

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 12-30

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 5, 2013

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 candidate's 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 5, 2013 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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, if requested, the candidate's statement must be translated and printed (in the voters pamphlet) in any language requested by and at the candidate's expense.
- C.** The City Clerk shall:
 - 1. Translations**
 - a) Have all candidates statements translated into the languages specified in 2A above; and
 - b) Have translated those statements into the languages as requested by the candidate in 2B above.
 - c) Print Facsimile Sample Ballot and Voter Information pamphlets, which include the candidate statements in the languages required in 2A 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 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) Print any translations of candidates who so request printing in the main voter pamphlet.
- d) Have all translations made available upon request in the office of the City Clerk.

Section 3. Payment.

A. Translations

1. The candidate shall not be required to pay the cost of translating the candidate's statement into any foreign language required in 2A above.
2. The candidate shall be required to pay for the cost of translating the candidate's statement as specified in 2B above.

B. Printing

1. The candidate shall be required to pay the cost of printing the candidate's statement in the Sample Ballot and Voter Information Pamphlet.
2. The candidate shall not be required to pay the cost of printing the candidate's statement in a foreign language required by 2A above in the Facsimile Sample Ballot and Voter Information Pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing candidates' 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/her estimated pro rata share as a condition of having his/her statement included in the Sample Ballot and Voter Information Pamphlet. 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 City 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 overpayment, the City 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. 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. All previous resolutions establishing council policy on payment for candidate's statements are repealed.

Section 7. This resolution shall apply only to the election to be held on Tuesday, March 5, 2013, 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 this 15th day of October, 2012.



Stephen A. Del Guercio, Mayor

ATTEST:



Yvette Hall, City Clerk

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

I, Yvette Hall, City Clerk of the City of La Cañada Flintridge, California, do hereby certify that the foregoing Resolution No. 12-30 was duly adopted by the City Council of the City of La Cañada Flintridge at a Regular Meeting held on the 15th day of October, 2012, by the following vote:

AYES: COUNCILMEMBERS: Davitt, Spence, Voss, and Del Guercio.
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS: Olhasso.
ABSTAIN: COUNCILMEMBERS:

Dated: October 16, 2012



Yvette Hall, City Clerk