



CITY OF LONG BEACH

DEPARTMENT OF THE CITY CLERK

UB-23

333 W. Ocean Blvd. Long Beach, CA 90802 (562) 570-6101 FAX (562) 570-6789

ELECTIONS BUREAU

November 6, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

That the City Council adopt either of the following alternative (A) or (B) actions:

(A) Adopt enabling resolutions relative to placement of a Superstore measure on the February 2008 Presidential Primary, as follows:

1. A Resolution of the City Council of the City of Long Beach Ordering, Calling and Providing for and Giving Notice of a Special Municipal Election to be Held in the City of Long Beach on Tuesday, the 5th Day of February, 2008, for the Purpose of Submitting A Ballot Proposition to a Vote of the Qualified Electors of the City;
2. A Resolution of the City Council of the City of Long Beach Requesting the Board of Supervisors of the County of Los Angeles to Authorize and Order the Consolidation of a Citywide Special Municipal Election with the Statewide Presidential Primary Election to be Held February 5, 2008, 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; and
3. 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 Special Municipal Election to be Held on Tuesday, February 5, 2008.

(B) Declare ordinance repealing Ordinance No. ORD-06-0040, relating to Superstores read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION

On January 2, 2007, a motion was made by Councilmember Reyes Uranga, and seconded by Vice Mayor Lowenthal, to approve the recommendation to request the City Attorney to prepare a resolution placing the question of the re-adoption of Ordinance No. ORD-06-0040 regarding Superstores, on the ballot for the next statewide election.

In April 2007, the County Registrar-Recorder estimated that it would cost \$490,000 to place one measure on the February 2008, Presidential Primary Ballot. This estimate is contained in Attachment A.

On October 9, 2007, a motion was made by Councilwoman Schipske, seconded by Councilmember DeLong, to continue discussion of the subject referendum to the next meeting of the City Council and request that the City Clerk Department obtain further cost information from the County Registrar-Recorder.

Specifically, the Council wanted to know the estimated costs, to the City, for a citywide election in the event that the Long Beach Community College District (LBCCD) placed a bond measure on the February 2008 ballot. In response to this inquiry, the County Registrar-Recorder estimates that cost will range between \$451,000 to \$489,000. This estimate is contained in Attachment B.

In addition to the foregoing estimate, the Registrar-Recorder updated its April 2007 estimate of \$490,000 for one measure to a revised range of \$514,000 to \$564,000. The Registrar-Recorder's estimate for this scenario is contained in Attachment C.

The Registrar-Recorder's timely response to the City's request for cost information is appreciated.

TIMING CONSIDERATIONS

Pursuant to City Charter Section 2000, the foregoing measures must be placed on the next Statewide Election. Under the provisions of SB 113 signed by the Governor on March 15, 2007, the next statewide election is scheduled for February 5, 2008.

At this time the City Council is required by law to either:

- (A) Adopt the above resolutions calling for placement of the Superstore measure on the next statewide election; or
- (B) Declare an ordinance repealing the Superstore ordinance read the first time and laid to the next regular meeting for adoption.

The last day to request consolidation with the Los Angeles County Registrar-Recorder for placement of a measure on the February 2008 ballot is November 9, 2007.

Should the City Council determine to place the Superstore ordinance to voters at the next statewide election, the following milestones and actions are required.

1. Per Long Beach Municipal Code Section 1.24.020, requests to write arguments for these propositions must be submitted to Mayor Foster no later than Friday, November 9, 2007. The list of argument writers must be submitted to City Council for approval on the City Council Agenda of November 13, 2007.
2. Arguments for and against the measure must be submitted to the Registrar-Recorder no later than November 19, 2007. Arguments may not exceed 300 words in length. On the same date, the City Attorney's impartial analysis is also due to the Registrar-Recorder. From this date forward, the Registrar-Recorder's Calendar of Events guides the processing of the ballot measure (see Attachment D).

3. The public examination period for ballot measure materials begins on November 20, 2007 and closes November 29, 2007. During this period the elections official shall make available for public examination a copy of the ballot measure, its arguments or its impartial analysis.
4. In addition, rebuttal arguments for the measure must be submitted to the Registrar-Recorder no later than November 29, 2007.

FISCAL IMPACT

The City Clerk Department budget contains \$1,350,000 for conduct of elections in FY 2008.

Assuming that placement of one measure on the February 2008 ballot will cost between \$514,000 to \$564,000, this will leave appropriations of approximately \$789,000 to \$836,000 for conduct of the City's Primary Nominating Election.

As of October 9, 2007, the City Clerk Department estimates the cost of the April 2008 Primary Nominating Election to be approximately \$742,000. This estimate has been referred to the Budget Oversight Committee and Elections Oversight Committee for further review.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LARRY HERRERA
CITY CLERK

Attachments:

Attachment A – Registrar-Recorder, Estimated Cost for City of Long Beach Measure (only) for the February Primary Election, dated April 24, 2007.

Attachment B – Registrar-Recorder, Estimated Costs for City of Long Beach and Long Beach Community College District Measures, dated October 17, 2007.

Attachment C - Registrar-Recorder, Updated Estimated Cost for City of Long Beach Measure (only), dated October 17, 2007.

Attachment D – Registrar-Recorder, Calendar of Events, as of November 1, 2007.



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

Conny B. McCormack
Registrar-Recorder/County Clerk

April 24, 2007

Larry Herrera, City Clerk
City of Long Beach
333 West Ocean Blvd. Plaza Level
Long Beach, CA 90802

ESTIMATED COST FOR FEBRUARY 5, 2008 PRIMARY ELECTION

Dear Mr. Herrera:

The estimated cost for your agency to consolidate with the February 5, 2008 Primary Election:

<u>Type of Election</u>	<u>Sharing with Other Agencies</u>	<u>Additional Measure</u>
1 Measure	\$490,000	\$20,000
2 Measures	\$510,000	

This estimate is based on the estimated voter registration, voting precincts, and the number of jurisdictions sharing prorated costs with your agency at this time. **A change in any of these factors will have an impact on final costs.**

If you have any questions or need additional information, please call Tammi Dao of my staff at (562) 462-2690.

Sincerely,

Conny B. McCormack
Registrar-Recorder/County Clerk

Kathleen Connors, Assistant
Registrar-Recorder/County Clerk, Administration



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK

12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

Attachment B

CONNIE B. McCORMACK

Registrar-Recorder/County Clerk

October 17, 2007

CITY OF LONG BEACH
333 WEST OCEAN BLVD. PLAZA LEVEL
LONG BEACH, CA 90802

ESTIMATE ONLY

ATTENTION: MR. JAMES JOHNSON, CITY OF LONG BEACH

**SCENARIO 2: ASSUMES SHARING WITH FEDERAL, STATE, COUNTY, CITY OF LONG BEACH AND
LONG BEACH COMMUNITY COLLEGE**

ELECTION: FEBRUARY 2008 PRESIDENTIAL SPECIAL PRIMARY ELECTION 2/5/2008

	<u>LOW</u>	<u>HIGH</u>
REGISTERED VOTERS	209,982	230,980
VOTING PRECINCTS	280	308
MEASURE	1	1
AGENCIES SHARING	5	5
SECURING BOARDS AND POLLS	\$57,000	\$62,000
BOARD MEMBER PAYROLL	45,000	49,000
OFFICIAL BALLOTS	6,000	6,000
VOTE RECORDER ASSEMBLY	9,000	9,000
SUPPLY PROCESSING	16,000	17,000
DELIVERY AND MILEAGE	26,000	28,000
MAILING AND POSTAGE	5,000	6,000
ABSENT VOTER PROCESSING*	23,000	25,000
PRECINCTING	1,000	1,000
ELECTION SUPPLIES	1,000	1,000
BALLOT MATERIAL PROCESSING	23,000	25,000
ELECTION DAY COSTS	61,000	66,000
PUBLICATION	5,000	5,000
PRINTING	156,000	172,000
ELECTION PREPARATION	17,000	17,000
TOTAL ESTIMATE COST	<u><u>\$451,000</u></u>	<u><u>\$489,000</u></u>

AVERAGE ESTIMATED COST:	\$470,000
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THIS ESTIMATE IS BASED ON THE ESTIMATED VOTER REGISTRATION, VOTING PRECINCTS, AND THE NUMBER OF JURISDICTIONS SHARING PRORATED COSTS WITH YOUR AGENCY AT THIS TIME. A CHANGE IN ANY OF THESE FACTORS WILL HAVE AN IMPACT ON FINAL COSTS. IF YOU HAVE ANY QUESTIONS OR NEED ADDITIONAL INFORMATION, PLEASE CALL MANUEL CAMPOS AT (562) 462-2690.

* Due to recent changes in the SB90 claiming process for Absent Voter Processing, Counties no longer have the authority to claim costs of providing these services on behalf of jurisdictions. Therefore, these cost must now be billed directly to jurisdictions and jurisdictions must submit their claim for Absent Voter Processing costs directly to the State.

Conny B. McCormack
Registrar-Recorder/County Clerk

Manuel Campos, Accounting Manager
Finance and Management Division



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
 12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

CONNOR B. McCORMACK
 Registrar-Recorder/County Clerk

October 17, 2007

CITY OF LONG BEACH
 333 WEST OCEAN BLVD. PLAZA LEVEL
 LONG BEACH, CA 90802

ESTIMATE ONLY

ATTENTION: MR. JAMES JOHNSON, CITY OF LONG BEACH

SCENARIO 1: ASSUMES SHARING WITH FEDERAL, STATE, COUNTY AND CITY OF LONG BEACH

ELECTION: FEBRUARY 2008 PRESIDENTIAL SPECIAL PRIMARY ELECTION 2/5/2008

	<u>LOW</u>	<u>HIGH</u>
REGISTERED VOTERS	209,982	230,980
VOTING PRECINCTS	280	308
MEASURE	1	1
AGENCIES SHARING	4	4
SECURING BOARDS AND POLLS	\$71,000	\$78,000
BOARD MEMBER PAYROLL	56,000	61,000
OFFICIAL BALLOTS	7,000	8,000
VOTE RECORDER ASSEMBLY	11,000	12,000
SUPPLY PROCESSING	19,000	21,000
DELIVERY AND MILEAGE	32,000	35,000
MAILING AND POSTAGE	6,000	7,000
ABSENT VOTER PROCESSING*	28,000	31,000
PRECINCTING	1,000	1,000
ELECTION SUPPLIES	1,000	1,000
BALLOT MATERIAL PROCESSING	29,000	32,000
ELECTION DAY COSTS	75,000	83,000
PUBLICATION	5,000	5,000
PRINTING	156,000	172,000
ELECTION PREPARATION	17,000	17,000
TOTAL ESTIMATE COST	<u>\$514,000</u>	<u>\$564,000</u>

AVERAGE ESTIMATED COST:	\$540,000
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THIS ESTIMATE IS BASED ON THE ESTIMATED VOTER REGISTRATION, VOTING PRECINCTS, AND THE NUMBER OF JURISDICTIONS SHARING PRORATED COSTS WITH YOUR AGENCY AT THIS TIME. A CHANGE IN ANY OF THESE FACTORS WILL HAVE AN IMPACT ON FINAL COSTS. IF YOU HAVE ANY QUESTIONS OR NEED ADDITIONAL INFORMATION, PLEASE CALL MANUEL CAMPOS AT (562) 462-2690.

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Conny B. McCormack
 Registrar-Recorder/County Clerk

Manuel Campos, Accounting Manager
 Finance and Management Division

Los Angeles County
 Registrar-Recorder/County Clerk



TENTATIVE – SUBJECT TO CHANGE

CALENDAR OF EVENTS

PRESIDENTIAL PRIMARY ELECTION — FEBRUARY 5, 2008

IMPORTANT NOTICE

All documents are to be filed with and duties performed by the Registrar-Recorder/County Clerk unless otherwise specified.

DATES	EVENTS
(2007) SEPT. 4 (Tu) E-154	<p>REGISTRATION NEW PARTY</p> <p>Last day to register affiliation with a particular political party attempting to qualify for the February 5, 2008 Presidential Primary Election. (E. C. §§ 2187 & 5100)</p>
SEPT. 10 (M) E-148	<p>GOVERNOR'S PROCLAMATION</p> <p>No later than this date, the Governor shall issue the Presidential Primary Election Proclamation. (E. C. § 12000)</p>
SEPT. 24* (M) E-134*	<p>STATEMENT OF REGISTRATION AND QUALIFICATION OF NEW POLITICAL PARTIES</p> <p>Before this date, the total number of registered voters in Los Angeles County as of September 4, 2007, shall be certified to the Secretary of State. (E.C. §§ 2187 & 5100)</p> <p>POLITICAL PARTIES ADOPT SB 28 RULES</p> <p>Last day for political party to adopt rule to permit declines to state voters to participate in party's Presidential primary nominating election. (E.C. § 13102)</p> <p>LAST DAY FOR SECRETARY OF STATE TO DETERMINE IF NEW PARTY HAS QUALIFIED EITHER BY SUFFICIENT REGISTRATION OR BY FILING OF PETITION</p> <p>(E.C. § 5100)</p>

*Date adjusted due to weekend and/or holiday

DATES	EVENTS
<p>SEPT. 27 (Th) E-131</p>	<p>STATEWIDE MEASURES — QUALIFY FOR BALLOT Last day for initiative or legislative measure to qualify for the Presidential Primary Election ballot. (Calif. Const. Art ii, § 8 (c) & E.C. §§ 9013 & 9040)</p>
<p>OCT. 9* (Tu) E-120</p>	<p>ANNOUNCEMENT OF SELECTED PRESIDENTIAL CANDIDATES — REPUBLICAN, AMERICAN INDEPENDENT, GREEN, LIBERTARIAN, NATURAL LAW, AND PEACE AND FREEDOM PARTIES On or before this date the Secretary of State will announce and publish the list of names of persons affiliated with the above parties who wish to place their names on the Presidential Primary ballot. (E. C. §§ 6340- 6342, 6520, 6720 -6724)</p>
<p>NOV. 9 (F) E-88</p>	<p>CONSOLIDATION OF ELECTIONS Last day for local jurisdictions to file a resolution with the Board of Supervisors and this office requesting consolidation with the Presidential Primary Election. (E. C. §§ 10401 & 10403)</p>
<p>NOV. 15 (Th) E-82</p>	<p>RANDOMIZED ALPHABET DRAWING The Secretary of State shall hold a public drawing to determine order of candidate's names on ballot by randomly drawing each letter of the alphabet. (E. C. § 13112)</p>

*Date adjusted due to weekend and/or holiday

DATES

EVENTS

NOV. 19 (M)**ARGUMENTS – LAST DAY TO SUBMIT**

E-78

Last day to submit arguments for or against any county, district or school measure. Arguments may not exceed 300 words in length.
(E. C. §§ 9162,9163, 9315,9316,9401 & 9502)

EXCEPTION: These provisions, regarding word limit, do not apply to a measure on school district reorganization.
(E. C. § 35758)

IMPARTIAL ANALYSIS – LAST DAY TO SUBMIT

Recommended last day for County Counsel to transmit impartial analysis of any county, district or school measure.
(E. C. §§ 9160, 9313 & 9500)

NOV. 20 (Tu)**NOV. 29 (Th)****PUBLIC EXAMINATION PERIOD FOR BALLOT MEASURE MATERIALS**

E-77

E-68

During this period the elections official shall make available for public examination a copy of any **ballot measure text, arguments, impartial analysis and the bond statement** for any county, district or school measure. A fee may be charged to any person obtaining a copy of the materials. During this period any person may file a writ of mandate or an injunction to require any or all of the material/data to be amended or deleted.
(E. C. §§ 9190, 9380 & 9509)

NOV. 29 (Th)**SECRETARY OF STATE CERTIFIES PRESIDENTIAL CANDIDATES**

E-68

Last day for Secretary of State to certify and send to the county elections officials the names of presidential candidates.
(E. C. §§ 6340- 6342, 6520, 6720 -6724)

REBUTTALS — LAST DAY TO SUBMIT

Last day for authors of arguments for and against any county, district or school measure to submit rebuttals. Rebuttals may not exceed 250 words in length.
(E. C. §§ 9167, 9317 & 9504)

DATES**EVENTS**

NOV. 30 (F) E-67	DEC. 10* (M) E-57*	PUBLIC EXAMINATION PERIOD — REBUTTALS During this period rebuttals for any county, district or school measure shall be open for public examination. A fee may be charged to any candidate/person obtaining a copy of the material. During this period any person may file a writ of mandate or an injunction to require any or all of the material/data to be amended or deleted. (E. C. §§ 3001, 3302 & 3003)
DEC. 4 (Tu) E-63		ANNOUNCEMENT OF SELECTED PRESIDENTIAL CANDIDATES — DEMOCRATIC PARTY On or before this date the Secretary of State will announce and publish the list of names of all Democratic Presidential candidates. (E. C. §§ 6041 - 6043)
DEC. 27 (Th) E-40	(2008) JAN. 28* (M) E-8*	MAIL SAMPLE BALLOT BOOKLETS A sample ballot booklet shall be mailed to each voter during this period. (E. C. §§ 13303 & 13304) STATE BALLOT PAMPHLET MAILED Between these dates, a state ballot pamphlet shall be mailed to all registered voters. (E. C. § 9094)
JAN. 7 (M) E-29	JAN. 29 (Tu) E-7	ABSENT VOTERS — FIRST AND LAST DAY TO APPLY Applications may be filed between these dates (both dates inclusive). Applications received prior to the 29 th day preceding the election will be kept and processed during this period. (E. C. §§ 3001, 3302 & 3003)

*Date adjusted due to weekend and/or holiday

DATES	EVENTS
<p>JAN. 18 (F)</p> <p>E-18</p>	<p>CERTIFIED LIST OF PRESIDENTIAL WRITE-IN CANDIDATES</p> <p>Secretary of State to prepare and send to county elections officials a certified list of write-in candidates. (E. C. §§ 6241, 6441, 6621 & 6822)</p>
<p>JAN. 22* (Tu)</p> <p>E-14*</p>	<p>REGISTRATION CLOSES</p> <p>Last day to transfer or register to vote in the presidential primary election. (E. C. § 2102)</p>
<p>FEB. 5 (Tu)</p> <p>ELECTION DAY</p>	<p>ELECTION DAY</p> <p>Polls open 7 a.m., close 8 p.m. (E. C. §§ 1000, 1200 & 14212)</p> <p>ABSENT VOTER BALLOTS RETURNED — 8 P.M. Last day for absent voter ballots to be received or turned in personally by the voter to the County Elections Official's office or at any polling place in the county. A designated family member may return the voted ballot under specified conditions. (E. C. §§ 3017 & 3020)</p>
<p>MAR. 4 (Tu)</p> <p>E+28</p>	<p>COMPLETION OF OFFICIAL CANVASS</p> <p>The official canvass must be completed within 28 days of the election. (E. C. §§ 15372-15375)</p> <p>NOTE: On March 3, 2008 the Registrar-Recorder/County Clerk is tentatively scheduled to certify the election results. On March 4 the Board of Supervisors is tentatively scheduled to declare the election results official. (E. C. §15505)</p>

*Date adjusted due to weekend and/or holiday



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024

Conny B. McCormack
Registrar-Recorder/County Clerk

April 24, 2007

Larry Herrera, City Clerk
City of Long Beach
333 West Ocean Blvd. Plaza Level
Long Beach, CA 90802

ESTIMATED COST FOR FEBRUARY 5, 2008 PRIMARY ELECTION

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If you have any questions or need additional information, please call Tammi Dao of my staff at (562) 462-2690.

Sincerely,

Conny B. McCormack
Registrar-Recorder/County Clerk

Kathleen Connors, Assistant
Registrar-Recorder/County Clerk, Administration

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

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH REPEALING ORDINANCE NO.
ORD-06-0040 (SUPERSTORES)

The City Council of the City of Long Beach ordains as follows:

Section 1. Ordinance No. ORD-06-0040, adopted on October 3, 2006, is hereby repealed.

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2007, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor