



OFFICE OF THE CITY ATTORNEY

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NB-29

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August 9, 2022

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HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt Resolution of the City Council of the City of Long Beach, California, Requesting the Board of Supervisors of the County of Los Angeles to Authorize and Order the Consolidation of a Statewide General Municipal Election for Four Charter Amendments with the Statewide General Election to be Held on November 8, 2022; Requesting the Board of Supervisors of the County of Los Angeles to Render Specified Services to the City Relating to the Conduct of Said General Municipal Election and Determining and Declaring that the City will Pay to the County Reasonable and Actual Expenses Incurred by the County on Account of the Consolidation of this Election. (Citywide)

DISCUSSION


Pursuant to the City Council's request on July 19, 2022, this office has prepared and submits the above-described resolution for the Council's consideration and approval.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

CHARLES PARKIN, City Attorney

By 
MONICA J. KILAITA
Deputy City Attorney

MJK:ag A22-02507

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO AUTHORIZE AND ORDER THE CONSOLIDATION OF A STATEWIDE GENERAL MUNICIPAL ELECTION FOR FOUR CHARTER AMENDMENTS WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2022; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF SAID GENERAL MUNICIPAL ELECTION AND DETERMINING AND DECLARING THAT THE CITY WILL PAY TO THE COUNTY REASONABLE AND ACTUAL EXPENSES INCURRED BY THE COUNTY ON ACCOUNT OF THE CONSOLIDATION OF THIS ELECTION

WHEREAS, on July 19, 2022, the City Council of the City of Long Beach called a General Municipal Election to be held on November 8, 2022 for the purpose of submitting to the voters the following proposed charter amendment(s) to be voted upon:

A. Amendment to the Long Beach City Charter to realign the City's primary election date with the State's primary and general election dates held in even-numbered years;

B. Amendment to the Long Beach City Charter to realign LBUSD's primary election date with the State's primary and general election dates held in even-numbered years;

1 C. Amendment to the Long Beach City Charter to establish a
2 Police Oversight Commission and add a Director of Police Oversight
3 position;

4 D. Amendment to the Long Beach City Charter for consolidation
5 of the City's existing water, sewer and gas utilities into a single publicly-
6 owned utility, governed by the existing independent Water/Public Utilities
7 Commission, for the purposes of improving customer service through better
8 coordination of street pipeline and infrastructure repairs; and

9 WHEREAS, it is desirable that this General Municipal Election for the above
10 city charter amendment(s) be consolidated with the statewide General Election to be held
11 on the same date and that the precincts, polling places and election officers for all the
12 elections be the same within the City and that the County of Los Angeles canvass the
13 returns of this General Municipal Election and that the statewide General Election and the
14 General Municipal Election be held in all respects as if there were only one election; and

15 WHEREAS, in the course of conduct of these elections, it will be necessary
16 to mail sample ballots and polling place information to the registered voters of the City,
17 and it will facilitate such mailing if the Registrar-Recorder/County Clerk of the County of
18 Los Angeles will make available to the City the computer record of the names and
19 addresses of all eligible registered voters in order that labels may be printed for attaching
20 to self-mailer sample ballot pamphlets; and

21 WHEREAS, all necessary expenses in performing this service shall be paid
22 by the City of Long Beach;

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

25 Section 1. Pursuant to the requirements of Section 10403 of the
26 California Elections Code, that the Board of Supervisors of the County of Los Angeles is
27 requested to authorize and order the consolidation of the General Municipal Election with
28 the statewide General Election to be held in the State of California on November 8, 2022,

1 for the purpose of submitting the following charter amendment(s) to Long Beach voters:

2

<p>3 “Realign City and State Election Dates. Shall the City Charter of Long Beach be amended to realign the City’s primary and general election dates with the State’s primary and general election dates held in even-numbered 4 years, and make other related and technical changes to City 5 election procedures?”</p>	Yes
	No

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<p>7 “Realign Long Beach Unified School District and State Election Dates. Shall the City Charter of Long Beach be amended to realign the Long Beach Unified School District’s primary and general 8 election dates with the State’s primary and general election 9 dates held in even-numbered years, and make other related 10 and technical changes to Long Beach Unified School District 11 election procedures?”</p>	Yes
	No

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<p>13 “Shall the Long Beach City Charter be amended to establish a Police Oversight Commission and add a Police Oversight Director, to redesign City’s police oversight and accountability through modified practices, including a Director with authority to 14 audit Police Department complaint investigations, review major 15 use of force incidents, and make recommendations on Police 16 Department operations, policies, procedures, and trainings, and 17 a Commission to provide feedback to the Director, and which would replace the Citizen Police Complaint Commission?”</p>	Yes
	No

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<p>19 “Long Beach Water and Gas Consolidation. Shall the City Charter be amended to merge the existing water, sewer and gas utilities into a single publicly-owned utility, governed by the 20 existing independent Water/Utility Commission; eliminate 21 duplicative costs by consolidating like operations, improve 22 customer service efficiency with increased flexibility in sharing of staffing/equipment, reduce impacts to streets through 23 coordinated utility pipeline street repairs; and achieve cost savings through greater economies of scale?”</p>	Yes
	No

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25 Section 2. The Board of Supervisors is authorized and further requested

26 by the City Council to canvass the returns of the General Municipal Election or to cause

27 the returns to be canvassed by the Registrar-Recorder/County Clerk, all as prescribed in

28 the Elections Code. The election shall be held in all respects as if there were only one

1 election, and only one form of ballot shall be used. Pursuant to California Elections Code
2 Sections 10403 and 10418, the election will be held and conducted in accordance with
3 the provisions of law regulating the Statewide General Election.

4 Section 3. The City Council determines and declares that the City will
5 pay to the County the reasonable and actual expenses incurred by the County by the
6 consolidation of the General Municipal Election with the statewide General Election. The
7 City Manager of the City of Long Beach is authorized and directed to pay for the
8 expenses incurred after receiving a statement from the County of Los Angeles.

9 Section 4. That pursuant to the provisions of Section 10002 of the
10 Elections Code of the State of California, the City Council requests the Board of
11 Supervisors of the County to permit the Registrar-Recorder/County Clerk to provide all
12 services necessary for the lawful and effective conduct of the General election to be held
13 on November 8, 2022, and make available to the City additional assistance according to
14 state law.

15 Section 5. That the City shall reimburse the County for services
16 performed when the work is completed and upon presentation to the City of a properly
17 approved bill.

18 Section 6. That the City Clerk is authorized and directed to transmit a
19 certified copy of this resolution to the Board of Supervisors of the County of Los Angeles
20 and the Registrar-Recorder/County Clerk , along with a copy of the resolution calling the
21 General Municipal Election.

22 Section 7. This resolution shall take effect immediately upon its adoption
23 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 _____, 2022 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s) Councilmembers: _____

City Clerk