

RESOLUTION NO. RES-12-0041

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ORDERING, PROCLAIMING, CALLING, GIVING NOTICE OF AND PROVIDING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF LONG BEACH ON TUESDAY, THE 5TH DAY OF JUNE, 2012, FOR THE ELECTION OF CITY COUNCILMEMBER FROM THE FOURTH COUNCIL DISTRICT, FOR A FULL TERM OF FOUR (4) YEARS COMMENCING WITH THE THIRD TUESDAY OF JULY, 2012; DESIGNATING THE BALLOT LISTING OF THE CANDIDATES TO BE VOTED ON; AND ADOPTING PROVISIONS RELATING TO THE TRANSLATIONS OF AND THE CHARGES FOR COSTS OF CANDIDATE STATEMENTS

WHEREAS, the City Council of the City of Long Beach, by Resolution No. RES-11-0126, duly called and provided for the holding of a Primary Nominating Election on Tuesday, April 10, 2012; and

WHEREAS, the Primary Nominating Election was held in the City of Long Beach on Tuesday, April 10, 2012, and certain candidates have been nominated for the office Councilmember for the Fourth City Council District; and

WHEREAS, in accordance with applicable law, it is necessary for the City Council to order, proclaim and call a General Municipal Election for the election of Councilmember for the Fourth City Council District;

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

1 Section 1. Pursuant to the provisions of the Constitution and laws of the
 2 State of California and the provisions of the Charter of the City of Long Beach governing
 3 the holding of municipal elections, a General Municipal Election is ordered, proclaimed
 4 and called to be held in the City of Long Beach, California, between the hours of 7:00
 5 a.m. and 8:00 p.m. on the 5th day of June, 2012, for the purpose of electing a Member of
 6 the City Council for the Fourth Council District, for a full term of four (4) years,
 7 commencing with the third Tuesday of July, 2012.

8 Section 2. The following list of candidates which has been regularly
 9 certified by the City Clerk sets forth the candidates nominated as required by law for the
 10 office of Member of the City Council for the Fourth District, and is in the order of the
 11 randomized alphabet selected by the Secretary of State:

12 CITY COUNCIL - FOURTH DISTRICT

13 Daryl Supernaw
 14 Patrick O'Donnell

15 Section 3. Notice is given of the holding and of the time and place of the
 16 election.

17 Section 4. The polls for the General Municipal Election shall be open at
 18 7:00 a.m. and shall be kept open until 8:00 p.m. when the polls shall be closed; except
 19 that, if at the hour of closing there are any voters in the polling place or in line at the door
 20 who are qualified to vote, and who have not been able to do so since appearing, the polls
 21 shall be kept open a sufficient time to enable them to vote; but no one who arrives at the
 22 polling place after 8:00 p.m. shall be entitled to vote, although the polls may be open
 23 when such person arrives.

24 Section 5. California Elections Code Section 13307 requires that a
 25 candidate's statement must be translated in Spanish at the candidate's request. Further,
 26 in accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73)
 27 all candidates' statements shall be translated into the languages indicated for Member of
 28 the City Council for the Fourth Council District as follows: Khmer, Spanish, Tagalog,

1 Korean, and Vietnamese. Any translations into the required languages shall be available
2 in the City Clerk's office upon request. A candidate shall not be required to pay for the
3 cost of translating his or her candidate's statement into any foreign language required
4 pursuant to federal and/or state law. However, a candidate shall be required to pay to
5 the cost of printing the candidate's statement in the sample ballot pamphlet in a foreign
6 language.

7 Section 6. Pursuant to Section 13307 of the California Elections Code, a
8 charge shall be levied against each candidate for the costs of the candidate's statements
9 sent to each voter. The City Clerk is directed and authorized to establish and implement
10 the charge for the costs of printing, handling, translating, and mailing any candidate
11 statements as provided in Elections Code Section 13307. Any allegation of indigency or
12 inability to pay the requisite fee in advance shall be handled by the City Clerk in
13 accordance with the provisions of Elections Code Section 13309, and in such instances
14 the candidate's statement shall only be published in the English/Spanish language.

15 Section 7. No candidate will be permitted to include any additional
16 materials in any sample ballot package.

17 Section 8. The City Clerk shall provide each candidate or the candidate's
18 representative with a copy of this resolution.

19 Section 9. This resolution shall take effect immediately upon its adoption
20 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

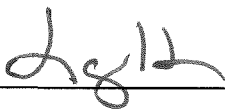
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of April 17, 2012 by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, O'Donnell, Schipske,
Johnson, Gabelich, Neal.

Noes: Councilmembers: None.

Absent: Councilmembers: DeLong, Andrews.



City Clerk

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