

October 15, 2019

R-17

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt resolutions relating to the City of Long Beach Primary Nominating Election on March 3, 2020, and General Municipal Election on November 3, 2020. (CD 2,4,6,8)

DISCUSSION

Pursuant to the City Charter and Long Beach Municipal Code, on March 3, 2020, the City of Long Beach electorate will vote on Members of the City Council for Districts 2, 4, 6, and 8. The nomination period for these offices is November 11, 2019, through December 6, 2020. The Long Beach Unified School District has also requested that its primary election for School Board Districts 2 and 4 be consolidated with the City's and County's primary.

The General Municipal Election will be held on November 3, 2020, in alignment with the Statewide General Election, and elected candidates will assume office the third Tuesday in December.

It is recommended that the City Council adopt the attached resolutions relating to the City of Long Beach Primary Nominating Election on March 3, 2020, and General Municipal Election on November 3, 2020, titled as follows:

1. 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;
2. A Resolution of the City Council of the City of Long Beach, California, requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Primary Nominating Election to be held on Tuesday, March 3, 2020 and a General Municipal Election to be held on Tuesday, November 3, 2020;

3. A Resolution of the City Council of the City of Long Beach requesting the Board of Supervisors of the County of Los Angeles to consolidate the City's Primary Nominating Election to be held on March 3, 2020, and the General Municipal Election to be held on November 3, 2020 with the California Statewide Elections to be held by the County on the same dates, and requesting specified election services to the City from the Los Angeles County Registrar-Recorder/County Clerk.

This matter was reviewed by Deputy Attorney Amy Webber on October 2, 2019.

TIMING CONSIDERATIONS

The deadline to submit the City of Long Beach request for consolidation with the County of Los Angeles is December 6, 2019, per Election Code Sections 10400-10403. Approving the listed resolutions will expedite the request for consolidation.

FISCAL IMPACT

The Office of the City Clerk and Financial Management are currently working to provide estimates of the Fiscal Impact.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MONIQUE DE LA GARZA
CITY CLERK

Prepared by: Myra Maravilla
Attachments



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

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RESOLUTION NO.

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 _____, 2019, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

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



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.

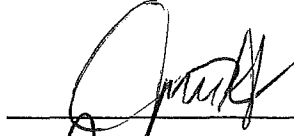
AYES:	<u>5</u>
NOES:	<u>0</u>
ABSTAIN:	<u>0</u>
ABSENT:	<u>0</u>

APPROVED, ADOPTED AND SIGNED on September 18, 2019.

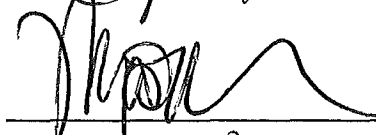
THE GOVERNING BOARD OF EDUCATION OF
LONG BEACH UNIFIED SCHOOL DISTRICT OF
LOS ANGELES COUNTY, CALIFORNIA



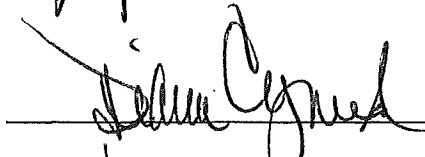
President



Vice-President



Member



Member



Member

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A PRIMARY NOMINATING ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020 AND A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, a Primary Nominating Election and a General Municipal Election are to be held in the City of Long Beach, California on March 3, 2020 and November 3, 2020, respectively; and

WHEREAS, in the course of conduct of these elections, it will be necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing this service shall be paid by the City of Long Beach;

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

Section 1. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, the City Council requests the Board of Supervisors of the County to permit the Los Angeles County Registrar-Recorder/County Clerk to prepare and furnish full election services for use in conducting the elections.

These services include, but are not limited to:

A. County consolidation of election precincts into City voting precincts, and maps of the voting precincts;

B. Recruitment of vote centers and training of poll workers;

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CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802

1 C. The computer record of the names and addresses of all
2 eligible registered voters in the City in order that the County may:

- 3 1. Produce labels for vote by mail voters;
- 4 2. Produce labels for sample ballot pamphlets; and
- 5 3. Print rosters of voters and street indexes.

6 D. Voter signature verification services as needed; and

7 E. Make available to the City election equipment and assistance
8 as needed according to state law.

9 Section 2. That the City and the Long Beach Unified School District shall
10 reimburse the County proportionately for services performed when the work is completed
11 and upon presentation to the City of a properly approved bill.

12 Section 3. That the City Clerk is hereby directed to forward without delay
13 to the Board of Supervisors and to the Los Angeles County Registrar-Recorder/County
14 Clerk a certified copy of this resolution.

15 Section 4. This resolution shall take effect immediately upon its adoption
16 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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CHARLES PARKIN, City Attorney
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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 _____, 2019 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

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Lona Beach, CA 90802

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE CITY'S PRIMARY NOMINATING ELECTION TO BE HELD ON MARCH 3, 2020, AND THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 WITH THE CALIFORNIA STATEWIDE ELECTIONS TO BE HELD BY THE COUNTY ON THE SAME DATES, AND REQUESTING SPECIFIED ELECTION SERVICES TO THE CITY FROM THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK

WHEREAS, on March 3, 2020, the City of Long Beach ("City") will hold a Primary Nominating Election and on November 3, 2020, the City of Long Beach will hold a General Municipal Election, to elect members of the Long Beach City Council and members of the Long Beach Board of Education; and

WHEREAS, on March 3, 2020 and November 3, 2020, the County of Los Angeles ("County") will also conduct California Statewide Elections; and

WHEREAS, both the City's elections and the County's elections are to be conducted by a consolidated ballot; and

WHEREAS, the California Voter Participation Rights Act (SB 415) mandates the consolidation of the City's election with the County's election in order to improve voter participation, enhance voter convenience and improve the administration of elections by using the same precincts, vote centers, election officers, voting hours and vote by mail procedures, and to have the Los Angeles County Registrar-Recorder/County Clerk canvass the City election returns and possibly conduct a recount if so required;

1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
2 follows:

3 Section 1. Pursuant to the requirements of California Elections Code
4 section 10002 and Long Beach City Charter Article XIX, the Long Beach City Council
5 hereby requests the Los Angeles County Board of Supervisors to consent and agree to
6 consolidate its March 3, 2020 and November 3, 2020 California Statewide Elections with
7 the City's Primary Nominating Election and General Municipal Election, and to provide
8 the following services to the City: Conduct both elections in a consolidated manner with
9 respect to the printing and mailing of the City of Long Beach official sample ballot,
10 printing and mailing of the City of Long Beach official ballot, printing and mailing of all
11 vote-by-mail ballots, appointing election boards, designating voting precincts, counting
12 and canvassing all ballots, declaring results, issuing certificates of election and
13 conducting recounts as specified herein.

14 Section 2. The Los Angeles County Registrar-Recorder/County Clerk is
15 requested to conduct an automatic recount, if the difference between the two candidates
16 receiving the most votes is one-half (1/2) of one percent (1%) or less and the difference
17 in the absolute vote is fifty (50) votes or less. The City agrees to reimburse the County
18 for the costs of conducting the recount.

19 Section 3. Costs. The City of Long Beach and the Long Beach Unified
20 School District agree to pay the County of Los Angeles for election services rendered,
21 including additional costs incurred by the County by reason of the consolidation of the
22 Primary Nominating Election and the General Municipal Election.

23 Section 4. The Long Beach City Council and the Los Angeles County
24 Board of Supervisors are hereby requested to issue instructions to their City Clerk and
25 the County Registrar-Recorder/County Clerk to take any and all steps necessary to hold
26 the consolidated election.

27 Section 5. Filing of Resolution. The City Clerk is hereby directed to file a
28 certified copy of this resolution with the Long Beach Board of Education, the Los Angeles

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CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1 County Board of Supervisors and the County of Los Angeles Registrar-Recorder/County
2 Clerk.

3 Section 6. This resolution shall take effect immediately upon its adoption
4 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

5 I hereby certify that the foregoing resolution was adopted by the City
6 Council of the City of Long Beach at its meeting of _____, 2019
7 by the following vote:

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9 Ayes: Councilmembers: _____
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13 Noes: Councilmembers: _____
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15 Absent: Councilmembers: _____
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