RESOLUTION NO. 2008-006

Adopted by the Sacramento City Council

January 8, 2008

ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, JUNE 3, 2008

BACKGROUND:

A. The Sacramento City Council has called a Primary Municipal Election to be held on Tuesday, June 3, 2008 to fill offices for Mayor and Council Districts 2, 4, 6 and 8.

B. California Elections Code 13307(e) requires that the local agency adopt regulations pertaining to the processing and payment of candidate statements.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES 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 Sacramento, California, on Tuesday, June 3, 2008, 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 that two hundred (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 prepared in typewritten form and be 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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. ADDITIONAL MATERIALS. No candidate will be permitted to

include additional materials in the sample ballot package.

Section 3. FOREIGN LANGUAGE POLICY. Pursuant to the Federal Voting Rights Act, candidate statements published in election materials within the County of Sacramento are required to be translated into Spanish.

Section 4. PAYMENT. The Sacramento County Registrar of Voters has estimated the cost of printing, handling, translating, and mailing the candidate's statement filed pursuant to this section, including cost 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 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 Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expenses or refund any excess paid depending on the final actual cost. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of receiving the actual costs from the County Registrar of Voters. The cost of English and Spanish are as follows Mayor - $4,350.00; District 2 - $400.00; District 4 - $700.00; District 6 - $550.00; and District 8 - $500.00. Payment of the deposit shall be by cash or by check payable to the City of Sacramento.

Section 5. 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 6. That all previous resolutions establishing Council policy on payment for candidate statements are repealed.

Section 7. That this resolution shall apply only to the election to be held on Tuesday, June 3, 2008, and shall then be repealed.

Section 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Adopted by the City of Sacramento City Council on January 8, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk