



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
July 15, 2008

Honorable Mayor and
Members of the City Council

**Title: Candidate Statement Regulations for the November 4, 2008 General
Municipal Election**

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** establishing regulations for the preparation, cost and payment of candidate statements for the election to be held on Tuesday, November 4, 2008.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093
Shirley Concolino, City Clerk, (916) 808-5442

Presenters: N/A

Department: City Clerk's Office

Division: N/A

Organization No: 0700

Description/Analysis

Issue: Prior to an election, the governing body of the jurisdictional must adopt a resolution that establishes regulations for the preparation, cost and payment of candidate statements.

Policy Considerations: This procedure is established in accordance with California Elections Code 13307(e).

Environmental Considerations: None

Commission/Committee Action: None

Rationale for Recommendation: Pursuant to California Elections Code Section 13307(e), the legislative body must adopt regulations pertaining to the preparation, cost and payment of candidate statements.

Financial Considerations: The adoption of this regulation will establish the cost of including this optional statement in the voter's pamphlet. The funds received will be deposited into the General Fund to be used to offset the overall costs incurred.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by: S. Mizuno
Stephanie Mizuno,
Assistant City Clerk

Recommendation Approved:

Shirley Concdlino
Shirley Concdlino
City Clerk

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ATTACHMENT 1**Background:**

Prior to an election, the governing body of the jurisdictional must adopt a resolution that establishes regulations for the preparation, cost and payment of processing candidate statements. In a general election, these statements are submitted no later than the date set by the elections official, and are for inclusion in the voter's pamphlet. The candidate statement is optional. The statement may include the candidate's name, age and occupation and a brief description of no more than 200 words describing the candidate's education and qualifications.

Each candidate filing a statement is required to pay in advance an estimated pro rata share as a condition of having the statement included in the voter's pamphlet. In compliance with minority language provisions of the Federal Voting Rights Act, statements shall be printed in the sample ballot in both English and Spanish.

The Sacramento County Registrar of Voter's Office has estimated the pro rata share sufficient to cover the costs of translation, printing, handling and mailing. The amount is based on current registration figures. The cost for inclusion of a candidate statement in the November 2008 sample ballot for the office of Mayor is \$3,000.00. The deadline for filing the statement with the Office of the City Clerk is Friday, August 8, 2008.

ATTACHMENT 2

RESOLUTION NO.

Adopted by the Sacramento City Council

Date Adopted

ADOPTING REGULATIONS FOR THE PREPARATION, COST AND PAYMENT OF CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008

BACKGROUND:

- A. The Sacramento City Council has called a General Municipal Election to be held on Tuesday, November 4, 2008 to fill the office of Mayor.
- B. California Elections Code 13307(e) requires that the local agency adopt regulations pertaining to the processing and payment of candidate statements.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES 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 City of Sacramento, California, on Tuesday, 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 two hundred (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 prepared in typewritten form and be filed in the office of the City Clerk no later than 5:00 p.m. Friday, August 8, 2008. The statement may be withdrawn, but not changed, from the time of submission of the statement until 5:00 p.m. of the next working day after the filing deadline.
- Section 2. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.
- Section 3. FOREIGN LANGUAGE POLICY. Pursuant to the Federal Voting Rights Act, candidate statements published in election materials within the County of Sacramento are required to be translated into Spanish.

- Section 4. PAYMENT. The Sacramento County Registrar of Voters has estimated the cost of printing, handling, translating, and mailing the candidate's statement filed pursuant to this section, including cost incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and requires 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. The estimated cost of providing statements in English and Spanish for the office of Mayor is \$3,000.00. Payment of the deposit shall be by cash or by check payable to the City of Sacramento. The estimate of the Registrar is just an approximation of the actual cost which varies from election to election. The actual cost may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Upon determination of the final and actual cost, the Clerk shall bill the candidates for additional actual expense or refund any excess payments made. Any additional payments due shall be made within 30 days of the date the Clerk notifies the candidates of any additional costs.
- Section 5. The City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution.
- Section 6. All previous resolutions establishing Council policy on payment for candidate statements are repealed.
- Section 7. That this resolution shall apply only to the election to be held on Tuesday, 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.