



CITY OF LONG BEACH

R-26

DEPARTMENT OF THE CITY CLERK

333 W. Ocean Blvd.

Long Beach, CA 90802

(562) 570-6101

FAX (562) 570-6789

ELECTIONS BUREAU

January 22, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

That the City Council adopt 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 Primary Nominating Election to be held in the City of Long Beach on Tuesday, April 8, 2008, for the election of governing board member of the Long Beach Unified School District Areas 2 and 4 for a full term of four (4) years commencing with the third Monday of July, 2008; 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.

DISCUSSION

On November 20, 2007, the City Council adopted a resolution consenting to request of the Long Beach Unified School District to consolidate elections with the City's upcoming Primary Nominating Election. Pursuant to City Charter Section 1907, the City Clerk is required to submit the a resolution for adoption by the City Council that certifies candidates who were duly nominated and that list the order by which their names will appear on the official ballot. If none of the nominated candidates receive 50%, plus one vote, of all ballots cast, a run-off election with the two candidates receiving the most votes will be set for June 3, 2008.

TIMING CONSIDERATIONS

Approval of the recommended action at this time will allow the City Clerk Department to prepare the official ballot, sample ballot and ballot pamphlet.

FISCAL IMPACT

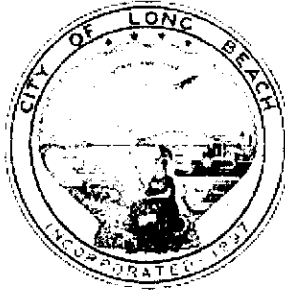
The City Clerk Department budget contains appropriations necessary for conduct of the April 8, 2008, Primary Nominating Election.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

LARRY HERRERA
CITY CLERK



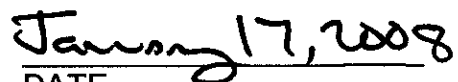
**CITY CLERK CERTIFICATION OF CANDIDATES
LONG BEACH UNIFIED SCHOOL DISTRICT
OFFICES AREAS 2 AND 4
TO BE ELECTED APRIL 8, 2008**

I, Larry Herrera, City Clerk of the City of Long Beach, California do hereby certify that pursuant to Section 1907 of the Long Beach City Charter, that the following is the list of candidates nominated as required by law and is in accord with the Secretary of State's randomized alphabetical order for the City of Long Beach Primary Nominating Election to be held on Tuesday, April 8, 2008:

<u>OFFICE</u>	<u>NAME AS TO APPEAR ON BALLOT</u>
AREA 2	Rosa E. Diaz
AREA 2	Felton C. Williams
AREA 4	John Meyer
AREA 4	Paul Crost
AREA 4	Karen Thomas Hilburn



LARRY HERRERA
CITY CLERK



DATE

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 PRIMARY NOMINATING ELECTION TO BE HELD IN THE CITY OF LONG BEACH ON TUESDAY, THE 8TH DAY OF APRIL, 2008, FOR THE ELECTION OF GOVERNING BOARD MEMBER OF THE LONG BEACH UNIFIED SCHOOL DISTRICT AREAS 2 AND 4 FOR A FULL TERM OF FOUR (4) YEARS COMMENCING WITH THE THIRD MONDAY OF JULY, 2008; 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-07-0158, duly called and provided for the holding of a Primary Nominating Election on Tuesday, April 8, 2008; and

WHEREAS, in accordance with applicable law, it is necessary for the City Council to order, proclaim and call a Primary Nominating Election for the election of Long Beach Unified School District Board Member Areas 2 and 4;

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

1 the holding of municipal elections, a Primary Nominating Election is ordered, proclaimed
2 and called to be held in the City of Long Beach, California, between the hours of 7:00
3 a.m. and 8:00 p.m. on the 8th day of April, 2008, for the purpose of electing members of
4 the Long Beach Unified School District Governing Board Member Areas 2 and 4, for a full
5 term of four (4) years, commencing with the third Monday of July, 2008.

6 Section 2. The following list of candidates which has been regularly
7 certified by the City Clerk sets forth the candidates nominated as required by law for the
8 offices of Long Beach Unified School District Governing Board Member Areas 2 and 4,
9 and is in the order of the randomized alphabet selected by the Secretary of State:

10 LONG BEACH UNIFIED SCHOOL DISTRICT
11 GOVERNING BOARD MEMBER AREA 2

12 Rosa E. Diaz
13 Felton C. Williams

14 LONG BEACH UNIFIED SCHOOL DISTRICT
15 GOVERNING BOARD MEMBER AREA 4

16 Jon Meyer
17 Paul Crost
18 Karen Thomas Hilburn

19 Section 3. Notice is given of the holding and of the time and place of the
20 election.

21 Section 4. The polls for the Primary Nominating Election shall be open at
22 7:00 a.m. and shall be kept open until 8:00 p.m. when the polls shall be closed; except
23 that, if at the hour of closing there are any voters in the polling place or in line at the door
24 who are qualified to vote, and who have not been able to do so since appearing, the polls
25 shall be kept open a sufficient time to enable them to vote; but no one who arrives at the
26 polling place after 8:00 p.m. shall be entitled to vote, although the polls may be open
27 when such person arrives.

28 Section 5. California Elections Code Section 13307 requires that a
candidate's statement must be translated in Spanish at the candidate's request. Further,

1 in accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73)
2 all candidates' statements shall be translated into the languages indicated as follows:
3 Khmer, Spanish, Tagalog and Vietnamese. Any translations into the required languages
4 shall be available in the City Clerk's office upon request. A candidate shall not be
5 required to pay for the cost of translating his or her candidate's statement into any foreign
6 language required pursuant to federal and/or state law. However, a candidate shall be
7 required to pay to the cost of printing the candidate's statement in the sample ballot
8 pamphlet in a foreign language.

9 Section 6. Pursuant to Section 13307 of the California Elections Code, a
10 charge shall be levied against each candidate for the costs of the candidate's statements
11 sent to each voter. The City Clerk is directed and authorized to establish and implement
12 the charge for the costs of printing, handling, translating, and mailing any candidate
13 statements as provided in Elections Code Section 13307. Any allegation of indigency or
14 inability to pay the requisite fee in advance shall be handled by the City Clerk in
15 accordance with the provisions of Elections Code Section 13309, and in such instances
16 the candidate's statement shall only be published in the English language.

17 Section 7. No candidate will be permitted to include any additional
18 materials in any sample ballot package.

19 Section 8. The City Clerk shall provide each candidate or the candidate's
20 representative with a copy of this resolution.

21 Section 9. This resolution shall take effect immediately upon its adoption
22 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

23 Section 10. 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.

25 I hereby certify that the foregoing resolution was adopted by the City
26 Council of the City of Long Beach at its meeting of _____, 2008, by the

27 ////

28 ////

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

1 following vote:

2 Ayes: Councilmembers:

3

4

5

6 Noes: Councilmembers:

7

8 Absent: Councilmembers:

9

10

11

City Clerk

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

HAM:fl
1/17/08
#A08-00202