

**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT
RESOLUTION NO. 08-023**

**A RESOLUTION AMENDING THE DISTRICT'S POLICIES AND REGULATIONS
FOR THE HANDLING AND COSTS FOR CANDIDATE'S STATEMENTS OF
QUALIFICATIONS FOR CANDIDATES FOR ELECTIVE OFFICE AND REPEALING
ANY PRIOR CONFLICTING RESOLUTIONS**

WHEREAS, Section 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 local district election, including costs of the Candidate's Statements.

NOW THEREFORE, the Board of Directors of the Alameda-Contra Costa Transit District does resolve as follows:

Section 1. GENERAL PROVISIONS. Pursuant to Section 13307 of the Elections Code of the State of California, each candidate for nonpartisan elective office to be voted for at an election held in the Alameda-Contra Costa Transit District may prepare a Candidate's Statement on an appropriate form provided by the Elections Official in Alameda and/or Contra Costa County. 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 him/herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.

The statement shall be filed with the Elections Official in Alameda and/or Contra Costa County at the time the candidate's nomination papers are filed. Candidates for Ward 1 and At-large seats shall contact the Elections Official in the shared county for instructions on filing the Candidate's Statement in that county. The statement may be withdrawn, but not changed, during the period for filing nomination papers, and until 5:00 p.m. of the next working day after the close of the nomination period.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. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

Section 3. COSTS. The estimated costs incurred by a candidate for printing, handling, translating, and mailing the Candidate's Statement filed pursuant to the Elections Code shall not exceed the following amounts:

- \$ 600 for those candidates elected from Wards;
- \$ 2,400 for those candidates elected At-Large

For Ward 1 and At-Large seats with boundaries that span both Alameda and Contra Costa Counties, the fee for filing a Candidate's Statement shall be paid only

once at the time candidacy papers are filed with the Elections Official in the county of domicile. It is the responsibility of the candidate to contact the Elections Official in the shared county to obtain information on filing a Candidate's Statement in the shared county. A copy of the receipt for the amount paid in the county of domicile shall accompany the Candidate's Statement to be filed in the shared county as verification that all required fees have been paid.

Section 4. PAYMENT. Except as provided in Elections Code Section 13309, as a condition of having his/her Candidate's Statement included in the voter's pamphlet, each candidate filing a statement shall be required to pay, in advance, at the time of filing his/her Candidate's Statement of Qualification the amount specified in Section 3 above. Following receipt from the Elections Official in Alameda and/or Contra Costa County of final pro rata costs, should actual costs not exceed the amount paid by a candidate, the District Secretary shall refund the unused portion of the payment within 30 days of the election.

Section 5. The District Secretary is authorized and directed to pay the balance, if any, of said actual costs incurred by the District for printing, handling, translating, and mailing each candidate's statement and to refund any portion of a candidate's deposit which is not expended for printing, handling, translating, and mailing the candidate's statement.

Section 6. The Elections Official in Alameda and/or Contra Costa County (or the District Secretary on behalf of the Registrar) 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 District policy on payment for candidates statements are repealed.

Section 8. The amounts set forth in Section 3 shall be reviewed biennially by the Board of Directors prior to the opening of nominations for elective office.

Section 9. This Resolution shall become effective immediately upon its adoption by four affirmative votes of the Board of Directors.

PASSED AND ADOPTED this 14th day of May, 2008.


H. E. Christian Peoples, President

Attest:



Linda A. Nemeroff, District Secretary

I, Linda A. Nemeroff, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a Regular Meeting of the Board of Directors held on May 14, 2008, by the following roll call vote:

AYES: DIRECTORS HARPER, ORTIZ, FERNANDEZ, DAVIS, PRESIDENT
PEEPLES

NOES: DIRECTOR WALLACE

ABSTAIN: NONE

ABSENT: VICE PRESIDENT KAPLAN



Linda A. Nemeroff, District Secretary

Approved as to form:



Kenneth C. Scheidig, General Counsel