

RESOLUTION NO. 2022-287

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA ADOPTING REGULATIONS FOR
CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO
CANDIDATE STATEMENTS TO THE ELECTORATE AT THE
SPECIAL MUNICIPAL ELECTION TO BE HELD TUESDAY,
NOVEMBER 7, 2023

WHEREAS, Section 13307 of the Elections Code of the State of California allows each candidate for elective office to prepare a candidate's statement of no more than 200 words on a form provided by the elections official; and

WHEREAS, Section 13307 requires the elections official to include the written statements of each candidate in the voter information guide, with a Spanish translation in some instances; and

WHEREAS, Section 13307 permits the governing body of any local agency to estimate the total cost of printing, handling, translating, mailing, and electronically distributing these candidates' statements and to require each candidate filing such 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 information guide.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED AND ORDERED by the City Council of the City of Chula Vista, that:

SECTION 1. Pursuant to section 13307 of the Elections Code of the State of California, each candidate for elective office running in the special municipal election to be held in the City of Chula Vista on Tuesday, November 7, 2023, 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 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, membership or activity in partisan political organizations, nor any reference, direct or indirect, to other candidates for that office or to another candidate's qualifications, character, or activities. The statement shall be filed electronically in typewritten form in the Office of the City Clerk during normal business hours, as posted, no sooner than Monday, July 17, 2023, and no later than Friday, August 11, 2023. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.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.

- A. Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages required by the County of San Diego. The County is required to translate candidates' statements into the following languages: Spanish, Filipino, Chinese, and Vietnamese.

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- B. The County will print and mail separate voter information guides and candidate's statements in English, Spanish, Filipino, Chinese, and Vietnamese to only those voters who are on the county voter file as having requested a voter information guide in a particular language. The County will make the voter information guides and candidates' statements in the required languages available at all polling places/vote centers and on the County's website, unless the election is conducted wholly by mail ballot, in which case the materials will be available at the Registrar of Voters' office and on the County's website.

SECTION 3. PAYMENT.

A. Translations

- 1. The candidate shall be required to pay for the cost of translating the candidates statement into any required foreign language as specific in A and B of Section 2 above pursuant to Federal and/or State law.

B. Printing

- 1. The candidate shall be required to pay for the cost of printing the candidates statement in English in the main voter pamphlet.
- 2. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required in (A) of Section 2 above, in the main voter pamphlet.

SECTION 4. The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidates' statements filed pursuant to the Elections Code, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended) and State law, as provided by the Registrar of Voters, and 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 information guide or electronically distributed. The estimate shall be an approximation of the actual cost and may be significantly more or less than the estimate. Accordingly, the city is not bound by the estimate and may, on a pro-rata basis, bill each candidate for additional actual expense or refund any excess paid depending on the final actual cost.

SECTION 5. The formatting of candidate statements shall conform to the standards provided by the San Diego County Registrar of Voters.


SECTION 6. The City Clerk shall provide each candidate, or the candidate's representative, with a copy of this resolution at the time his or her nomination papers are issued. An electronic copy is sufficient to meet this requirement.


SECTION 7. No candidate will be permitted to include additional materials in the voter information packet.

SECTION 8. The City Clerk is hereby authorized, instructed, and directed to enter the election date, as determined by the City Council, and the candidate statement filing due dates in the sections indicated throughout this resolution.

Presented by

Approved as to form by

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Kerry K. Bigelow, MMC
City Clerk

Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 20th day of December 2022 by the following vote:

AYES: Councilmembers: Cardenas, Chavez, Preciado, and McCann

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

DocuSigned by:

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John McCann, Mayor

ATTEST:

DocuSigned by:

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Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2022-287 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 20th day of December 2022.

Executed this 20th day of December 2022.

DocuSigned by:

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Kerry K. Bigelow, MMC, City Clerk