

RESOLUTION NO. RES-08-0011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH PROVIDING FOR THE APPOINTMENT OF SUJA LOWENTHAL TO THE OFFICE OF COUNCILMEMBER, SECOND COUNCIL DISTRICT, PATRICK O'DONNELL TO THE OFFICE OF COUNCILMEMBER, FOURTH COUNCIL DISTRICT, AND RAE GABELICH TO THE OFFICE OF COUNCILMEMBER, EIGHTH COUNCIL DISTRICT, FOR A FULL TERM OF FOUR YEARS COMMENCING ON THE THIRD TUESDAY OF JULY, 2008

WHEREAS, a Primary Nominating Election has been scheduled to be held in the City on April 8, 2008, for the purpose of electing/nominating candidates for the Council District Offices in the Second, Fourth, Sixth and Eighth Council Districts; and

WHEREAS, Long Beach Municipal Code Section 1.21.070 provides that if at the close of the nomination period for a regularly scheduled municipal election no more than one person has been nominated to be elected from or by a Council District, and no candidate has filed nomination papers for a write-in candidacy five (5) days thereafter, the City Council shall take one of the following courses of action:

1. Appoint to the office the person who has been nominated; or
2. Appoint to the office any eligible elector if no one has been nominated; and

WHEREAS, the City Clerk has duly submitted to the City Council a certificate of the fact that only one person each has been nominated to be elected for the office of Councilmember, Second Council District, Councilmember, Fourth Council

1 District and Councilmember, Eight Council District, and has informed the City Council that
2 it may at a regular or special meeting adopt one of the courses of action indicated above;

3

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

6 Section 1. The City Clerk has submitted a certificate to the City Council
7 that at the close of the nomination period on January 11, 2008, only one candidate, Suja
8 Lowenthal, has been nominated to be elected to the office of Member of the City Council,
9 Second Council District, and no nomination papers for a write-in candidacy has been
10 received for such office. Pursuant to Long Beach Municipal Code Section 1.21.070, Suja
11 Lowenthal is hereby appointed to the office of Member of the City Council, Second
12 District for the full term of four years, commencing on the third Tuesday of July, 2008.

13 Section 2. The City Clerk has submitted a certificate to the City Council
14 that at the close of the nomination period on January 11, 2008, only one candidate,
15 Patrick O'Donnell, has been nominated to be elected to the office of Member of the City
16 Council, Fourth Council District, and no nomination papers for a write-in candidacy has
17 been received for such office. Pursuant to Long Beach Municipal Code Section 1.21.070,
18 Patrick O'Donnell is hereby appointed to the office of Member of the City Council, Fourth
19 District for the full term of four years, commencing on the third Tuesday of July, 2008.

20 Section 3. The City Clerk has submitted a certificate to the City Council
21 that at the close of the nomination period on January 11, 2008, only one candidate, Rae
22 Gabelich, has been nominated to be elected to the office of Member of the City Council,
23 Eighth Council District, and no nomination papers for a write-in candidacy has been
24 received for such office. Pursuant to Long Beach Municipal Code Section 1.21.070, Rae
25 Gabelich is hereby appointed to the office of Member of the City Council, Eighth District
26 for the full term of four years, commencing on the third Tuesday of July, 2008.

27 Section 4. That the Primary Nominating Election scheduled to be held on
28 Tuesday, April 8, 2008, for the Member of the City Council for the Second, Fourth and

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

1 Eighth Council Districts is hereby cancelled; however, this resolution shall not in any way
2 affect the holding and conduct of the Primary Nominating Election in the City of Long
3 Beach on April 8, 2008, in the Sixth Council District.

4 Section 5. That the persons hereby appointed shall qualify and take
5 office and serve exactly as if elected at a municipal election for the office.

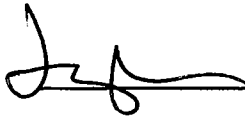
6 Section 6. This resolution shall take effect immediately upon its adoption
7 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

8 I hereby certify that the foregoing resolution was adopted by the City
9 Council of the City of Long Beach at its meeting of January 22, 2008, by the
10 following vote:

11 Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell,
12 Schipske, Andrews, Reyes Uranga,
13 Gabelich, Lerch, B. Lowenthal.

14
15 Noes: Councilmembers: None.

16
17 Absent: Councilmembers: None.

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20 
21 _____
22 City Clerk

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27 HAM:fl
1/14/08
#A08-00201




CITY CLERK CERTIFICATION OF FACT
THAT THERE ARE NOT MORE CANDIDATES
THAN OFFICES TO BE ELECTED

I, Larry Herrera, City Clerk of the City of Long Beach, California do hereby certify that, pursuant to Section 1.21.070 of the Long Beach Municipal Code, the facts relating to the Primary Nominating Election to be held on Tuesday, April 8, 2008, are as follows:

1. At the close of the nomination period on January 11, 2008, there are not more candidates than offices to be elected for the Office of Member of the City Council, District Two. The person so nominated is: SUJA LOWENTHAL
2. At the close of the nomination period on January 11, 2008, there are not more candidates than offices to be elected for the Office of Member of the City Council, District Four. The person so nominated is: PATRICK O'DONNELL
3. At the close of the nomination period on January 11, 2008, there are not more candidates than offices to be elected for the Office of Member of the City Council, District Eight. The person so nominated is: RAE GABELICH
4. That no candidate filed nomination papers for a write-in candidacy by five o'clock (5:00) P.M., on January 18, 2008; and that in such cases, Section 1.21.070 of the Long Beach Municipal Code allows one of the following actions to be taken by the City Council:
 - A. Appoint to the office the person who has been nominated.
 - B. Appoint to the office any eligible elector if no one has been nominated.
5. The person appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.
6. If, by the 75th day before the municipal election, no person has been appointed to the office pursuant to 1 or 2 above, the election shall be held.
7. If the City Council makes an appointment pursuant to Section 1.21.070 of the Long Beach Municipal Code, the City Clerk shall not accept for filing any statement of write-in candidacy, which is submitted after the appointment is made.


LARRY HERRERA
CITY CLERK


DATE