

CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

April 18, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt resolutions declaring the official results of the City of Long Beach Primary Nominating Election held on April 10, 2018.

DISCUSSION

It is recommended that the City Council adopt the attached resolutions relating to the City of Long Beach Primary Nominating Election held on April 10, 2018, titled as follow:

1. A resolution of the City Council of the City of Long Beach declaring the results of the Primary Nominating Election held in the City of Long Beach, California, on Tuesday, April 10, 2018, for the purpose of nominating and/or electing a candidate for the offices of Mayor, (4) offices on the City Council from District Numbers 3, 5, 7, and 9; and directing the City Clerk to place on the General Municipal Election to be held on the 5th day of June 2018, the names of the candidates declared to have been nominated by the Primary Nominating Election; and directing the City Clerk to issue a Certificate of Election to the candidate declared to have been elected at the Primary Nominating Election.
2. A resolution of the City Council of the City of Long Beach certifying the results of the Primary Nominating Election held in the City of Long Beach, California, on Tuesday, April 10, 2018, for the purpose of nominating and/or electing candidates for one (1) office on the Board of Education of the Long Beach Unified School District Area 3, and one (1) office on the Board of Trustees of the Long Beach Community College District Area 1.
3. A resolution 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, June 5, 2018, for the election of City Councilmember from the Fifth and Seventh Districts designating the ballot listing and adopting provisions relating to translations of and charges for the costs of candidate statements.

To meet the foregoing requirements, the Office of the City Clerk has executed the following tasks:

- a) An inspection of all materials and supplies returned by poll workers;
- b) A reconciliation of the number of signatures on the roster with the number of ballots recorded on the ballot statement;
- c) A reconciliation of the number of ballots counted, spoiled, canceled, or invalidated due to identifying marks and over votes, with the number of votes recorded by the vote counting system, which includes vote-by-mail and provisional ballots;

- d) Processing and counting any valid vote by mail and provisional ballots not included in the Election Day semifinal official canvass;
- e) Counting any valid write-in votes;
- f) Reproducing any damaged ballots, if necessary;
- g) Reporting final results to the governing board;
- h) Conduct of a public hand-count of ballots cast in a randomly selected one percent (1%) of precincts, plus one additional precinct for each race tabulated by the City's voting system; and
- i) Identification and reporting of any discrepancies between the vote system count and the hand count.

This matter was reviewed by Deputy City Attorney Amy Webber on April 9, 2018.

TIMING CONSIDERATIONS

Pursuant to Long Beach Municipal Code Section 1.21.010, the City Clerk is required to certify the election results to the City Council within twenty-one days after the date of the April 10, 2018, Primary Nominating Election. Los Angeles Registrar-Recorder/County Clerk requires the certification of our election by April 19, 2018 to consolidate with their election. Certification of the election must comply with the official canvass requirements set forth in the California Elections Code, Section 10264.

FISCAL IMPACT

A budget adjustment will be applied during the third quarter FY 18 for expenses relating to the April 10, 2018, Primary Nominating Election.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MONIQUE DE LA GARZA
CITY CLERK

Certificate of Canvass
Cumulative Report
Canvass of Vote
Three (3) Resolutions

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH DECLARING THE RESULTS OF THE PRIMARY NOMINATING ELECTION HELD IN THE CITY OF LONG BEACH, CALIFORNIA, ON TUESDAY, APRIL 10, 2018 FOR THE PURPOSE OF NOMINATING AND/OR ELECTING THE MAYOR AND CANDIDATES FOR FOUR (4) OFFICES ON THE CITY COUNCIL FROM DISTRICT NUMBERS 3, 5, 7 AND 9; AND DIRECTING THE CITY CLERK TO PLACE ON THE BALLOTS TO BE USED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2018, THE NAMES OF THE CANDIDATES DECLARED TO HAVE BEEN NOMINATED BY THE PRIMARY NOMINATING ELECTION; AND DIRECTING THE CITY CLERK TO ISSUE A CERTIFICATE OF ELECTION TO THE CANDIDATES DECLARED TO HAVE BEEN ELECTED AT THE PRIMARY NOMINATING ELECTION.

WHEREAS, the City Council of the City of Long Beach did, by Resolution No. RES-17-0125, duly call and provide for the holding of a Primary Nominating Election on Tuesday, April 10, 2018, for the purpose of nominating and/or electing candidates for the Mayor and four (4) offices of the City Council namely, for the Third, Fifth, Seventh, and Ninth Districts; and

WHEREAS, the election was held in the City of Long Beach on that day; and

WHEREAS, the City Clerk, pursuant to Long Beach Municipal Code Section 1.21.010, duly canvassed the returns of the election; and

1 WHEREAS, the Vote by Mail ballots issued in connection with the election
2 which were returned as required by law have been included;

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

5 Section 1. That the Primary Nominating Election for the purpose of
6 nominating and/or electing the Mayor and candidates as required by law for four (4)
7 Members of the City Council, was duly held on Tuesday, April 10, 2018, and the votes
8 cast, including the Vote by Mail ballots issued in connection with the election which were
9 returned at the time and in the form and manner required by law were all duly and
10 regularly canvassed. That the City Clerk has duly canvassed the returns of the election
11 and filed the Certificate of Canvass with the City Council and from that certification the
12 City Council finds that the total number of votes cast in each district, the total number of
13 votes cast in each of the respective election precincts established for the election, the
14 number of votes cast for each candidate in each precinct and the total number of votes
15 for each candidate as attached hereto and made a part of this resolution as shown as
16 follows:

17 [1] Exhibit A -- Cumulative Report – Official (Dated April __, 2018); and [2]
18 Exhibit B - Canvass of Vote – Official (Dated April __, 2018).

19 Section 2. That the candidates nominated as required by law for the
20 office of the Mayor, and the names of the persons voted for at the election, were:

21 Robert Garcia

22 James Henry "Henk" Conn

23 Section 3. That the candidates nominated as required by law for the
24 office of Member of the City Council from the Third District, and the names of the persons
25 voted for at the election, were:

26 Suzie Price

27 Gordana Kajer

28 Robert D. Savin

1 Section 4. That the candidates nominated as required by law for the
2 office of Member of the City Council from the Fifth District, and the names of the persons
3 voted for at the election, were:

4 Stacy R. Mungo

5 Rich Dines

6 Corliss Lee

7 John W. Osborn II

8 Section 5. That the candidates nominated as required by law for the
9 office of Member of the City Council from the Seventh District, and the names of the
10 persons voted for at the election, were:

11 Roberto Uranga

12 Oscar S. Delacruz

13 Jared Milrad

14 Kevin C. Shin

15 Chris Sereno

16 Section 6. That the candidates nominated as required by law for the
17 office of Member of the City Council from the Ninth District, and the names of the persons
18 voted for at the election, were:

19 Rex Richardson

20 Mineo L. Gonzalez

21 Section 7. That the following are declared nominated for the office of the
22 Member of the City Council from the Fifth District:

23 Rich Dines

24 Stacy R. Mungo

25 They are nominated for the office of Member of the City Council from the
26 Fifth District for the full term of four (4) years commencing on the third Tuesday of July,
27 2018, and the City Clerk is directed to place their respective names on the ballots to be
28 used at the General Municipal Election to be held on the 5th day of June, 2018.

1 Section 8. That the following are declared nominated for the office of the
2 Member of the City Council from the Seventh District:

3 Roberto Uranga

4 Jared Milrad

5 They are nominated for the office of Member of the City Council from the
6 Seventh District for the full term of four (4) years commencing on the third Tuesday of
7 July, 2018, and the City Clerk is directed to place their respective names on the ballots to
8 be used at the General Municipal Election to be held on the 5th day of June, 2018.

9 Section 9. That Robert Garcia received a majority of the votes cast for all
10 candidates for the office of Mayor, and in accordance with the provision of law governing
11 the nomination and/or election of candidates for this office, Robert Garcia is declared
12 elected to the office of Mayor for the full term of four (4) years commencing with the third
13 Tuesday of July, 2018. The City Clerk is directed to issue to Robert Garcia a Certificate
14 of Election certifying to the election to this office for such term.

15 Section 10. That Suzie Price received a majority of the votes cast for all
16 candidates for the office of Member of the City Council from the Third District, and in
17 accordance with the provision of law governing the nomination and/or election of
18 candidates for this office, Suzie Price is declared elected to the office of Member of the
19 City Council from the Third District for the full term of four (4) years commencing with the
20 third Tuesday of July, 2018. The City Clerk is directed to issue to Suzie Price a
21 Certificate of Election certifying to the election to this office for such term.

22 Section 11. That Rex Richardson received a majority of the votes cast for
23 all candidates for the office of Member of the City Council from the Ninth District, and in
24 accordance with the provision of law governing the nomination and/or election of
25 candidates for this office, Rex Richardson is declared elected to the office of Member of
26 the City Council from the Ninth District for the full term of four (4) years commencing with
27 the third Tuesday of July, 2018. The City Clerk is directed to issue to Rex Richardson a
28 Certificate of Election certifying to the election to this office for such term.

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Section 12. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

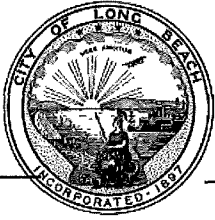
I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2018 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk



R-1

April 18, 2018

**THE EXHIBITS TO THIS RESOLUTION WILL BE
DISTRIBUTED WHEN AVAILABLE**

**For further information, please contact
the Long Beach City Clerk Department at:**

**(562) 570-6101
(562) 570-6789 (fax)
cityclerk@longbeach.gov**

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CERTIFYING THE RESULTS OF THE CONSOLIDATED PRIMARY NOMINATING ELECTION HELD IN THE CITY OF LONG BEACH, CALIFORNIA, ON TUESDAY, APRIL 10, 2018, FOR THE PURPOSE OF NOMINATING AND/OR ELECTING CANDIDATES FOR ONE (1) OFFICE ON THE GOVERNING BOARD OF THE LONG BEACH UNIFIED SCHOOL DISTRICT, AND FOR ONE (1) OFFICE ON THE BOARD OF TRUSTEES OF THE LONG BEACH COMMUNITY COLLEGE DISTRICT

WHEREAS, the City Council of the City of Long Beach did, by Resolution No. RES-17-0125, duly call and provide for the holding of a Primary Nominating Election on Tuesday, April 10, 2018, for the purpose of nominating and/or electing candidates for the office of Mayor and the offices on the City Council namely, for the Third, Fifth, Seventh and Ninth Districts; and

WHEREAS, on October 24, 2017, the City Council adopted Resolution No. RES-17-0127 consenting to the requests of the Board of Education of the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate the Governing Board Member elections for said Districts pursuant to the provisions of Section 10400 of the California Elections Code with the City's Primary Nominating Election for the purpose of nominating and/or electing candidates for one (1) office on the Board of Education of the Long Beach Unified School District for a full term of four (4) years, commencing on the third Monday of July, 2018, and for one (1) office on the Board of Trustees of the Long Beach Community College District, for a full term of four (4) years, commencing with the first day of the calendar month next succeeding his

1 or her election; and

2 WHEREAS, the consolidated election was held in the City of Long Beach
3 on April 10, 2018; and

4 WHEREAS, the City Clerk, pursuant to Long Beach Municipal Code Section
5 1.21.010, duly canvassed the returns of the election, including the Vote by Mail ballots
6 issued in connection with the election which were returned as required by law;

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

9 Section 1. That the Vote by Mail ballots issued in connection with the
10 election which have been returned as required by law have been duly canvassed, and
11 the results of that count have been recorded. That the City Clerk has duly canvassed the
12 returns of the election held on April 10, 2018, for Member of the Board of Education of
13 the Long Beach Unified School District and for Member of the Long Beach Community
14 College District, and has filed a Certificate of Canvass with the City Council and from that
15 certification the City Council finds that the total number of votes cast in each district, the
16 total number of votes cast in each of the respective election precincts established for the
17 election, the number of votes cast for each candidate in each precinct and the total
18 number of votes for each candidate are as provided in Exhibit "A" attached to and made a
19 part of this resolution.

20 Section 2. That the candidates nominated as required by law for the one
21 (1) office of Member of the Board of Trustees of the Long Beach Community College
22 District were:

23 Trustee Area 1: Jeffrey A. Kellog
24 Uduak-Joe Ntuk

25 Section 3. That said candidates for the office of Member of the Board of
26 Trustees of the Long Beach Community College District received the number of votes
27 indicated in Exhibit "A" from those precincts listed on said Exhibit "A".

28 Section 4. That Uduak-Joe Ntuk received a majority of the votes cast for

1 all candidates for the office of Member of the Board of Trustees of the Long Beach
2 Community College District, Trustee Area 1, and is declared elected to such office for the
3 full term of four (4) years commencing with the first day of the calendar month next
4 succeeding his or her election.

5 Section 5. That the candidates nominated as required by law for one (1)
6 office of Members of the Board of Education of the Long Beach Unified School District
7 were:

8 District 3: Cesar A. Armendariz
9 Juan M. Benitez
10 Eduardo Lara

11 Section 6. That said candidates for the office of Member of the Board of
12 Education of the Long Beach Unified School District received the number of votes
13 indicated in Exhibit "A" from those precincts listed on said Exhibit "A".

14 Section 7. That the following are declared nominated for the office of
15 Member of the Board of Education of the Long Beach Unified School District, District 3:

16 District 3: Juan M. Benitez
17 Cesar A. Armendariz

18 They are nominated for the office of Member of the Board of Education of
19 the Long Beach Unified School District, District 3, for the full term of four (4) years
20 commencing on the third Tuesday of July, 2018, and the City Clerk is directed to place
21 their respective names on the ballots to be used at the General Municipal Election to be
22 held on the 5th day of June, 2018.

23 Section 8. This resolution shall take effect immediately upon its adoption
24 by the City Council, and the City Clerk shall certify the vote adopting this resolution. The
25 City Clerk shall further spread this resolution on the minutes of this City Council, which
26 entry shall constitute the City Clerk's statement and certification of the result of the
27 election.

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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 _____, 2018 by the following vote:

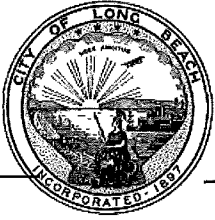
Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664



R-1

April 18, 2018

**THE ATTACHEMENT TO THIS RESOLUTION WILL BE
DISTRIBUTED WHEN AVAILABLE**

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE 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 5TH DAY OF JUNE, 2018, FOR THE ELECTION OF TWO (2) CITY COUNCILMEMBERS FROM THE FIFTH AND SEVENTH COUNCIL DISTRICTS, FOR A FULL TERM OF FOUR (4) YEARS COMMENCING WITH THE THIRD TUESDAY OF JULY, 2018; 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. RES-17-0125, duly called and provided for the holding of a Primary Nominating Election on Tuesday, April 10, 2018; and

WHEREAS, the Primary Nominating Election was held in the City of Long Beach on Tuesday, April 10, 2018, and certain candidates have been nominated for the office of Councilmember for the Fifth and Seventh City Council Districts; 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 Councilmembers for the Fifth and Seventh City Council Districts;

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

1 polling place after 8:00 p.m. shall be entitled to vote, although the polls may be open
2 when such person arrives.

3 Section 6. California Elections Code Section 13307 requires that a
4 candidate's statement must be translated in Spanish at the candidate's request. Further,
5 in accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73)
6 all candidates' statements shall be translated into the languages indicated for Member of
7 the City Council for the Fifth and Seventh Council Districts as follows: Khmer, Korean,
8 Spanish, Tagalog, and Vietnamese. Any translations into the required languages shall
9 be available in the City Clerk's office upon request. A candidate shall not be required to
10 pay for the cost of translating his or her candidate's statement into any foreign language
11 required pursuant to federal and/or state law. However, a candidate shall be required to
12 pay the cost of printing the candidate's statement in the sample ballot pamphlet in a
13 foreign language.

14 Section 7. Pursuant to Section 13307 of the California Elections Code, a
15 charge shall be levied against each candidate for the costs of the candidate's statements
16 sent to each voter. The City Clerk is directed and authorized to establish and implement
17 the charge for the costs of printing, handling, translating, and mailing any candidate
18 statements as provided in Elections Code Section 13307. Any allegation of indigency or
19 inability to pay the requisite fee in advance shall be handled by the City Clerk in
20 accordance with the provisions of Elections Code Section 13309, and in such instances
21 the candidate's statement shall only be published in the English/Spanish language.

22 Section 8. Candidates will have up to five (5) days following the April 10,
23 2018 Primary Nominating Election to change their candidate statement.

24 Section 9. The City Clerk shall provide each candidate or the candidate's
25 representative with a copy of the resolution.

26 Section 10. This resolution shall take effect immediately upon its adoption
27 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 _____, 2018 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk