

RESOLUTION NO. 2024-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA: (1) CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024 FOR THE ELECTION OF CERTAIN OFFICERS; (2) REQUESTING CONSOLIDATION OF THE ELECTION WITH THE COUNTY OF RIVERSIDE WITH ANY AND ALL ELECTIONS HELD ON SUCH DATE; (3) REQUESTING THE COUNTY OF RIVERSIDE TO PROVIDE SPECIFIC ELECTION ADMINISTRATION SERVICES FOR SUCH ELECTION; AND (4) ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS

WHEREAS, under the provision of the laws relating to general law cities in the State of California, a general municipal election of the City of Canyon Lake (the “City”) shall be conducted on Tuesday, November 5, 2024, for the purpose of electing three (3) Members of the City Council for the full term of four years (“City’s Election”); and

WHEREAS, it is desirable that the City’s Election be consolidated with any and all elections to be administered by the County of Riverside Registrar of Voters (“County ROV”) on the same date and that the City have the same vote centers and vote center workers within the City for such election; and

WHEREAS, the City Council wishes for the County ROV to canvass the returns of the City’s Election; and

WHEREAS, the City seeks the provision of election services from the County ROV relating to the conduct of the City's Election; and

WHEREAS, the City Council approves the printing of the City’s Election information in the foreign languages requiring translation pursuant to the Voting Rights Act of 1965; and

WHEREAS, Elections Code section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

WHEREAS, the City shall compensate the County ROV for all necessary expenses incurred by the County ROV in performing election services for the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council hereby calls and orders a general municipal election of the City of Canyon Lake to be conducted on Tuesday, November 5, 2024, for the purpose of electing three (3) Members of the City Council for the full term of four years.

Section 2. Pursuant to the requirements of Elections Code section 10403, it is respectfully requested that the Board of Supervisors of the County of Riverside consent and agree to the consolidation of the City's Election on Tuesday, November 5, 2024, with the County-administered election of the same date.

Section 3. In connection with the County ROV's administration of the City's Election, the City further requests that the County ROV be authorized and directed to: (a) review and verify absentee voter applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed ballot measure; (c) provide the City with the appropriate election precinct data, to the extent required; (d) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisor's approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City's sample ballots, including ballot measure questions, arguments, rebuttals and impartial analysis; and (h) administer the City's Election in all respects as if it were part and parcel of any other County ROV administered election, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

Section 4. The City shall reimburse the County ROV for necessary costs associated with the administration of the City's Election upon presentation to the City of a properly approved invoice.

Section 5. The ballots to be used at the City's Election shall be in the form and content as required by law or as directed by the County ROV to facilitate the consolidation of the City's Election with the County-administered election of the same date.

Section 6. That the vote centers for the election shall be open at such hours and on such days as determined by the County ROV provided that the opening and closure of voting sites is conducted in accordance with Sections 10242, 14212, and 14401 of the Elections Code of the State of California.

Section 7. Pursuant to Elections Code section 13307, each candidate for elective office to be voted for at the City's Election may elect to prepare a candidate statement which 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. Candidates shall utilize the County ROV's Candidate Statement Form and the format and style shall be in conformance with the County ROV's candidate statement guidelines. Candidate statements shall be filed in the office of the City Clerk/Elections Official at the time the candidate's nomination papers are filed and 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. Candidate statements ***shall not*** include the following: (a) the party affiliation of the candidate; or (b) references to membership or activity in partisan political organizations.

Section 8. Foreign Language Policy:

(A) Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages required by the County ROV. The County is required to translate candidate's statements into the following language: Spanish.

(B) The County ROV will print and mail separate voter information guides and candidate statements in non-English languages (as required by the Federal Voting Rights Act) only those voters who are on the County voter file as having requested a sample ballot in that particular language. The County ROV will make the sample ballots and candidate statements in the required language available at all vote centers, on the County's website and in the Election Official's office.

Section 9. Payment:

(A) Translations.

1. The candidate shall be required to pay for the cost of translating the candidate statement into any required foreign language as specified in (A) and/or (B) of Section 8 above pursuant to Federal and/or State law.

2. The candidate shall be required to pay for the cost of translating the candidate statement into any foreign language that is not required as specified in (A) and/or (B) of Section 8 above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

(B) Printing.

1. The candidate shall be required to pay for the cost of printing the candidate statement in English in the main voter pamphlet.

2. The candidate shall be required to pay for the cost of printing the candidate statement in a foreign language required in (A) of Section 8 above, in the main voter pamphlet.

3. The candidate shall be required to pay for the cost of printing the candidate statement in a foreign language requested by the candidate per (B) of Section 8 above, in the main voter pamphlet.

4. The candidate shall be required to pay for the cost of printing the candidate statement in a foreign language required by (A) of Section 8 above, in the facsimile voter pamphlet.

Section 10. The City Clerk/Elections Official, in consult with the County ROV, shall estimate the total cost of printing, handling, translating, and mailing the candidate statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the City of Canyon Lake his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. The estimate is an approximation of the actual cost that varies from one election to another and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City Clerk/Elections Official is not bound by the estimate and shall bill the candidate for additional actual expenses or refund any excess paid depending on the final actual cost, which payment or refund shall be paid within 30 days of City's receipt of final actual costs from the County ROV. In the event of underpayment, the candidate will be required to pay to the City the balance of the cost incurred. In the event of overpayment, the City shall refund to the candidate the excess amount paid.

Section 11. No candidate for any elected office of the City will be permitted to include additional materials in the voter information guide.

Section 12. The City Clerk/Elections Official shall provide each candidate, or candidate's representative, a copy of this Resolution at the time nominating petitions are issued.

Section 13. In the event of a tie vote (if any two or more persons receive an equal and the highest number of votes for an office) as certified by the County ROV, the City Council, in accordance with Election Code section 15651(a), shall set a date and time and place and summon the candidates who have received the tie votes to appear and will determine the tie by lot.

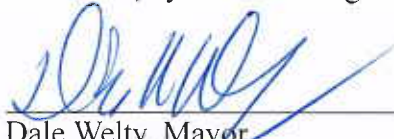
Section 14. In all particulars not recited in this Resolution, the City's Election shall be held and conducted as provided by law for holding municipal elections.

Section 15. Notice of the time and place of holding the City's Election is given and the City Clerk/Elections Official is authorized, instructed and directed to give further or additional notice of the City's Election, in time, form and manner as required by law.

Section 16. The City Clerk/Elections Official is hereby directed to forward a certified copy of this this Resolution to the County ROV.

Section 17. The City Clerk shall certify to the adoption of this Resolution and the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 12th day of June 2024, by the following vote:



Dale Welty, Mayor

ATTEST:



Sheryl L. Garcia, MMC, CPM
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) SS
CITY OF CANYON LAKE)

I, Sheryl L. Garcia, City Clerk of the City of Canyon Lake, California, do hereby certify, that the foregoing is a true and correct copy of Resolution No. 2024-19, adopted by the City Council at a meeting held on June 12, 2024, by the following vote:

AYES: Castillo, Dain, Smith, Terry, Welty
NOES: None
ABSTAIN: None
ABSENT: None



Sheryl L. Garcia, MMC, CPM
City Clerk