



CITY OF LONG BEACH

C-23

OFFICE OF THE CITY CLERK

333 West Ocean Boulevard • Long Beach, California 90802 • (562) 570-6101 • FAX (562) 570-6789

January 23, 2018

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach
California

RECOMMENDATION:

Adopt resolution pursuant to the provisions of Long Beach Municipal Code Section 1.21.070, providing for the appointment of Lena Gonzalez to the Office of Councilmember, First Council District, Charles Parkin to the Office of City Attorney, Laura L. Doud to the Office of City Auditor, and Douglas P. Haubert to the Office of City Prosecutor, for the term of four years commencing on the third Tuesday of July, 2018; and the cancellation of the Primary Nominating Election for Member of the City Council for the First Council District, City Attorney, City Auditor and City Prosecutor scheduled to be held on April 10, 2018. (Citywide)

DISCUSSION

On October 24, 2017, the City Council adopted a resolution calling and giving notice of a Primary Nominating Election for Mayor, City Auditor, City Attorney, City Prosecutor, City Council in Council Districts 1, 3, 5, 7, and 9 scheduled to be held on April 10, 2018.

With the close of the candidate nomination period on January 12, 2018, the Office of the City Clerk received only one nomination for each of the following offices: Lena Gonzalez for the Office of Councilmember, First Council District; Charles Parkin for the Office of City Attorney; Laura L. Doud for the Office of City Auditor; and Douglas P. Haubert for the Office of City Prosecutor. The City Clerk Certification of Fact regarding the only person duly nominated is shown in Attachment A.

Under this circumstance, Long Beach Municipal Code Section 1.21.070 provides that if no one or only one candidate files nomination papers for any office, a write-in candidate shall be permitted to obtain and submit nomination papers for such office by 5:00 P.M. on January 16, 2018. As of the January 16, 2018 deadline, no eligible voter has filed nomination papers to run as a qualified write-in candidate.

The City Council has the option to either:

- A. Appoint to the office the person who has been nominated; or
- B. If, by the 75th day prior to the April 10, 2018 Primary Nominating Election, January 25, 2018, no person has been appointed to the office, the election shall be held.

TIMING CONSIDERATIONS

If the City Council has not appointed any person to the office pursuant to Municipal Code Section 1.21.070 by January 25, 2018, an election for the abovementioned offices will be held. As such, the write-in period for the Offices of City Attorney, City Auditor, City Prosecutor, and Council District One will begin February 12, 2018 to March 27, 2018, in accordance with California Elections Code, Section 8601.

If the City Council makes an appointment pursuant to Municipal Code Section 1.21.070, the City Clerk shall not accept any filing for write-in candidacy that is submitted after the appointment is made, pursuant to Municipal Code Section 1.21.070.

FISCAL IMPACT

The Office of the City Clerk budget contains the appropriations necessary to conduct the April 10, 2018 Primary Nominating Election. Should the City Council opt to cancel the election for City Attorney, City Auditor, City Prosecutor, and First Council District, it could result in cost savings.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. De La Garza", with a stylized flourish at the end.

MONIQUE DE LA GARZA
CITY CLERK

Attachments



**CITY CLERK CERTIFICATION OF FACT
THAT THERE ARE NOT MORE CANDIDATES
THAN OFFICES TO BE ELECTED**

I, Monique De La Garza, City Clerk of the City of Long Beach, California do hereby certify that, pursuant to Section 1.21.070 of the Long Beach Municipal Code, the facts relating to the Primary Nominating Election to be held on Tuesday, April 10, 2018, is as follows:

1. At the close of the nomination period of January 12, 2018, there are not more candidates than offices to be elected for the Offices of City Attorney, City Auditor, City Prosecutor, and Member of the City Council, First Council District. The persons so nominated are: CHARLES PARKIN, LAURA L. DOUD, DOUGLAS P. HAUBERT, AND LENA GONZALEZ.

2. That no candidate filed nomination papers for a write-in candidacy by five o'clock (5:00) P.M., on January 16, 2018; and that such cases, Section 1.21.070 of the Long Beach Municipal Code allows one of the following actions to be taken by the City Council:

- A. Appoint to the offices the persons who have been nominated; or
- B. If, by the 75th day prior to the April 10, 2018 Primary Nominating Election, January 25, 2018, no person has been appointed to the office pursuant to Item No. 1 above, the election shall be held.

3. The persons appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

4. If the City Council makes an appointment pursuant to Section 1.21.070 of the Long Beach Municipal Code, the City Clerk shall not accept for filing any statement of write-in candidacy, which is submitted after the appointment is made.

Monique De La Garza
City Clerk

January 23, 2018

Date

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH PROVIDING FOR THE
APPOINTMENT OF LENA GONZALEZ TO THE OFFICE OF
COUNCILMEMBER, FIRST COUNCIL DISTRICT;
CHARLES PARKIN TO THE OFFICE OF CITY ATTORNEY;
LAURA L. DOUD TO THE OFFICE OF CITY AUDITOR; AND,
DOUGLAS P. HAUBERT TO THE OFFICE OF CITY
PROSECUTOR, FOR A FULL TERM OF FOUR YEARS
COMMENCING ON THE THIRD TUESDAY OF JULY, 2018

WHEREAS, a Primary Nominating Election has been scheduled to be held
in the City on April 10, 2018, for the purpose of electing/nominating candidates for the
Mayor, City Attorney, City Auditor, City Prosecutor and Council District Offices in the
First, Third, Fifth, Seventh and Ninth Council Districts; and

WHEREAS, Long Beach Municipal Code Section 1.21.070 provides that if
at the close of the nomination period for a regularly scheduled municipal election no more
than one person has been nominated to be elected, and no candidate has filed
nomination papers for a write-in candidacy by the eighty-first (81st) day prior to the
election, the City Council may take one of the following courses of action:

1. Appoint to the office the person who has been nominated; or
2. Appoint to the office any eligible elector if no one has been
nominated; and

WHEREAS, the City Clerk has duly submitted to the City Council a
certificate of the fact that only one person has been nominated to be elected for the office
of Councilmember, First Council District; City Attorney, City Auditor, and City Prosecutor,
and has informed the City Council that it may at a regular or special meeting adopt one of

1 the courses of action indicated above;

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

4 Section 1. The City Clerk has submitted a certificate to the City Council
5 that at the close of the nomination period on January 12, 2018, only one candidate, Lena
6 Gonzalez, has been nominated to be elected to the office of Member of the City Council,
7 First Council District, and no nomination papers for a write-in candidacy has been
8 received for such office. Pursuant to Long Beach Municipal Code Section 1.21.070, Lena
9 Gonzalez is hereby appointed to the office of Member of the City Council, First District for
10 the full term of four years, commencing on the third Tuesday of July, 2018.

11 Section 2. The City Clerk has submitted a certificate to the City Council
12 that at the close of the nomination period on January 12, 2018, only one candidate,
13 Charles Parkin, has been nominated to be elected to the office of City Attorney, and no
14 nomination papers for a write-in candidacy has been received for such office. Pursuant
15 to Long Beach Municipal Code Section 1.21.070, Charles Parkin is hereby appointed to
16 the office of City Attorney for the full term of four years, commencing on the third Tuesday
17 of July, 2018.

18 Section 3. The City Clerk has submitted a certificate to the City Council
19 that at the close of the nomination period on January 12, 2018, only one candidate, Laura
20 L. Doud, has been nominated to be elected to the office of City Auditor, and no
21 nomination papers for a write-in candidacy has been received for such office. Pursuant
22 to Long Beach Municipal Code Section 1.21.070, Laura L. Doud is hereby appointed to
23 the office of City Auditor for the full term of four years, commencing on the third Tuesday
24 of July, 2018.

25 Section 4. The City Clerk has submitted a certificate to the City Council
26 that at the close of the nomination period on January 12, 2018, only one candidate,
27 Douglas P. Haubert, has been nominated to be elected to the office of City Prosecutor,
28 and no nomination papers for a write-in candidacy has been received for such office.

Pursuant to Long Beach Municipal Code Section 1.21.070, Douglas P. Haubert is hereby appointed to the office of City Prosecutor for the full term of four years, commencing on the third Tuesday of July, 2018.

Section 5. That the Primary Nominating Election scheduled to be held on Tuesday, April 10, 2018, for the Member of the City Council for the First Council District, City Attorney, City Auditor, and City Prosecutor is hereby cancelled; however, this resolution shall not in any way affect the holding and conduct of the Primary Nominating Election in the City of Long Beach on April 10, 2018, for Mayor and in the Third, Fifth, Seventh, and Ninth Council Districts.

Section 6. That the persons hereby appointed shall qualify and take office and serve exactly as if elected at a municipal election for the office.

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2018, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk



City of Long Beach Memorandum
Working Together to Serve

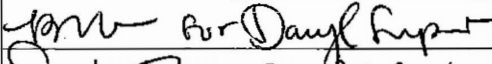
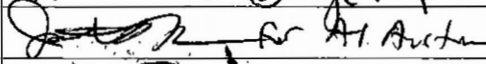
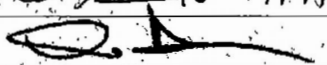
REQUEST TO ADD AGENDA ITEM

Date: January 19, 2018
To: Monique De La Garza, City Clerk
From: Monique De La Garza, City Clerk
Subject: Request to Add Agenda Item to Council Agenda of January 23, 2018

Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

Recommendation to adopt resolution pursuant to the provisions of Long Beach Municipal Code Section 1.21.070, providing for the appointment of Lena Gonzalez to the Office of Councilmember, First Council District, Charles Parkin to the Office of City Attorney, Laura L. Doud to the Office of City Auditor, and Douglas P. Haubert to the Office of City Prosecutor, for the term of four years commencing on the third Tuesday of July, 2018; and the cancellation of the Primary Nominating Election for Member of the City Council for the First Council District, City Attorney, City Auditor and City Prosecutor scheduled to be held on April 10, 2018.
(Citywide)

Council District	Authorizing Councilmember	Signed by
4	Daryl Supernaw	 for Daryl Supernaw
8	Al Austin	 for Al Austin
6	Dee Andrews	

Attachment: Staff Report dated January 23, 2018

CC: Office of the Mayor