CITY OF FORTUNA

GENERAL MUNICIPAL ELECTION
NOVEMBER 8, 2016

CANDIDATE INFORMATION GUIDE

Dear Candidate,

This information guide has been prepared to inform interested parties and to assist candidates running for the office of council member in the upcoming City of Fortuna General Municipal Election to be held on November 8, 2016.

The guide is **not** intended to be all encompassing. It does however summarize and answer basic questions regarding the candidate nomination process, campaign filing requirements, regulations regarding campaign literature and political signs and ads, availability of resource material, election results, and seating of the elected council members. Candidates will be provided all of the required nomination documents from the City Clerk during the nomination period, which opens on Monday, July 18, 2016 and closes on Friday, August 12, 2016. The nomination period will be extended to August 17, 2016 if an incumbent eligible to run chooses not to do so. The City Clerk will also provide official candidates and committee's information on filing dates and all required campaign disclosure forms throughout the election season.

Official candidates are invited to attend a Candidate Orientation hosted by the City Manager on Thursday, September 8, 2016 from 4:00 PM to 5:00 PM in the City Council Chambers, City Hall, 621 11th Street, Fortuna, CA 95540. The purpose of this orientation will be to introduce candidates to staff members, receive an overview of the election process, campaign regulations and requirements, provide an overview of the City and its governance protocols, and answer any questions the candidates may have regarding city operations and programs.

The City Clerk's Office is located at City Hall, 621 11th Street, Fortuna, CA 95540. Office hours are 8:00 a.m. until 5:00 p.m., Monday through Friday. If you have any questions, please contact Linda McGill, City Clerk, via e-mail at lmcgill@ci.fortuna.ca.us or at (707) 725-1411.

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Elected Officials and Department Directors

July 2016	**Name**	**Term Began**	**Term Expires**
ELECTED CITY COUNCIL OFFICIALS			
Councilmember	Tami Trent	December 2012	November 2016
Councilmember	Sue Long	December 2014	November 2018
Councilmember	Tiara Brown	December 2014	November 2018
Councilmember	Douglas Strehl	December 2012	November 2016
Councilmember	Linda Gardner	December 2014	November 2018
APPOINTED OFFICIALS		**PHONE**	
City Manager	Regan Candelario	725-1409	
City Attorney	David Tranberg	725-1409	
DEPARTMENT DIRECTORS AND MANAGEMENT STAFF			
City Clerk / Human Resources Manager	Linda McGill	725-1411	
Deputy Director of Community Development	Liz Shorey	725-1408	
Police Chief	Bill Dobberstein	725-7550	
Finance Director	Regan Candelario (Acting)	725-1409	
Public Works Director/City Engineer	Merritt Perry	725-1471	
River Lodge Manager	Joanna Miranda	725-1480	
Chief Plant Operator/Utilities Superintendent	Doug Culbert	725-1476	
General Services Superintendent	Mike Johnson	725-1466	
Deputy Director of Public Works/ Parks and Recreation	Kevin Carter	725-1472	

The City Council

The City of Fortuna is a charter city, governed primarily by the laws of the state of California, the city charter and by its own ordinances and regulations. The City of Fortuna holds a general municipal election in November of even-numbered years. Two council seats are up for election in November 2016. To be eligible to run for office, a candidate must be a resident and elector of the city for at least thirty (30) days proceeding the last day for filing of nomination papers.

The three candidates that receive the highest number of votes for the three open council seats are elected to these offices.

Newly elected members of the City Council will take the oath of office and be seated, upon certification of the election results, which should occur at the first Council meeting in December. At that time the City Council shall also appoint two of its members to serve as Mayor and Mayor Pro Tem for a term of two years.

Members of the City Council also serve as the Board of the City's Successor Agency and as the Board of the Fortuna Public Improvement Corporation. Certain members of the City Council also serve on various other boards within the County.

Regular City Council meetings are scheduled for the first and third Mondays of each month at 6:00 p.m. in the council chambers at City Hall, with special meetings being held as necessary.

The stipend for council members is provided for in accordance with Government Code Section 36516, and ordinances adopted by the City Council. Currently, council members receive a stipend of $300 per month.

Elected officials are also required to comply with state ethics laws, conflict of interest regulations and disclosure, and all requirements related to open meeting or "Brown Act" laws. Training and information is available to newly elected officials in a variety of forms. A Candidate orientation handbook will be provided at the City Managers orientation meeting on September 8, 2016 at 4 p.m.

Candidate Information - General

ELIGIBILITY

To qualify as a candidate for member of the City Council, you must reside and be registered to vote within the incorporated City limits of Fortuna at the time nomination papers are issued. More specifically, you must be 1) at least 18 years old, 2) a U.S. citizen, 3) a Fortuna resident, 4) registered to vote in the city, and 5) you must not be on parole or serving time for a felony conviction.

NOMINATION PERIOD

The nomination period opens at 8:00 a.m. on Monday, July 18, 2016 and closes at 5:00 p.m. on Friday, August 12, 2016. The nomination period will be extended to August 17 if an incumbent eligible to run chooses not to do so. The candidate must complete and return all required nomination documents by the filing deadline (*You are strongly encouraged to file several days before the deadline*).

All nomination documents must be obtained from the City Clerk during regular business hours. A candidate should allow a minimum of 30 minutes for review and receipt of the candidate's nomination documents, and **appointments are strongly encouraged**. Please call 725-1411 to make an appointment.

If someone other than the candidate is delegated to pick up the nomination documents, the representative must provide the City Clerk with a letter of authorization signed by the candidate.

While there is no prohibition against a person other than the candidate picking up the nomination documents, to avoid any misunderstanding as to the instructions for completing the nomination documents, and to ensure that all documents filed are complete and in compliance with all requirements, the City Clerk encourages all candidates to pick up and return their own nomination documents.

Candidates are encouraged to obtain and file nomination documents early in the process so that the City Clerk has the opportunity to review them with the candidate and to give the candidate an opportunity to correct any errors or omissions. The nomination paper and all other required nomination documents must be filed at the same time. All information contained in the nomination documents, other than contact information, is kept confidential until the close of the nomination period at which time all information is made public.

If an incumbent fails to submit his or her nomination paperwork by the deadline or fails to qualify to run for office by the deadline, the nomination period is extended until 5:00 p.m. on Wednesday, August 17, 2016, for all candidates, with the exception of incumbents, for that particular office only. A candidate may withdraw his or her nomination documents and remove his or her name from the ballot up until the close of the nomination period.

Candidates will be provided with a November 8, 2016 General Municipal Election Calendar. This calendar lists critical dates throughout the election period.

FEES

A candidate may choose to submit a candidate statement of 200 words or less, providing a description of the candidate's education and qualifications. This statement will be published in the voter pamphlet that is mailed to each registered voter in the city. Per Council Resolution No. 2016-31, if the candidate desires to include a candidate statement as part of his or her nomination papers, the candidate must pay the estimated cost of publishing this statement at the time all nomination papers are filed with the City Clerk. The cost for publishing the candidate statement is estimated at $350.

CITY MANAGER - CANDIDATE ORIENTATION

The City Manager will host a candidate orientation on Thursday, September 8, 2016 in the City Council Chambers at City Hall from 4:00 PM to 5:00 PM. The purpose of this orientation is to introduce candidates to staff members, to provide an overview of the city, and to answer any questions the candidates may have regarding city operations and programs.

RANDOM ALPHA DRAW FOR BALLOT ORDER

The Secretary of State will perform a random alpha draw on August 18, 2016, which will determine the order in which candidates names will appear on the ballot. *(EC 13112)*

VOTER/PRECINCT INFORMATION DATA AND PRECINCT MAPS

Voter registration data and precinct maps are available from the Humboldt County Registrar of Voters, 3033 H Street Eureka, CA 95501, Phone: (707) 445-7678, Hours: 8:30 a.m. to Noon / 1 p.m. to 5 p.m., http://co.humboldt.ca.us/election/.

CAMPAIGN LITERATURE AND POLITICAL ADS

The City Clerk is required to provide each candidate, at the time of filing the declaration of candidate, a copy of the Mass Mailing Requirements *(GC 84305)*. A mass mailing is defined as "over 200 substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter, or other inquiry. No newsletter or other mass mailing shall be sent at public expense. Candidates and their campaign committees should review and comply with the mass mailing requirements provided to you by the City Clerk.

In addition, any paid political advertisement that refers to an election, or to a candidate for state or local elective office, and that is contained or distributed with a newspaper, shall bear on each surface or page, in type of lettering at least half as large as the type or lettering of the advertisement, or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter. As used in this section "paid political advertisement" shall mean and shall be limited to published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office. *(EC 20008)*

Candidates may not use all or any part of the city's symbols, logo, or related graphic materials on election signs, photographs or in any election material or mailings.

POLITICAL SIGNS

The placement of political signs is subject to regulation by the state, county, or city.

Temporary election signs, which support candidates or other political or campaign issues on the ballot of an election, are allowed within City limits under the provisions of Fortuna Municipal Code Section 17.05.180. The following summarizes the procedures and allowances under the Code:

Election signs conforming to the listed requirements DO NOT require a sign permit or other City approval and are allowed in any residential or commercial zoning district:

- One sign per property; that is
- Four (4) square feet or less in size; and
- Not more than four (4) feet in height.

Requirements for Election signs that exceed four (4) square feet in area or more than four (4) feet in height DO require a sign permit issued by the City are as follows:

- May be placed only in commercial districts (check with Community Development Dept. if zoning confirmation is needed);
- Only one sign per property (regardless of size);
- Must submit a completed Election Sign Permit Application form to the Community Development Department; If approved, the permit will be issued within two working days.
- Election Sign Permits are issued at no charge.

Other regulations that apply to ALL political signs:

- May not be placed within a dedicated public right-of-way. Signs must be placed on private property only;
- Permission of the property owner must be granted.
- May not be placed within a 30 foot "vision clearance triangle" at City intersections and an 18-foot triangle adjacent to driveways.
- Must be removed within ten (10) days following the election.

PG&E prohibits the attachment of political signs to PG&E utility poles or other facilities. The U.S. Supreme Court ruled that third parties have no right to use utility property to communicate messages to the public. [*Pacific Gas and Electric v. Public Utilities Commission, 475.U.E.1 (1986)*]

CITY OF FORTUNA WEBSITE

The City Clerk will post election information to the city's website at www.friendlyfortuna.com as it becomes available. A listing of the official candidates, any statements of qualifications, and other public information regarding the candidates will be posted after the close of the nomination period.

ELECTIONEERING NEAR POLLING PLACE

Candidates and their supporters must comply with Elections Code section 18370 when observing the voting process at the polling places on Election Day. No person may engage in "electioneering" or other election-related conduct within 100 feet of a polling place, which is defined as 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Electioneering includes, but is not limited to, circulating petitions; soliciting a vote or speaking to a voter on the subject of marking his or her ballot; and displaying messages suggesting support or opposition of a candidate or a measure on signs, badges, buttons, clothes, etc. Any person who violates the prohibition on electioneering is guilty of a misdemeanor.

ELECTION RESULTS

Real time election results, starting at 8:01 p.m. on November 8, 2016, may be obtained by logging on to the Humboldt County Elections website at www.co.humboldt.ca.us/election/

The Registrar of Voters has 28 days to certify the results of the election. This certification will be provided to the City Clerk, who in turn, will prepare a certification of election results to the City Council for a meeting in December. Newly elected and any re-elected members of the City Council will take the oath of office and be seated at this meeting.

CONTACT INFORMATION

Any questions related to the nomination process should be referred to Linda McGill, City Clerk. The City Clerk can be contacted during regular business hours at City Hall, 621 11th St., Fortuna, CA 95540 or by calling (707) 725-1411, by fax at (707) 725-5172, or via e-mail at lmcgill@ci.fortuna.ca.us.

General election information will be posted to the city's website at www.friendlyfortuna.com/as it becomes available.

For other resources and information, you may wish to contact the following:

Humboldt County Registrar of Voters
3033 H Street Eureka, CA 95501,
Phone: 707 445-7678
Web: www.co.humboldt.ca.us/election/

Secretary of State Elections Division
1500 11th Street, Room 495, Sacramento, CA 95814
Phone: Elections Division: (916) 657-2166; Political Reform Division: (916) 653-6224
Web: www.ss.ca.gov
E-mail: Elections – elections@ss.ca.gov Political Reform – politicalreform@ss.ca.gov

Fair Political Practices Commission
428 J Street, Suite 620, Sacramento, CA 95814
Web: www.fppc.ca.gov
Technical or Legal Assistance: Phone: (866) 275-3772 or (916) 322-5660
Enforcement Division: Phone (800) 561-1861

State Franchise Tax Board
Phones: (800) 852-5711 or (800) 338-0505
Web: www.ftb.ca.gov

Other Helpful Websites:

Internal Revenue Service	Federal Elections Commission	California Law
www.irs.ustreas.gov	www.fec.gov	www.leginfo.ca.go

Instructions for Completion of Nomination Documents

NOMINATION DOCUMENTS RECEIPT AND CHECKLIST – *(Required)*

The City Clerk will review the nomination documents with the candidate and provide the candidate with a checklist of documents provided to the candidate, indicating which documents must be returned by the end of the nomination period. The candidate will be asked to sign the checklist, as acknowledgement that he/she has received all applicable documents and declare their eligibility to run for office.

NOMINATION DOCUMENTS FILING RECIEPT AND CHECKLIST – *(Required)*

The City Clerk will review the nomination documents with the candidate and provide the candidate with a checklist of documents provided to the candidate, indicating which documents must be returned by the end of the nomination period. The candidate will be asked to sign the checklist, as acknowledgement that he/she has filed all applicable documents.

CANDIDATE INFORMATION GUIDE

The City Clerk will provide each candidate with a copy of the Candidate Information Guide. This guide provides valuable information to assist the candidate in completing the nomination documents as well as general information to assist the candidate throughout the election season.

CANDIDATE INFORMATION FOR PUBLIC REVIEW – *(Required)*

At the time, the candidate takes out nomination documents, the candidate will be asked to complete a form, which will include the name of the candidate, address, contact phone numbers, e-mail, and occupation. This information will be made available to anyone interested, along with information on the date nomination documents were taken out and when they are returned.

NOMINATION PAPER - *(Required)*

Issuing Nomination Paper: The nomination period opens at 8:00 a.m. on **Monday, July 18, 2016**. The Nomination Paper shall be taken out and filed with the City Clerk only during regular business hours during the nomination period. **Please allow at least 30 minutes for the City Clerk to review the documents with you. Appointments are strongly encouraged**. The City Clerk will affix her signature and imprint the date to the nomination paper at the time it is issued and will type or print the name of the candidate and office sought on the nomination paper.

The signatures of registered voters shall be appended on the same sheet of paper. Once a nomination paper is filed, the paper may not be returned to the candidate to obtain additional signatures. If the candidate fails to obtain enough valid signatures, the City Clerk will issue one Supplemental Nomination Paper on which the candidate may collect additional signatures. The supplemental nomination paper shall be filed no later than the last day for filing the nomination paper. *(EC 10220, 10221 and 10227)*

Nomination Signatures: The candidate is responsible for obtaining the signatures of not less than 20, or more than 30, registered voters who are eligible to vote for the candidate. No voter may sign more nomination papers than there are offices to be elected. There are two council member seats open at this election. If a voter signs more nomination papers than there are seats open, the voter's signature shall only count on the first nomination paper filed. The candidate may sponsor himself/herself by signing his/her nomination paper. *(EC 8069, 10220)*

Each signer shall at the time of signing the nomination paper personally affix his or her signature, printed name, and place of **residence**, giving street and number, and if no street or number exists, then a designation of the place of residence which will enable the location to be readily ascertained. *(EC 100,106, 10220)*

A voter who is unable to personally affix on a nomination paper the information required, may request another person to print the voter's name and place of residence on the appropriate spaces of the nomination paper, but the voter shall personally affix his or her mark or signature on the appropriate space of the nomination paper, which shall be witnessed by one person. *(EC 100.5, 354.5)*

The candidate should try to obtain the required number of signatures as soon as possible in order for the nomination paper to be filed and examined for sufficiency well before the filing deadline. Once a nomination paper is filed with the City Clerk, it may not be returned to the candidate to obtain additional signatures. If the nomination paper is determined to be insufficient or the candidate fails to obtain the correct number of valid signatures, the City Clerk shall retain the original nomination paper, provide a copy of the nomination paper to the candidate with an indication as to which signatures are valid, and issue one supplemental nomination paper to the candidate on which the candidate may collect additional signatures. The supplemental nomination paper shall be filed not later than the last day for filing for that office. (*EC 10221)*

Declaration of Circulator: This section must be completed by hand and signed by the circulator. The circulator must be a City of Fortuna registered voter and may also sign the nomination paper. The candidate may be the circulator. Only one person may circulate the nomination paper. The Humboldt County Registrar of Voters will verify the registration of signatories and the circulator. *(EC 104, 10220, 10222)*

Affidavit of Nominee and Oath of Allegiance: This section should be left blank and should be **completed in the presence of the City Clerk at the time the nomination documents are filed.** The affidavit section includes the name of the nominee, the office sought, the candidate's name, and designation (occupation) as it will appear on the official ballot and in the voter pamphlet, and the oath of allegiance. The oath will be administered by the City Clerk and signed by the candidate in front of the City Clerk at the time the filing is complete. The candidate must sign and date the affidavit. *(EC 10223, 10226)*

Name on Ballot and Ballot Designation: The candidate's name, as provided by the candidate on the affidavit of nominee, is the way it will appear on the ballot. Candidates must use their full legal name; nicknames or shortened versions of the full legal name may be listed in quotes. No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. If the candidate has changed his or her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by Decree of Court. *(EC 13104, 13106)*

The candidate's ballot designation is limited to no more than three words, which designate either the current principal profession, vocation or occupation of the candidate or the principal profession, vocation or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents. If the candidate is currently serving in an elected office, the candidate may use words designating the elected office, which the candidate holds or the word "incumbent". Refer to the Ballot Designation Worksheet and the Secretary of State's guidelines for Ballot Designations, included in your packet.*(EC 13107, 13107.3, 13107.5)*

The nomination paper, containing the names of registered voters that have nominated the candidate, becomes a public document that may be viewed, but not copied, after the close of the nomination period. *(EC 17100)*

BALLOT DESIGNATION WORKSHEET – *(Required)*

All candidates that wish to have a ballot designation listed on the ballot must complete a ballot designation worksheet. The candidate must file the worksheet at the same time the nomination paper is filed. If no ballot designation worksheet is filed, no designation shall appear on the ballot. *(EC 13106, 13107, 13107.3, 13107.5)*

If after review of the ballot designation and the ballot designation worksheet, the City Clerk finds that the ballot designation is in violation of any of the restrictions set forth in Elections Code Section 13107 and 13107.5, the City Clerk shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

The candidate shall, within three business days, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the City Clerk and provide a designation that complies with Elections Code Section 13107. In the event the candidate fails to provide a designation that complies with this requirement, no designation shall appear after the candidate's name. *(EC 13107)*

If a candidate is unsure of whether or not a ballot designation will be accepted, he or she should check the Secretary of State Guidelines for Ballot Designations provided in the candidate packet or contact the City Clerk in advance of filing the nomination documents to discuss the designation.

CANDIDATE STATEMENT OF QUALIFICATIONS – *(Optional)*

1. Each candidate for elective office to be voted for at an Election to be held in the City of Fortuna on November 8, 2016 may prepare a Candidates Statement of Qualifications (statement) on an appropriate form provided by the City Clerk. *(EC13307).* The enclosed copy of Resolution No. 2016-31 outlines the City's policy regarding Candidate's Statements.

2. The candidate statement is kept confidential until the close of the nomination period at which time it becomes a public document that will be posted to the city's website and available for public viewing and copying. It will also be mailed to every registered voter in the city as part of the voter pamphlet. *(EC13311)*

3. The statement is optional and is printed at the expense of the candidate. The City of Fortuna requires a deposit of $350 (an estimate of the actual cost) at the time, the candidate submits a statement and files all required nomination documents. The deposit goes toward the actual cost of printing the statement and the City Clerk will either bill the candidate for an additional amount or refund the candidate monies depending on the actual final and verified cost, which varies from election to election, presented to the City by the Humboldt County Registrar of Voters. If a candidate alleges to be indigent and unable to pay the fee for submitting a candidate statement, the candidate will be required to submit a Statement of Financial Worth to the City Clerk to be used in determining whether or not he or she is eligible to submit a candidate statement without payment of the fee in advance *(EC13309)*.

4. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words, using the word count standards found on the guidelines provided, of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Reference to another candidate for that office, or to another candidate's qualifications, character, or activities is prohibited. *(EC13308)*

5. The Statement must be typewritten or computer generated and single-spaced in a block paragraph style. Words in all capitals, indentations, italics, bold, underlines, stars, dots, bulleted lists, leading hyphens, etc., are prohibited.

6. The heading of the statement includes the candidate's name (required), age (optional), and occupation (optional). The heading is standardized and does not count toward the 200-word limit. The "occupation" listed in the heading is not governed by the laws and regulations pertaining to the ballot designation that appears under the candidate's name on the ballot. Therefore, it may be different from the candidate's ballot designation. However, if its length exceeds one line, the candidate may be asked to modify verbiage. Statements shall be written in the first person and shall be limited to a recitation of the candidate's personal background and qualifications.

7. The statement shall be filed, on the form provided and in an electronic format, in the office of the City Clerk at the time the candidate's nomination papers are filed. 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. Any candidate who elects not to submit a candidate statement will be required to sign a waiver. *(EC 13307, 13308, 13309)*

8. The statement will be printed as submitted. Therefore, candidates are advised to check carefully for errors in grammar, punctuation, and spelling. The candidate should submit both a hard copy and a computer disk or e-mail of his/her candidate statement to the City Clerk at lmcgill@ci.fortuna.ca.us. If there is a discrepancy between the computer version and the hard copy, the hard copy version shall be considered the final version. The hard copy version must be signed by the candidate.

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

The Political Reform Act requires that candidates file a Form 700, Statement of Economic Interests, at the time the nomination documents are returned. Instructions are provided with the form provided to candidates by the City Clerk. An interactive version of this form is also available on the Fair Political Practices Commission website at www.fppc.ca.gov. The Form 700 is a public document and will be posted to the city's website and made available for public viewing and copying at the close of the nomination period.

Note: Most state and local officials, employees and candidates are prohibited from accepting gifts totaling more than $420 in a calendar year from a single source. See Form 700 Reference Pamphlet to learn more about honorariums, loan prohibitions, disqualification, and late filing information.

CODE OF FAIR CAMPAIGN PRACTICES - *(Optional)*

State law requires that at the time nomination documents are issued, the City Clerk provide each candidate with a copy of the Code of Fair Campaign Practices. However, the signing and submittal of this form with the filing of a candidate's nomination documents is optional. *(EC 20400)* If filed, this document will be posted to the city's website and made available for public viewing and copying.

PERMISSION TO POST CANDIDATE HOME INFORMATION TO WEB - *(Required)*

The candidate statement and related candidate information will be posted to the city's website at www.friendlyfortuna.com after the close of the nomination period. Government Code section 6254.21 requires written approval be obtained prior to the posting of a home address or phone number of elected or appointed officials. The candidate should indicate on this form, whether or not, he or she authorizes the posting of a home address and home phone number to the web.

FEES – (Required)

The City of Fortuna does not charge a filing fee to run for office. If a candidate desires to include a candidate statement as part of his or her nomination papers, the candidate must pay the estimated cost of publishing this statement at the time all nomination papers are filed with the City Clerk. The estimated cost for publishing the candidate statement is $350. Checks should be made out to the City of Fortuna.

QUESTIONS AND INFORMATION

If a candidate has any questions regarding how to complete any portion of the nomination documents, he/she should contact **Linda McGill, City Clerk at (707) 725-1411, or via e-mail** lmcgill@ci.fortuna.ca.us.

Campaign Information - General

APPOINT A TREASURER

It is important that candidates select a treasurer as soon as possible. Both the candidate and the treasurer will be required to sign all future filings. There will be at least two filing periods prior to the election and at least two every year following the election, and additional information may be required if your committee is audited. This obligation continues as long as the candidate's committee is open, the candidate is elected, and as long as the candidate is a Council member.

A treasurer can be a friend, a family member, or a professional accountant, but it should be someone who is willing to accept the long-term responsibility and has some general accounting experience. Even if the level of spending does not trigger the submission of detailed reports, the candidate and treasurer must record all contributions and expenditures on a daily basis. At times this can become complex and time-consuming, and the tracking and reporting requirement continues throughout the campaign and, if elected, throughout the candidate's term of office.

CAMPAIGN FINANCE

The candidate should not accept or spend $100 or more in cash. All personal funds must first be deposited in the campaign bank account, except for candidate statement fees (Govt. Code 84300).For contributions of $100 or more, including loans and in-kind contributions, the contributor's name, address, occupation, and employer must be disclosed. If $1000 or more is received from a single source during the last 16 days before the election, receipt of those funds must be disclosed within 24 hours, even if the contribution is from the candidate's personal funds. If an agent or campaign consultant buys goods or services for the campaign, itemize expenditures of $500 or more.

Disclosure forms and manuals are available from the City Clerk's Office or at www.fppc.ca.gov (click on Candidates & Committees, Forms, and Manuals for Candidates). Some of the forms are interactive and can be filled out online and then printed. Study the FPPC Campaign Disclosure Manual No. 2 – Information for Local Candidates, Superior Court Judges, Their Controlled Committees, and Primarily Formed Committees for Local Candidates.

NO LOCAL CAMPAIGN ORDINANCE

The City of Fortuna does not have a local campaign ordinance and, therefore, follows state law with regard to campaign practices and financing.

FPPC Campaign Disclosure Forms and Requirements

The statutory requirements of the Political Reform Act of 1974 are contained in Sections 81000 through 91015 of the Government Code. The Act requires candidates and committees to file campaign statements disclosing contributions received and expenditures made at specific times throughout an election cycle. Failure to file in compliance with the Act may result in criminal and civil penalties. Persons who do not file their campaign statements on time are liable for a late filing penalty of $10 per day or the cumulative amount stated on the late campaign statement, whichever is greater.

A candidate may raise or spend money on an upcoming election prior to filing his or her nomination papers. However, prior to raising or spending any funds, a candidate must first file the required Form 501 and Form 410 *(see below)* and must set up a campaign bank account separate from a personal bank account.

Campaign statements are to be filed with the City Clerk, who is the filing officer for candidates and committees for local offices. The City Clerk will advise candidates and committees of their filing obligations and provide candidates with forms. Candidates and committees should also refer to the Campaign Filing Schedule provided by the City Clerk.

The Fair Political Practices Commission (FPPC) is responsible for promulgating regulations, enforcement, and providing technical assistance. A candidate may contact the FPPC at (916) 322-5660 (Toll Free – 1-866-ASK-FPPC) or visit their website at www.fppc.ca.gov. Campaign forms and manuals may be downloaded from this website.

The Fair Political Practices Commission generally conducts several workshops and seminars throughout the state for candidates and their treasurers. Visit the FPPC website at www.fppc.ca.gov to find out when and where these workshops are being conducted.

CAMPAIGN DISCLOSURE MANUAL 2

This manual provides information to local candidates and their controlled committees and to primarily formed committees for local candidates on state laws as it applies to receiving and expending funds on a campaign and reporting and recordkeeping requirements. The manual consists of 134 pages and can be viewed or downloaded by chapter or in its entirety from the FPPC website at www.fppc.ca.gov.

FORM 501 – CANDIDATE INTENTION STATEMENT

A candidate is required to file this form with the City Clerk prior to soliciting or receiving contributions for any election. This form may be filed prior to the start of the nomination period. Candidates must file a separate Form 501 for each election. If a candidate has not filed this form prior to the start of the nomination period, he or she will be required to file this form at the time nomination documents are taken out. This form is provided in the candidate packet.

FORM 410 – STATEMENT OF ORGANIZATION

This form is to be used to establish a committee and must be filed within 10 days of a candidate or committee receiving $1,000 in contributions. Contributions include monetary payments, loans, and non- monetary goods and services received or made for a political purpose. Expenditure of a candidate's personal funds is considered a "contribution" to the committee. The original and one copy are to be filed with the Secretary of State and a copy is to be filed with the City Clerk.

If a candidate has not already filed this form prior to the nomination period, a copy of the form will be provided along with the nomination documents. A candidate running for re-election must file an amended Form 410 to redesignate his/her committee for the upcoming election.

Both the candidate and the treasurer will be required to sign this document, and the funds must be withdrawn from or deposited into your campaign account.

***Required committee name format* - All state and local committees established for an election held after January 1, 2009, must include the candidate's name, office sought and year of the election.** Examples of committee names are "Jones for Council 2016" and "Smith for Assembly 2016". (See FPPC Regulation 8402.)

FORM 460 – RECIPIENT COMMITTEE CAMPAIGN STATEMENT

This form is to be used by a candidate who has a controlled committee, or who has raised or spent or will raise or spend $1,000 or more during a calendar year in connection with an election to office or holding office. The form is to be filed with the City Clerk at specific times throughout an election cycle or year. The City Clerk will notify any committee that has a Form 410 on file with the City of Fortuna the schedule for filing pre-election and semi-annual campaign statements and will provide committees with the applicable forms. **Both the candidate and the treasurer will be required to sign this document, and the funds must be withdrawn from or deposited into your campaign account.** This form is available at www.fppc.ca.gov.

FORM 470 – CANDIDATE AND OFFICEHOLDER CAMPAIGN STATEMENT – SHORT FORM

The Form 470 is used by candidates who do not have a controlled committee and do not anticipate receiving contributions or making expenditures totaling $1,000 or more in a calendar year. If a 470 is filed with the City Clerk on or before the filing deadline for the first-pre-election campaign statement, no additional campaign statement need be filed in connection with the election so long as total receipts/expenditures remain less than $1,000. If a candidate files a 470 and subsequently receives contributions or makes expenditures totaling $1,000 or more, the candidate is required to file a Supplemental Form 470 within 48 hours to the Secretary of State, the City Clerk, and to each of his or her opponents seeking the same office. This form is available at www.fppc.ca.gov.

FORM 495 – SUPPLEMENTAL PRE-ELECTION CAMPAIGN STATEMENT

This form must be filed by a recipient committee if the committee makes contributions totaling $10,000 or more in connection with an election for which the committee is not required to file regular pre-election reports. This form is available at www.fppc.ca.gov.

FORM 497 – LATE CONTRIBUTION REPORT

Any committee that makes or receives a late contribution that cumulatively totals $1,000 or more from a single source during the 16 days immediately prior to the election must file a report with the City Clerk within 24 hours of the time the contribution was made or received. The form may be sent to the City Clerk by fax, guaranteed overnight delivery, or personal delivery, but not by regular mail. This form is available at www.fppc.ca.gov.

REPORTING AN EXPENDITURE OF CAMPAIGN FUNDS FOR A GIFT, A MEAL, OR TRAVEL

This requires a candidate controlled committee to describe the political, legislative, or governmental purpose and other detailed information when reporting expenditures for gifts, meals, or travel and requires maintenance of specified records. (See FPPC Regulations 18401 and 18421.7 and related fact sheet dated 6/08.)

RECORDKEEPING

Keep good records and mark a calendar with due dates for campaign statements. Maintain details on contributions and expenditures of $25 or more. (Refer to the recordkeeping guidelines in Campaign Disclosure Manual 2.)

CAMPAIGN COMMITTEE – AFTER THE ELECTION

Per Government Code Section 89519, upon leaving any elected office, or at the end of the post election reporting period following a defeat of a candidate for elective office, whichever occurs last, campaign funds raised and under the control of the former candidate will be considered surplus campaign funds and must be used only for the following purposes:

1. The payment of outstanding campaign debts or elected officer's expenses.
2. Pro rata repayment of contributions.
3. Donations to any bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the former candidate, any member of his/her immediate family, or his/her campaign treasurer.
4. Contributions to a political party or committee as long as funds are not used to make contributions in support of or opposition to a candidate for elective office.
5. Contributions to support or oppose any candidate for federal office, any candidate for elective office in a state other than California, or any ballot measure.
6. Payment for professional services required by the committee to assist in performance of its administrative functions, including payment for attorney's fees for litigation which arises directly from a candidate's activities, duties, or status as a candidate.
7. Payment or reimbursement to the state of costs of installing an electronic security system in the home and/or office of a candidate who received threats to his/her physical safety, provided that the threats arise from his/her activities, duties, or status as a candidate and that the threats have been reported to and verified by an appropriate law enforcement agency.

DUTIES AND OBLIGATIONS OF CANDIDATE AND CAMPAIGN TREASURER

The Political Reform Act of 1974 requires that officeholders and candidates, without a committee, must verify their own statements and reports. An officeholder or candidate verifies the truth and completeness of the statement as well as his/her use of reasonable diligence in its preparation.

Every Recipient Committee must have a treasurer. Committees may not accept contributions or make expenditures before a treasurer is appointed. Committee treasurers are required to sign campaign statements under penalty of perjury. Treasurers are legally responsible for the accuracy and completeness of campaign statements. An officeholder or candidate may act as his/her own committee treasurer. A Recipient Committee may designate one assistant treasurer on the committee's Statement of Organization (Form 410). The assistant treasurer will assume the duties of the treasurer if the treasurer is unavailable or vacates the office of treasurer.

Controlling officeholders and candidates must sign the campaign statement of each committee subject to their control. The officeholder or candidate must verify that, to the best of his/her knowledge, the treasurer used all reasonable diligence in statement preparation and that the statement is true and complete.

It is the duty of each treasurer, candidate, and elected officer to maintain detailed accounts, records, bills, and receipts that are necessary to prepare campaign statements and to comply with the Political Reform Act. *(GC 84104)*

If any person files a statement or report or a copy of a statement or report after any deadline, he/she is liable to the filing officer or other officer with whom the copy is required to be filed, in the amount of $10.00 per day after the deadline. *(GC 91013)*

In addition, if a committee qualifies as a committee before the election, but after the closing date of the last campaign statement required to be filed before the election, the committee must file, by telegram or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the Statement of Organization, Form 410, to the Secretary of State and the City Clerk.

All contributions received by a person acting as an agent of a committee must be reported promptly by the recipient to the committee's treasurer or any of his designated agents. "Promptly" means before the closing date of any campaign statement required to be filed by the treasurer. *(GC 84306)*

All contributions must be segregated from and may not be commingled with any personal funds of the recipient or any other person. *(GC 84307)*

For complete information regarding the duties and obligations of candidates and their treasurers, refer to the FPPC Campaign Disclosure Manual 2, which may be viewed or downloaded from the FPPC website at www.fppc.ca.gov.

Ethics Training (Successful Candidates)

Ethics Training (AB 1234 Training) is mandatory for successful candidates per GC 53235 and 53235.1.

> 53235 (a) If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.
>
> 53235.1 (a) each local agency official in local agency service as of January 1, 2006, except for officials whose term of office ends before January 9, 2007, shall receive the training required by subdivision (a) of Section 53235 before January 1, 2007. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.
>
> (b) Each local agency official who commences service with a local agency on or after January 1, 2006 shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency. Thereafter, each local agency official shall receive the training required by subdivision (a) of Section 53235 at least once every two years.
>
> (c) A local agency official who serves more than one local agency shall satisfy the requirements of this article once every two years without regard to the number of local agencies with which he or she serves.

To help meet the AB1234 Ethics Training requirements, the Institute for Local Government and the Fair Political Practices Commission has developed a free on-line ethics training course. The course has been approved by the Attorney General's Office and Fair Political Practices Commission. This on-line course may accessed at: http://localethics.fppc.ca.gov or http://www.localethics.fppc.ca.gov.
Upon completion of the on-line course, the Public Service Ethics Education Online Proof of Participation Certificate will need to be filed with the Fortuna City Clerk's Office at 621 11th Street,, Fortuna, CA 95540.

Frequently Asked Questions and Answers

Q. *When will I be informed of my candidate qualification status?*
A. You will be informed by telephone as soon as your Nomination Paper is qualified or disqualified.

Q. *What happens if some of the signatures I obtain on my nomination paper are not registered voters, or do not live within the City of Fortuna?*
A. You must have 20 valid signatures to qualify as a candidate. The petition has 30 lines for signatures so it is advisable to get all thirty lines with qualified signatures. You should also file your Nomination Papers as early as you can so that the signatures can be validated. Prior to the deadline, you may still have an opportunity to submit a supplemental nomination paper to qualify you as a candidate.

Q. *May I sign my own Nomination Papers?*
A. Yes, you and any qualified relatives may sign your papers.

Q. *Is there a filing fee involved in my candidacy?*
A. There is no filing fee for a candidate for municipal office in Fortuna. However, a deposit of $350 will be required to cover the cost of printing the Candidate's Statement if you choose to file one.

Q. *What if I change my mind about being a candidate after filing nomination papers?*
A. You may withdraw as a candidate at any time PRIOR to the close of the nomination period, which is Friday, August 6. You are NOT permitted to officially withdraw after that date, and your name will appear on the ballot.

Q. *May I change or correct the spelling/wording on my Candidate's Statement after it has been submitted?*
A. No, you may not. Check your Candidate's Statement carefully before it is submitted.

Q. *When officeholders or candidates receive contributions of $1,000 or more, are they required to have a committee?*
A. Yes, an officeholder or candidate who receives contributions (including loans) that total $1,000 or more in a calendar year must file a Statement of Organization, Form 410.

Q. *Must a committee wait until $1,000 is received to file a statement of organization?*
A. No, a committee may file a Statement of Organization before it actually qualified. "Not yet qualified" should be entered in the "Date Qualified" space on the form.

Q. *If I am only spending my own money on my campaign, do I still need to file campaign statements?*
A. Yes, you are still subject to the filing requirements of the Political Reform Act.

Q. *Where can I obtain filing forms?*
A. Campaign disclosure forms are available from the Office of the City Clerk or on the FPPC website at www.fppc.ca.gov.

Q. *May I serve as my own campaign treasurer?*
A. Yes, state law allows you to serve as your own treasurer, as long as this is designated on the Form 410 – Statement or Organizations.

Q. *What happens if a candidate or treasurer is not available to sign a campaign disclosure statement on or before the filing deadline?*

A. An agent of the candidate or treasurer may sign the campaign disclosure statement. The agent must attach an explanatory note to the statement stating that, as soon as the candidate or treasurer is available, he/she will verify and sign the statement and an amendment with the proper signature will be filed. In the event a committee treasurer will be unavailable to carry out his/her duties for an extended period of time, a new treasurer should be designated and the committee's Statement of Organization, Form 410, amended.

Q. *Are extensions given for campaign disclosure filing deadlines?*

A. Except for deadlines that fall on a Saturday, Sunday or official state holidays, no provisions exist for extensions of filing deadlines. A statement not filed on or before the deadline is considered late and is subject to late filing penalties.

Q. *When will sample ballots be mailed to the voters?*

A. State law requires sample ballots to be mailed to all qualified voters between 40 and 21 days before the election.

Q. *How can I find out the elections results?*

A. The ballots will be counted on election night after the polls are closed by the Registrar's Office. After the close of the polls, the Registrar of Voters will process the previously received absentee ballots to begin the canvass. Results will be posted on the website periodically until the ballot count is complete. The Registrar's website address is: http://co.humboldt.ca.us/election/.

Q. *Why is there so much paperwork involved in being a candidate?*

A. State law requires that you file the appropriate materials to assure the voters that you are fully disclosing all information pertinent to your candidacy. The purpose of the requirements is to ensure a fair and democratic electoral process.