

RESOLUTION NO. 2008-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS OF QUALIFICATIONS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008

WHEREAS, §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 elective office, including costs of the candidate's statement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby determines as follows:

Section 1. GENERAL PROVISIONS. Pursuant to §13307 of the Elections Code, each candidate for elective office to be voted for at an election to be held in the City of Elk Grove on November 4, 2008, may prepare a candidate's statement of qualifications (hereafter "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 party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

Section 2. FOREIGN LANGUAGE POLICY. Pursuant to the Federal Voting Rights Act, the City Clerk shall have all candidates statements translated into Spanish.

Section 3. PAYMENT. The candidate shall be required to pay for the cost of printing the candidate's statement in English and Spanish in the voters' pamphlet.

In accordance with the Sacramento Registrar of Voters estimate of 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), the City Clerk shall require each candidate filing a statement to pay in advance his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. The estimate is 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 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 cost. In the event of underpayment, the candidate shall

pay the balance of the cost incurred. In the event of overpayment, the Clerk shall 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. 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 candidates' statements are repealed.

Section 7. That this resolution shall apply only to the election to be held on November 4, 2008 and shall then be repealed.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of May 2008.



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON,
ASSISTANT CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-111**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

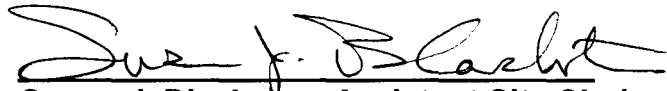
I, Susan J. Blackston, Assistant City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 14, 2008 by the following vote:

AYES : **COUNCILMEMBERS:** ***Hume, Scherman, Davis, Leary***

NOES: **COUNCILMEMBERS:** ***None***

ABSTAIN : **COUNCILMEMBERS:** ***None***

ABSENT: **COUNCILMEMBERS:** ***Cooper***



***Susan J. Blackston, Assistant City Clerk
City of Elk Grove, California***