RESOLUTION NO. 2020-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020.

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Desert Hot Springs as follows:

Section 1. RECITALS

That the recitals set forth hereinabove are true and correct.

Section 2. CANDIDATE STATEMENTS

A. That pursuant to Section 13307 of the California Elections Code, each candidate for elective office to be voted on at the City of Desert Hot Springs General Municipal Election, to be held on November 3, 2020, may prepare a candidate statement on an appropriate form provided by the City Clerk.

B. That 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.

C. That the statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations.

D. That, pursuant to Section 13307(b) of the California Elections Code, **bold font** is prohibited.

E. That 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

F. That in addition to the restrictions set forth in California Elections Code Section 13307, any candidate's statement submitted, pursuant to Section 13308 shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities.

G. That the City Clerk is not permitted to edit any material contained in candidate statements. Candidates are responsible for proofreading spelling, punctuation and grammar. Since the statement cannot be changed after it is submitted, **it is important** for candidates to carefully prepare and proofread their statements. Pursuant to California Elections Code Section 13308, the City Clerk shall not cause to be printed or circulated any statement which the City Clerk determines does not comply with the provisions of the Elections Code.

H. That the City Clerk, in his or her sole discretion, after first attempting to consult with the candidate, may strike or modify the portion or portions of the candidate statement that is not in compliance and thereafter cause to be printed and circulated the candidate's statement as redacted or modified.

Section 3. SPANISH LANGUAGE TRANSLATION

That pursuant to the Voting Rights Act of 1965 (as amended) the City is required to translate candidate statements into Spanish. The City Clerk shall print all translations of all candidates' statements in the voters' pamphlet.

Section 4. ADDITIONAL MATERIALS

That no candidate will be permitted to include additional materials in the sample ballot package.

Section 5. PAYMENT

A. That the candidate shall be required to pay for the cost of printing the candidate's statements in English and Spanish.

B. That it is hereby estimated that the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to California Elections Code Section 13307 will be $500.00. The City Clerk shall require each candidate filing a statement to pay in advance a deposit in the amount of $500.00 as a condition of having his or her statement included in the voter's pamphlet.

C. That the above estimate is only an approximation of the actual costs that vary 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.

D. That the City Clerk shall bill each candidate for that candidate's proportion of the actual cost in excess of the deposit and shall refund any unused portion of any deposit.

Section 6. COPY OF RESOLUTION

That the City Clerk is directed to provide each candidate or the candidate's representative a copy of this Resolution at the time nomination papers are issued.

Section 7. REPEAL OF CONFLICTING RESOLUTIONS

That all the provisions of any existing resolution as heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 8. PASSAGE AND ADOPTION

That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City of Desert Hot Springs; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of City of Desert Hot Springs, in the minutes of the meeting at which the same is passed and adopted.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on the 16th day of June, 2020 by the following vote:

AYES: 5 – Betts; Gardner; Griffith; Pye; and Mayor Matas.

NOES: None.

ABSENT: None.

ABSTAIN: None.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, CMC, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney