

RESOLUTION NO. 7525

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE'S STATEMENTS SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a Municipal Election, including costs of the Candidate's Statement; and

WHEREAS, the City Council of the City of South Gate seeks to adopt such regulations with respect to the General Municipal Election of March 5, 2013.

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

SECTION 1. GENERAL PROVISIONS

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 South Gate on March 5, 2013, 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 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 in typewritten form using a typewriter or computer, and not written by hand, and filed 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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 Voting Rights Act of 1965, candidates' statements will be translated into all languages required by the County of Los Angeles. The County is required to translate candidate's statement into the following language in addition to English: **Spanish**
- B. Pursuant to state and federal law, the candidate's statement must be translated and printed in the voter's pamphlet in any required language as mandated.
- C. The City Clerk shall comply with the following requirements,

1. Translation
 - a. Have all candidates statements translated in required (Spanish) languages.
2. Printing
 - a. Print a bilingual main voter pamphlet in English and Spanish.
 - b. Print all translations of candidates who so request printing in the main voter pamphlet that will include the English and Spanish requirements.
 - c. Have all translations made available upon request in the office of the City Clerk.

SECTION 3. PAYMENT

A. Translation

1. The Candidate **shall not** be required to pay for the cost of translating the candidate's statement into any mandated **required** foreign language as specified in subsections (A) and/or (B) of Section 2, above.
2. The Candidate **shall** be required to pay for the cost of translating the candidate's statement into any foreign language that is **not required** as specified in subsection (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's statement in English in the main voter pamphlet.
2. The Candidate **shall** be required to pay for the cost of printing the candidate's statements in a foreign language **required** in subsection (A) of Section 1, above, in the main voter pamphlet.
3. The Candidate **shall** be required to pay for the cost of printing the candidate's statement in a foreign language **requested** by the candidate pursuant to subsection (B) of Section 2 above in the main voter 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 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 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 may 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.

SECTION 4. MISCELLANEOUS

- A. All translations shall be provided by professionally-certified translators.
- B. The City Clerk shall allow bold type, capitalization, bullets, and leading hyphens to the same extent and manner as allowed in previous City elections.
- C. 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 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 nomination petitions are issued.

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

SECTION 8. That this Resolution shall apply to the election to be held on March 5, 2013, and shall then be repealed.

SECTION 9. The City Clerk shall certify to the passage and adoption of this Resolution, which shall take full force and effect the date of its adoption.

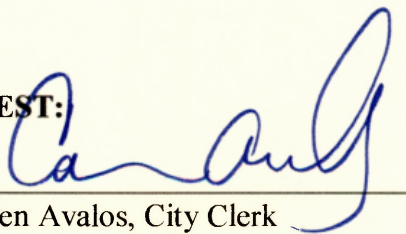
PASSED, APPROVED and ADOPTED, this 9th day of October, 2012.

CITY OF SOUTH GATE:



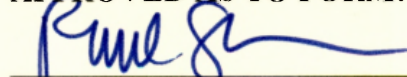
W.H. (Bill) De Witt, Mayor

ATTEST:



Carmen Avalos, City Clerk
(Seal)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

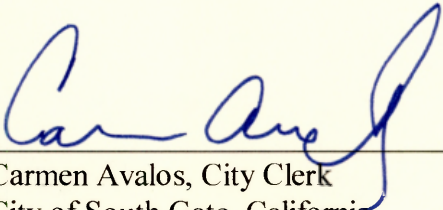
RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7525 was adopted by the City Council at their Regular Meeting held on October 9, 2012, by the following vote:

Ayes: Council Members: De Witt, Hurtado, Gonzalez, Morales and Davila
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Witness my hand and the seal of said City on October 18, 2012.



Carmen Avalos, City Clerk
City of South Gate, California