

CANDIDATE GUIDELINES FOR MUNICIPAL OFFICE

1. ELIGIBILITY:

In order to be eligible to hold office as Mayor or a member of the Council, a person must be a registered voter of the City of Vacaville (residing within the City limits) at the time nomination papers are issued for his or her candidacy.

2. OFFICES TO BE FILLED:

2 City Council Seats – 4 year terms

Mayor – 4 year term

Term would begin December 2010 and expire December 2014

3. NOMINATION PERIOD: July 12 – August 6, 2010

Section 10220 – Election Code

City Offices are open Monday – Friday 8:30 a.m. to 5 p.m.

Exactly 5 p.m. will be the final deadline for filing nomination papers, unless an incumbent does not file nomination papers. Please make an appointment to take out and return nomination papers.

4. EXTENSION IF INCUMBENT DOES NOT FILE

Section 10225 – Elections Code

If nomination papers for an incumbent officer of the City are not filed by 5:00 p.m. on August 6, 2010, the nomination period *for that office* will be extended until August 11, 2010, at 5:00 p.m.

5. FILING PETITION

Section 10221, 10222 – Elections Code

Whoever circulates the petition must personally witness each person's signature. If someone other than the candidate circulates the petition, the circulator must be a currently registered voter within the city limits of Vacaville. If someone other than the candidate files the petition, the Declaration of Candidacy must be notarized.

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6. SIGNATURES; RESIDENCE ADDRESS; VERIFICATION

Section 105 – Elections Code

Twenty signatures of currently registered voters within the city limits of Vacaville are required to qualify. The nomination papers provide thirty spaces and no more than thirty signatures are allowed. It is advisable to get more than twenty signatures. The signature and residence address will be verified by the County Registrar's Office and must match the voter's affidavit that is on file with the Registrar's Office. If the residence does not match, the signature will be considered invalid.

7. AFFIDAVIT OF NOMINEE AND CANDIDATE'S OATH OF OFFICE

Section 10223 – Elections Code

A) Affidavit of Nominee: This section is a declaration stating that the candidate will accept the nomination and the office in the event of election. In addition, the candidate must state that the candidate will accept the nomination and the office in the event of his/her election. In addition, the candidate must state his/her ballot designation. (Please see guidelines on "Ballot Designations" Section 9)

B) Candidate's Oath of Allegiance/Declaration of Candidacy: This portion must be completed in the presence of the City Clerk or Deputy City Clerk at the time of the candidate files the Nomination Papers. Do not fill in prior to bringing your paperwork to the City Clerk's office.

8. FILING OF NOMINATION PAPERS

Section 10224 – Elections Code

Once you have obtained all of your signatures, you must file the Nomination Papers with the City Clerk. **Please note that all papers (Nomination, Candidate Statement, and Statement of Economic Interest, etc.) must be filed at the same time.**

Filing – All Nomination Papers shall be filed with the City Clerk during regular business hours, 8:30 a.m. – 5:00 p.m., Monday through Friday, but not later than 5:00 p.m. on August 6, 2010. If an incumbent does not file by the deadline, the close of the nomination period *for that office* will be extended to 5:00 p.m. on August 11, 2010. **It is recommended that you make an appointment with the City Clerk to turn in your nomination papers rather than just stop in the office, as there is no guarantee as to how long you will have to wait.**

9. BALLOT DESIGNATION REQUIREMENTS

Sections 10102 and 13107, 13107.5 – Elections Code

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- A) Immediately under the name of each candidate, and not separated from the name by any line, may appear, at the option of the candidate, only one of the following designations:
- 1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing of the Nomination Papers to which he/she was elected by vote of the people.
 - 2) The word “incumbent” if the candidate is a candidate for the same office which he/she holds at the time of filing the Nomination Papers and was elected to that office by a vote of the people.
 - 3) No more than three words designating the current principal professions, vocations, and occupations of the candidate. Hyphenated words that appear in any generally available standard reference dictionary shall be counted as one word; all others as two separate words.
 - 4) The phrase “appointed incumbent” if the candidate holds office other than a judicial office by virtue of appointment and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to some other office, the word “appointed” and the title of the office. In either instance, the candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.”
- B) In accordance with the Elections Code, no election official shall accept a designation which:
- 1) Would mislead the voters.
 - 2) Would suggest an evaluation of a candidate such as outstanding, leading, expert, virtuous, or eminent.
 - 3) Abbreviates the word “retired” or places it following any word or words, which is modifies.
 - 4) Uses the word or prefix such as “former” or “ex-,” which means a prior status.
 - 5) Uses the name of any political party, whether or not it has qualified for the ballot.
 - 6) Uses a word or words referring to a racial, religious, or ethnic group.
 - 7) Refers to any activity prohibited by law.
- C) If upon checking the Nomination Papers the election official finds the designation to be in violation of any of the restrictions set forth in this section, the election official shall notify the candidate of the inadequacy.
- 1) The candidate shall provide the election officer an alternate designation.
 - 2) In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate’s name.
- D) No designation given by a candidate shall be changed after the final filing date for filing Nomination Papers.

10. PLACEMENT OF NAMES ON BALLOT

Section 13112 (B) – Elections Code

Following the close of nominations, at 11 a.m. on August 12, 2010, the Secretary of State will make a random drawing of letters of the alphabet. Candidates' names will be placed on the ballot by their surnames in the order determined by this drawing. Candidates will be notified in writing of the results of the drawing.

11. CANDIDATE'S STATEMENT

Section 13307 – Elections Code

A Candidate's Statement may be filed by the candidate, if he/she so desires, for distribution to each voter within the sample ballot in the voter pamphlet. The Statement must be filed with candidate's Nomination Paper and may be **WITHDRAWN, BUT NOT CHANGED**, by the candidate after it is filed at any time before 5:00 p.m. on August 6, 2010, or if that office is extended, on August 11, 2010.

The Candidate's Statement may contain the candidate's **NAME, AGE, and OCCUPATION** plus a brief description of the candidate's **EDUCATION** and **QUALIFICATIONS** in not more than 200 words expressed by the candidate himself/herself.

You are requested to submit the statement via email or on a CD or thumbdrive. Statements will be printed **exactly** as submitted; candidates are therefore advised to carefully check their statements for errors in spelling, punctuation, and grammar. There is an additional **\$25** charge by Solano County for any statement that is not submitted electronically.

Please see the "Candidate's Statement Guidelines" provided with this material for **important** additional information to be used in completing your Statement.

Candidate's Statements are printed in the voter pamphlet and mailed to each registered voter through the Solano County Registrar's Office. Spanish translations are available for each statement at an additional cost. The **COST** for printing and handling this Statement in English and Spanish is the responsibility of the Candidate. The Candidate Statement cost is \$706 in English, and an **ADDITIONAL** \$874 for a Spanish translation. The full amount will be required at the time the Statement is filed.

**POLITICAL REFORM ACT OF 1974:
FAIR POLITICAL PRACTICES COMMISSION (FPPC):
fppc.ca.gov**

12. FILING REQUIREMENTS

The FPPC mandates filing requirements for local candidates. The City Clerk serves as the filing official for local campaign disclosure statements, as well as for the Statement of Economic Interests.

A. Statement of Economic Interest (Form 700)

As a candidate for public office you will be required to complete a Statement of Economic Interests (Form 700 Candidate Statement) when you file your Nomination Papers. A Form 700 is included in this packet for your convenience. An interactive version of the Form 700 and instructions for completing the Form 700 are available at www.fppc.ca.gov. All 700 forms for any city office are filed with the City Clerk and are forwarded to the Fair Political Practices Commission in accordance with Political Reform Act of 1974. *Completed forms are public documents.*

B. Candidate Intention Notice (Form 501)

State and local candidates and officeholders who intend to raise or spend campaign funds must file Form 501 (Candidate Intention) before soliciting or receiving any contributions (including loans). *This form should be mailed directly to the Secretary of State.* Please refer to Pages 10-12 of the Information Manual on Campaign Disclosure Provisions for instructions on completing the form.

EXCEPTION: The filing of Form 501 is not required if a candidate does not receive contributions and the only expenditures made will be the candidate's personal funds for a filing fee or statement of qualifications that will appear in the voter pamphlet.

C. Statement Of Organization (Form 410)

Form 410 must be filed by all candidates and "recipient committees" who have received \$1,000 or more in contribution (including the candidate's personal funds) during a calendar year.

The Form 410 must be filed with the Secretary of State within 10 days of receiving \$1,000 in contributions. The secretary of State will issue an identification number to the committee. The identification number is to be included on all campaign disclosure forms.

If any of the information on a Statement of Organization changes, the committee must file an amendment to the Statement within 10 days of the change. Detailed instructions for

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completing the Form 410 are provided starting on Page 11 of the Information Manual on Campaign Disclosure Provisions.

There are special requirements for committees which qualify (i.e. receive \$1,000) during the 16 days prior to an election in which the committee would otherwise be required to file pre-election statements and for committees, which must amend certain information contained on a Statement of Organization during the 16 days before an election.

D. Recipient Committee Campaign Statement

Candidates who have a controlled committee, or who have raised or spent, or will raise or spend, \$1,000 or more during a calendar year in connection with election to office are required to file the Form 460. This form should be filed with the City Clerk by the deadlines established by the FPPC. Late Statements are subject to a \$10 per day late fine.

13. POLITICAL SIGNS

Political signs are a traditional means of expressing a candidate's philosophy or position. As a candidate for City Council, your interest in reducing litter and preventing aesthetic blight is appreciated. The following is an excerpt from the Vacaville Municipal Code section regulating political signs, which will hopefully prevent an undue concentration of signs and clutter throughout the City and avoid an embarrassing situation from occurring to you or members of your campaign staff.

Political signs may be placed on **private property** subject to the following regulations:

Section 14.132.120 (D) Political signs and posters. Political signs may be posted on private property only, and subject to other provisions of law, and may be placed no earlier than thirty days prior to the election to which they pertain. Political signs must be removed within seven days after election day.

Due to court rulings, the time limits and allowed sign locations have come into question making it difficult for the City to enforce the regulations. Therefore, the City is in the process of amending the Sign Ordinance but this will occur sometime after the November 2010 election. Because of this problem, the City has requested all candidates to voluntarily comply with the current regulations. Any signs placed on public property that are unsafe or in hazardous locations will be promptly removed, as well as signs placed on private property without the property owner's permission. When placing signs, consideration should be given for pedestrian traffic and line of sight for motor traffic.

14. MAILER REQUIREMENTS

The Political Reform Act specifies that a candidate or committee which sends a mass mailing must identify itself on the mailer. The definition of "Mass Mailing" is a mailing that consists of more than two hundred (200) substantially similar pieces of mail. A mass mailing does not

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include a form letter or other mail which is sent in response to an unsolicited request or letter or other inquiry. The Elections Code requires that city and county clerks or election officials provide a copy of Government Code Section 84305 to each candidate, or his/her agent, at the time that a declaration of candidacy is filed. A copy of Section 84305 is provided in the 'Campaigning and Political Signs' provided by the Solano County Registrar of Voters.

15. CITY ORIENTATION

After the nomination period closes, all successful nominees will be contacted to attend a City Orientation that will cover areas of importance and provide information relative to City governance. After the election, successful candidates will be contacted to meet City Directors and tour City facilities.