RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM 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

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate’s statement;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF ANAHEIM, CALIFORNIA DOES RESOLVE DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. 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 Anaheim on November 4, 2008 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 200 words of the candidate’s education and qualifications expressed by the candidate himself or herself. The statement shall not include any 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. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period except as provided in Section 13309 of the Elections Code.

SECTION 2. FOREIGN LANGUAGE POLICY.

1. Pursuant to the minority language provisions of the Federal Voting Rights Act, the City is required to translate the candidate’s statements into the following languages in addition to English:

   Spanish, Chinese, Korean and Vietnamese.

2. The Orange County Registrar of Voters shall have all candidates’ statements translated into the languages specified in (1) above and print all translations of all candidate’s statements in the voters pamphlet and these translations shall be made available upon request in the Office of the City Clerk.

SECTION 3. PAYMENT

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 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 City 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 City Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

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

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

SECTION 6. That all previous resolutions establishing council policy on payment for candidate’s statements are repealed.

SECTION 7. That this resolution shall apply only to the election to be held on November 4, 2008.

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.

THE FOREGOING RESOLUTION is approved and adopted by the City Council of the City of Anaheim this _____ day of June, 2008, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
MAYOR

______________________________
CITY CLERK