

## RESOLUTION NO. 2022-33

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, 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 8, 2022

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 candidates' statements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, DOES HEREBY 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 City of Del Mar on November 8, 2022, may prepare a candidate's statement on an appropriate form provided by the Administrative Services Manager/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 filed in typewritten form in the office of the Administrative Services Manager/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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until five o'clock (5:00) p.m. of the next working day after the close of the nomination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, candidates' statements will be translated into all languages required by the County of San Diego. The County is required to translate candidates' statements into Chinese, Spanish, Filipino and Vietnamese. The County will print and mail sample ballots and candidates' statements to all voters in Chinese, Spanish, Filipino and Vietnamese only to those voters who are on the County voter files as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates' statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

**SECTION 3. PAYMENT.** The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in Section 2 above pursuant to Federal and/or State law. The candidate shall be required to pay for the cost of printing the candidate's statement in English and in any foreign language, as specified in Section 2 above, in the main voter pamphlet.

The Administrative Services Manager/City Clerk or County of San Diego Registrar of Voters shall estimate 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), 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 Administrative Services Manager/City 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 Administrative Services Manager/City Clerk will require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Administrative Services Manager/City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

SECTION 4. MISCELLANEOUS. The Administrative Services Manager/City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 5. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 6. That the Administrative Services Manager/City Clerk shall provide each candidate, or the candidate's representative, a copy of this Resolution at the time nominating petitions are issued.

SECTION 7. That all previous Resolutions establishing Council policy on payment for candidates' statements are repealed.

SECTION 8. That this Resolution shall apply only to the election to be held on November 8, 2022, and shall then be repealed.

SECTION 9. That the Administrative Services Manager/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 by the City Council of the City of Del Mar, California, at the Regular Meeting held this 6<sup>th</sup> day of June, 2022.



Dwight Worden, Mayor  
City of Del Mar

APPROVED AS TO FORM:

  
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Leslie E. Devaney, City Attorney  
City of Del Mar

ATTEST AND CERTIFICATION:

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO  
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Resolution No. 2022-33, adopted by the City Council of the City of Del Mar, California, at a Regular Meeting held the 6<sup>th</sup> day of June, 2022, by the following vote:

AYES: Mayor Worden, Deputy Mayor Martinez, Council Members Druker, Gaasterland and Quirk  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
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Sarah Krietor, Administrative Services  
Manager/City Clerk  
City of Del Mar