

RESOLUTION NO. RES-23-0155

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH, CALIFORNIA, ORDERING, PROCLAIMING, CALLING AND GIVING NOTICE OF A PRIMARY NOMINATING ELECTION AND A GENERAL MUNICIPAL ELECTION IN THE CITY OF LONG BEACH, CALIFORNIA, ON TUESDAY, THE 5TH DAY OF MARCH, 2024, AND THE 5TH DAY OF NOVEMBER, 2024, RESPECTIVELY, FOR THE NOMINATION AND/OR ELECTION OF CANDIDATES FOR FOUR (4) OFFICES OF THE LONG BEACH CITY COUNCIL, AND TWO (2) OFFICES OF THE LONG BEACH UNIFIED SCHOOL DISTRICT, EACH FOR A FULL TERM OF FOUR (4) YEARS, COMMENCING WITH THE THIRD TUESDAY OF DECEMBER, 2024, AND ADOPTING PROVISIONS RELATING TO THE TRANSLATIONS OF AND THE CHARGES FOR COSTS OF CANDIDATE STATEMENTS

WHEREAS, the Long Beach City Charter requires that the City Council must, by resolution, order the holding of all municipal elections; and

WHEREAS, the Long Beach Municipal Code mandates that the City's primary elections must be held on the first Tuesday after the first Monday in March in even-numbered years, and general elections must be held on the first Tuesday after the first Monday in November; and

WHEREAS, Elections Code Section 13307 provides that before a local election nominating period opens, the local agency for that election must make a determination concerning the levy of the costs for candidate statements; and

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

3 Section 1. Pursuant to the provisions of the laws of the State of California
4 and pursuant to the provisions of the Charter of the City of Long Beach governing the
5 holding of Primary Nominating Elections in the City, a Primary Nominating Election is
6 hereby ordered, proclaimed, declared, and called to be held in the City of Long Beach in
7 accordance with Long Beach City Charter Section 1901 on March 5, 2024, for the purpose
8 of nominating candidates for and/or electing persons for four (4) offices on the City Council,
9 namely, for the Second, Fourth, Sixth, and Eighth Districts, and a General Municipal
10 Election on November 5, 2024, for a full term of four (4) years commencing with the third
11 Tuesday of December, 2024; and notice is given of the holding of this election and of the
12 time and place of holding the same.

13 Section 2. Pursuant to the Charter of the City of Long Beach and the
14 California Education and Election Codes, and by a Resolution No. 101823-C of the
15 Governing Board of the Long Beach Unified School District, a Primary Nominating Election
16 is hereby ordered, proclaimed, declared and called to be held, and consolidated with the
17 City's and County's Primary Nominating Election, for the election of two (2) members of
18 the Governing Board from School Board Districts 2 and 4 of the Long Beach Unified School
19 District, for a full term of four (4) years commencing with the third Tuesday of December,
20 2024, and notice is given of the holding of this election, and of the time and place of holding
21 the same.

22 Section 3. California Elections Code Section 13307 requires that a
23 candidate's statement be translated in Spanish at the candidate's request. Further, in
24 accordance with the requirements of the federal Voting Rights Act of 1965 (PL 94-73) all
25 candidates' statements must be translated into the languages required thereby.
26 Accordingly, the Los Angeles County Registrar-Recorder/County Clerk must provide
27 translations of candidate statements in accordance with Section 203 of the Voting Rights
28 Act. Any translations into the required languages must be available in the City Clerk's

1 Department upon request. A candidate must not be required to pay for the cost of
2 translating his or her candidate's statement into any foreign language required pursuant to
3 federal and/or state law. However, a candidate must be required to pay for the cost of
4 printing the candidate's statement in Spanish.

5 Section 4. Pursuant to Section 13307(c) of the California Elections Code,
6 the City Council of the City of Long Beach authorizes the preparation of candidate
7 statements for nonpartisan elective office for the purpose of electronic distribution.
8 Candidates will prepare statements for electronic distribution pursuant to Section 13307(c)
9 of the Elections Code. A statement prepared pursuant to this subdivision must be posted
10 on the internet website of the County Elections Official. Pursuant to Section 13307.7(a) of
11 the Elections Code, candidates must provide payment of the requisite fee to cover the
12 duties and procedures set forth in Sections 13307(b) and (d) of the Elections Code.

13 Section 5. Pursuant to Section 13307 of the California Elections Code, a
14 charge must be levied against each candidate for the costs of the candidate's statement
15 sent to each voter. The City Clerk is directed and authorized to establish and implement
16 the charge for the costs of printing, handling, and mailing any candidate statements as
17 provided in Elections Code Section 13307. Any allegation of indigency or inability to pay
18 the requisite fee in advance must be handled by the City Clerk in accordance with the
19 provisions of Elections Code Section 13309, and in such instances the candidate's
20 statement must only be published in the English language.

21 Section 6. No candidate will be permitted to include any additional
22 materials in any sample ballot booklet.

23 Section 7. The City Clerk must provide each candidate or the candidate's
24 representative with a copy of this resolution at the time nominating papers are issued.

25 Section 8. This resolution must take effect immediately upon its adoption
26 by the City Council, and the City Clerk must certify the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
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Long Beach, CA 90802

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of October 24, 2023, by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Duggan, Supernaw, Kerr,
Saro, Uranga, Austin.

Noes: Councilmembers: None.

Absent: Councilmembers: Ricks-Oddie.



City Clerk



RESOLUTION NO. 101823-C

**A RESOLUTION OF THE GOVERNING BOARD OF EDUCATION
OF THE LONG BEACH UNIFIED SCHOOL DISTRICT OF LOS ANGELES COUNTY ORDERING A
GOVERNING BOARD MEMBER PRIMARY ELECTION, SETTING FORTH THE SPECIFICATIONS
OF THE ELECTION ORDER,
AND REQUESTING CONSOLIDATION OF SUCH ELECTIONS WITH THE PRIMARY NOMINATING
MUNICIPAL ELECTIONS
TO BE HELD ON MARCH 5, 2024 IN THE CITY OF LONG BEACH**

WHEREAS, California Education Code section 5200 and following provide that the election of Governing Board Members of the Long Beach Unified School District shall be governed by the provisions of the Long Beach City Charter; and

WHEREAS, Chapter 1.15 of City of Long Beach Municipal Code provides that beginning in 2024 the primary nominating election for Governing Board Members of the Long Beach Unified School District be held in even-numbered years, on the first Tuesday after the first Monday in March;

WHEREAS, on May 14, 2019, the Los Angeles County Board of Supervisors approved Long Beach Unified School District's request pursuant to Elections Code section 1302 to hold its Primary Nominating Elections on the first Tuesday after the first Monday in March of even-numbered years, and its General Municipal Elections to the first Tuesday after the first Monday in November of even numbered years, consolidated with the statewide elections conducted by Los Angeles County, effective March 2020;

WHEREAS, the city of Long Beach has scheduled primary nominating municipal elections to be held on March 5, 2024, for the election of City officers pursuant to the provisions of law of the State of California, the same day as the Long Beach Unified School District nominating elections; and

WHEREAS, the primary nominating municipal elections of the city named will be conducted in territory which is in part the same as the territory within which the school district primary election will be held; and

WHEREAS, the Governing Board of the Long Beach Unified School District desires that the school district primary election scheduled for March 5, 2024 be consolidated with the primary nominating municipal elections of the city named also scheduled March 5, 2024 and that such be done in accordance with provisions of the California Education and Elections Codes; and

WHEREAS, such consolidation will result in an election which is both efficient in expenditure of tax dollars and convenient for voters;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Long Beach Unified School District does hereby determine, order, and resolve as follows:

1. That pursuant to provisions of the California Education Code, the County Superintendent of Schools of Los Angeles County is hereby directed to call an election to be held in the Long Beach Unified School District on March 5, 2024, for the purpose of conducting a primary election for the election of two members of the Governing Board from School Board districts 2 and 4 of the Long Beach Unified School District.
2. That pursuant to the Charter of the City of Long Beach and the California Education and Election Codes, the specifications of the election order shall provide that the primary election to be held on March 5, 2024 is for the purpose of determining which candidate shall be elected

from each School Board district by reason of obtaining a majority of the votes cast at the primary election, or in the event no candidate obtains a majority of votes cast, which two candidates of the School Board district who, having received the greatest number of votes at the primary election, shall thereafter stand for election at the general election on November 5, 2024; and that the terms of office shall be for four years for members elected from School Board districts 2 and 4, which terms shall commence on December 17, 2024. Any ties in voting shall be settled by the casting of lots under the supervision of the Los Angeles County Registrar-Recorder, and in such manner and place as the Los Angeles County Registrar-Recorder decides.

3. That, in accordance with provisions of the Education and Elections Codes, the governing body of the city of Long Beach, be and hereby is requested to consolidate the school district primary election of March 5, 2024 with the primary nominating municipal elections of the city named for March 5, 2024.
4. That, in accordance with California Elections Code sections 10400 *et seq.*, the Governing Board of the Long Beach Unified School District consents to the further consolidation of the City's municipal election with that of Los Angeles County.
5. That the election precincts, the polling places and voting booths, the polling hours and the officers appointed to conduct the election shall, to the extent possible, be the same as those provided for the municipal elections to be held in the above-named city.
6. That the respective governing bodies of the above-named city be and is hereby authorized to canvas the returns of said school district election which is being consolidated with the primary nominating municipal elections, and certify the election results to the Los Angeles County Registrar-Recorder.
7. That the school district election, as consolidated with the elections held in the above-named city, shall be held, to the extent possible, as if there were only one election held in the city, and, to the extent possible, only one form of the ballot shall be used.
8. That the governing bodies of the above-named city is hereby requested to take any and all steps necessary for the holding of said consolidated elections.
9. That the Long Beach Unified School District agrees to pay to the entity conducting each election any additional costs which are incurred by such entity as a result of this consolidation.
10. That a certified copy of this Resolution be filed by the Secretary of the Board of Education with the governing body of the above-named city, as well as the Los Angeles County Superintendent of Schools, and the Los Angeles County Registrar-Recorder.

BE IT FURTHER RESOLVED THAT, the Board of Education adopt Resolution No. 101823-C ordering a primary election for the Board of Education members of districts 2 and 4 and consolidation of such election with the primary nominating municipal election to be held on March 5, 2024 in the city of Long Beach.

AYES: 5


NOES: Ø

ABSTAIN: Ø

ABSENT: Ø

APPROVED, ADOPTED AND SIGNED on October 18, 2023.

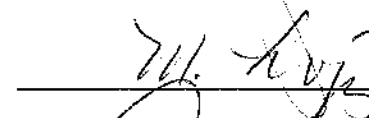
THE GOVERNING BOARD OF EDUCATION OF
LONG BEACH UNIFIED SCHOOL DISTRICT
OF LOS ANGELES COUNTY, CALIFORNIA




President



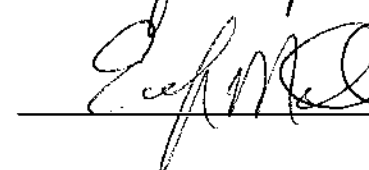
Vice-President



Member



Member



Member