



July 21, 2008

To Recall Proponents:
(*see distribution list)

On July 10, 2008, you filed with the City Clerk's office two blank proposed recall petitions affecting Baldwin Park Councilmembers Monica Garcia, Anthony Bejarano, and Marlen Garcia. By this letter we acknowledge receipt of those documents.

California Elections Code § 11042(b) requires other documents to accompany the two blank copies of a recall petition and such documents must be filed at the same time. Elections Code § 11042(b) provides, in pertinent part:

"(b) At the time of the filing of the two blank copies of the petition, the proponents **shall** also file proof of publication of the notice of intention, if the notice of intention was published, or an affidavit of posting of the notice of intention, if the notice of intention was posted. (Emphasis added.)

Additionally, Elections Code § 11041(a) states, "The proponents shall use the recall petition format provided by the Secretary of State and available from the county elections official or the Secretary of State." The mandatory recall petition format is made available by both the California Secretary of State and the Los Angeles County Registrar of Voters in the document entitled, "Procedure for Recalling State and Local Officials" (SOS Recall Guidelines).

The recall petition format, as set forth in the SOS Recall Guidelines, caution you against failing to submit all necessary documents. Page 29 of the SOS Recall Guidelines states:

"Caution: The Notice of Intention must be published by proponents and proof of publication **must be filed at the time of filing the two blank copies of the petition with the election official** or, in the case of a recall of a state officers, with the Secretary of State. The Notice of Intention, publication and blank copies of the Petition will be compared and scrutinized for

accuracy. Any deviation from the text of the Notice of Intention may result in rejection of the petition." (Page 29, fn. 1; emphasis added.)

The deadline for you to comply with Elections Code § 11041(a) and 11042(b) was 10 days after the filing of the answer to the notice of intention. Accordingly, this deadline has expired.

Under normal circumstances, our office would conduct a facial examination of the two petition documents filed for each recall. However, since you have not complied with the requirements of Elections Code § 11041(a) and 11042(b) this is not possible and the examination has not taken place so that other errors, if any, are not considered in this letter.

I am sending a copy of this letter to the City Attorney. If you know of any reason why you were not required to comply with Elections Code § 11041(a) and 11042(b), please provide it to me and I will forward the same to the City Attorney for his review.

Sincerely,



Laura M. Nieto
Deputy City Clerk

cc: Susan Rubio, City Clerk
Vijay Singhal, Chief Executive Officer
Joseph Pannone, City Attorney

Reina H. Gonzales 4243 Downing Avenue Baldwin Park, CA 91706	Atanacio B. Gonzales 4243 Downing Avenue Baldwin Park, CA 91706	Joaquin Martinez 4130 Bogart Avenue Baldwin Park, CA 91706
Elizabeth Martinez 4130 Bogart Avenue Baldwin Park, CA 91706	Kenneth D. Woods 15261 E. Badillo Street Baldwin Park, CA 91706	Carol M. Woods 15261 E. Badillo Street Baldwin Park, CA 91706
Steve Woods 15261 E. Badillo Street Baldwin Park, CA 91706	Brandie M. Woods 15261 E. Badillo Street Baldwin Park, CA 91706	Cruz Baca Sembello 14740 E. Clark Street Baldwin Park, CA 91706
Alice C. Baca 14740 E. Clark Street Baldwin Park, CA 91706	Ralph G. Baca 14740 E. Clark Street Baldwin Park, CA 91706	Alice Drumm 4311 N. Alderson Baldwin Park, CA 91706
Elena A. Lara 4333 Alderson Avenue Baldwin Park, CA 91706	Alicia Drumm 4311 N. Alderson Baldwin Park, CA 91706	Juan DeLoera 4005 Merced Avenue Baldwin Park, CA 91706
Georgina Perez 14618 E. Clark Street Baldwin Park, CA 91706	Angel Perez 14618 E. Clark Street Baldwin Park, CA 91706	Nicholas Drumm 4311 Alderson Avenue Baldwin Park, CA 91706
Victor Saldana 13024 Judith Street Baldwin Park, CA 91706	Judy Saldana 13024 Judith Street Baldwin Park, CA 91706	Sara M. Olmedo 13024 Judith Street Baldwin Park, CA 91706
Luis A. Olmedo 13024 Judith Street Baldwin Park, CA 91706	Jose L. Tenorio 13018 Judith Street Baldwin Park, CA 91706	Lourdes M. Tenorio 13018 Judith Street Baldwin Park, CA 91706
Alex Gomez 923 Leorita Street Baldwin Park, CA 91706	David Rodriguez 926 Leorita Street Baldwin Park, CA 91706	Irina Herrera 926 Leorita Street Baldwin Park, CA 91706
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