

RESOLUTION NO. RES-06-0044

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 GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF LONG BEACH ON TUESDAY, THE 6<sup>TH</sup> DAY OF JUNE, 2006, FOR THE ELECTION OF MAYOR AND CITY COUNCILMEMBERS FROM THE THIRD AND FIFTH COUNCIL DISTRICTS, EACH FOR A FULL TERM OF FOUR (4) YEARS COMMENCING WITH THE THIRD TUESDAY OF JULY, 2006; 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-05-0130, duly called and provided for the holding of a Primary Nominating Election on Tuesday, April 11, 2006; and

WHEREAS, the Primary Nominating Election was held in the City of Long Beach on Tuesday, April 11, 2006, and certain candidates have been nominated for the office of Mayor and Councilmember for the Third and Fifth City Council Districts; and

WHEREAS, in accordance with applicable law, it is necessary for the City Council to order, proclaim and call a General Municipal Election for the election of Mayor and Councilmember for the Third and Fifth City Council Districts;

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

1 Section 1. Pursuant to the provisions of the Constitution and laws of the  
2 State of California and the provisions of the Charter of the City of Long Beach  
3 governing the holding of municipal elections, a General Municipal Election is ordered,  
4 proclaimed and called to be held in the City of Long Beach, California, between the  
5 hours of 7:00 a.m. and 8:00 p.m. on the 6<sup>th</sup> day of June, 2006, for the purpose of  
6 electing a Mayor and a Member of the City Council for the Third and Fifth Council  
7 Districts, for a full term of four (4) years, commencing with the third Tuesday of July,  
8 2006.

9 Sec. 2. The following list of candidates which has been regularly  
10 certified by the City Clerk sets forth the candidates nominated as required by law for the  
11 office of Mayor:

12 MAYOR

13 Frank Colonna  
14 Bob Foster

15 Sec. 3. The following list of candidates which has been regularly  
16 certified by the City Clerk sets forth the candidates nominated as required by law for the  
17 office of Member of the City Council for the Third and Fifth Districts, and is in the order  
18 of the randomized alphabet selected by the Secretary of State:

19 CITY COUNCIL - THIRD DISTRICT

20 Audrey S. Loftin  
21 Gary DeLong

22 CITY COUNCIL – FIFTH DISTRICT

23 Gerrie Schipske  
24 Jackie Kell (write-in)

25 Pursuant to Long Beach Charter Section 214, the name of Jackie Kell will  
26 not appear on the ballot.

27 Sec. 4. Notice is given of the holding and of the time and place of  
28 the election.

1                   Sec. 5.           The polls for the General Municipal Election shall be open at  
2 7:00 a.m. and shall be kept open until 8:00 p.m. when the polls shall be closed; except  
3 that, if at the hour of closing there are any voters in the polling place or in line at the  
4 door who are qualified to vote, and who have not been able to do so since appearing,  
5 the polls shall be kept open a sufficient time to enable them to vote; but no one who  
6 arrives at the polling place after 8:00 p.m. shall be entitled to vote, although the polls  
7 may be open when such person arrives.

8                   Sec. 6.           California Elections Code Section 13307 requires that a  
9 candidate's statement must be translated in Spanish at the candidate's request.  
10 Further, in accordance with the requirements of the federal Voting Rights Act of 1965  
11 (PL 94-73) all candidates' statements shall be translated into the languages indicated  
12 for Mayor and Member of the City Council for the Third and Fifth Council Districts as  
13 follows: Khmer, Spanish, Tagalog, Korean, and Vietnamese. Any translations into the  
14 required languages shall be available in the City Clerk's office upon request. A  
15 candidate shall not be required to pay for the cost of translating his or her candidate's  
16 statement into any foreign language required pursuant to federal and/or state law.  
17 However, a candidate shall be required to pay to the cost of printing the candidate's  
18 statement in the sample ballot pamphlet in a foreign language.

19                   Sec. 7.           Pursuant to Section 13307 of the California Elections Code,  
20 a charge shall be levied against each candidate for the costs of the candidate's  
21 statements sent to each voter. The City Clerk is directed and authorized to establish  
22 and implement the charge for the costs of printing, handling, translating, and mailing  
23 any candidate statements as provided in Elections Code Section 13307. Any allegation  
24 of indigency or inability to pay the requisite fee in advance shall be handled by the City  
25 Clerk in accordance with the provisions of Elections Code Section 13309, and in such  
26 instances the candidate's statement shall only be published in the English language.

27                   Sec. 8.           No candidate will be permitted to include any additional  
28 materials in any sample ballot package.

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Long Beach, California 90802-4664  
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Sec. 9. The City Clerk shall provide each candidate or the candidate's representative with a copy of this resolution.

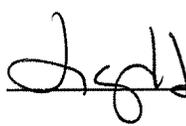
Sec. 10. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of May 2, 2006, by the following vote:

Ayes: Councilmembers: Lowenthal, Colonna, O'Donnell,  
Kell, Richardson, Reyes Uranga,  
Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Gabelich.

  
\_\_\_\_\_  
City Clerk

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