

RESOLUTION 2023-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES 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, 2024

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 SAN DIMAS, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER 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 San Dimas on Tuesday, March 5, 2024, 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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.

Pursuant to Section 13307(c) of the California Elections Code, the governing body of the City of San Dimas authorizes the preparation of candidate statements for nonpartisan elective office for the purpose of electronic distribution. Candidates will prepare statements for electronic distribution pursuant to Section 13307(a) of the Elections Code. A statement prepared pursuant to this subdivision shall be posted on the internet website of the County Elections Official. Pursuant to Section 13307.7(a) of the Elections Code, candidates shall provide payment of the requisite fee to cover the duties and procedures set forth in Sections 13307(b) and (d) of the Elections Code.

SECTION 3. FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, the city is required to translate candidate's statements into Spanish.
- B. Pursuant to state law, the candidate's statement must be translated and printed (in the voters pamphlet) in any language at the candidate's request.
- C. The Los Angeles Registrar Recorder County Clerk shall
 1. Translations:
 - a) Have all candidates' statements translated into Spanish as specified in (A) above.
 - b) Have translated those statements into the languages as requested by the candidate as specified in (B) above.

2. Printing:
 - a) Print all translations of all candidates' statements pursuant to (A) above, in the main voter pamphlets. Main voter pamphlets will be in English and Spanish.
 - b) Print any translations of candidates, who so request printing in the main voter pamphlet - the main voter pamphlet will be an English and Spanish pamphlet, also containing candidate statement translations if requested by the candidate.

SECTION 4. 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 Section 2 (A) above, pursuant to State and Federal law.
- 2) The candidate shall be required to pay for the cost of translating the candidate statement into any foreign language that is not required as specified in Section 2 (B) 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 candidate's statement in English in the main voter pamphlet. The candidate shall be required to pay for the cost of printing of the candidate statement in any foreign language required in the voter pamphlet as specified in Section 2 (A) above.
- 2) The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language in the main voter pamphlet that is not required, but is requested by the candidate per Section 2 (B) above.

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 receipt of billing statement from the Los Angeles Registrar Recorder County Clerk.

SECTION 5. 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.

SECTION 6. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 7. 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 8. That all previous resolutions establishing City Council policy on payment for candidate's statements are repealed.

SECTION 9. That this resolution shall apply only to the election to be held on Tuesday, March 5, 2024, and shall then be repealed.

SECTION 10. 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 10th, day of October, 2023.



Emmett G. Badar, Mayor

ATTEST:



Debra Black, City Clerk

I, Debra Black, City Clerk, hereby certify that Resolution 2023-63 was adopted by the City Council of San Dimas at its regular meeting of October 10th, 2023 by the following vote:

AYES: Badar, Ebiner, Nakano, Vienna, Weber
NOES: None
ABSENT: None
ABSTAIN: None



Debra Black, City Clerk