

RESOLUTION 2022-078

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE'S STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022.

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 candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, 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 Solana Beach on November 8, 2022 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 400 words of the candidate's education and qualifications expressed by the candidate himself/herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement is to 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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 candidate's statements are required to be translated in all languages as required. The County is required to translate candidate's statements into the following languages: Spanish, Tagalog/Filipino, Vietnamese, and Chinese.
- B. The County will mail sample ballots and candidates statements in Spanish, Tagalog/Filipino, Vietnamese, and Chinese to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates statements in the required languages available at all voting centers, on the County's website, and in the Election Official's office.

SECTION 3. 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 (A) pursuant to the Federal and/or State law.
- B. Printing
 - 1. The candidate shall be required to pay for the cost of printing the candidate's statement in English in the voter's pamphlet.
 - 2. The candidate shall be required to pay for the cost of printing the candidate's statement in a foreign language in the voter's 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 City of Solana Beach 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 shall 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 the election or as soon as the final amount is known from the Registrar of Voters.

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, the San Diego County Registrar Voters, and local municipal codes and regulations, in other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

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 on payment for candidate's statements are repealed.

SECTION 8. That this resolution shall apply at the next ensuing municipal election, November 8, 2022, and at each municipal election after that time.

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.

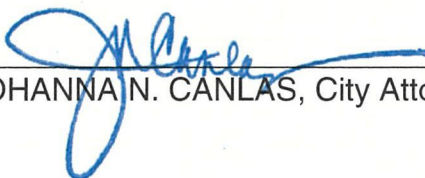
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 22nd day of June, 2022, by the following vote.

AYES: Councilmembers – Heebner, Harless, Zito, Edson, Becker
NOES: Councilmembers – None
ABSENT: Councilmembers – None
ABSTAIN: Councilmembers – None



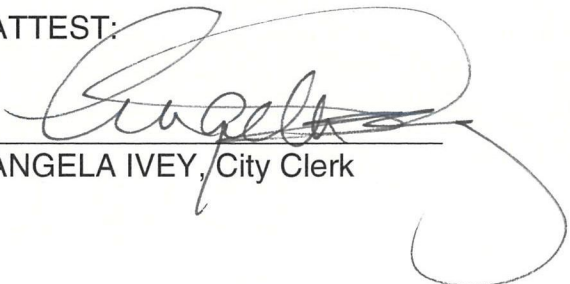
LESA HEEBNER, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



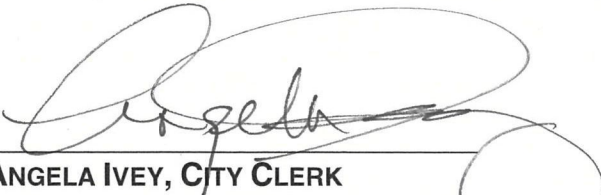
ANGELA IVEY, City Clerk

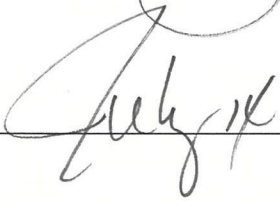


RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS.
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2022-078** *adopting regulations for Candidates for Elective Office pertaining to Candidate's Statements submitted to the voters at an election to be held on Tuesday, November 8, 2022* as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 22nd day of June, 2022 and is the original on file in the City Clerk's Office.


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: , 2022