



CITY CLERK DEPARTMENT
Long Beach, California

C-6

LARRY HERRERA
City Clerk

ADMINISTRATIVE DIVISION

Monique De La Garza
Administrative Officer

ELECTIONS BUREAU

Poonam Davis
City Clerk Bureau Manager

LEGISLATIVE BUREAU

Merianne Nakagawa
City Clerk Bureau Manager

November 8, 2011

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 on April 10, 2012.

DISCUSSION

It is recommended that the City Council adopt the attached Resolutions relating to the City of Long Beach Primary Nominating Election on April 10, 2012, 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 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;
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 10, 2012, and a General Municipal Election to be held in the City on Tuesday, June 5, 2012.

Pursuant to the City Charter, on April 10, 2012, 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 19, 2011 through January 13, 2012.

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FISCAL IMPACT

Monies have been budgeted for the conduct of the Primary Nominating Election and General Municipal Election in the 2011/12 City Clerk Budget

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LARRY HERRERA
CITY CLERK

Attachment

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, 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 LONG
7 BEACH, CALIFORNIA, ON TUESDAY, THE 10TH DAY OF
8 APRIL, 2012, FOR THE NOMINATION AND/OR ELECTION
9 OF CANDIDATES FOR FOUR (4) OFFICES ON THE CITY
10 COUNCIL, EACH FOR A FULL TERM OF FOUR (4) YEARS,
11 COMMENCING WITH THE THIRD TUESDAY OF JULY,
12 2012, AND ADOPTING PROVISIONS RELATING TO THE
13 TRANSLATIONS OF AND THE CHARGES FOR COSTS OF
14 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 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 _____, 2011, by the
8 following vote:

9 Ayes: Councilmembers: _____

10 _____

11 _____

12 _____

13 Noes: Councilmembers: _____

14 _____

15 Absent: Councilmembers: _____

16 _____

17 _____

18 _____
City Clerk

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