

RESOLUTION NO. 22-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVALON, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT THE ELECTION TO BE HELD ON TUESDAY, JUNE 7, 2022

Whereas, Elections Code §13307 provides that the governing body of any local agency shall 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 AVALON DOES DETERMINE, FIND, RESOLVE 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 Avalon on June 7, 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 **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 nominations papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers (February 14, 2022 – March 11, 2022) until 5:00 p.m. of the next working day after the close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 applicable law, the Federal Voting Rights Act, the City is required to translate candidates' statements, if any, into Spanish.

B. A candidate's statement may be translated into another language at the candidate's request.

C. The City Clerk shall accomplish the following:

1. Translations

a. Have all candidates' statements translated into English and Spanish and any other language requested by a candidate.

2. Printing

a. The main voter pamphlet will be in English and Spanish.

D. Payment

1. Translations - The candidate **shall** be required to pay for the cost (\$200) of translating the candidate's statement into Spanish and any requested foreign language

2. Printing - The candidate **shall** be required to pay for the cost of printing the candidate's statements in the main voter pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidates' statements filed pursuant to this section, including the 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 rate share as a condition of having his or her statement included in the voter's pamphlet. The estimated payment is just an approximation of the actual cost and varies from one election to another and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk shall not be bound by the estimate and may, on a pro rata basis, bill the candidates for additional actual expense or make refund of any excess paid, depending upon the final actual cost. In the event of underpayment, the City Clerk shall require the candidates 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 due within thirty (30) days of the election.

Section 3. ADDITIONAL MATERIALS. No candidate shall be permitted to include additional materials in the sample ballot package.

Section 4. The City Clerk shall provide each candidate or candidate's representative a copy of this Resolution at the time nominating petitions are issued.

Section 5. 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 at a regular meeting of the City Council of the City of Avalon on this 15th day of February, 2022, by the following vote:

Ayes: Mayor Marshall, Councilmembers De La Rosa, Lavelle, MacGugan-Cassidy, and Ponce.

Noes: None.


Absent: None.

Abstain: None.



Ann H. Marshall, Mayor

ATTEST:



Gabrielle Morones
Deputy City Clerk/Sr. Admin. Assist.


STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF AVALON)

I, GABRIELLE MORONES, DEPUTY CITY CLERK OF THE CITY OF AVALON, do hereby certify that the foregoing is a true and correct copy of Resolution No. 22-10 and was duly passed, approved, and adopted by the Avalon City Council at the special meeting of February 15, 2022 by the following vote:

Ayes: Mayor Marshall, Councilmembers De La Rosa, Lavelle, MacGugan-Cassidy
 and Ponce.
Noes: None
Absent: None
Abstain: None

and that the same has not been amended nor repealed.

Dated this 17th day of February, 2022.



Gabrielle Morones, Deputy City Clerk
City of Avalon, California