



NEWS RELEASE

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September 26, 2022 -- ATTORNEY GENERAL ALLOWS LAWSUIT OVER CITY COUNCIL APPOINTMENT TO PROCEED

California Attorney General Rob Bonta has granted the application of HQH Chinese American Equalization Association and Arcadia Voters Rights Group leave to pursue a lawsuit challenging the appointment of Arcadia City Council Member Michael Danielson.

In granting authority to sue, the Attorney General found that the prospective Plaintiffs raised a question of law, and that litigation resolving the question either in favor of HQH or Council Member Danielson would serve the public interest.

This ruling is an initial procedural step in resolving the validity of the Council Member's appointment. The proposed Plaintiffs may now pursue a challenge to the appointment in Superior Court.

"While I am disappointed, the Attorney General's decision here is not entirely unexpected, since the Attorney General frequently grants authority to sue in similar circumstances," said Arcadia Mayor Tom Beck. "The City strongly disputes the allegation that the appointment violates the Arcadia City Charter. Pointless lawsuits like this are a waste of taxpayer's money," he said.

Council Member Danielson was appointed unanimously by the City Council on March 29, 2022, to fill the Council District 5 vacancy resulting from the death of Council Member Roger Chandler. His term expires upon the certification of the results of the November 8, 2022, election.

The prospective Plaintiffs seek to remove Council Member Danielson and conduct a special election to fill the seat. With just 43 days until the November elections, and with ballots due be distributed starting in just two weeks, it is not possible to hold a special election at this point. Arcadia City Attorney Stephen P. Deitsch noted, "According to State Law, special elections to fill a vacancy must be called at least 114 days before the election is held." If the Plaintiffs were successful, the result would either be a new appointment by the City Council under the Charter or District 5 remaining unrepresented until the individual elected in November is sworn in.

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