

RESOLUTION NO. 2020-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUADALUPE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE'S STATEMENTS AND MATERIALS SUBMITTED TO THE ELECTORATE TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency may 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 DOES RESOLVE, DECLARE, DETERMINE AND REQUEST AS FOLLOWS:

SECTION 1. That pursuant to Section 13307 of the Election 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 Guadalupe on Tuesday, November 3, 2020 may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the names, 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 time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period of filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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, candidates' statements will be translated into all languages required by the County of Santa Barbara. The County is required to translate candidate's statements into Spanish.

B. The County will print and mail voter information guides and candidates' statements to all voters in Spanish.

C. Pursuant to State law, a candidate's statement may be translated printed in the voter's pamphlet in any other language at the candidate's request.

SECTION 3. PAYMENT.

A. Translation:

1. The candidate shall be required to pay for the cost of translating the candidates' statement into any required foreign language above pursuant to Federal and/or State law; and as specified in Section 2.A.

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 Section 2A 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 printing the candidates' statement in English in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required in Section 2.A. above, in the main voter pamphlet.
3. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language requested by the candidate per Section 2.C. above, in the main voter pamphlet.
4. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required by Section 2.A. above, in the facsimile voter pamphlet. 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. 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 underpayment, the City Clerk may require the candidate to pay the balance of the cost incurred. 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 receiving the actual cost invoice from the County of Santa Barbara.

SECTION 4. MISCELLANEOUS.

- A. All translations shall be provided by professionally certified translators.
- B. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.
- C. No candidate will be permitted to include additional materials in the voter information guide.

SECTION 5. The candidate shall be required to pay for the cost of printing the candidate's statement in English and any other language requested by the candidate.

SECTION 6. That 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 7. That all previous resolutions establishing council policy of payment for candidate's statement are repealed.

SECTION 8. That the resolution shall apply only to the election to be held on November 3, 2020 and shall then be repealed.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

SECTION 10. The City Clerk is hereby authorized to make minor changes herein to address clerical errors, so long as substantial conformance of the intent of this document is maintained. In doing so, the City Clerk shall consult with the City Administrator and City Attorney concerning any changes deemed necessary.

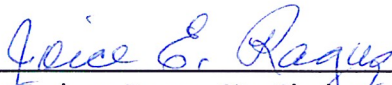
PASSED, APPROVED and ADOPTED this 23rd day of June 2020 by the following vote:

MOTION: GINA RUBALCABA / TONY RAMIREZ

AYES: 5 Councilmembers: Ramirez, Cardenas, Julian, Rubalcaba, Costa Jr.
NOES: 0
ABSENT: 0
ABSTAIN: 0

I, Joice Earleen Raguz, City Clerk of the City of Guadalupe, do hereby certify that the foregoing **Resolution No. 2020-47** was duly adopted by the City Council of the City of Guadalupe at a regular meeting held on June 23, 2020.

ATTEST:




Joice Earleen Raguz, City Clerk



Ariston Julian, Mayor

APPROVED AS TO FORM:



Philip F. Sinco, City Attorney