RESOLUTION NO. 20-094

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO CANDIDATE FEES AND CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION 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 adopt regulations pertaining to materials to be submitted to the electorate prepared by any candidate for a municipal election, including costs of the candidates statement;

WHEREAS, Section 10228 of the Elections Code of the State of California provides that the City may impose a Candidate Filing Fee proportionate to the costs of processing nomination papers;

WHEREAS, City staff analyzed the costs providing certain services, including providing materials related thereto and recommends imposing a candidate administrative fee for City cost recovery.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: GENERAL PROVISIONS

A. That pursuant to § 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at the General Municipal Election to be held in the City of Carson on Tuesday, November 3, 2020, may prepare a candidate's statement on an appropriate form provided by the Elections Official.

B. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words, with a limit of 25 enhanced 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.

C. 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.

D. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 6:00 p.m. of the next working day after the close of the nomination period.

E. The nomination period will commence on Monday, July 13, 2020 at 7:00 a.m. and conclude on Thursday, August 6, 2020 at 6:00 p.m.

F. The Candidate Filing Fee shall be $25.00.

G. The Candidate Administrative Fee shall be $250.00.

Section 2: FOREIGN LANGUAGE POLICY

A. Pursuant to the Federal Voting Rights Act, candidate's statements will be translated into all non-English languages as required for the City of Carson by the County of Los Angeles (County), being Spanish and Tagalog.

B. As determined by the County of Los Angeles, to provide for full compliance with all applicable law, the County will either print and mail sample ballots and candidates statements to all voters in those languages required by law for the City of Carson, or the County will mail separate sample ballots and candidate statements in those languages required by law for the City of Carson 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 polling places, on the County's website, and in the City Election Official's office.

Section 3: PAYMENT

A. Translations:
    1. The candidate shall not be required to pay for the cost of translating the candidate statements into any required foreign language as specified in (A) and/or (B) of Section 2 above pursuant to Federal and/or State law.

B. Printing:
    1. The candidate shall be required to pay for the cost of printing the candidate statements in English in the main voter pamphlet.
    2. The candidate shall not be required to pay for the cost of printing the candidate statements in a foreign language required in (A) and/or (B) of Section 2 above, in the main voter pamphlet.
    3. The candidate shall not be required to pay for the cost of printing the candidate statements in a foreign language required in (A) and/or (B) of Section 2 above, in the facsimile voter pamphlet.

C. Cost: The County of Los Angeles shall estimate the total cost of printing, handling, 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 Carson 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 Elections Official is not bound by the estimate provided by the County 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 Elections Official may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Elections Official shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

Section 4: MISCELLANEOUS

A. All translations shall be provided by professionally-certified translators pursuant to state and federal law.

B. The Elections Official shall follow candidate statement format and style guidelines in accordance with the County, which shall be provided to each candidate or candidate's representative at the time the nominating petitions are issued.

C. The Elections Official and County 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 5: ADDITIONAL MATERIALS No candidate will be permitted to include additional materials in the sample ballot package.

Section 6: That the Elections Official 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 candidates statements are repealed.

Section 8. That this Resolution shall apply only to the election to be held on Tuesday, 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.

PASSED, APPROVED and **ADOPTED** on this 16th day of June, 2020.

APPROVED AS TO FORM:

_____
Sunny K. Soltani, City Attorney

CITY OF CARSON:

_____
Albert Robles, Mayor

ATTEST:

_____
Donesia Gause-Aldana, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 20-094, adopted by the City of Carson City Council at its meeting held on June 16, 2020, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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Donesia Gause-Aldana, MMC, City Clerk