

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0153

A RESOLUTION ORDERING, PROCLAIMING,
CALLING AND GIVING NOTICE OF A PRIMARY
NOMINATING ELECTION IN THE CITY OF LONG BEACH,
CALIFORNIA, ON TUESDAY, THE 13TH DAY OF APRIL,
2010, FOR THE NOMINATION AND/OR ELECTION OF
CANDIDATES FOR FIVE (5) OFFICES ON THE CITY
COUNCIL, AND FOUR (4) CITY OFFICIALS, EACH FOR A
FULL TERM OF FOUR (4) YEARS, COMMENCING WITH
THE THIRD TUESDAY OF JULY, 2010, 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, the City Charter mandates that the City's primary elections
shall be held on the second Tuesday in April in even-numbered years; and

WHEREAS, City Charter Section 1910 states that unless otherwise provided in the
Charter or by ordinance adopted by the City Council, all municipal elections shall be held
in accordance with the provisions of California Elections Code governing municipal
elections; and

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

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

1 Section 1. Pursuant to the provisions of the laws of the State of
2 California and pursuant to the provisions of the Charter of the City of Long Beach
3 governing the holding of Primary Nominating Elections in the City, a Primary Nominating
4 Election is hereby ordered, proclaimed, declared, and called to be held in the City of Long
5 Beach between the hours of 7:00 a.m. and 8:00 p.m. on April 13, 2010, for the purpose of
6 nominating candidates for and/or electing persons for five (5) offices on the City Council,
7 namely, for the First, Third, Fifth, Seventh and Ninth Districts, respectively, and for four
8 (4) City Officials, namely, the Mayor, City Attorney, City Auditor and City Prosecutor,
9 each for a full term of four (4) years commencing with the third Tuesday of July, 2010;
10 and notice is given of the holding of this election and of the time and place of holding the
11 same.

12 Section 2. California Elections Code Section 13307 requires that a
13 candidate's statement must be translated in Spanish at the candidate's request. Further,
14 in accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73)
15 all candidates' statements shall be translated into the languages thereby. Accordingly,
16 candidates' statements for all offices shall be translated into Spanish, Tagalog, Khmer
17 and Vietnamese. Any translations into the required languages shall be available in the
18 City Clerk's Department upon request. A candidate shall not be required to pay for the
19 cost of translating his or her candidate's statement into any foreign language required
20 pursuant to federal and/or state law. However, a candidate shall be required to pay for
21 the cost of printing the candidate's statement in a foreign language.

22 Section 3. Pursuant to Section 13307 of the California Elections Code, a
23 charge shall be levied against each candidate for the costs of the candidate's statement
24 sent to each voter. The City Clerk is directed and authorized to establish and implement
25 the charge for the costs of printing, handling, and mailing any candidate statements as
26 provided in Elections Code Section 13307. Any allegation of indigency or inability to pay
27 the requisite fee in advance shall be handled by the City Clerk in accordance with the
28 provisions of Elections Code Section 13309, and in such instances the candidate's

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1 statement shall only be published in the English language.

2 Section 4. No candidate will be permitted to include any additional
3 materials in any sample ballot package.

4 Section 5. The City Clerk shall provide each candidate or the candidate's
5 representative with a copy of this resolution at the time nominating papers are issued.

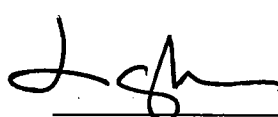
6 Section 6. This resolution shall take effect immediately upon its adoption
7 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

8 I hereby certify that the foregoing resolution was adopted by the City
9 Council of the City of Long Beach at its meeting of December 8, 2009, by
10 the following vote:

11 Ayes: Councilmembers: Garcia, Lowenthal, DeLong,
12 O'Donnell, Schipske, Andrews,
13 Reyes Uranga, Gabelich, Lerch.

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15 Noes: Councilmembers: None.

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17 Absent: Councilmembers: None.

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21 _____
22 City Clerk

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