

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802

RESOLUTION NO. RES-19-0159

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA, ORDERING, PROCLAIMING, CALLING AND GIVING NOTICE OF A PRIMARY NOMINATING ELECTION AND A GENERAL MUNICIPAL ELECTION IN THE CITY OF LONG BEACH, CALIFORNIA, ON TUESDAY, THE 3RD DAY OF MARCH, 2020, AND THE 3RD DAY OF NOVEMBER, 2020, RESPECTIVELY, FOR THE NOMINATION AND/OR ELECTION OF CANDIDATES FOR FOUR (4) OFFICES OF THE LONG BEACH CITY COUNCIL, AND TWO (2) OFFICES OF THE LONG BEACH UNIFIED SCHOOL DISTRICT, EACH FOR A FULL TERM OF FOUR (4) YEARS, COMMENCING WITH THE THIRD TUESDAY OF DECEMBER, 2020, AND ADOPTING PROVISIONS RELATING TO THE TRANSLATIONS OF AND THE CHARGES FOR COSTS OF CANDIDATE STATEMENTS

WHEREAS, the Long Beach City Charter requires that the City Council shall, by resolution, order the holding of all municipal elections; and

WHEREAS, Long Beach Municipal Code Chapter 1.15 changed the regular election dates of the Primary Nominating Election and the General Municipal Election to March and November respectively, to coincide with statewide elections as required by SB 415; and

WHEREAS, the Long Beach Municipal Code mandates that the City's primary elections shall be held on the first Tuesday after the first Monday in March in even-numbered years, and general elections shall be held on the first Tuesday after the

1 first Monday in November; and

2 WHEREAS, Elections Code Section 13307 provides that before a local  
3 election nominating period opens, the local agency for that election shall make a  
4 determination concerning the levy of the costs for candidate statements;

5 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
6 follows:

7 Section 1. Pursuant to the provisions of the laws of the State of  
8 California and pursuant to the provisions of the Charter of the City of Long Beach  
9 governing the holding of Primary Nominating Elections in the City, a Primary Nominating  
10 Election is hereby ordered, proclaimed, declared, and called to be held in the City of Long  
11 Beach in accordance with SB 415 on March 3, 2020, for the purpose of nominating  
12 candidates for and/or electing persons for four (4) offices on the City Council, namely, for  
13 the Second, Fourth, Sixth, and Eighth Districts, and a General Municipal Election on  
14 November 3, 2020, for a full term of four (4) years commencing with the third Tuesday of  
15 December, 2020; and notice is given of the holding of this election and of the time and  
16 place of holding the same.

17 Section 2. Pursuant to the Charter of the City of Long Beach and the  
18 California Education and Election Codes, and by Resolution No. 091819-A of the  
19 Governing Board of the Long Beach Unified School District, a Primary Nominating  
20 Election is hereby ordered, proclaimed, declared and called to be held, and consolidated  
21 with the City's and County's Primary Nominating Election, for the election of two (2)  
22 members of the Governing Board from School Board Districts 2 and 4 of the Long Beach  
23 Unified School District, for a full term of four (4) years commencing with the third Tuesday  
24 of December, 2020, and notice is given of the holding of this election, and of the time and  
25 place of holding the same.

26 Section 3. California Elections Code Section 13307 requires that a  
27 candidate's statement be translated in Spanish at the candidate's request. Further, in  
28 accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73) all

1 candidates' statements shall be translated into the languages required thereby.  
2 Accordingly, candidates' statements for all offices shall be translated into Spanish,  
3 Tagalog, Khmer, Vietnamese and Korean. Any translations into the required languages  
4 shall be available in the City Clerk's Department upon request. A candidate shall not be  
5 required to pay for the cost of translating his or her candidate's statement into any foreign  
6 language required pursuant to federal and/or state law. However, a candidate shall be  
7 required to pay for the cost of printing the candidate's statement in Spanish.

8           Section 4. Pursuant to Section 13307 of the California Elections Code, a  
9 charge shall be levied against each candidate for the costs of the candidate's statement  
10 sent to each voter. The City Clerk is directed and authorized to establish and implement  
11 the charge for the costs of printing, handling, and mailing any candidate statements as  
12 provided in Elections Code Section 13307. Any allegation of indigency or inability to pay  
13 the requisite fee in advance shall be handled by the City Clerk in accordance with the  
14 provisions of Elections Code Section 13309, and in such instances the candidate's  
15 statement shall only be published in the English language.

16           Section 5. No candidate will be permitted to include any additional  
17 materials in any sample ballot booklet.

18           Section 6. The City Clerk shall provide each candidate or the candidate's  
19 representative with a copy of this resolution at the time nominating papers are issued.

20           Section 7. This resolution shall take effect immediately upon its adoption  
21 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of October 15, 2019, by the following vote:

Ayes: Councilmembers: Price, Supernaw, Mungo, Uranga,  
Austin.

Noes: Councilmembers: None.

Absent: Councilmembers: Pearce, Andrews, Richardson.

  
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City Clerk



**RESOLUTION NO. 091819-A**

**A RESOLUTION OF THE GOVERNING BOARD OF EDUCATION  
OF THE LONG BEACH UNIFIED SCHOOL DISTRICT OF LOS ANGELES COUNTY  
ORDERING A GOVERNING BOARD MEMBER PRIMARY ELECTION,  
SETTING FORTH THE SPECIFICATIONS OF THE ELECTION ORDER,  
AND REQUESTING CONSOLIDATION OF SUCH ELECTIONS WITH  
THE PRIMARY NOMINATING MUNICIPAL ELECTIONS  
TO BE HELD ON MARCH 3, 2020 IN THE CITY OF LONG BEACH**

**WHEREAS**, California Education Code section 5200 and following provide that the election of Governing Board Members of the Long Beach Unified School District shall be governed by the provisions of the Long Beach City Charter; and

**WHEREAS**, Chapter 1.15 of City of Long Beach Municipal Code provides that beginning in 2020 the primary nominating election for Governing Board Members of the Long Beach Unified School District be held in even-numbered years, on the first Tuesday after the first Monday in March;

**WHEREAS**, on May 14, 2019, the Los Angeles County Board of Supervisors approved Long Beach Unified School District's request pursuant to Elections Code section 1302 to hold its Primary Nominating Elections on the first Tuesday after the first Monday in March of even-numbered years, and its General Municipal Elections to the first Tuesday after the first Monday in November of even numbered years, consolidated with the statewide elections conducted by Los Angeles County, effective March 2020;

**WHEREAS**, the city of Long Beach has scheduled primary nominating municipal elections to be held on March 3, 2020, for the election of City officers pursuant to the provisions of law of the State of California, the same day as the Long Beach Unified School District nominating elections; and

**WHEREAS**, the primary nominating municipal elections of the city named will be conducted in territory which is in part the same as the territory within which the school district primary election will be held; and

**WHEREAS**, the Governing Board of the Long Beach Unified School District desires that the school district primary election scheduled for March 3, 2020 be consolidated with the primary nominating municipal elections of the city named also scheduled March 3, 2020 and that such be done in accordance with provisions of the California Education and Elections Codes; and

**WHEREAS**, such consolidation will result in an election which is both efficient in expenditure of tax dollars and convenient for voters;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Board of the Long Beach Unified School District does hereby determine, order, and resolve as follows:

1. That pursuant to provisions of the California Education Code, the County Superintendent of Schools of Los Angeles County is hereby directed to call an election to be held in the Long Beach Unified School District on March 3, 2020, for the purpose of conducting a primary election for the election of two members of the Governing Board from School Board districts 2 and 4 of the Long Beach Unified School District.

2. That pursuant to the Charter of the City of Long Beach and the California Education and Election Codes, the specifications of the election order shall provide that the primary election to be held on March 3, 2020 is for the purpose of determining which candidate shall be elected from each School Board district by reason of obtaining a majority of the votes cast at the primary election, or in the event

no candidate obtains a majority of votes cast, which two candidates of the School Board district who, having received the greatest number of votes at the primary election, shall thereafter stand for election at the general election November 3, 2020; and that the terms of office shall be for four years for members elected from School Board districts 2 and 4, which terms shall commence on December 15, 2020. Any ties in voting shall be settled by the casting of lots under the supervision of the Los Angeles County Registrar-Recorder, and in such manner and place as the Los Angeles County Registrar-Recorder decides.

3. That, in accordance with provisions of the Education and Elections Codes, the governing body of the city of Long Beach, be and hereby is requested to consolidate the school district primary election of March 3, 2020 with the primary nominating municipal elections of the city named for March 3, 2020.

4. That, in accordance with California Elections Code sections 10400 *et seq.*, the Governing Board of the Long Beach Unified School District consents to the further consolidation of the City's municipal election with that of Los Angeles County.

5. That the election precincts, the polling places and voting booths, the polling hours and the officers appointed to conduct the election shall, to the extent possible, be the same as those provided for the municipal elections to be held in the above-named city.

6. That the respective governing bodies of the above-named city be and is hereby authorized to canvas the returns of said school district election which is being consolidated with the primary nominating municipal elections, and certify the election results to the Los Angeles County Registrar-Recorder.

7. That the school district election, as consolidated with the elections held in the above-named city, shall be held, to the extent possible, as if there were only one election held in the city, and, to the extent possible, only one form of the ballot shall be used.

8. That the governing bodies of the above-named city is hereby requested to take any and all steps necessary for the holding of said consolidated elections.

9. That the Long Beach Unified School District agrees to pay to the entity conducting each election any additional costs which are incurred by such entity as a result of this consolidation.

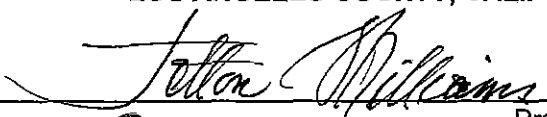
10. That a certified copy of this Resolution be filed by the Secretary of the Board of Education with the governing body of the above-named city, as well as the Los Angeles County Superintendent of Schools, and the Los Angeles County Registrar-Recorder.

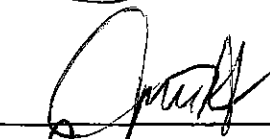
**BE IT FURTHER RESOLVED THAT**, the Board of Education adopt Resolution No. 091819-A ordering a primary election for the Board of Education members of districts 2 and 4 and consolidation of such election with the primary nominating municipal election to be held on March 3, 2020 in the city of Long Beach.

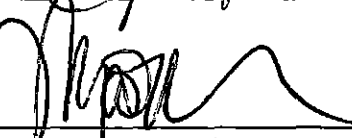
AYES:	<u>5</u>
NOES:	<u>0</u>
ABSTAIN:	<u>0</u>
ABSENT:	<u>0</u>

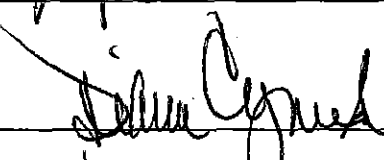
APPROVED, ADOPTED AND SIGNED on September 18, 2019.

THE GOVERNING BOARD OF EDUCATION OF  
LONG BEACH UNIFIED SCHOOL DISTRICT OF  
LOS ANGELES COUNTY, CALIFORNIA

  
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President

  
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Vice-President

  
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Member

  
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