal.

B.E. Kozak (SEAL)

B.E. Kozak
Name (Typed or Printed)



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