

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-__

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the City Council may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate statement.

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

SECTION 1. GENERAL PROVISIONS.

Candidate statements must be filed at the same time nomination papers are filed. Statements may not be changed once they are submitted. Statements may be withdrawn until 5:00 p.m. on the next business day after the close for the nomination period. Statements are confidential until the close of the nomination period. Statements are subject to public review and contest. Statements 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. Word counting guidelines in Elections Code Section 9 will govern the counting of words. Any partisan activity or membership is prohibited. Any mention of any opponent or other candidate for the same office is prohibited. Statements must be typed or printed from a computer. Statements must be submitted in plain text formatting, single paragraph, without any formatting such as underline, bold, italics, or all caps. Signed and completed consent forms are required for each resident referenced as an endorser and for any person and any organization mentioned in the text of the statement as an endorser or supporter. Candidate statements must be attached to the form provided by the City Clerk.

SECTION 2. The 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 3. FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages as required. Alameda County is required to translate candidate statements into Spanish, Chinese, Vietnamese and Tagalog.
- B. The Alameda County Registrar of Voters will mail separate sample ballots and candidate statements in Spanish, Chinese, Vietnamese and Tagalog to those voters who are on the county voter file as having requested a sample ballot in a particular language.

SECTION 4. PAYMENT

Candidates filing a statement are required to pay in advance the estimated pro rata share as a condition of having a statement included in the voter's pamphlet. The Alameda County Registrar of Voters estimates the total cost of printing, handling, translating, and mailing, including costs incurred as a result of complying with the Voting Rights Act of 1965. The estimate is an approximation of the actual cost which varies from one election to another election and may be significantly more or less than the estimate depending upon 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 upon 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 will prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 5. The City Clerk shall provide each candidate or the candidate's representative with a copy of this resolution at the time nominating petitions are issued.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2020

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward