

RESOLUTION R12-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS

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 candidate statements;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, DOES HEREBY RESOLVE 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 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 the office of the City Clerk at the same 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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, the city is required to translate candidate statements into the following language: Chinese
- B. Pursuant to State Law, the candidate's statement must be translated and printed in Spanish at the candidate's request.
- C. The City Clerk shall:
 1. Translations:
 - (a) Have all candidate's statements translated into the language(s) specified in paragraph A, above;
 - (b) At the request of the candidate, have the candidate's statement translated into Spanish.
 2. Printing:
 - (a) Print an English only voter pamphlet to be mailed to all voters;
 - (b) Print all translations of all candidates statements pursuant to Section A, above, in a facsimile voter pamphlet, and
 - (c) 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 for the cost of translating the candidates statement into any required foreign language as specified in (A) of Section 2 above pursuant to Federal Law.
2. The candidate shall be required to pay for the cost of translating the candidates statement into any foreign language that is not required as specified in (A) 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 not be required to pay for the cost of printing the candidates statement in a foreign language required in (A) Section 2 above, in the facsimile voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language requested by the candidate per (B) of Section 2 above.

The City Clerk shall estimate the total cost for printing, handling, translating and mailing the candidate 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 more or less than the estimate, depending upon the actual number of candidate 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 incurred. In the event of overpayment, 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 among candidates and refund the excess amount paid.

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

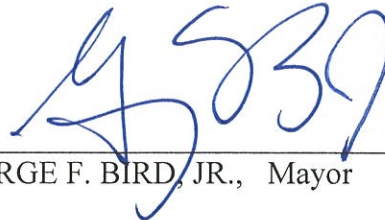
SECTION 5. The City Clerk shall provide each candidate or candidate's representative a copy of this Resolution at the time nominating petitions are issued.

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

SECTION 7. That this resolution shall apply to the next ensuing municipal election and at each municipal election after that time.

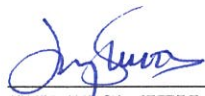
SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED this 9th day of October, 2012.



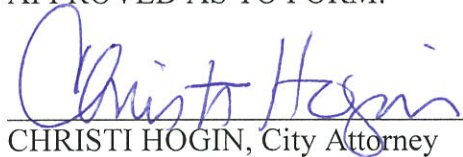
GEORGE F. BIRD, JR., Mayor

ATTEST:



JUDY SMITH, City Clerk

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

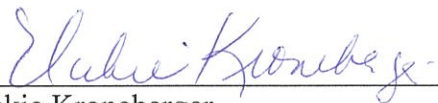
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF PALOS VERDES ESTATES)

I, Vickie Kroneberger, Executive Assistant/Deputy City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R12-27** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 9th day of October, 2012, by the following vote:

AYES: COUNCILMEMBERS: Bird, Goodhart, Rea, Perkins, Humphrey

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Vickie Kroneberger,
Executive Assistant/Deputy City Clerk