

RESOLUTION NO. 5479(08)

**A Resolution Of The Council Of The City Of Lompoc
County Of Santa Barbara, State of California,
Adopting Regulations For Candidates For Elective Office,
Pertaining To And Costs Of Candidates' Statements Submitted to the Voters
At the Consolidated General Municipal Election To Be Held
In The City On Tuesday, November 4, 2008**

WHEREAS, California Elections Code Section 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 candidates' statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVES THAT:

SECTION 1. GENERAL PROVISIONS. Pursuant to California Elections Code 13307, each candidate for elective office to be voted for at the Consolidated General Municipal Election to be held in the City of Lompoc on November 4, 2008, may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statement may include the name, age, and occupation of the candidate and a brief description, not exceeding 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. Such statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the City Clerk's Office 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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. Pursuant to the Voting Rights Act, the County is required to translate candidates' statements in addition to English, into Spanish.

SECTION 3. PAYMENT.

- A. The candidate is required to pay for the cost of printing his or her statement in English and Spanish in the voters' pamphlet.
- B. 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 of Lompoc his or her estimated pro rata share as a condition of having his or her statement included in the voters' pamphlet. The estimate is an approximation of the actual cost that varies from one

election to another and the actual cost may be significantly more or less than the estimate, depending upon the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill each candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the Clerk shall require the candidate to pay the balance of the cost incurred. In the event of overpayment, within thirty (30) days after the election, the Clerk shall pro-rate the excess amount among the candidates and refund the excess amount.

SECTION 4. ADDITIONAL MATERIALS. No candidate is permitted to include additional materials in the sample ballot package.

SECTION 5. The City Clerk shall provide each candidate or his or her representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. All previous Resolutions establishing Council policy on payment for candidate's statements are repealed.

SECTION 7. This resolution applies only to the election to be held on November 4, 2008 and shall then be repealed.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

The foregoing Resolution was proposed by Councilmember_____, seconded by Councilmember_____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on June 17, 2008, by the following electronic vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

Dick DeWees, Mayor
City of Lompoc

ATTEST:

Donna N. Terrones, CMC
City Clerk, City of Lompoc