

Item
ORB-37

LAW OFFICES
CAMERON, PEARLSON & FOSTER
3292 EAST SPRING STREET
LONG BEACH, CALIFORNIA 90806
(562) 436-3888
FACSIMILE: (562) 437-1987

January 23, 2007

VIA FACSIMILE & FIRST CLASS MAIL

Robert E. Shannon
City Attorney, City of Long Beach
City Hall
333 W. Ocean Blvd., 11th Floor
Long Beach, CA 90802-4664

Re: Proposed Labor Peace Ordinance (Version D)

Dear Mr. Shannon:

As you know, this office represents Ruffin Hotels, L.P. ("Ruffin") the operator of the Long Beach Marriott, located at 4700 Airport Plaza Drive in Long Beach ("the Property"). Ruffin leases the Property from the City of Long Beach pursuant to two ground leases (collectively "the Ground Lease"), and would be adversely impacted by Version D of the proposed labor peace ordinance ("Version D") which is presently scheduled to be considered by the Long Beach City Council this evening. Version D is legally invalid, and does not correct any of the legal deficiencies contained in the previous versions of the ordinance that have come before the City Council. Ruffin objects to Version D on a number of legal grounds, including but not limited to the following: (1) it violates Ruffin's contract rights under the Ground Lease (as well as its rights under the Contract Clause of the Constitution); (2) it is preempted by the federal National Labor Relations Act (the "NLRA"); (3) it is impermissibly vague and overbroad; and (4) it violates Ruffin's due process rights, equal protection rights and free speech rights under the Constitution.

We hereby request that this letter be made part of the record in the City Council proceeding this evening.

Very truly yours,

CAMERON, PEARLSON & FOSTER


TIMOTHY C. CAMERON

TCC:gmg
cc: Long Beach City Clerk