



City Hall 1400 Highland Avenue Manhattan Beach, CA 90266-4795  
Telephone (310) 802-5000 FAX (310) 802-5001 TDD (310) 546-3501

October 6, 2004

Ms. Violet Varona-Lukens, Executive Officer  
Los Angeles County Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 W. Temple Street, Room 383  
Los Angeles, CA 90012

Dear Ms. Varona-Lukens:

Enclosed please find attached certified copies of the following Resolutions:

- Resolution No. 5937 - Authorizing the "Calling" and "Giving Notice" of a General Municipal Election
- Resolution No. 5938 - Requesting the assistance of the Board of Supervisors of Los Angeles County
- Resolution No. 5939 - Adopting regulations for candidates
- Resolution No. 5940 - Authorizing a Special Runoff Election in the event of a tie vote
- Resolution No. 5941 - Ordering the Submission of a Measure Relating to the Repeal of Existing Term Limits on City Councilmembers
- Resolution No. 5942 - Setting Priorities for Filing (a) Written Argument(s)
- Resolution No. 5943 - Providing for the Filing of Rebuttal Arguments

If you should have any questions, please contact the City Clerk's office at (310) 802-5056. Thank you for your assistance and cooperation.

Sincerely,

Liza Tamura  
City Clerk

Enclosure

cc: City Council  
City Treasurer  
City Manager  
City Attorney  
Conny McCormack, Registrar-Recorder/County Clerk  
Scott Martin, Martin & Chapman  
Diane Gladwell, Election Consultant

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RESOLUTION NO. 5937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on March 8, 2005 for the election of Municipal Officers; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Manhattan Beach, California, on Tuesday, March 8, 2005 a General Municipal Election for the purpose of electing three members of the City Council for the full term of four years and a City Treasurer for the full term of four years.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at 7:00 o'clock a.m. of the day of the election and shall remain open continuously from that time until 8:00 o'clock p.m. of the same day when the polls shall be closed, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 5. That pursuant to Elections Code § 12310, a stipend for services for the persons named as precinct board members is fixed at the sum of \$75 for each Inspector and \$55 for each Clerk for the election. The rental of each polling place, where a charge is made, shall be the sum of \$25 for the election.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. That this resolution shall take effect immediately and that the City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original Resolutions.



Certified to be a true copy of said document on file in my office.

City Clerk of the City of Manhattan Beach

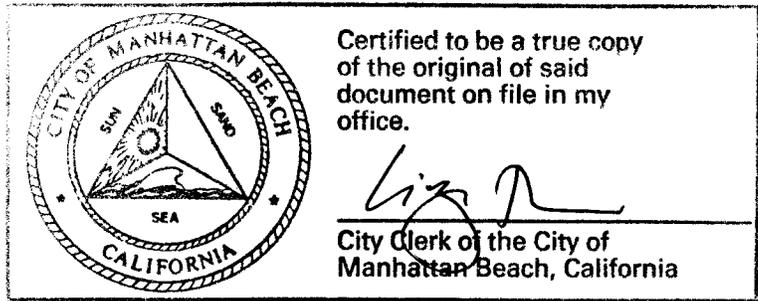
PASSED, APPROVED and ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.  
Noes: None.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk



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RESOLUTION NO. 5938

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN 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 GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005

WHEREAS, a General Municipal Election is to be held in the City of Manhattan Beach, California, on March 8, 2005; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Manhattan Beach.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the provisions of § 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish to the City for use in conducting the election the computer record of the names and address of all eligible registered voters in the City in order that the City may print labels to be attached to self-mailer sample ballot pamphlets; and will also furnish to the City printed indices of the voters to be used by the precinct board at the polling place; and will make available to the City additional election equipment and assistance according to state law.

SECTION 2. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 3. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this resolution.

SECTION 4. That this resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.  
Noes: None.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk



Certified to be a true copy of the original of said document on file in my office.

*Liza Tamura*  
City Clerk of the City of Manhattan Beach, California

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RESOLUTION NO. 5939

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Manhattan Beach on March 8, 2005 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. SPANISH LANGUAGE. The City Clerk shall have translated and printed in the voters pamphlet only the candidates statements of those candidates who request translation and printing at the candidate's expense.

SECTION 3. PAYMENT.  
a. The candidate shall be required to pay for the cost of printing their candidate statement in English in the voters pamphlet.  
b. The candidate shall be required to pay for the cost of translating their candidate statement into any required foreign language as specified pursuant to State and/or Federal law.  
c. The candidate shall be required to pay for the cost of printing their candidate statement in a foreign language in the voters pamphlet.  
d. The candidate, at the time of filing their candidate statement for the March 8, 2005 General Municipal Election Sample Ballot, shall remit the established cost of \$450.00 for their proportionate share of the cost of printing their volunteered candidate statement in English. If the candidate chooses to have their statement translated and printed in Spanish pursuant to Elections Code Section 13307, the candidate shall remit the additional established cost of \$575.00.  
The City Clerk has estimated the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and shall require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 5. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. That all previous resolutions establishing council policy on payment for candidates statements are repealed.

SECTION 7. That this resolution shall apply only to the election to be held on March 8, 2005 and shall then be repealed.

SECTION 8. That this resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

  
Certified to be a true copy of said document on file in my office.  
*JF*  
City Clerk of the City of Manhattan Beach

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

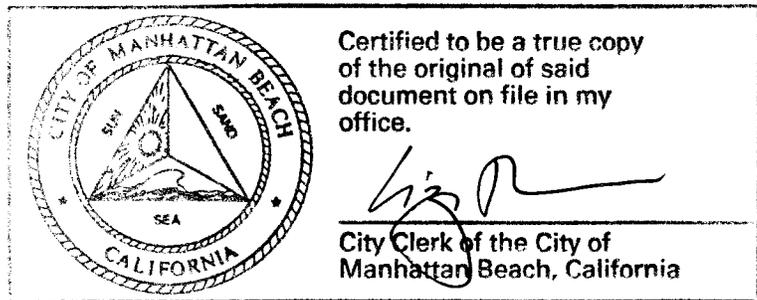
PASSED, APPROVED and ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.  
Noes: None.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk



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RESOLUTION NO. 5940

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION.

WHEREAS, § 15651(b) of the Elections Code of the State of California authorizes the City Council, by majority vote, to adopt provisions to require the conduct of a Special Runoff Election to resolve a tie vote involving those candidates who received an equal number of votes and the highest number of votes for an elective office.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to § 15651(b) of the Elections Code of the State of California, if any two or more persons receive an equal and the highest number of votes for an office to be voted for within the city, there shall be held within the city a Special Runoff Election to resolve the tie vote. A Special Runoff Election shall be called and held on a Tuesday not less than 40 nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

SECTION 2. That this resolution shall apply only to the election to be held on March 8, 2005, and shall then be repealed.

SECTION 3. That this resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger, Fahey and Mayor Wilson.  
Noes: None.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk

	<p>Certified to be a true copy of the original of said document on file in my office.</p> <p><i>Liza Tamura</i></p> <p>City Clerk of the City of Manhattan Beach, California</p>
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RESOLUTION NO. 5941

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO THE REPEAL OF EXISTING TERM LIMITS ON CITY COUNCILMEMBERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005, AS CALLED BY RESOLUTION NO. 5937

WHEREAS, a General Municipal Election on Tuesday, March 8, 2005 has been called by Resolution No. 5937, adopted on October 5, 2004, and

WHEREAS, the City Council also desires to submit to the voters at the election a question relating to the repeal of existing term limits on City Councilmembers.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

SHALL AN ORDINANCE BE ADOPTED WHICH REPEALS EXISTING TERM LIMITS FOR CITY COUNCILMEMBERS?	YES
	NO

SECTION 2. That the proposed measure submitted to the voters is attached as Exhibit A.

SECTION 3. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 4. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 5. That this resolution shall take effect immediately and that the City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger and Mayor Wilson.  
Noes: Fahey.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk



**Certified to be a true copy of the original of said document on file in my office.**

*Liza Tamura*

**City Clerk of the City of Manhattan Beach, California**

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RESOLUTION NO. 5942

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, SETTING PRIORITIES FOR FILING (A) WRITTEN ARGUMENT(S) REGARDING A CITY MEASURE ASKING VOTERS WHETHER TO REPEAL THE EXISTING TERM LIMITS ON CITY COUNCILMEMBERS AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a General Municipal Election is to be held in the City of Manhattan Beach, California, on March 8, 2005, at which there will be submitted to the voters the following measure:

**"SHALL AN ORDINANCE BE ADOPTED WHICH REPEALS EXISTING TERM LIMITS FOR CITY COUNCIL MEMBERS"?**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes ALL members of the City Council to file (a) written argument(s) In Favor of or Against City measure(s), accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. No written arguments may exceed 300 words. In accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, Written Argument(s) in Favor or Against City measure(s) may be changed until and including the date fixed by the City Clerk, which shall be TUESDAY, OCTOBER 19, 2004 at 5:00 p.m., after which no arguments for or against the City measure may be submitted to the City Clerk.

SECTION 2. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney unless the organization or salaries of the office of the City Attorney are affected. The City Attorney shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. If the measure affects the organization or salaries of the office of the city attorney, the city clerk shall prepare the impartial analysis. The impartial analysis shall be filed by TUESDAY, OCTOBER 19, 2004 at 5:00 p.m., which represents the date set by the City Clerk for the filing of primary arguments.

SECTION 3. That this resolution shall take effect immediately and that the City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

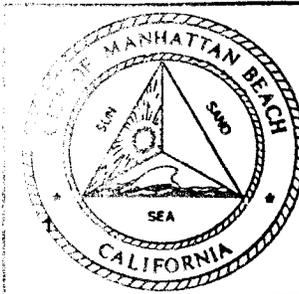
PASSED, APPROVED AND ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger and Mayor Wilson.  
Noes: Fahey.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk



Certified to be a true copy of the original of said document on file in my office.

Liza Tamura  
City Clerk of the City of Manhattan Beach, California

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RESOLUTION NO. 5943

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MANHATTAN BEACH, CALIFORNIA, PROVIDING FOR THE FILING  
OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT  
MUNICIPAL ELECTIONS

WHEREAS, Sections 9220 and 9285 of the Elections Code of the State of California  
authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal  
arguments for city measures submitted at General Municipal Elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH,  
CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Sections 9220 and 9285 of the Elections Code of the  
State of California, when the City Clerk has selected the arguments for and against the measure which  
will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of  
the measure to the authors of the argument against, and copies of the argument against to the authors  
of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250  
words. The rebuttal arguments shall be filed with the City Clerk by FRIDAY, OCTOBER 29, 2004 at  
5:00 p.m., accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if  
submitted on behalf of an organization, the name of the organization, and the printed name and  
signature of at least one of its principal officers, not more than 10 days after the final date for filing direct  
arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each  
rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments  
for city measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held  
on March 8, 2005, and shall then be repealed.

SECTION 4. That this resolution shall take effect immediately. The City Clerk shall make  
this resolution readily available for public inspection within thirty (30) days of the date this resolution is  
adopted.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this resolution  
and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 5<sup>th</sup> day of October, 2004.

Ayes: Ward, Napolitano, Aldinger and Mayor Wilson.  
Noes: Fahey.  
Absent: None.  
Abstain: None.

/s/ Linda Wilson  
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura  
City Clerk



Certified to be a true copy  
of the original of said  
document on file in my  
office.

*Liza Tamura*  
City Clerk of the City of  
Manhattan Beach, California