

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

RESOLUTION NO. RES-11-0126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA , ORDERING, PROCLAIMING, CALLING AND GIVING NOTICE OF A PRIMARY NOMINATING ELECTION IN THE CITY OF LONG BEACH, CALIFORNIA, ON TUESDAY, THE 10TH DAY OF APRIL, 2012, FOR THE NOMINATION AND/OR ELECTION OF CANDIDATES FOR FOUR (4) OFFICES ON THE CITY COUNCIL, EACH FOR A FULL TERM OF FOUR (4) YEARS, COMMENCING WITH THE THIRD TUESDAY OF JULY, 2012, AND ADOPTING PROVISIONS RELATING TO THE TRANSLATIONS OF AND THE CHARGES FOR COSTS OF CANDIDATE STATEMENTS

WHEREAS, the Long Beach City Charter requires that the City Council shall, by resolution, order the holding of all municipal elections; and

WHEREAS, the City Charter mandates that the City's primary elections shall be held on the second Tuesday in April in even-numbered years; and

WHEREAS, City Charter Section 1910 states that unless otherwise provided in the Charter or by ordinance adopted by the City Council, all municipal elections shall be held in accordance with the provisions of California Elections Code governing municipal elections; and

WHEREAS, Elections Code Section 13307 provides that before a local election nominating period opens, the local agency for that election shall make a determination concerning the levy of the costs for candidate statements;

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

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 10, 2012, 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, 2012; 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, 4, 6 and 8 shall be translated into Spanish.  
15 Any translations into the required languages shall be available in the City Clerk's office  
16 upon request. A candidate shall not be required to pay for the cost of translating his or  
17 her candidate's statement into any foreign language required pursuant to federal and/or  
18 state law. However, a candidate shall be required to pay for the cost of printing the  
19 candidate's statement in a foreign language.

20           Section 3. Pursuant to Section 13307 of the California Elections Code, a  
21 charge shall be levied against each candidate for the costs of the candidate's statement  
22 sent to each voter. The City Clerk is directed and authorized to establish and implement  
23 the charge for the costs of printing, handling, and mailing any candidate statements as  
24 provided in Elections Code Section 13307. Any allegation of indigency or inability to pay  
25 the requisite fee in advance shall be handled by the City Clerk in accordance with the  
26 provisions of Elections Code Section 13309, and in such instances the candidate's  
27 statement shall only be published in the English and Spanish language.

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

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1 materials in any sample ballot package.

2 Section 5. The City Clerk shall provide each candidate or the candidate's  
3 representative with a copy of this resolution at the time nominating papers are issued.

4 Section 6. This resolution shall take effect immediately upon its adoption  
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City  
7 Council of the City of Long Beach at its meeting of November 8, 2011, by the  
8 following vote:

9 Ayes: Councilmembers: Garcia, DeLong, Schipske,  
10 Andrews, Johnson, Gabelich,  
11 Neal, Lowenthal.

12  
13 Noes: Councilmembers: None.

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15 Absent: Councilmembers: O'Donne11.

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20 City Clerk

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