

RESOLUTION NO. 22-1176

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLVANG, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022

WHEREAS, § 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 regulations pertaining to payment of costs of the candidates' statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE 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 Solvang on November 8, 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 two hundred (200) words of the candidate's education and qualifications expressed by the candidate themselves. 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. Except as provided in Elections Code §13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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, candidates' statements will be translated into all languages required by the County of Santa Barbara. The County is required to translate candidate's statements into the following languages: Spanish.

B. The County will print and mail sample ballots and candidates' statements to all voters in Spanish. The County will make the sample ballots 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 candidate's statements into any required foreign language as specified in (A) and (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 candidates statement

in English in the main voter pamphlet.

2. The candidate shall be required to pay for the cost of printing the candidates 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 candidates statement in a foreign language required by (A) of Section 2 above, in the facsimile pamphlet. The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the Candidates' 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 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 filling 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 costs. 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 thirty (30) days of the election.

SECTION 4. ADDITIONAL MATERIALS. No candidate will be permitted to include additional material in the sample ballot package.

SECTION 5. That the City Clerk shall provide each candidate or the candidate's representative with a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. That all previous resolutions establishing Council policy on payment for candidates' statements are repealed.

SECTION 7. That this Resolution shall apply only to the election to be held on November 8, 2022, 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.

PASSED, APPROVED, AND ADOPTED on this 13th day of June 2022.

DocuSigned by:
Charles D. Uhrig
AA641E9AC73D48C

Charlie Uhrig, Mayor

APPROVED AS TO FORM:

ATTEST:

DocuSigned by:
Dave Fleishman
8CACE76DAD12485

Dave Fleishman, City Attorney

DocuSigned by:
Annamarie Porter
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Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 22-1176 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 13th day of June 2022, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES: CLARKE, INFANTI, ORONA, THOMAS, UHRIG

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

DocuSigned by:

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Annamarie Porter, City Clerk