RES-28

RESOLUTION NO. C-

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| A RESOLUTION OF THE CITY COUNCIL OF THE | | | | | | |
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| CITY OF LONG BEACH ORDERING, PROCLAIMING, | | | | | | |
| CALLING, GIVING NOTICE OF AND PROVIDING FOR THE | | | | | | |
| HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE | | | | | | |
| HELD IN THE CITY OF LONG BEACH ON TUESDAY, THE | | | | | | |
| 8^{TH} DAY OF JUNE, 2004, FOR THE ELECTION OF A CITY | | | | | | |
| COUNCILMEMBER FROM THE EIGHTH COUNCIL | | | | | | |
| DISTRICT, FOR A FULL TERM OF FOUR (4) YEARS | | | | | | |
| COMMENCING WITH THE THIRD TUESDAY OF JULY, 2004; | | | | | | |
| DESIGNATING THE BALLOT LISTING OF THE | | | | | | |
| CANDIDATES TO BE VOTED ON; AND ADOPTING | | | | | | |
| PROVISIONS RELATING TO THE TRANSLATIONS OF AND | | | | | | |
| THE CHARGES FOR COSTS OF CANDIDATE | | | | | | |
| STATEMENTS | | | | | | |

WHEREAS, the City Council of the City of Long Beach, by Resolution No. C-28291, duly called and provided for the holding of a Primary Nominating Election on Tuesday, April 13, 2004; and

WHEREAS, the Primary Nominating Election was held in the City of Long Beach on Tuesday, April 13, 2004, and certain candidates have been nominated for the office of Councilmember for the Eighth City Council District; and

WHEREAS, in accordance with applicable law, it is necessary for the City Council to order, proclaim and call a General Municipal Election for the election of Councilmember for the Eighth City Council District;

NOW, THEREFORE, the City Council of the City of Long Beach does resolve, order, proclaim, declare, call and give notice as follows:

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

Section 1. Pursuant to the provisions of the Constitution and laws of the State of California and the provisions of the Charter of the City of Long Beach governing the holding of municipal elections, a General Municipal Election is ordered, proclaimed and called to be held in the City of Long Beach, California, between the hours of 7:00 a.m. and 8:00 p.m. on the 8th day of June, 2004, for the purpose of electing a member of the City Council for the Eighth Council District, for a full term of four (4) years, commencing with the third Tuesday of July, 2004.

The following list of candidates which has been regularly certified by the City Clerk sets forth the candidates nominated as required by law for the office of Member of the City Council for the Eighth Council District, and is in the order of the randomized alphabet selected by the Secretary of State:

CITY COUNCIL - EIGHTH DISTRICT

Rob Webb Rae M. Gabelich

The offices to be filled and the names of the candidates for election to that office shall be arranged on the ballot in the above order, and the ballots to be used for said election shall only contain the names of those candidates.

- Sec. 2. Notice is given of the holding and of the time and place of the election.
- Sec. 3. The polls for the General Municipal Election shall be open at 7:00 a.m. and shall be kept open until 8:00 p.m. when the polls shall be closed; except that, if at the hour of closing there are any voters in the polling place or in line at the door who are qualified to vote, and who have not been able to do so since appearing, the polls shall be kept open a sufficient time to enable them to vote; but no one who arrives at the polling place after 8:00 p.m. shall be entitled to vote, although the polls may be open when such person arrives.
- Sec. 4. California Elections Code Section 13307 requires that a candidate's statement must be translated in Spanish at the candidate's request.

Further, in accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73) all candidates' statements shall be translated into the languages indicated for the City Council Districts as follows: Council District 8 - Spanish. Any translations into the required language shall be available in the City Clerk's Department upon request. A candidate shall not be required to pay for the cost of translating his or her candidate's statement into any foreign language required pursuant to federal and/or state law. However, a candidate shall be required to pay to the cost of printing the candidate's statement in the sample ballot pamphlet in a foreign language.

Sec. 5. Pursuant to Section 13307 of the California Elections Code, a charge shall be levied against each candidate for the costs of the candidate's statements sent to each voter. The City Clerk is directed and authorized to establish and implement the charge for the costs of printing, handling, translating, and mailing any candidate statements as provided in Elections Code Section 13307. Any allegation of indigency or inability to pay the requisite fee in advance shall be handled by the City Clerk in accordance with the provisions of Elections Code Section 13309, and in such instances the candidate's statement shall only be published in the English language.

- Sec. 6. No candidate will be permitted to include any additional materials in any sample ballot package.
- Sec. 7. The City Clerk shall provide each candidate or the candidate's representative with a copy of this resolution.
- Sec. 8. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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| 1 | by the following vote: | | | | | |
|----|------------------------|-----------------|------------|--|--|--|
| 2 | Ayes: | Councilmembers: | | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | | | | | | |
| 6 | Noes: | Councilmembers: | | | | |
| 7 | | | | | | |
| 8 | Absent: | Councilmembers: | | | | |
| 9 | | | | | | |
| 10 | · | | | | | |
| 11 | | | City Clerk | | | |
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