Getting Started
Candidate Information

CITY OF DANA POINT
GENERAL MUNICIPAL ELECTION
NOVEMBER 6, 2012

The City of Dana Point conducts elections every two years to elect members of the City Council. These elections are held on the first Tuesday in November of even-numbered years.

The following information is intended to assist residents who are considering running for the office of City Council in the City of Dana Point's General Municipal Election scheduled to be held on Tuesday, November 6, 2012.

This information is intended to provide general guidance only. While the information contained herein is believed to be substantially correct, it is not intended to provide legal or factual advice. Candidates and others using this information must bear full responsibility to make their own determinations as to all legal standards and duties and as to all factual matter contained herein.

Kathy M. Ward
City Clerk
June 2012

General qualifications to run for and hold public office:

A candidate must be:

- U.S. citizen;
- 18 years old on or before election day; and
- Registered voter in the City of Dana Point at the time nomination papers are issued.

A candidate may not be in prison or on parole for a felony conviction.

Getting started early . . .

- Appoint a Treasurer for your campaign. Every Recipient Committee must have a Treasurer. The candidate may act as his/her own committee treasurer.
- Review Campaign Disclosure Manual 2 Information for Local Candidates and their primarily formed committees.*
- File Form 501 Candidate Intention Statement* before receiving contributions or spending own funds. Exception: This form is not required if you will not solicit any funds and your only expenditures will be from personal funds used for your statement of qualifications printed in the Sample Ballot Voter Information Pamphlet.
- Keep records of all expenditures or contributions of $25 or more.
- Never accept or spend $100 or more in cash.
- Open a bank account if you plan to receive contributions from others or you plan to expend personal funds totaling $1,000 or more. All money used for campaign purposes, including the candidate's personal funds, must be deposited in the campaign bank account prior to the expenditure.
- File Form 410 Statement of Organization within 10 days of receiving $1,000 in contributions.
    - The "date qualified" as a committee is the date that the committee received contributions totaling $1,000 or more during a calendar year.
    - If a Form 410 is filed prior to receipt of $1,000 in contributions, check the box "not yet qualified." Once the committee qualified, file an amended Form 410 to report the date qualified.
    - The name of the committee must include the office the candidate is seeking and the year of the election.
    - Complete the "Type of Committee" and list the year of election as November 2012.
    - A candidate must disclose bank account information on the Form 410. If the campaign bank account is not open at the time of filing an initial Form 410, amend the Form 410 within 10 days of opening the bank account.
- File appropriate campaign disclosure forms. The most common forms to be filed are:
    - Form 460 – Recipient Committee Campaign Statement* is filed by candidates or officeholders who have a controlled committee, or who raise or spend or will raise or spend $1,000 or more during a calendar year in connection with election to office or holding office.
    - Form 470 - Office holder and Candidate Campaign Statement – Short Form
    - Form 450 – Recipient Committee Campaign Statement – Short Form*

*These manual/forms are attached to the "Getting Started" information packet. Additional forms can be obtained from the City Clerk, downloaded by the links provided or may be downloaded from the Fair Political Practices Commission (FPPC) website at www.fppc.ca.gov. Interactive forms are also available on the FPPC website.

During the filing for nomination period . . .

The filing period is July 16, 2012 through 5:00 p.m. on August 10, 2012. If an incumbent does not file, the filing period for non-incumbents will be extended to 5:30 p.m. August 15, 2012. There is no filing fee to run for election as a member of the Dana Point City Council. Candidates must be registered voters in the City of Dana Point at the time nomination papers are issued. Prospective candidates will:

- Receive nomination paper and candidate packet from the City Clerk during the nomination period. The candidate packet will include the following materials:
    - Nomination paper
    - Ballot Designation Worksheet
    - Candidate Statement Form
    - Form 700 – Statement of Economic Interests**
    - Code of Fair Campaign Practices
- Obtain the signatures of at least 20 but not more than 30 voters, registered to vote in the City of Dana Point on the nomination paper.
- File the completed nomination paper and completed Form 700.

**Form 700 – Statement of Economic Interest discloses assets and income of public officials and candidates. Upon election, members of City Council will file Form 700 annually. A Form 700 is included in this packet.

Optional items to be filed (if these items are filed, they must be filed at the same time as the nomination paper and Form 700):

- Code of Fair Campaign Practices.
- Candidate Statement Form of 200 words or less. The Candidate Statement will be printed in the Sample Ballot Voter Information Pamphlet to be mailed to all registered voters. The candidate must pay for having the candidate statement printed. Pursuant to state law, the candidate statement must be translated and printed in Spanish and included in the Sample Ballot and Voter Information Pamphlet, ***if requested and paid for by the candidate***. The estimated cost of printing for the November 6, 2012 ballot is $727.00, which includes both English and Spanish. If a candidate chooses not to have a statement printed, only the candidate's name and ballot designation will appear in the sample ballot.

  Pursuant to the Voting Rights Act of 1965, as amended, in addition to English, the City Clerk is required to translate statements and voter information into the Spanish language and have that information available.

After the nomination period closes . . .

CAMPAIGN DISCLOSURE STATEMENTS

Candidates will be required to file periodic campaign disclosure statements during the course of the election. Campaign disclosure statements document receipts and expenditures made by the candidate and his/her committee during the course of running for election. Campaign disclosure statements are also filed semi-annually by members of City Council and by candidates who have not terminated their election committees. The City Clerk will provide you with due dates, filing periods, and forms to be filed. See "Getting Started Early" above.

RECORD KEEPING

During the course of the campaign, candidates and their campaign committee should:

- Keep originals of canceled checks, vouchers, and invoices. Contributors' checks of $25 or more should be copied before being deposited.
- For mass mailings (200 pieces or more) keep record of date, method of postage, number of pieces, and a sample of each mass mailing.
- Records must be retained for four years after election.
- Expenditures/Contributions LESS than $25
    - Keep dates and daily totals for expenditures/contributions less than $25.
- Expenditures/Contributions of $25 or more
    - Contributions
        - Date
        - Amount
        - Name & address of contributor
        - Cumulative amount received from each contributor
        - Monetary, in-kind or loan designation
    - Expenditures
        - Date
        - Amount
        - Name & address of payee
        - Description of goods or services
        - Same information is required for all sub-vendors

<u>IMPORTANT THINGS TO REMEMBER</u>

1. **BEFORE RAISING OR SPENDING <u>ANY</u> MONEY**
   File Form 501 (Candidate Intention). Then open a campaign bank account. Once $1,000 is raised or spent, get an identification number by filing Form 410.
2. **MARK YOUR CALENDAR**
   Know the due dates for campaign statements and file on time.
3. **KEEP GOOD RECORDS**
   Maintain details on contributions and expenditures of $25 or more.
4. **$100 OR MORE IN CASH?**
   Never accept or spend $100 or more in cash.

5. **USING PERSONAL FUNDS FOR CAMPAIGN EXPENSES**
All personal funds of the candidate must first be deposited in the campaign bank account, except for campaign statement fee.

6. **CONTRIBUTIONS OF $100 OR MORE**
For contributions of $100 or more, including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer.

7. **IDENTIFY CANDIDATE/COMMITTEE ON MAILINGS**
Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.

8. **NO PERSONAL USE OF CAMPAIGN FUNDS**
Use campaign funds only for political, legislative, or governmental purposes.

9. **BE INFORMED**
Attend a campaign workshop in your area. Contact your filing officer or the FPPC if you have any questions.

For those who have an active committee from a previous election . . .

- Complete a Form 501 (this must be done before receiving any contributions for the November 2012 election).
  - Mark the "Initial" box
  - Complete the entire form
  - Sign and date the form
  - File the original with the City Clerk
- Complete a Form 410 (must be done before receiving $1,000 in contributions for the November 2012 election).
  - The "date qualified" as a committee is the date that the committee received contributions totaling $1,000 or more during a calendar year.
  - Mark the "Amendment" box and list your ID#
  - Complete the "Type of Committee" and list the year of election as November 2012.
  - Both the Treasurer and Candidate must sign.
  - Mail the original and one copy to the Secretary of State and give a copy to the City Clerk.

Note: You may keep your same bank account – you can change the name of the account with the bank if desired.

Attachments:
- Form 410
- Form 450
- Form 460
- Form 470
- Form 501
- Form 700
- Campaign Disclosure Manual 2