



# CITY OF LONG BEACH

# C-3

OFFICE OF THE CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

November 10, 2015

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Recommendation to adopt the attached Resolutions relating to the City of Long Beach Primary Nominating Election to be held on April 12, 2016.

## DISCUSSION

Pursuant to the City Charter, on April 12, 2016, the City of Long Beach electorate will vote on the following City offices: Members of the City Council for Districts 2, 4, 6, and 8. The nomination period for these offices is December 21, 2015 through January 15, 2016.

In addition, pursuant to the City Charter, the State Education Code, and the State Elections Code, the Board of Education of the Long Beach Unified School District (LBUSD) and the Board of Trustees of the Long Beach Community College District (LBCCD) have requested consolidation of their governing bodies' elections with the City's Primary Nominating Election on April 12, 2016. Accordingly, the Office of the City Clerk is prepared to conduct the LBUSD Board of Education Election in LBUSD Districts 2 and 4, and the LBCCD Board of Trustee Election in LBCCD Districts 2 and 4.

It is recommended that the City Council adopt the attached Resolutions relating to the City of Long Beach Primary Nominating Election to be held on April 12, 2016, titled as follows:

1. 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 12<sup>th</sup> day of April, 2016, for the nomination and/or election of candidates for four (4) offices on the City Council, commencing with the third Tuesday of July, 2016, and adopting provisions relating to the translations of and the charges for costs of candidate statements;
2. 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 render specified services to the City relating to the conduct of a Primary Nominating Election to be held on Tuesday, April 12, 2016, and if necessary a General Municipal Election to be held in the City on Tuesday, June 7, 2016.
3. A Resolution of the City Council of the City of Long Beach, California, consenting to requests from the Board of Education of the Long Beach Unified School District and the Board of Trustees of the Long Beach Community College District to consolidate Governing Board Member elections with the City of Long Beach Primary Nominating Election to be held on April 12, 2016.

FISCAL IMPACT

The FY 2016 Election Budget includes \$1,071,460 for the April Primary Election and \$900,661 for the June General Election. The actual costs for each election will depend on the number of registered voters and vote-by-mail participation rate involved in each election. Each of these cost components will ultimately drive the actual printing and postage costs.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink that reads "Maria de la Luz Garcia". The signature is written in a cursive style with a large initial "M".

MARIA DE LA LUZ GARCIA  
CITY CLERK

Attachment

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO.  
2

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  
7 LONG BEACH, CALIFORNIA, ON TUESDAY, THE 12TH  
8 DAY OF APRIL, 2016, FOR THE NOMINATION AND/OR  
9 ELECTION OF CANDIDATES FOR FOUR (4) OFFICES ON  
10 THE CITY COUNCIL, EACH FOR A FULL TERM OF FOUR  
11 (4) YEARS, COMMENCING WITH THE THIRD TUESDAY  
12 OF JULY, 2016, AND ADOPTING PROVISIONS RELATING  
13 TO THE TRANSLATIONS OF AND THE CHARGES FOR  
14 COSTS OF 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:

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 12, 2016, 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, 2016; 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

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 \_\_\_\_\_, 2015  
8 by the following vote:

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Ayes: Councilmembers: \_\_\_\_\_

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Noes: Councilmembers: \_\_\_\_\_

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Absent: Councilmembers: \_\_\_\_\_

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