

Getting Started Candidate Information

CITY OF DANA POINT GENERAL MUNICIPAL ELECTION NOVEMBER 6, 2018

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 (except if the 1st falls on a Tuesday).

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, 2018. There are three seats available in District 1, 2, and 3.

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, MMC
City Clerk***

City of Dana Point
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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 of the respective Council District 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 \$2,000 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. The only exception is the candidate statement deposit.
- File [Form 410 Statement of Organization](#) within 10 days of receiving \$2,000 in contributions.
 - The "date qualified" as a committee is the date that the committee received contributions totaling \$2,000 or more during a calendar year.
 - A \$50 fee is due when your committee is qualified and 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.
 - If a Form 410 is filed prior to receipt of \$2,000 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 your last name, the word "Council" and the year of election "2018".
 - Complete the "Type of Committee" and list the year of election as November 2018.
 - 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.
 - To find your committee ID number, go to <http://cal-access.sos.ca.gov/>. Enter your committee name in the search bar at the top left of the screen. To find out the status of your ID number, contact the SOS at 916/653-6224.

- 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 \$2,000 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](#)

*These manual/forms are included in the Candidate Handbook. 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, 2018 through 5:00 p.m. on August 10, 2018. The City Clerk will issue your Nomination Paper and Candidate packet during the nomination period. It is best to make an appointment with the City Clerk as the process takes 30 minute to one hour. Candidates must be registered voters in the City of Dana Point at the time nomination papers are issued.

If an incumbent does not file, the filing period for non-incumbents will be extended to 5:30 p.m. August 15, 2018. There is no filing fee to run for election as a member of the Dana Point City Council. Prospective candidates will:

- Receive nomination paper and candidate packet from the City Clerk during the nomination period. The candidate packet will include the following required materials:
 - Nomination paper
 - Ballot Designation Worksheet
 - Form 700 – Statement of Economic Interests
- 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, Ballot Designation Worksheet, and completed Form 700 (Statement of Economic Interest discloses assets and income of public officials and candidates).

Optional items to be filed (if these items are filed, they must be filed at the same time as the nomination paper, ballot designation worksheet, 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, 2018 ballot is \$550 for District 1; \$549 for District 2; and \$547 for District 3, 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.

- Public Information Sheet – background information to be given to the public and press.

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

If you raise or spend money in connection with your election, you will be required to file Campaign Statements (FPPC Form 460 or FPPC Form 470). The filing deadlines may be obtained on-line at www.fppc.ca.gov. Review the FPPC Campaign Disclosure Manual 2 for instructions on campaign filings and record keeping. During the course of the campaign, candidates and their campaign committee should include:

- Expenditures/Contributions of \$25 or more
 - Contributions and expenditures
 - Date
 - Amount (record the amount of each transaction and also the total cumulative amount)
 - Name & address of contributor (or Payee)
 - Contributor’s occupation and employer (for contributions of \$100 or more)
 - Description

Be sure to keep originals or canceled checks, vouchers, invoices, and keep photocopies of checks. Also, be sure to keep dates and daily totals of all expenditures and contributions. Records must be kept for four years after the election.

IMPORTANT THINGS TO REMEMBER

1. **BEFORE RAISING OR SPENDING ANY MONEY**
File Form 501 (Candidate Intention). Then open a campaign bank account. Once \$2,000 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**
Keep records of all expenditures or contributions of \$25 or more.

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

Candidates and political committees must put disclaimers on campaign advertisements that identify the person or entity who paid for or authorized the communication. The disclaimer is required on all campaign material, including mailers of 200 pieces or more, radio and television ads, telephone calls, and electronic media ads. Paid for by "Committee Name" is the basic disclaimer required on most campaign communications. Please review the FPPC's Political Advertising Disclaimer Worksheet for specific details.

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 or watch an archived workshop on the FPPC website. Contact the FPPC or the City Clerk 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 2018 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 \$2,000 in contributions for the November 2018 election).
 - The "date qualified" as a committee is the date that the committee received contributions totaling \$2,000 or more during a calendar year.
 - Mark the "Amendment" box and list your ID#
 - Only complete the information that will change.
 - Your committee name must include your last name, the word "Council" and "2018".
 - Complete the "Type of Committee" and list the year of election as November 2018.
 - Both the Treasurer and Candidate must sign (a candidate may also be the treasurer).
 - 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 460](#)
- [Form 470](#)
- [Form 501](#)
- [Form 700](#)
- [Campaign Disclosure Manual 2](#)