RESOLUTION NO. 2007-R068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION AND RESCINDING RESOLUTION NO. 95-R104.

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's statement.

NOW, THEREFORE, the City Council of the City of Culver City, 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 of Culver City may prepare a candidate's statement on an appropriate form provided by the City Clerk, or designee. 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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, the City is required to translate candidates' statements into Spanish.

B. The City Clerk, or designee, shall print all translations of all candidates' statements in the main voter pamphlet. The main voter pamphlet shall be in English and Spanish.

SECTION 3. PAYMENT.

A. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language, as required by subsection A of Section 2 (above) pursuant to Federal law.

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

C. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language, as required by subsection A of Section 2 (above), in the main voter pamphlet.

The City Clerk, or designee, 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 City Clerk, or designee, 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 City Clerk, or designee, may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk, or designee, shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 4. That this resolution shall apply at the next ensuing municipal election and at each municipal election after that time.

SECTION 5. Resolution 95-R104 is hereby rescinded.

APPROVED and ADOPTED this 3rd day of December, 2007.

ALAN CORLIN, MAYOR
City of Culver City, California

ATTEST:

ELA VALLADARES, Deputy City Clerk
A07-00729

APPROVED AS TO FORM:

CAROL A. SCHWAB, City Attorney