

RESOLUTION NO. 10-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE, CALIFORNIA, AMENDING & REPLACING RESOLUTION NO. 08-26 AND ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL OR SPECIAL MUNICIPAL ELECTION

WHEREAS, Section 13307(c) 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 statement;

NOW, THEREFORE, IT IS RESOLVED by the Town Council of the Town of Paradise, California, as follows:

SECTION 1: That pursuant to Section 13307(a) of the Elections Code of the State of California, each candidate for elective office to be voted for at any General or Special Election to be held in the Town of Paradise, may prepare a candidate's statement on an appropriate form provided by the Town 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 the office of the Town Clerk at the time 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2: No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3: An Agreement between the candidate and the Town of Paradise, a copy of which is attached hereto marked Exhibit "A", shall be executed which requires each candidate to pay a four hundred fifty dollars (\$450) deposit to be applied toward the candidate's pro rata share of charges for printing and handling of the candidates' statements. Any deficit shall be paid to the Town by the candidate within thirty (30) days after presentation of a bill from the Town and the Town will refund any surplus deposited within thirty (30) days after the Town's determination of said surplus.

SECTION 4: That the Town Clerk shall provide each candidate or the candidate's representative a copy of this Resolution with attached Exhibit "A" at the time nomination petitions are issued.

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SECTION 5: That the Town Clerk is authorized to execute the Agreement at the time the candidate's statement is filed.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 8th day of June, 2010, by the following vote:

AYES: Steve "Woody" Culleton, Joe DiDuca, Alan White and Scott Lotter, Mayor

NOES: None

ABSENT: Frankie Rutledge

NOT VOTING: None


SCOTT LOTTER, Mayor

ATTEST:


JOANNA GUTIERREZ, CMC, Town Clerk

APPROVED AS TO FORM:


DWIGHT L. MOORE, Town Attorney

EXHIBIT "A"

AGREEMENT

THIS AGREEMENT is made and entered into by and among the candidate whose name is signed below and the Town of Paradise, a municipal corporation.

1. The undersigned candidate hereby agrees to pay to the Town of Paradise his or her pro rata share of the costs incurred by the Town of Paradise in the printing, handling, insertion and mailing of candidates' statements to voters.

2. It is understood and agreed that each candidate's statement shall not exceed two hundred (200) words in length. It is understood and agreed that each candidate's pro rata share of said costs shall be determined by the Paradise Town Clerk by totaling all such costs and dividing said costs by the number of candidates' statements printed without regard to the actual length of each such statement.

3. Each candidate shall pay to the Town of Paradise a four hundred fifty dollars (\$450) deposit to be applied toward the candidate's share of such charges. The deposit shall be paid and this Agreement shall be executed at the time of filing the candidate's statement. If the deposit is not made or this Agreement not executed, the Town Clerk shall not accept the candidate's statement.

4. The candidate agrees to pay any deficit relating to such charges within thirty (30) days after presentation of a bill from the Town of Paradise for such charges. The Town shall refund any surplus of the amount within thirty (30) days after the Town's determination of such surplus.

5. In the event of litigation to enforce the terms of this Agreement, the prevailing party shall be entitled to recover from the other its reasonable attorneys' fees.

DATED:

TOWN OF PARADISE

(Signature of Candidate)

BY: _____
Joanna Gutierrez, Town Clerk

(Printed Name of Candidate)