

RESOLUTION NO. 23-R-13483

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS, CALIFORNIA, ADOPTING REGULATIONS PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2024

WHEREAS, §13307 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, THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. GENERAL PROVISIONS. Pursuant to §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 Beverly Hills on March 5, 2024 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. In addition, a candidate's photograph may be included in the statement. The photograph must be recent (taken within six months of the candidate filing) and be of the head and shoulders only, submitted in digital format. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Pursuant to §13308 of the Elections Code, the statement also shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character or activities. 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 The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

Section 2. Pursuant to Section 13307(c) of the California Elections Code, the City of Beverly Hills authorizes the preparation of candidate statements for nonpartisan elective office for the purpose of electronic distribution. Candidates will prepare statements for electronic distribution pursuant to Section 13307(a) of the Elections Code. A statement prepared pursuant to this subdivision shall be posted on the internet website of the County Elections Official. Pursuant to Section 13307.7(a) of the Elections Code, candidates shall provide payment of the requisite fee to cover the duties and procedures set forth in Sections 13307(b) and (d) of the Elections Code. The City of Beverly Hills will provide payment of the requisite fee should the candidates agree to the City's expenditure limits.

Section 3. FOREIGN LANGUAGE POLICY. Pursuant to the Federal Voting Rights Act and state law, the City may be required to translate a candidate's statements into any language at the candidate's request and at the candidate's expense. In addition, the City Clerk is directed to make Spanish and Farsi translations of candidates' statements available on a "by

request” basis. Unless requested by a candidate, that candidate’s statement shall be printed in the main voter pamphlet in English only.

Section 4. PAYMENT.

(a) Translations and Printing:

1) The candidate shall not be required to pay for the cost of translating the candidates’ statement into Spanish or Farsi for the “by request” translation established above.

2) Except as provided in Beverly Hills Municipal Code Section 1-8-4E, the candidate shall be required to pay for the cost of printing the candidate’s statement in English in the main voter pamphlet.

3) Except as provided in Beverly Hills Municipal Code Section 1-8-4E, the candidate shall be required to pay for the cost of printing the candidate’s statement in a foreign language requested by the candidate per Section 3 above, in the main voter pamphlet mailed to all voters.

(b) Estimated Costs. The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidates’ statements filed pursuant to this section, including costs incurred, if any, as a result of complying with the Voting Rights Act of 1965 (as amended) and California Elections Code Sections 13307 and 14201. If a candidate does not elect to file a statement of acceptance pursuant to Beverly Hills Municipal Code Section 1-8-4B the City Clerk shall require that candidate filing a statement to pay to the City at the time of filing his or her estimated pro rata share of having his or her statement included in the voter’s pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies 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. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on 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 shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election. If the candidate alleges that he or she is indigent and unable to pay the costs, the provisions of Elections Code Section 13309 shall apply.

Section 5. No candidate will be permitted to include additional materials in the sample ballot package.

Section 6. The City Clerk shall provide each candidate or the candidate’s representative a copy of this Resolution at the time nominating petitions are issued.

Section 7. All previous resolutions establishing City Council policy on payment for candidates’ statements are repealed.

Section 8. This resolution shall apply at the next ensuing municipal election and at each municipal election after that time.

Section 9. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED: October 17, 2023

Julian A. Gold, M.D.

JULIAN A. GOLD, M.D.

Mayor

ATTEST:

Huma Ahmed

HUMA AHMED
City Clerk

(SEAL)

APPROVED AS TO FORM:

Lawrence S. Wiener

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

CO

Nancy Hunt-Coffey

NANCY HUNT-COFFEY
City Manager

Certificate Of Completion

Envelope Id: 9348A72BCA674F95B7FAC1A5234F21CD	Status: Completed
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Source Envelope:	
Document Pages: 3	Signatures: 4
Certificate Pages: 3	Initials: 1
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Megan Grilley
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	455 N. Rexford Drive
	Beverly Hills, CA 90210
	mgrilley@beverlyhills.org
	IP Address: 198.245.189.166

Record Tracking

Status: Original	Holder: Megan Grilley	Location: DocuSign
10/13/2023 5:01:19 PM	mgrilley@beverlyhills.org	

Signer Events

Laurence S. Wiener
 lwiener@beverlyhills.org
 Security Level: Email, Account Authentication (None)

Signature

Laurence S. Wiener

Signature Adoption: Pre-selected Style
 Using IP Address: 208.87.233.201

Timestamp

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Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

Cindy Owens
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 Policy & Management Analyst
 City of Beverly Hills
 Security Level: Email, Account Authentication (None)

CO

Signature Adoption: Pre-selected Style
 Using IP Address: 198.245.189.166

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Nancy Hunt-Coffey
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 City Manager
 Security Level: Email, Account Authentication (None)

Nancy Hunt-Coffey

Signature Adoption: Pre-selected Style
 Using IP Address: 166.199.151.130
 Signed using mobile

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 Signed: 10/19/2023 6:00:45 PM

Electronic Record and Signature Disclosure:
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Julian A. Gold, M.D.
 jgold@beverlyhills.org
 Security Level: Email, Account Authentication (None)

Julian A. Gold, M.D.

Signature Adoption: Pre-selected Style
 Using IP Address: 104.60.21.238

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Electronic Record and Signature Disclosure:
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Signer Events	Signature	Timestamp
<p>Huma Ahmed hahmed@beverlyhills.org Security Level: Email, Account Authentication (None)</p> <p>Electronic Record and Signature Disclosure: Not Offered via DocuSign</p>	<p><i>Huma Ahmed</i></p> <p>Signature Adoption: Pre-selected Style Using IP Address: 107.185.139.203 Signed using mobile</p>	<p>Sent: 10/19/2023 7:54:01 PM Viewed: 10/20/2023 6:17:00 AM Signed: 10/20/2023 6:17:13 AM</p>
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Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
<p>Adrienne Tarazon atarazon@beverlyhills.org Executive Assistant to City Council Policy & Management Security Level: Email, Account Authentication (None)</p> <p>Electronic Record and Signature Disclosure: Not Offered via DocuSign</p>	<p>COPIED</p>	<p>Sent: 10/19/2023 6:00:47 PM</p>
<p>Keith Sterling ksterling@beverlyhills.org Security Level: Email, Account Authentication (None)</p> <p>Electronic Record and Signature Disclosure: Not Offered via DocuSign</p>	<p>COPIED</p>	<p>Sent: 10/19/2023 6:00:47 PM</p>
<p>Megan Grilley mgrilley@beverlyhills.org Security Level: Email, Account Authentication (None)</p> <p>Electronic Record and Signature Disclosure: Not Offered via DocuSign</p>	<p>COPIED</p>	<p>Sent: 10/19/2023 7:54:01 PM Resent: 10/20/2023 6:17:19 AM</p>
<p>Michelle Ramos-Vergara mvergara@beverlyhills.org City of Beverly Hills Security Level: Email, Account Authentication (None)</p> <p>Electronic Record and Signature Disclosure: Not Offered via DocuSign</p>	<p>COPIED</p>	<p>Sent: 10/19/2023 7:54:01 PM</p>
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Payment Events	Status	Timestamps
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