1   RESOLUTION NO. RES-07-0158

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3   A RESOLUTION OF THE CITY COUNCIL OF THE

4   CITY OF LONG BEACH, CALIFORNIA , ORDERING,

5   PROCLAIMING, CALLING AND GIVING NOTICE OF A

6   PRIMARY NOMINATING ELECTION IN THE CITY OF LONG

7   BEACH, CALIFORNIA, ON TUESDAY, THE 8TH DAY OF

8   APRIL, 2008, FOR THE NOMINATION AND/OR ELECTION

9   OF CANDIDATES FOR FOUR (4) OFFICES ON THE CITY

10   COUNCIL, EACH FOR A FULL TERM OF FOUR (4) YEARS,

11   COMMENCING WITH THE THIRD TUESDAY OF JULY,

12   2008, AND ADOPTING PROVISIONS RELATING TO THE

13   TRANSLATIONS OF AND THE CHARGES FOR COSTS OF

14   CANDIDATE STATEMENTS

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16   WHEREAS, the Long Beach City Charter requires that the City Council

17   shall, by resolution, order the holding of all municipal elections; and

18   WHEREAS, the City Charter mandates that the City's primary elections

19   shall be held on the second Tuesday in April in even-numbered years; and

20   WHEREAS, City Charter Section 1910 states that unless otherwise

21   provided in the Charter or by ordinance adopted by the City Council, all municipal

22   elections shall be held in accordance with the provisions of California Elections Code

23   governing municipal elections; and

24   WHEREAS, Elections Code Section 13307 provides that before a local

25   election nominating period opens, the local agency for that election shall make a

26   determination concerning the levy of the costs for candidate statements;

27   NOW, THEREFORE, the City Council of the City of Long Beach resolves as

28   follows:

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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 8, 2008, for the purpose of

6 nominating candidates for and/or electing persons for four (4) offices on the City Council,

7 namely, for the Second, Fourth, Sixth and Eighth Districts, respectively, each for a full

8 term of four (4) years commencing with the third Tuesday of July, 2008; and notice is

9 given of the holding of this election and of the time and place of holding the same.

10   Section 2.   California Elections Code Section 13307 requires that a

11 candidate's statement must be translated in Spanish at the candidate's request. Further,

12 in accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73)

13 all candidates' statements shall be translated into the languages thereby. Accordingly,

14 candidates' statements for Council Districts 2 and 8 shall be translated into Spanish.

15 Candidates' statements for Council Districts 4 and 6 shall be translated into Spanish,

16 Khmer and Vietnamese. Any translations into the required languages shall be available

17 in the City Clerk's office upon request. A candidate shall not be required to pay for the

18 cost of translating his or her candidate's statement into any foreign language required

19 pursuant to federal and/or state law. However, a candidate shall be required to pay for

20 the cost of printing the candidate's statement in a foreign language.

21   Section 3.   Pursuant to Section 13307 of the California Elections Code, a

22 charge shall be levied against each candidate for the costs of the candidate's statement

23 sent to each voter. The City Clerk is directed and authorized to establish and implement

24 the charge for the costs of printing, handling, and mailing any candidate statements as

25 provided in Elections Code Section 13307. Any allegation of indigency or inability to pay

26 the requisite fee in advance shall be handled by the City Clerk in accordance with the

27 provisions of Elections Code Section 13309, and in such instances the candidate's

28 statement shall only be published in the English language.

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1   Section 4.   No candidate will be permitted to include any additional

2 materials in any sample ballot package.

3   Section 5.   The City Clerk shall provide each candidate or the candidate's

4 representative with a copy of this resolution at the time nominating papers are issued.
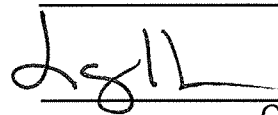
5   Section 6.   This resolution shall take effect immediately upon its adoption

6 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

7   I hereby certify that the foregoing resolution was adopted by the City

8 Council of the City of Long Beach at its meeting of _____November 20_____, 2007, by the

9 following vote:

10   Ayes: Councilmembers: B. Lowenthal, S. Lowenthal,

11   DeLong, O'Donnell, Schipske,

12   Andrews, Reyes Uranga, Lerch.

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14   Noes: Councilmembers: None.

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16   Absent: Councilmembers: Gabelich.

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19   City Clerk

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28   HAM:fl
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