

## RESOLUTION NO. 05-

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA 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, NOVEMBER 8, 2005**

**WHEREAS**, Section 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' statements.

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

**SECTION 1.** GENERAL PROVISIONS. That pursuant to Section 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 Hermosa Beach on Tuesday, November 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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.** FOREIGN LANGUAGE POLICY.

A. Pursuant to the Voting Rights Act, the City may be required to translate candidates statements into one or more of the following languages: Chinese, Japanese, Korean, Spanish, Tagalog, Vietnamese.

1 B. Pursuant to State law, the candidate's statement must be translated and printed in the  
2 voter's pamphlet in any language at the candidate's request.

3 C. The City Clerk shall have all candidates' statements translated into languages that  
4 may be required by the Voting Rights Act as specified in A above. Pursuant to State law, the  
5 City Clerk shall have translated into another language only those statements as requested by the  
6 candidate and shall print translations of candidates who request such printing in the voter's  
7 pamphlet as specified in B above.

8 **SECTION 3.** PAYMENT.

9 1. The candidate shall be required to pay for the cost of printing the candidate's  
10 statement in English in the voter's pamphlet.

11 2. The candidate shall be required to pay for the cost of translating the candidate's  
12 statement into any required foreign language as specified in A and/or B above, pursuant to State  
13 and/or Federal law.

14 3. The candidate shall also be required to pay for the cost of printing the candidate's  
15 statement in a foreign language in the voter's pamphlet.

16 The City Clerk shall estimate the total cost of printing, handling, translating, and mailing  
17 the candidates' statements filed pursuant to this section, including costs incurred as a result of  
18 complying with the Voting Rights Act of 1965 (as amended), and shall require each candidate  
19 filing a statement to pay in advance to the City his or her estimated pro rata share as a condition  
20 of having his or her statement included in the voter's pamphlet. The required estimated payment  
21 is just an approximation of the actual cost that varies from one election to another election and  
22 may be significantly more or less than the estimate, depending on the actual number of  
23 candidates filing statements. Accordingly, the Clerk is not bound by the estimate and shall, on a  
24 pro rata basis, bill the candidates for additional actual expense or refund any excess paid,  
25 depending on the final actual cost. In the event of underpayment, the Clerk shall require the  
26 candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall  
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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.** The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time the nominating petitions are issued.

**SECTION 6.** All previous resolutions establishing Council policy on payment for candidates' statements are repealed.

**SECTION 7.** This resolution shall apply only to the election to be held on Tuesday, November 8, 2005, and shall then be repealed.

**SECTION 8.** The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED ON THIS 28TH DAY OF JUNE, 2005.**

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**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Clerk

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City Attorney