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

RESOLUTION NO. RES-09-0097

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 SPECIAL ELECTION TO BE HELD IN THE

CITY OF LONG BEACH ON TUESDAY, THE 29TH DAY OF

DECEMBER, 2009, FOR THE ELECTION OF GOVERNING

BOARD MEMBER OF THE LONG BEACH UNIFIED

SCHOOL DISTRICT AREA 3 FOR THE REMAINDER OF

THE TERM OF OFFICE TERMINATING ON THE THIRD

MONDAY OF JULY, 2010

WHEREAS, the Governing Board of Education for the Long Beach Unified School District has declared a vacancy in the Office of Board Member for District Area 3 and has duly called and provided for the holding of a Special Election on Tuesday, December 29, 2009 in order to elect a board member to such office for the remainder of the term of office terminating on the third Monday of July, 2010, and has requested the City to conduct such election; and

WHEREAS, in accordance with applicable law, it is necessary for the City Council to order, proclaim and call a Special Election for the election of Governing Board Member of the Long Beach Unified School District Board Area 3;

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

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 Special Election is ordered, proclaimed and called to

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1   be held in the City of Long Beach, California, between the hours of 7:00 a.m. and 8:00

2   p.m. on the 29TH day of December, 2009, for the purpose of electing a member of the

3   Long Beach Unified School District Governing Board Area 3 for the remainder of the

4   term of office terminating on the third Monday of July, 2010.

5   Section 2.   Notice is given of the holding and of the time and place of the

6   election.

7   Section 3.   The polls for the Special Election shall be open at 7:00 a.m.

8   and shall be kept open until 8:00 p.m. when the polls shall be closed; except that, if at the

9   hour of closing there are any voters in the polling place or in line at the door who are

10   qualified to vote, and who have not been able to do so since appearing, the polls shall be

11   kept open a sufficient time to enable them to vote; but no one who arrives at the polling

12   place after 8:00 p.m. shall be entitled to vote, although the polls may be open when such

13   person arrives.

14   Section 4.   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 indigence 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 language.

22   Section 5.   No candidate will be permitted to include any additional

23   materials in any sample ballot package.

24   Section 6.   The City Clerk shall provide each candidate or the candidate's

25   representative with a copy of this resolution.

26   Section 7.   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.
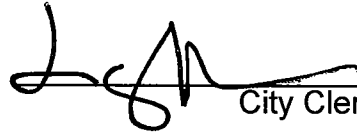
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1   I hereby certify that the foregoing resolution was adopted by the City

2   Council of the City of Long Beach at its meeting of ___September 8___, 2009, by the

3   following vote:

4   Ayes: Councilmembers: Garcia, Lowenthal, DeLong,

5   O'Donnell, Schipske, Andrews,

6   Reyes Uranga, Gabelich.

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8   Noes: Councilmembers: None.

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10   Absent: Councilmembers: Lerch.

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14   City Clerk

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