

## **RESOLUTION NO. 10-40**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA CAÑADA FLINTRIDGE, 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, 2011**

**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 LA CAÑADA FLINTRIDGE, 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 La Cañada Flintridge on March 8, 2011 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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 Federal Voting Rights Act of 1965, as amended, candidate's statements shall be translated into foreign languages as required.
- B.** Pursuant to state law, candidate's statements must be translated and printed (in the voters pamphlet) in any language at the candidate's expense.
- C.** The City Clerk shall:
  1. Translations:
    - (a) Have all candidates statements translated into the languages specified in (A) above.
    - (b) have translated those statements into the languages as requested by the candidate in (B) above.

2. Printing:

- (a) Print an English only voter pamphlet to be mailed to all voters.
- (b) Print facsimile Sample Ballot and Voter Information Pamphlets, which include the candidate's statements in the languages required in 2A above, mail said facsimile pamphlets to voters who have requested such languages, and make said facsimile pamphlets available to the public upon request.
- (c) Have all translations made available upon request in the office of the City Clerk.

**SECTION 3. PAYMENT.**

**A. Translations:**

1. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (A) and/or (B) of Section 2 above pursuant to Federal and\or State law.
2. The candidate shall be required to pay for the cost of translating the candidate's statement into any foreign language that is not required as specified in (A) and/or (B) of Section 2 above, pursuant to Federal and\or State law, but is requested as an option by the candidate.

**B. Printing:**

1. The candidate shall be required to pay for the cost of translating and printing the candidate's statement into any required foreign language and as requested as an option by the candidate.

The City Clerk shall estimate 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 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 nomination papers are issued.

**SECTION 6.** That all previous resolutions establishing City Council policy on payment for candidate's statements are repealed.

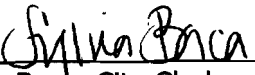
**SECTION 7.** That this resolution shall apply only to the election to be held on March 8, 2011 and shall then be repealed.

**SECTION 8.** That 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 this 1<sup>st</sup> day of November, 2010

  
Donald R. Voss, Mayor

ATTEST:

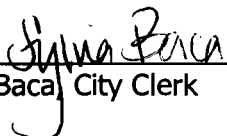
  
Sylvia Baca, City Clerk

State of California )  
County of Los Angeles ) ss.  
City of La Cañada Flintridge )

I, Sylvia Baca, City Clerk of the City of La Cañada Flintridge, California, do hereby certify that the foregoing Resolution No. 10-40 was duly adopted by the City Council of the City of La Cañada Flintridge at a Regular Meeting held on the 1st day of November 2010, by the following vote:

AYES: COUNCILMEMBERS: Olhasso, Spence, Voss  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: Brown, Del Guercio  
ABSTAIN: COUNCILMEMBERS: None

Dated: November 2, 2010

  
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Sylvia Baca, City Clerk