

June 2, 2003

City Council Meeting  
June 10, 2003

Mayor and Members  
of the City Council

**RESOLUTION 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, 2003**

**Recommendation:**

It is recommended that the City Council adopt the attached resolution, which, consistent with past policy, establishes a 200-word limit and requires candidates to pay all associated costs with regard to candidates statements for the November 4, 2003 General Municipal Election.

**Background:**

The California Elections Code allows each candidate for a nonpartisan elective office in a city to prepare a statement to be included with the sample ballot and mailed to each registered voter. The law requires the Council to adopt a policy regarding the candidates' obligation for payment for candidates' statements no later than seven days before the nomination period opens. The filing period for nomination papers is July 14 through August for the upcoming November election. Attached is a draft resolution outlining the candidate statement policy.

Traditionally, it has been Council policy to require the candidates to cover all costs associated with their statements, and the attached resolution has been prepared assuming that the policy will be maintained. The City Clerk is required to set the estimated cost of candidate statements prior to the nomination-filing period. The County has indicated they will provide me that information the first week in July.

State law permits Council to authorize an increase in the limitation on words for the statement from 200 to 400 words. Past policy has restricted the statements to 200 words, and the attached resolution has been prepared assuming that the policy will be maintained. The 200-word limit has seemed adequate in the past, and increasing the word limit would increase the cost.

The resolution also accommodates any required translation of statements into one or more foreign languages, pursuant to the federal Voting Rights Act. Hermosa Beach has not been required to do any translations into foreign languages in past elections and it appears that the same will hold true for this election. However, since I have nothing in writing at this time from the County, I have included a provision in the resolution, which states that translation and printing "may be required."

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Elaine Doerfling, City Clerk

Noted:

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Stephen R. Burrell, City Manager



1 C. The City Clerk shall have all candidates' statements translated into languages that  
2 may be required by the Voting Rights Act as specified in A above. Pursuant to State law, the City  
3 Clerk shall have translated into another language only those statements as requested by the candidate  
4 and shall print translations of candidates who request such printing in the voter's pamphlet as specified  
5 in B above.

6 **Section 3.** PAYMENT.

7 1. The candidate shall be required to pay for the cost of printing the candidate's  
8 statement in English in the voter's pamphlet.

9 2. The candidate shall be required to pay for the cost of translating the candidate's  
10 statement into any required foreign language as specified in A and/or B above, pursuant to State and/or  
11 Federal law.

12 3. The candidate shall also be required to pay for the cost of printing the candidate's  
13 statement in a foreign language in the voter's pamphlet.

14 The City Clerk shall estimate the total cost of printing, handling, translating, and mailing  
15 the candidates' statements filed pursuant to this section, including costs incurred as a result of complying  
16 with the Voting Rights Act of 1965 (as amended), and shall require each candidate filing a statement to  
17 pay in advance to the City his or her estimated pro rata share as a condition of having his or her  
18 statement included in the voter's pamphlet. The required estimated payment is just an approximation of  
19 the actual cost that varies from one election to another election and may be significantly more or less  
20 than the estimate, depending on the actual number of candidates filing statements. Accordingly, the  
21 Clerk is not bound by the estimate and shall, on a pro rata basis, bill the candidates for additional actual  
22 expense or refund any excess paid, depending on the final actual cost. In the event of underpayment,  
23 the Clerk shall require the candidate to pay the balance of the cost incurred. In the event of  
24 overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess  
25 amount paid within 30 days of the election.

26 **Section 4.** ADDITIONAL MATERIALS. No candidate will be permitted to include  
27 additional materials in the sample ballot package.

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**Section 5.** The City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time the 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 Tuesday, November 4, 2003, 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.

**PASSED, APPROVED AND ADOPTED ON THIS 10TH DAY OF JUNE, 2003.**

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**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach

**ATTEST:**

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City Clerk

**APPROVED AS TO FORM:**

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City Attorney