

NOVEMBER 4, 2014

# MUNICIPAL ELECTION

## CITY OF UKIAH



# CANDIDATE INFORMATION PACKET

**CITY OF UKIAH**  
**GENERAL INFORMATION**

<b>OFFICE:</b>	<b><u>City Council</u></b>	<b><u>Term Expires:</u></b>
	Phil Baldwin, Mayor	2014
	Mary Anne Landis, Vice Mayor	2014
	Benj Thomas, Councilmember	2014
	Douglas Crane, Councilmember	2016
	Steve Scalmanini, Councilmember	2016
<b>SALARY:</b>	Current Salary =\$441 per month (Normally \$490 less a 10% cut per Council action)(Ordinance No. 1087, 11/1/06)	
<b>BENEFITS:</b>	Councilmembers are eligible for a medical allowance of \$659.06 ( <i>FY 14-15; Equivalent to an employee – only monthly Blue Cross premium; changes each plan year.</i> ) per month toward the City's health care provider. This amount is not reimbursable for outside health care plans.	
<b>TERM:</b>	Council: Four (4) years, elected by the voters. Mayor: Per voter approval, the Mayor is appointed by the City Council	
<b>MEETING DATES:</b>	First and third Wednesdays of each month, as well as other special meetings, as scheduled. Councilmembers also sit on various Boards and Commissions throughout the District, on behalf of the City of Ukiah.	
<b>QUALIFICATIONS:</b>	A person is not eligible to hold office unless he/she resides in the City of Ukiah City limits, and was a registered voter at the time nomination papers were issued. (Government Code Sections 34882, 34904, 36502).	

## GENERAL INFORMATION

*The following is a summary of election information. It is not a substitute for the provisions of state and local law which it summarizes. An attempt has been made to make this summary accurate, but if there are any differences between this summary and the applicable provisions of state law or the Ukiah City Code or duly adopted City Resolutions, the state and local law will prevail.*

### 1. **CANDIDATE ELIGIBILITY**

In order to be eligible to hold office as a member of the City Council, a candidate must be a registered voter within the corporate limits of the City of Ukiah at the time nomination documents are issued by the City Clerk. An eligible voter in the City of Ukiah must be an American citizen, 18 years of age or older, and a resident of the City. If you meet these requirements but are not a registered voter of the City, the City Clerk can register you at the time you request nomination documents.

### 2. **OFFICE VACANT**

Three City Council seats, full terms of four years.

### 3. **FILING PERIOD FOR NOMINATION DOCUMENTS**

Section 10220 - Elections Code

Monday, July 14, 2014, at 8:00 a.m. will be the first date and time that nomination documents will be available at the City Clerk's Office, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

Friday, August 8, 2014, at 5:00 p.m. will be the final date and time for filing any nomination documents, unless an incumbent does not file.

Write-In Candidates can pick up nomination documents starting Monday, September 8, 2014. Tuesday, October 21, 2014, at 5:00 p.m. will be the final date and time for filing any nomination documents.

### **EXTENSION IF INCUMBENT DOESN'T FILE**

Section 10225 - Elections Code

If nomination documents for an incumbent City Councilmember are not filed by 5:00 p.m. on Friday, August 8, 2014, the Nomination Period will be extended - for non-incumbents only - until Wednesday, August 13, 2014, at 5:00 p.m.

NOTE: The City Clerk's office is open from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays.

### 4. **FILING FEE**

The City of Ukiah does not collect a filing fee. However, candidates are required to pay the printing, and translation (if desired), costs of the Candidate's Statement. (See page 5-6 of this Guide for additional information regarding costs.)

If you file a Voluntary Spending Limit Statement, when you file your nomination petition, the City will pay 50% of those costs. (See Ukiah Campaign Reform Act, Section 2081.)

5. **CODE OF FAIR CAMPAIGN PRACTICES**

Enclosed in the County's *Candidate's Information Packet* companion document is a copy of the Code of Fair Campaign Practices (pages 3 and 4). In endorsing this Code, you pledge to conduct your campaign in a fair and honest manner. Endorsement of the Code is voluntary and is not a requirement. If you choose to sign the Code, it will be on file in the City Clerk's Office for public inspection.

## **OFFICIAL FILING REQUIREMENTS**

1. **OFFICIAL NOMINATION PAPER**

Sections 10221 - 10222

The **Nomination Paper (Official Filing Form)** will be furnished only by the City Clerk. At the time of issuance, the City Clerk will type on the form the name of the candidate and the office for which he/she is running. The City Clerk will affix her signature and date of issuance on it. Only one candidate may be named on each Nomination Paper. It is recommended that candidates file as far as possible in advance of the deadline so that any deficiency in the papers may be found and cleared in time to qualify.

The first step you should take in completing your Nomination Paper is to decide if you will personally be the circulator or if someone else will circulate it for you. Remember, whoever circulates the petition must personally witness each person's signature. Also remember, if you have someone else circulate the petition for you, he/she must be at least 18 years of age or older, and he/she must complete the Declaration of Circulator.

The second step is to obtain signatures. No less than 20 or more than 30 voters may sign a Nomination Paper. Please request voters to sign as registered. Registered voters may sign one Nomination Paper for each vacant seat.

As can be seen on the Nomination Paper, the name of each registered voter nominating a candidate should be printed on the form. The voter should then sign the nomination paper and thereafter print his or her voting residence, giving the street and number, if any, or some description of the residence as will enable the Clerk to readily confirm the residence. Please be sure the name and the residence address of the person signing the Nomination Paper are printed clearly. Please, no ditto marks. The signatures have to be verified by the County Elections Official and if a name or address is not legible, verification may not be possible.

(See next section for completing last page of Nomination Paper.)

2. **AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE**  
Section 10223 - Elections Code

This section is contained on the bottom and back of the **Declaration of Candidacy**. It includes a declaration stating that the candidate will accept the nomination and the office in the event of his/her election, and an oath or affirmation of allegiance. In addition, the candidate may state his/her ballot designation. (Please see guidelines relating to “Ballot Designations,” below.) The **declaration and oath or affirmation of allegiance MUST BE SIGNED IN THE PRESENCE OF THE CITY CLERK AT THE TIME YOU FILE YOUR NOMINATION DOCUMENTS. DO NOT SIGN IT PRIOR TO THAT TIME.**

3. **FILING OF NOMINATION PAPER**  
Section 10224 - Elections Code

Once all signatures have been obtained, the candidate must file the Nomination Paper with the City Clerk. Please note that nomination documents (Nomination Paper, Declaration of Candidacy, Candidate’s Statement, Candidate Intention Statement FPPC 501, Statement of Economic Interests FPPC 700, Voluntary Spending Limit Statement etc.) must be filed at the same time.

4. **FILING VOLUNTARY SPENDING LIMIT STATEMENT**  
Section 2081- Ukiah City Code

Under Ukiah’s Campaign Reform Act, you must file a statement accepting or rejecting the Voluntary Spending Limit program established by that Act. You must complete, sign and file with the City Clerk one of the attached Voluntary Spending Limit Statements either accepting or rejecting the spending limit, at the same time that you file your Nomination Paper.

5. **BALLOT DESIGNATION**  
Section 13107 - Elections Code

The Ballot Designation is the word, or group of **not more than three words**, which will appear on the ballot under the candidate’s name, designating the current principal profession, vocation, or occupation of the candidate. Only one of the following designations may appear:

- No more than three words designating the current principal profession(s), vocation(s), or occupation(s) of the candidate or the principal profession(s), vocation(s) or occupation(s) during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word.
- Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed if the office held is

that of a superior, municipal, or justice court judge.

- The word “incumbent” may be used if the candidate is presently a member of the Ukiah City Council, or the City Treasurer, and was elected to that office by a vote of the people.
- More than one occupation may be designated. Voluntary positions may be acceptable as occupational designations if performed on a regular basis.
- If a candidate desires no occupation to appear on the ballot, he or she must enter the word “none” in the appropriate space on the Affidavit of Nominee.
- An occupational designation may not be changed after the deadline for filing nomination papers except as specifically requested by the City Clerk.

**The City Clerk shall not accept a Ballot Designation which:**

- Misleads the voter.
- Suggests an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- Abbreviates the word “retired” or places it following any word which it modifies.
- Uses a word or prefix, such as “former” or “ex”, which means a prior status. The only exception is the use of the word retired.
- Uses the name of any political party, whether or not it has qualified for the ballot.
- Uses a word(s) referring to a racial, religious, or ethnic group.
- Refers to any activity that is prohibited by law.

If, on checking the Nomination Paper, the City Clerk, as Elections Official, finds the designation to be in violation of any restrictions set forth in Section 13107 of the Elections Code, she shall notify the candidate by registered mail, return receipt requested. The candidate shall, within three days from the date of receipt of the notice, appear before the City Clerk/Elections Official and provide an alternate designation. In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate’s name.

No designation given by a candidate shall be changed by the candidate after the final date for filing the Nomination Paper except as specifically requested by the City Clerk/Elections Official under the circumstances previously set forth.

6. **CANDIDATE’S STATEMENT OF QUALIFICATIONS**  
Section 13307 - Elections Code

Each candidate may file a **Candidate’s Statement of Qualifications** of no more than 200 words on a form provided by the City Clerk. The Statement will be printed in the

Voter's Pamphlet and distributed to all registered voters with the sample ballot prior to the election. Statements must be filed at the same time the Nomination Paper is filed. **This Statement may be withdrawn, but not changed, on or before 5:00 p.m. on the next working day after the close of the nomination period.**

See County's enclosed *Candidate Information Packet* companion document, pages 6-10 for more detail, and the **Candidate's Statement** form.

**COSTS OF STATEMENTS OF QUALIFICATIONS**

The **estimated** cost for printing and distributing a Candidate's Statement in English is \$300. If the candidate chooses to have the Statement printed and distributed in both English and Spanish, the **estimated** cost is \$600. A deposit of \$300 or \$600 is to be paid at the time the Statement is filed with the City Clerk. If the costs are less than estimated, a refund will be made when the actual costs are ascertained.

If the candidate lacks sufficient funds to pay the cost, he/she may sign a declaration provided by the City Clerk to that effect and the statement will be printed and distributed. The candidate will then be billed the actual costs when they are ascertained.

**CONFIDENTIALITY OF STATEMENTS**

Elections Code Section 13311 makes the Candidate's Statement confidential until the close of nominations. The purpose of confidentiality is to prevent candidates from writing what amounts to a rebuttal. The City Clerk will not release the statement to the media until the expiration of the filing deadline.

7. **POLITICAL REFORM ACT OF 1974: FAIR POLITICAL PRACTICES COMMISSION (FPPC) FILING REQUIREMENTS**

The FPPC mandates the filing requirements for candidates. Appropriate information manuals, addendums, and forms will be provided to each candidate. Copies of the Political Reform Act, manuals, forms, and other helpful information may be obtained by contacting the FPPC at 1-866-275-3772 (toll free) or 1-916-322-5660. This information may also be viewed on the FPPC Internet web site: <http://www.fppc.ca.gov>.

**FPPC REQUIRED CAMPAIGN DISCLOSURE FILING SCHEDULE**

<i>Filing Deadline</i>	<i>Type of Statement</i>	<i>Period Covered by Statement<sup>1</sup></i>	<i>Form</i>	<i>Method of Delivery</i>
July 31, 2014	Semi-Annual	Thru – 6/30/14	460	<ul style="list-style-type: none"> <li>• Personal Delivery, or</li> <li>• First class mail</li> </ul>
Within 24 Hours	Contribution Reports	8/6/14 – 11/3/14	497	<ul style="list-style-type: none"> <li>• Personal Delivery,</li> <li>• Guaranteed overnight service,</li> <li>• Fax, or</li> <li>• Online</li> </ul>

FPPC REQUIRED CAMPAIGN DISCLOSURE FILING SCHEDULE				
<i>Continued</i>				
<i>Filing Deadline</i>	<i>Type of Statement</i>	<i>Period Covered by Statement<sup>1</sup></i>	<i>Form</i>	<i>Method of Delivery</i>
October 6, 2014	Pre-Election	7/1/14 – 9/30/14	460 470	<ul style="list-style-type: none"> <li>• Personal Delivery, or</li> <li>• First class mail</li> </ul>
October 23, 2014	Pre-Election	10/1/14 – 10/18/14	460	<ul style="list-style-type: none"> <li>• Personal Delivery,</li> <li>• Guaranteed overnight service, or</li> <li>• Online</li> </ul>
February 2, 2015	Semi-Annual	10/19/14 – 12/31/14	460	<ul style="list-style-type: none"> <li>• Personal Delivery, or</li> <li>• First class mail</li> </ul>

- **Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour independent expenditure reports (Form 496) and the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report is not required if a local agency requires online filing pursuant to a local ordinance.
- **Candidate - Form 460 or 470:** Use Form 470 if less than \$1,000 is raised/spent in calendar years 2013 or 2014. Use Form 460 if \$1,000 or more is raised/spent in 2014 and also file Form 410, Statement of Organization. Note: All candidates must file Form 501 before soliciting contributions.
- **Form 470:** Candidates who do not have a committee and do not raise/spend \$1,000 in 2014 may file Form 470 on paper once a year on or before October 6, 2014. If, later during the calendar year, a campaign committee must be opened, a Form 470 Supplement must be filed.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov), click on the Campaign link.
- **Prohibition on Candidate/Officeholder Independent Expenditures:** A controlled committee may not make independent expenditures to support or oppose candidates and may not contribute to another committee for the purpose of making independent expenditures to support or oppose other candidates. However, a committee may make independent expenditures in

connection with a ballot measure. Disclosure reports include:

- **462:** A verification form must be emailed to the FPPC within 10 days of an independent expenditure of \$1,000 or more.
- **465:** This form is due on applicable pre-election/semi-annual deadlines in connection with the ballot measure election.
- **496:** This form is due within 24 hours when made in a 90-day period of the election. Refer to the ballot measure election filing schedule.

*It is your responsibility to become familiar with the filing requirements and request forms from this office as you need them. You will be fined by this office and/or the Secretary of State's office if filing deadlines are not met.*

*Please note: once filed, all of the following statements/forms become public records.*

- **STATEMENT OF ECONOMIC INTERESTS (FORM 700)**

Each candidate is required to file a **Statement of Economic Interests** form (Form 700). It is preferable that this form be filed at the time the Nomination Paper is filed. However, it must be filed by the close of the Nomination Period. Please carefully read the manuals and forms that you are provided. Candidates for office need only disclose investments and interests in real property held on the date at which time this form is completed/filed. If you need assistance with the form, you may call the City Clerk's office at 463-6213 or the **FPPC at 1-866-275-3772**.

- **CAMPAIGN STATEMENTS**

- **Candidate Intention Statement (Form 501)**

- This form is required for all candidates, including incumbents, except those candidates who will be not be raising or spending funds other than their own for the printing of the Candidate's Statement of Qualifications. It must be filed with the City Clerk prior to solicitation or receipt of any contribution, including personal funds.

- **Statement of Organization/Recipient Committee (Form 410)**

- See County's *Candidate Information Packet* companion enclosure, page 2, "Campaign Disclosure".

- **Officeholder and Candidate Campaign Statement- Short Form and Form 470 Supplement (Form 470/470 Supplement)**

- See County's *Candidate Information Packet* companion enclosure, page 3, "Campaign Disclosure."

*Campaign forms are available in the City Clerk's office upon request, and from the FPPC.*

8. **UKIAH CAMPAIGN REFORM ACT**

*Ukiah City Code Sections 2075-2087, (Ordinance No. 1080) copy enclosed. You are encouraged to read the Ukiah Campaign Reform Act*

In addition to the requirements of the State Political Reform Act, the Ukiah Campaign

Reform Act imposes the following requirements:

- a. Except for Voluntary Spending Limit candidates and committees, contributions from a single donor are limited to \$200 in any Election Cycle (January 1 – December 31).
- b. By no later than 1:00 p.m. on the third business day preceding election day, each candidate and committee must file with the City Clerk a third pre-election disclosure statement (FPPC Form 460) covering the period from the end of the second pre-election statement and ending at 11:59 p.m. on the fourth business day preceding election day (normally Wednesday).
- c. Each candidate and city committee must file an additional late contributions report with the City Clerk which reports all contributions of \$200.00 or more received from any source during the period commencing at the end of the period covered in the third pre-election disclosure statement, and ending on midnight of the date of the election. This report shall be filed with the City Clerk within twenty-four hours of the receipt of the contribution and shall be posted to the City website within four hours of the filing or as soon thereafter as may be practicable.
- d. Anonymous contributions of more than \$20 are prohibited and must be returned or donated to the City or a charitable organization within 14 days of their receipt.
- e. Except for Voluntary Spending Limit candidates and committees, any campaign surplus must be disbursed to the City or a charitable organization within 3 days after the end of the Election Cycle.

## **POLITICAL SIGNS**

1. **CAMPAIGN AND POLITICAL SIGNS (City of Ukiah Code – Section 3224(C))**
  - a. Political signs do not require a permit, if placed on private property, not exceeding four square feet in area or four feet in height and if placed no sooner than sixty days before the election and removed within ten days after the election.
  - b. Signs that do not satisfy the above-requirements require a permit.

*Ordinance is included in this packet. Please call 463-6206 or 463-6207 for additional information regarding the City's sign code and permit requirements.*

2. **STATE LAW GOVERNING CAMPAIGN SIGNS**

The State law has requirements which govern campaign signage. You are responsible to know the laws and can find more information at this website:  
[http://www.dot.ca.gov/oda/political\\_signs.htm](http://www.dot.ca.gov/oda/political_signs.htm). Following is a summary:

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

1. Encourages a particular vote in a schedule election.

2. Is placed not sooner than 90 days prior to the schedule election and is removed within 10 days after that election.
  3. Is no larger than 32 square feet.
  4. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign.
  5. A completed Statement of Responsibility must be submitted to:
  6.  
Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942874, MS-36  
Sacramento, CA 94274-0001.
  7. Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".
  8. State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal.
3. **UTILITY POLES**  
Signs are not permitted on City of Ukiah utility poles.

## ELECTION CALENDAR

- 7/14/14** First day to obtain **nomination documents** from City Clerk (E.C. 10407)
- 8/8/14** Last day to file **nomination documents** with City Clerk (E.C. 10407).
- Note:** *If any incumbent has not filed for election by 5:00 p.m., August 8, 2014, the nomination period will be extended for all persons, except the incumbent who did not file, to August 13, 2014, 5:00 p.m. (E.C. 10225). A candidate may withdraw, but not change, the Candidate's Statement any time up to 5:00 p.m. of the next working day after close of the nomination period (E.C. 13307).*
- 8/14/14** Secretary of State to draw randomized alphabet. This determines placement of candidate's name on the ballot (E.C. 13112).
- 10/6/14** **First** campaign statement due (pre-election). Filing includes all reportable items through September 30, 2014.
- 10/6/14** **Voters May Request Vote-by-Mail Ballots with Regular Applications** (E.C. 3001).
- 10/20/14** Last day to register to vote (E.C. 2107).
- 10/21/14** Last day to file for write-in candidate
- 10/23/14** **Second** Campaign Expenditure Statement due (pre-election).
- 11/4/14** **Election Day** – All-mail ballot (E.C. 1500).
- 12/2/14** Deadline to certify election results (E.C. 15301).
- 2/2/14** Final campaign statements due (Semi-annual Statement). File Form 460.  
*(The January 31, 2014, deadline falls on Saturday, so the deadline is extended to the next business day.)*