

NOVEMBER 3, 2020

MUNICIPAL ELECTION

CITY OF UKIAH



CANDIDATE INFORMATION PACKET

CITY OF UKIAH
GENERAL INFORMATION

OFFICE:	<u>City Council</u>	<u>Term Expires:</u>
	Douglas F. Crane, Mayor	2020
	Juan V. Orozco, Vice Mayor	2022
	Stephen G. Scalmanini, Councilmember	2020
	Jim O. Brown, Councilmember	2022
	Maureen Mulheren, Councilmember	2022
SALARY:	Current Salary =\$490 per month.	
BENEFITS:	Councilmembers are eligible for a medical allowance of \$837.00 per month (<i>Equivalent to the Anthem Blue Cross EPO \$250 employee only premium,</i>) toward the City's health care provider. This allowance is provided towards City health plans only.	
TERM:	Council: Four (4) years, elected by the voters. Mayor: Per voter approval, the Mayor is appointed by the City Council	
MEETING DATES:	First and third Wednesdays of each month, as well as other special meetings, as scheduled. Councilmembers also sit on various Boards and Commissions on behalf of the City of Ukiah.	
QUALIFICATIONS:	To be eligible to hold office, a person must reside in the City of Ukiah City limits, be 18 years of age, and be 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**

Two City Council seats and one City Treasurer seat, full terms of four years.

3. **FILING PERIOD FOR NOMINATION DOCUMENTS**

Section 10220 - Elections Code

Monday, July 13, 2020, at 8:00 a.m. will be the first date and time that nomination documents will be available from the City Clerk's Office, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

Friday, August 7, 2020, at 5:00 p.m. will be the final date and time for filing any nomination documents if an incumbent files. If an incumbent does not file, the nomination period is extended (see below).

Write-In Candidates can pick up nomination documents starting Monday, September 7, 2020. Tuesday, October 20, 2020, 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 7, 2020, the Nomination Period will be extended - for non-incumbents only - until Wednesday, August 12, 2020, at 5:00 p.m.

NOTE: The City Clerk's office is open from 8:00 a.m. to 4:30 p.m. (*except for 5:00 p.m. deadline days, in which the office stays open until 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 7 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 4 & 5*). 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 and on the City's website 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. **Signatures must be from residents within the city limits of Ukiah only**; please be familiar with where the city boundaries fall.

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 the 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>.

Please find on the following two pages the candidate 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 that once filed, all of the following statements/forms become public records. Please also note that there is a third Pre-election campaign statement requirement by the City that is not on the FPPC's filing schedule. See FPPC's Filing Schedule on the next page.

**Fair Political Practices Commission
Filing Schedule for
Candidates and Controlled Committees for Local Office
Listed on the November 3, 2020 Ballot**

Deadline	Period	Form	Notes
July 31, 2020 <i>Semi-Annual</i>	* – 6/30/20	460 or 470	<ul style="list-style-type: none"> • 460: All committees must file Form 460.
Within 24 Hours <i>Contribution Reports</i>	8/5/20 – 11/3/20	497	<ul style="list-style-type: none"> • File if a contribution of \$1,000 or more in the aggregate is received from a single source. • File if a contribution of \$1,000 or more in the aggregate is made to or in connection with <i>another</i> candidate or measure being voted upon November 3, 2020. • The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received. • File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.
Sept 24, 2020 <i>1st Pre-Election</i>	7/1/20 – 9/19/20	460 or 470	<ul style="list-style-type: none"> • Each candidate listed on the ballot must file Form 460 or Form 470 (see below).
Oct 22, 2020 <i>2nd Pre-Election</i> *	9/20/20 – 10/17/20	460	<ul style="list-style-type: none"> • All committees must file this statement. • File by personal delivery or guaranteed overnight service. The committee may also file online, if available.
Feb 1, 2021 <i>Semi-Annual</i>	10/18/20 – 12/31/20	460	<ul style="list-style-type: none"> • All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before Dec 31, 2020.

* **Please See Candidate Packet for 3rd Pre-Election Statement Due 10/29/20**

Additional Notes:

- *** 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.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- **Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.

Fair Political Practices Commission

- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2020 and do not have an open committee must file Form 470 on or before September 24, 2020. If, later during the calendar year, the candidate raises or spends \$2,000 or more, a Form 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
 - [462](#): This form must be e-mailed to the FPPC within 10 days.
 - [496](#): This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements are public documents.
- **Resources:** Campaign manuals and other instructional materials are available [here](#). Or, visit www.fppc.ca.gov > Learn > [Campaign Rules](#).

• **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 **FPPC at 1-866-275-3772**.

• **CAMPAIGN STATEMENTS**

Candidate Intention Statement (Form 501)

This form is required for all candidates, including incumbents. 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, "Campaign Disclosure". File this form with the Secretary of State within 10 days of receiving \$2,000 in contributions. Include a \$50 payment made payable to the Secretary of State. Thereafter, the \$50 fee is due annually no later than January 15. In addition to the \$50 fee, a penalty of \$150 may be assessed if payment is late. For early submissions, mark the "not yet qualified" box. The \$50 fee is requested at this time but is not legally required until the committee qualification threshold has been met. The committee's FPPC ID number will be posted at cal-access.sos.ca.gov. Read instructions carefully as a Form 410 will be rejected if all applicable sections are not completed. All committees must disclose the financial institution and bank account number used by the committee.

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

See County's *Candidate Information Packet* companion enclosure, "Campaign Disclosure." Form 470 is for use by officeholders and candidates who:

- Do not have a controlled committee;
- Do not anticipate receiving contributions totaling \$2,000 or more during the calendar year; and
- Do not anticipate spending \$2,000 or more during the calendar year.

Officeholders and candidates who have a controlled committee or who have raised or spent \$2,000, file the Recipient Committee Campaign Statement – Form 460.

Campaign forms are available in the City Clerk's office upon request, and from the FPPC website: <http://www.fppc.ca.gov/forms.html> .

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 of each given year).

- 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.
- 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 463-6203 or 463-6206 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. 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 scheduled election.

2. Is placed not sooner than 60 days (*the County packet says 90, but the City Code Section 3224 takes precedence*) prior to the scheduled election and is removed within 10 days after that election.
3. Is no larger than four (4) square feet or four (4') feet in height (*the County packet says 32 square feet, but the city code Section 3224 takes precedence*).
4. Has had a Statement of Responsibility filed with the California Department of Transportation, certifying a person who will be responsible for removing the sign.

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations MS-36
Outdoor Advertising Program
P.O. Box 942874
Sacramento, CA 94274-0001.

5. 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".
 6. 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.

CITY OF UKIAH CALENDAR FOR THE NOVEMBER 3, 2020, ELECTION

DAYS PRIOR TO ELECTION	OFFICIAL DATE	COUNCIL MEETING DATE	ACTION TAKEN
141	June 15, 2020	May 20, 2020	Suggested last day for Council to adopt resolutions (including call for election and measures; County would like to know before July 4th)
140	June 16, 2020	June 3, 2020	Suggested last day to post notice of Deadline for filing arguments and impartial analyses
No deadline except ONCE before Election Day			Election Official to publish Notice of Election - Measure(s) only, no candidates.
7 - 14 days after date Council puts measure(s) on the ballot		May 20 = 14 days; Next regular meeting is June 3	Suggested last day to file arguments and impartial analyses/ recommended to be 7-14 days after Council calls Election
10 days after arguments are due (if election is called on May 20, and arguments are filed on June 3, then 10 days = June 13, which would be June 15 for the next business day)			Last day to file rebuttal arguments/10 days after arguments
99	July 27, 2020		Last day to file campaign Expenditure Statements for period ending June 30, 2020. Semi Annual Statement; GC §84200.7
113	July 13, 2020		FILING PERIOD - CANDIDATE NOMINATION PAPERS EC 10220 et seq.
88	August 7, 2020		
88	August 7, 2020		Deadline to deliver resolution calling ballot measure election to County Elections Officer and request election consolidation. EC 10002, 12001, 1405, 9241; EC 9400-9401
87	August 8, 2020		Extended candidate filing period. Filing is extended if an incumbent eligible for re-election does not file by 5 pm on August 7, 2020. Incumbents are not eligible to file during the extended period. EC 10225
83	August 12, 2020		
82	August 13, 2020		Secretary of State to conduct Random Alpha Draw for candidate name order on ballot. EC 13111; EC 13112
60	September 4, 2020		First day that campaign signs may be erected.
57	September 7, 2020		Filing Period - Candidate Nomination Papers for Write-in Candidates. EC 8601
14	October 20, 2020		
40	September 24, 2020		First Pre-Election Campaign Statement due. GC §84200.7
29	October 5, 2020		First Day for Mailing Permanent Vote by Mail Voter Ballots Period to obtain Vote-by-Mail ballots. Ballots may be obtained at the County Registrar's office EC §3001
29	October 5, 2020		Last Day to Register to Vote. EC §§2102, 2107
7	October 27, 2020		
15	October 19, 2020		Second Pre-Election Campaign Statement due. GC §84200.7
12	October 22, 2020		
3rd Business Day before 1:00 pm	October 29, 2020		Third Pre-Election Campaign Statement due. UCC §2082;
0	November 3, 2020		ELECTION DAY EC §1000
30	December 3, 2020		Last day for County to certify election results to city. EC §15372
45	12/1/20-12/18/20	December 16, 2020	Council to adopt and certify election results. EC §9217, 10262-10263*

* County is not required to give election results until 12/7/20; therefore, unless County produces election results before the 7th, the results will have to be certified on 12/16/20

EC = Election Code

GC = Government Code

UCC = Ukiah City Code