



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
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Consent
July 20, 2010

Honorable Mayor and
Members of the City Council

**Title: Candidate Statement Regulations for the November 2, 2010 General
Municipal Election**

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at the November 2, 2010 General Municipal Election.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093
Shirley Concolino, City Clerk, (916) 808-5442

Presenters: N/A

Department: City Clerk's Office

Division: N/A

Organization No: 04001011

Description/Analysis

Issue: Prior to an election, the governing body of the jurisdictional must adopt a resolution that establishes regulations for the preparation and payment of processing candidate statements.

Policy Considerations: This procedure is established in accordance with California Elections Code 13307(e).

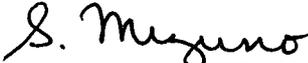
Environmental Considerations: None

Commission/Committee Action: None

Rationale for Recommendation: Pursuant to California Elections Code Section 13307, the legislative body must adopt regulations pertaining to the preparation and payment of candidate statements prior to the opening of the nomination period.

Financial Considerations: The adoption of this regulation will establish the cost of including this optional statement in the voter's pamphlet. The funds received will be deposited into the General Fund to be used to offset the overall costs incurred.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by: 
Stephanie Mizuno,
Assistant City Clerk

Recommendation Approved:


Shirley Concolino
City Clerk

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Prior to an election, the governing body of the jurisdictional must adopt a resolution that establishes regulations for the preparation and payment of processing candidate statements. These statements are submitted by the candidate for inclusion in the voter's pamphlet. The candidate statement is optional. The statement may include the candidate's name, age and occupation and a brief description of no more than 200 words describing the candidate's education and qualifications.

Each candidate filing a statement is required to pay in advance an estimated pro rata share as a condition of having the statement included in the voter's pamphlet. In compliance with minority language provisions of the Federal Voting Rights Act, statements shall be printed in the sample ballot in both English and Spanish.

The Sacramento County Registrar of Voter's Office has estimated the pro rata shares sufficient to cover the costs of translation, printing, handling and mailing. These amounts are based on current registration figures.

District 5 -	\$350.00
District 7 -	\$450.00

ATTACHMENT 2

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RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010

BACKGROUND:

- A. The Sacramento City Council has called a Primary Municipal Election to be held on Tuesday, November 2, 2010 to fill offices for Council Districts 5 and 7.
- 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, November 2, 2010, 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 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 by the deadline established by the Elections Official. Statements exceeding 200 words in length will be shortened by removing words from the end of the statement until the word limit is reached. The standard word count as provided in the Elections Code shall be used.
- 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 will be translated into all languages required by the County of Sacramento. The County is required to translate candidate's statements into Spanish.

The County will print and mail sample ballots and candidate's statements to all voters in English and Spanish. The County will make the sample ballots and candidate's statements in the required languages available at all polling places and in the County Election Official's office.

- 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 Federal 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: District 5 - \$350.00; and District 7 - \$450.00. Payment of the deposit shall be by cash or by check payable to the City of Sacramento.

- Section 5. MISCELLANEOUS. a) All translations will be provided by a professionally-certified translator procured by the County Elections Official. Candidates may not translate their own candidate statements; b) The statement of each candidate shall be printed in type that is of uniform size and darkness, and with uniform spacing. Candidates may not use underlining; ALL CAPS; *italics*; **bold print**; dashes --; bullets •; stars ★ or other forms of emphasis; one sentence paragraphs; multiple punctuation "... " or "-----" etc.; publication names and titles which are referenced are not to be underlined; and c) In order for the statement to fit onto a page in the official sample ballot the maximum number of paragraphs is 5 and the maximum number of lines is limited to 25.

- Section 6. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution

- Section 7. That all previous resolutions establishing Council policy on payment for candidate statements are repealed.
- Section 8. That this resolution shall apply only to the election to be held on Tuesday, November 2, 2010, 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.