

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

RESOLUTION NO. 2008-33 ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS FOR THE GENERAL MUNICIPAL ELECTION, NOVEMBER 4, 2008

Summary Statement:

Pursuant to Section 13307 of the Elections Code of the State of California, the governing body of the local agency shall adopt regulations by Resolution pertaining to materials prepared by any candidate for a municipal election, including costs of candidates' statements.

The County Registrar has advised that if a candidate chooses to file a Candidate's statement, the Candidate will be required to remit a check in the amount of \$ 1265.00 at the time nomination papers are submitted to the Town Clerk. (If a balance remains after the printing costs are paid, the balance will be refunded. Any additional costs will be billed to the "Candidate" and will be due and payable.

Recommended Action:

Adopt Resolution No. 2008-33 adopting regulations for candidates for elective officer pertaining to candidates statements submitted to the voters at an election, November 4, 2008.

Proposed by: La Vonda M-Pearson, Town Clerk **Item Number** _____

T. M. Approval: _____ **Budgeted Item** Yes No N/A

RESOLUTION NO. 2008-33

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008.

THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER 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 Town of Apple Valley on November 4, 2008 may prepare a candidate's statement on an appropriate form provided by the Town 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, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the Town 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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 state law, the candidates' statements must be translated and printed in Spanish.
- b. Pursuant to the Voting Rights Act, the Town is required to translate candidates statements into the following languages in addition to English: Spanish.
- c. The Town Clerk shall:
 1. Have all candidates statements translated into the languages specified in (b) above.
 2. Print all translations of candidates' statements in the voters' pamphlet.

SECTION 3. PAYMENT.

1. The candidate shall be required to pay for the cost of printing the candidates' statements in English.
2. The candidate shall be required to pay for the cost of translating the candidates' statements into any foreign language as specified in (b) above pursuant to State and/or Federal law.
3. The candidate shall be required to pay for the cost of printing the candidates' statements in a foreign language.

The Town Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidates statements filed pursuant to the Elections Code.

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

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

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

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

SECTION 8. The Town 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 THE 24th DAY OF JUNE 2008.

TIMOTHY J. JASPER, MAYOR

ATTEST:

LA VONDA M-PEARSON, CMC
TOWN CLERK

(SEAL)