

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018

WHEREAS, §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 HERCULES, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to §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 Hercules on November 6, 2018 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 250 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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, candidate's statements will be translated into all languages required by the County of Contra Costa. The County is required to translate candidate's statements into the following languages: Spanish and Chinese.
- B. The County will mail separate voter information guides and candidates statements in Spanish and Chinese to only those voters who are on the county voter file as having requested a voter information guide in a particular language. The County will make the voter information guides and candidates statements in the required languages available at all polling places, 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 candidates statement into any required foreign language as specified in (A) of Section 2 above pursuant to Federal and/or State law.
- B. Printing (choose one or more as appropriate):
 - 1. The candidate shall be required to pay for the cost of printing the candidate statement in English in the main voter pamphlet.
 - 2. The candidate shall be required to pay for the cost of printing the candidate statement in a foreign language required in (A) of Section 2 above, in the main voter pamphlet.
 - 3. The candidate shall be required to pay for the cost of printing the candidate statement in a foreign language requested by the candidate per (B) of Section 2 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 (A) of Section 2 above, in the facsimile voter pamphlet.

The Contra Costa County Clerk-Recorder/Registrar of Voters shall provide 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 pro rata share as a condition

of having his or her statement included in the voter's pamphlet.

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.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the voter information guide.

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 only to the election to be held on November 6, 2018 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.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 8th day of May 2018 by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chris Kelley, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk