

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTION 2.83.020
REGARDING CLAIMS AGAINST THE CITY

NOW, THEREFORE, the City Council of the City of Long Beach ordains as follows:

Section 1. Section 2.83.020 of the Long Beach Municipal Code is hereby amended to read as follows:

2.83.020 Special claims procedure.

Pursuant to the authority of Section 935 of the Government Code of the State of California, the city establishes the following claims procedure for those claims for money or damages against the city which are excepted by Section 905 from Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the California Government Code, and which are not governed by any other statutes or regulations expressly relating thereto:

A. Employee claims. Notwithstanding the exceptions contained in Section 905 of the Government Code of the State of California, all claims by public officers or employees for fees, salaries, wages, overtime pay, holiday pay, compensating time off, vacation pay, sick leave pay, back pay and other expenses or allowances claimed due from the city, when a procedure for processing such claims is not otherwise provided by state or local law or memorandum of understanding, shall be presented within the time limitations and in the manner prescribed by Sections 910 through

1 915.4 of the Government Code of the State of California, and such claims
2 shall further be subject to the provisions of Section 945.4 of the
3 Government Code relating to the prohibition of suit in the absence of
4 presentation of claims and action thereon by the city council.

5 B. Contract and other claims. In addition to the requirements of
6 Subsection 2.83.020.A. of this Section and notwithstanding the exemptions
7 set forth in Section 905 of the Government Code of the State of California,
8 all claims against the city for damages or money, when a procedure for
9 processing such claims is not otherwise provided by state or local law, shall
10 be presented within the time limitations and in the manner prescribed by
11 Sections 910 through 915.4 of the Government Code of the State of
12 California and such claims shall further be subject to the provisions of
13 Section 945.4 of the Government Code relating to the prohibition of suit in
14 the absence of presentation of claims and action thereon by the city council.
15 The foregoing reference to Government Code Section 910 shall not be
16 construed to authorize a class claim, and no claim may be filed on behalf of
17 a class of persons unless verified by every member of that class.

18 C. Late claims. When a claim required by the procedure to be
19 presented within a period of less than one (1) year after the accrual of the
20 cause of action is not presented within the required time, an application
21 may be made to the city for leave to present such claim. Subdivision (b) of
22 Section 911.4, Sections 911.6 to 912.2, inclusive, and Sections 946.4 and
23 946.6 of the California Government Code are applicable to all such claims.
24

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

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

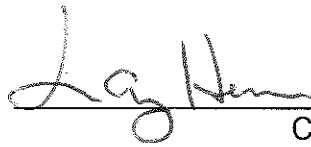
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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of February 7, 2012, by the following vote:

Ayes: Councilmembers: DeLong, Schipske, Andrews, Johnson,
Gabelich, Neal, Lowenthal.

Noes: Councilmembers: None.


Absent: Councilmembers: Garcia, O'Donnell.



City Clerk

Approved: 2/14/12

(Date)



Mayor