

RESOLUTION NO. 66-08

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE
PERTAINING TO CANDIDATE'S STATEMENTS SUBMITTED TO THE VOTERS
AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, COSTS OF
CANDIDATE'S STATEMENTS AND OTHER FEES, WORD LIMIT ON
CANDIDATE'S STATEMENT, AND ACTION TO BE TAKEN IN CASE OF A TIE
VOTE

BE IT RESOLVED by the Council of the City of Richmond, California, as follows:

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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

(a) The filing period for all candidates for elective office to the City Council will open on Monday, July 14, 2008, at 8:30 a.m. and close on Friday, August 8, 2008, at 5:00 p.m. If an Incumbent does not file his or her nomination papers by 5:00 p.m. on Friday, August 8, 2008, the nomination period will extend to Wednesday, August 13, 2008, 5:00 p.m., for non-incumbents only.

2. PAYMENT: Each candidate shall submit the following:

(a) The candidate shall pay at the time he or she files nomination papers a filing fee in the amount of \$1,486.48. Said fee includes \$1,150.00 as the estimated cost for the printing, handling, translating, and mailing of the candidate's statement and a filing fee in the amount of \$336.48, two percent (2%) of the annual Councilmember's salary as required in Section 2 of Article V of the Charter of the City of Richmond.

(b) Any candidate who is financially unable to pay the filing fee may submit a petition containing signatures of registered voters in lieu of the filing fee. The City Clerk shall furnish an in-lieu petition for securing signatures to any indigent candidate upon request; provided, that such candidate completes an affidavit, supplied by the City Clerk, certifying under penalty of perjury that he or she is financially unable to pay the filing fee. The substitution of signatures for fees shall be subject to the following provisions:

(1) The in-lieu petition shall contain four signatures of registered voters for each dollar of filing fee.

(2) Any registered voter who is eligible to vote for a candidate for mayor or city councilmember may sign an in-lieu petition.

- (3) A registered voter may sign both a candidate's nomination papers and his in-lieu petition, but the signatures appearing on the candidate's in-lieu petition shall not count toward the number of signatures required to be submitted on the nomination papers.
 - (4) If a voter signs more candidates' in-lieu petitions than there are offices to be filled, the voter's signatures shall be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.
 - (5) In-lieu petitions shall be filed with the City Clerk at the same time the nomination papers are filed. After the signatures on an in-lieu petition have been verified, the city Clerk shall immediately notify the candidate of any deficiency. The candidate may submit a supplemental petition with the necessary number of valid signatures at any time prior to the close of the nomination period.
 - (6) A candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures, but the validity of a greater number of signatures than that required by subsection (1), above, shall not be determined.
- (b) If the cost of the candidate's statement is less than the estimated cost, the City Clerk shall prorate the excess amount among the candidates and refund the excess payment within 30 days of the election.
 - (c) If the cost of the candidate's statement is more than the estimated cost, the City Clerk shall require the candidate to pay the balance of the costs incurred within 30 days.

3. ACTION TO BE TAKEN IN CASE OF A TIE VOTE: If two or more candidates receive an equal and the highest number of votes, the City Clerk shall summon the candidates receiving the tie vote to appear before her, at the time designated by the City Clerk, in the Council Chamber of City Hall. The City Clerk shall place the name of each candidate in a sealed unmarked envelope and the tie vote shall be broken by lot.

4. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the original Resolutions.

BE IT FURTHER RESOLVED that the City Clerk shall provide each candidate a copy of this Resolution at the time nominating petitions are issued.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF RICHMOND

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on June 17, 2008, by the following vote:

AYES:	Councilmembers Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Mayor McLaughlin
NOES:	None
ABSTENTIONS:	None
ABSENT:	None

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

LOUISE RENNE
City Attorney

State of California)
County of Contra Costa :
City of Richmond)

I certify that the foregoing is a true copy of Resolution No. 66-08, finally passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on June 17, 2008.

Clerk of the City of Richmond