



CITY OF MORRO BAY

CITY HALL
595 Harbor Street
Morro Bay, CA 93442

February 14, 2022

Dear Candidate:

Congratulations on seeking elected office in Morro Bay. It is a pleasure to see that you have made the decision to consider public service or, as an incumbent, continue public service.

There are many requirements associated with being a candidate and the information provided herein has been prepared to help guide you through the nomination process. It will aid in explaining various rules, regulations, and common-sense ideas for surviving your campaign. Although it is not all encompassing, we are confident you will find it useful.

Please note it is the sole responsibility of the candidate to ensure they comply with the laws and regulations surrounding the election process. The City of Morro Bay does not serve as counsel to individual candidates, and the information herein should not be construed as legal advice.

We have included a Candidate's Checklist as a reminder of what to bring in when you file, and which we will go over together when we issue your nomination papers. Your Nomination Paper, Candidate's Statement of Qualifications, payment of fees, and required FPPC forms must be filed together in my office before the close of the filing period on **Friday, March 11, 2022, at 5:00 p.m.**

Within this Candidate's Guide, the City has provided weblinks to the following: [FPPC Campaign Disclosure Manual 2](#), forms and instructions for the most commonly used FPPC forms ([700](#), [501](#), [410](#), [460](#), [470](#) and [497](#)), Ballot Designation Worksheet and [Voter Registration Request Form](#).

It is the goal of the City Clerk's Office to offer information that will make the process of seeking office easier to navigate and more approachable for you as a candidate. If you have questions or need additional information, please contact me at (805) 772-6205 or the Fair Political Practices Commission (FPPC) via email at advice@fppc.ca.gov.

City staff will schedule a candidate orientation in late August to provide you with a brief snapshot of the City, current Department activities, and other items of interest. I will contact you as soon as the date and time are set and encourage you to attend.

We hope your election experience will be a positive one; we are here to help.

Dana Swanson
City Clerk

Heather Goodwin
Deputy City Clerk

MORRO BAY CITY COUNCIL

Offices to be Elected

The following offices are scheduled for special election on Tuesday, June 7, 2022:

(1) Council Member for the remainder of a term ending December 2024.

Eligibility

In order to be eligible to hold office as a Mayor or City Council Member, a person **must be at least 18 years of age by Election Day** and a **resident and registered voter** in the City at the time Nomination Papers are issued for his or her candidacy. If, during the term of office, he/she moves his/her place of residence outside of the City limits, or ceases to be an elector of the City, his/her office shall immediately become vacant. ([Government Code Section 36502](#) and [Election Code section 201](#))

Getting started early...

FPPC Rules and Requirements

You and your treasurer will need to become conversant with the rules of the Political Reform Act (Act), which is the State law that regulates contributions and expenditures for elective offices in California. There are campaign laws and regulations you must follow. The Fair Political Practices Commission (FPPC) has regulatory responsibility and authority for the Act. The day-to-day implementation of the Act for City offices is the responsibility of the City Clerk.

Please see the [FPPC website](#) to see their new "[FPPC Candidate Toolkit](#)," "[Candidate and Treasurer Online Video](#)" and "[Treasurers Guide Book](#)" page on how to get started.

- **[Form 501](#) – Candidate Intention Statement.** A candidate for local office must file this form prior to solicitation or receipt of any contribution or expenditure of any personal funds used for the election. This original signed form is filed with the City Clerk's Office and can be hand-delivered or mailed to the City Clerk's office at 595 Harbor Street, Morro Bay, CA 93442.
- **[Form 410](#) – Statement of Organization Recipient Committee.** If you expect to receive or spend \$2,000 or more on your campaign, you are required to file a Form 410 with the Secretary of State. A copy must also be submitted to the City Clerk's Office via email to cityclerk@morrobayca.gov or via U.S. Mail to the above listed address. A Form 410 must be filed within ten (10) days of receiving \$2,000 in contributions.

- **Form 410 – Statement Type**

Initial

Mark the “initial” box and enter the date the committee qualification was met. If the committee has not met the qualification threshold, mark the “initial” and “Not Yet Qualified” boxes.

Qualification Threshold

The “date qualification threshold met” is the date the committee received contributions totaling \$2,000 or more during a calendar year.

Amendment

If any of the information reported on an initial statement of organization changes:

- Mark the amendment box,
- Include the committee’s ID number and name,
- Provide the changed information, and
- Complete the verification.

- [New! AB571 Fact Sheet](#) – Contribution Limits effective January 1, 2021 for city candidates. The City has not adopted contribution limits so all Morro Bay candidates will be bound by the new state limits.
- [New! 2021-2022 Contribution Limits](#) – applies to State and Local Candidates per election.
- **Additional Resources provided by the FPPC**
 - [Fast Facts Campaign Basics Factsheet](#)
 - [Local Candidate / Committee Checklist](#)

Please read the back of each form to ensure you are naming your committee the proper way and following the required Fair Political Practices Commission (FPPC) guidelines. On the back of each FPPC form are instructions on how and when to file the Form. It is vital that before submitting any forms that you have read and understood the purpose of each form. This will assist you as you move farther along in the candidate qualification process.

Good Record Keeping

Candidates should review the [FPPC Campaign Disclosure Manual 2](#) regarding record keeping. All money used for campaign purposes, including your personal funds, must be deposited into a separate campaign bank account prior to the expenditure. The only exception is the candidate statement fee.

Detailed records need to be kept for expenditures and contributions of \$25 or more. Your records should include:

- Date spent or received
- Dollar Amount

- Name and Address of Contributor (or Payee)
- Contributor's Occupation and Employer (for contributions of \$100 or more)
- Description

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

FPPC Questions...

The City Clerk's Office is available to answer general election questions but at no time is permitted to offer legal advice. For questions regarding the completion of FPPC forms, please contact the FPPC by email at advice@fppc.ca.gov.

Candidate Open Nomination Period is February 14 – March 11, 2022

Every election starts with a “Nomination Period.” This is the period of time that begins 113 days before the day of the election and ends 88 days before election day. This is the only period of time during which you can obtain and return “nomination papers,” which are the forms you need to submit in order to run for office.

During the open Nomination Period an appointment to pull Nomination Papers is required and may be scheduled by contacting the City Clerk’s office at (805) 772-6568 or via email at cityclerk@morrobayca.gov. The deadline for filing Nomination Papers is March 11, 2022, by 5:00 p.m.

Nomination Extension Period

If an incumbent does not file their Nomination Papers by the deadline date of March 11, 2022, the Nomination Period for that office shall be extended until March 16, 2022, by 5:00 p.m. for candidates other than the incumbent.

Official Filing Requirements

Listed below is a checklist indicating various forms required, or recommended to be filed, for candidacy for the offices of Mayor or Council Member. These forms will be reviewed in detail during your appointment to pull Nomination Papers.

Forms to be submitted at time of filing:

1. Nomination Papers
2. Ballot Designation Worksheet
3. Candidate’s Statement of Qualifications
4. [Form 700](#) Statement of Economic Interest
5. [Form 501](#) Candidate Intention Statement
6. [Form 410](#) Recipient Committee Organization Statement
7. Candidate’s Statement and payment for printing costs (optional)
8. Code of Fair Campaign Practices (optional)

It is the obligation of each candidate to meet all filing requirements and deadlines. Candidates are encouraged to return the necessary forms prior to the established filing dates. **The Nomination Paper, Ballot Designation Worksheet, Candidate Statement of Qualifications, Candidate’s Statement and payment for estimated printing cost (if desired), Code of Fair Campaign Practices and Statement of Economic Interest (Form 700) must be filed at the same time.**

Withdrawing a Nomination

A candidate may withdraw his or her Nomination Papers at any time on or before the 88th day (March 11, 2022) prior to the Election Date for said office.

Other Important Information

- Election Calendar
- Political Campaign Sign Requirements
- Literature & Mass Mailing Requirements
- [Application for Voter Registration Information](#)

**FUNCTIONS OF THE CITY CLERK AND
THE SAN LUIS OBISPO COUNTY CLERK-RECORDER**

The City Clerk is the local elections official and responsible for the issuance and acceptance of nomination papers, the publication of necessary legal notices, campaign disclosure filings requirements, and City measures. Once the election season is over, the City Clerk is responsible for issuing the certificate of election and administering the oath of office to the successful candidates.

The City of Morro Bay has contracted with the San Luis Obispo County Clerk-Recorder to conduct the City's Special Municipal Election on Tuesday, June 7, 2022. The Clerk-Recorder arranges for the printing and mailing of all necessary voter information and locates and staffs all the polling places. Additionally, the Clerk-Recorder is responsible for all Election Day activities, including the counting of the votes cast, and post-election activities such as the canvass of the returns and certification of election results.

County of San Luis Obispo
Elaina Cano, County Clerk-Recorder / Registrar of Voters
1055 Monterey Street, Suite D120
San Luis Obispo, CA 93408
Phone (805) 781-5080

NOMINATION PAPER PROCEDURES

Nomination Signatures:

Each candidate must be proposed by not less than 20 or more than 30 registered voters within the city limits of Morro Bay ([Election Code Section 10220](#)). You should secure more than the minimum number of signatures required, but no more than the maximum, to guard against falling short if one or more signatures are disqualified. Any person 18 years of age or older may circulate a nomination paper. **Only one person may circulate each nomination paper; the candidate may circulate his/her own nomination paper.**

No voter may sign more than one nomination paper for the same office, and in the event the voter does so, the voter's signature shall count on the first nomination paper filed which contains the voter's signature.

On the Affidavit of Nominee, each candidate will indicate how his/her name should appear on the ballot. This notation should be recognizable as the name under which the candidate is registered, though the two need not be identical. (Example; A candidate registered as "Jonathan William Smith" may use such variations as "John W. Smith", "John Smith", or "J. William (Bud) Smith".) No title or degree may appear on the same line on a ballot as the candidate's name ([Election Code Section 13106](#)). The candidate cannot change his/her ballot designation after the final date for filing nomination papers unless required by the City's Election Official. (See attached "Ballot Designation Requirements.")

Ballot Designation and Ballot Designation Worksheet:

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate. Acceptable ballot designations are governed by [Elections Code Section 13107](#) and [Secretary of State Regulations](#). All candidates (except candidates for Justice of the State Supreme Court or Court of Appeal) may choose a ballot designation to appear immediately under their name on the ballot.

[Elections Code Section 13107.3](#) requires a ballot designation worksheet be completed and filed with the Election's Official **at the same time** that the candidate files his/her Declaration of Candidacy. The statute mandates that no designation will appear under the candidate's name on the ballot if the candidate fails to file the required ballot designation worksheet.

CANDIDATE'S STATEMENT OF QUALIFICATIONS

Each candidate for elective office may prepare a statement of qualifications to be included in the Sample Ballot Booklet and sent to every registered voter in the jurisdiction of the office. The statement is optional and not a requirement of filing for office. In accordance with [Resolution No. 02-22](#) each candidate is required to pay for the cost of translating and printing his/her candidate statement. The estimated Candidate Statement cost is \$165 for English only and \$425 for English and Spanish. Actual printing costs are not known until after the election; a refund or balance-due invoice will be sent to candidates as soon as those costs are known.

The statement **MAY** include:

- Name, Age, Occupation of the Candidate
- A brief description (no more than 200 words) of the candidate's education and qualifications expressed by the candidate in his/her own words (first person singular).

The statement **MAY NOT** include:

- The party affiliation of the candidate.
- Membership or activity in any partisan political organizations.
- References to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official shall not cause to be printed, posted on an internet website or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. ([EC §13308](#))

The statement must be **typed** and follow the format on the form. Boldface type, bullets, boxes, arrowheads, diamonds, asterisks, all capital letters, or underlining (including websites) are not allowed.

Candidates must file a signed certified copy of the statement as well as submit the statement electronically. The statement should be set out in block style paragraphs in type of uniform size (Arial Narrow, 10-point font) and darkness and with uniform spacing. Obvious spelling errors will be corrected; however, the candidate should proof the statement very carefully for spelling, punctuation and grammar, as it will be printed as submitted.

The statement may be **WITHDRAWN**, by the candidate in writing, **BUT NOT CHANGED**, during the nomination period or the extension of the nomination period for non-incumbents only - and until 5:00 p.m., on the next working day after the close of the nomination period or the next working day after the close of the extension of the nomination period for non-incumbents only.

Each candidate who files a statement of qualification will be required to pay deposit at the time the statement is filed to cover the cost of the printing and handling. The estimated deposit amount is an approximation of the actual cost and may be more or less than the estimate, depending on the actual number of candidates filing statements. **Accordingly, the elections official is not bound by the estimate and will bill the candidate for additional actual expense or refund any excess amount paid depending on the final actual cost.**

STATEMENT OF ECONOMIC INTEREST

Members of the Morro Bay City Council are required to file Statements of Economic Interest ([Form 700](#)) annually according to [Government Code Section 87200](#) of the Political Reform Act. Required disclosures include information regarding investments, income, loans, real estate and other economic information. These disclosures are available to the general public so that potential conflicts of interest can be avoided. In addition, if it is reasonably foreseeable that a decision of the City Council will have a material financial effect on certain financial interests held by you, or your immediate family, disqualification from making or participating in the decision may take place.

No later than the last day to file nomination papers, the candidate must file a Statement disclosing the nature of his or her investments, his or her interests in real property, and any income received during the immediately preceding 12 months. (Statement of Economic Interest, Form 700; Government Code Section [87201](#), [87206](#).) Incumbents who have filed such a statement with the City in the last 60 days prior to filing nomination papers need not file again.

If you have any questions regarding any of these forms, please contact the FPPC by email at advice@fppc.ca.gov.

POLITICAL CAMPAIGN SIGNS

The requirements for Political Campaign Signs, as stated in [Morro Bay Municipal Code](#) are as follows:

5.40.090 - Posting on public property.

No person, except a public officer or employee in performance of a public duty, shall place or fasten any handbill, sign, poster or notice of any kind on any lamp post, pole, hydrant, bridge, wall, tree or other object in any public place, except as may be required or allowed by law.

17.68.040 - Advertising on city property.

No person, except a public officer in performance of a public duty, shall paste, post, print, nail, tack, suspend or otherwise affix or place any card, banner, handbill, sign, poster, flag, advertisement or notice of any kind over any sidewalk, alley, street, land, park or other public place or property of the city, except as may be required by other city, county, state or national regulations, or without first obtaining the approval of the planning director. Application for such approval shall be made in writing stating the manner of intended use the method of erection and the purpose of intended use and the length of time requested. The director may require an exception permit or such other required permit prior to approving such uses.

You are reminded, signs are not allowed in public right-of-way or on public property; violation of the Code constitutes a misdemeanor ([MBMC Section 17.68.160.](#)) You should also obtain permission before placing a sign on private property; making sure the sign is behind the private property line.

The City often receives complaints that campaign signs have been defaced and/or removed from private property. Campaign signs represent the personal property of the candidate and/or election committee. When posted on private property (as required), the signs further constitute the personal property of the owner/tenant consenting to such posting. The damage, defacing, or destruction of personal property not one's own, constitutes vandalism ([California Penal Code Section 594](#)); and stolen personal property represents theft or larceny ([California Penal Code Section 484](#)). Depending upon the cost, imprisonment and/or fines are associated penalties for vandalism and theft (e.g., one-year jail; \$1,000 fine.)

Please inform your committee members and supporters of the consequences of these actions and your personal non-support of such practices. Your leadership in this regard will enhance the opportunity for the Morro Bay voters to more fully express their choices.

Questions on requirements or permits for signs outside the City limits or on State Highways should be referred to the [State Department of Transportation, Outdoor Advertising Branch](#).

**CITY OF MORRO BAY
SPECIAL MUNICIPAL ELECTION CALENDAR
Tuesday, June 7, 2022**

<u>Date</u>	<u>Objective</u>	<u>Code Sections</u>
January 11	Resolution calling election and requesting consolidation with County on Council agenda	EC 10403
January 18	Prepare Notice of Election for publication in January 27 <u>edition of the New Times</u>	EC 12101
January 31	Last day to file Semi-Annual Campaign Statement Form 470 (2021 Calendar Year) or Form 460 (covering July 1 – December 31)	GC 84200 GC 84218
February 14 – March 11	Nomination papers to be obtained and filed with City Clerk	EC 10220
	Candidate Statements, if desired, must be filed at same time as nomination papers; must remain confidential until expiration of filing period	EC 13307
	Disclosure of Economic Interests must be filed at the same time as nomination papers	GC 87200
	Code of Fair Campaign Practices must be issued to each candidate, to be completed and filed at candidate’s option	EC 20440
March 12 - March 16	Extended nomination period for Non-Incumbents only; if an incumbent failed to file nomination papers by the 88th day, any other qualified person may obtain and file nomination papers	EC 10225
March 12	Last day Candidate Statement may be withdrawn, but not changed, during the period for filing nomination papers for candidates filing by the March 11 deadline	EC 13307

<u>Date</u>	<u>Objective</u>	<u>Code Sections</u>
March 12 - March 21	10-day public review of voter pamphlet material; (i.e., candidate statements)	EC 13313
March 17	Secretary of State to draw randomized alphabet; determines placement of candidate's name on ballot	EC 13112
April 28	Last day to file first Pre-Election Campaign Statement (covering January 1 – April 23)	GC 84200.8
April 11 - May 24	Period during which write-in candidates may obtain and file nomination papers at the office of the City Clerk	EC 8601
May 9	First day Vote-by-Mail ballots are available	EC 3001 , 3003
May 23	15 Day Close of Registration – voters registering between May 10 - 23 will receive notification of their polling place but will not receive any other voter information	EC 2102
May 26	Last day to file second Pre-Election Campaign Statement (April 24 – May 21)	GC 84200.8
June 7	<u>ELECTION DAY.</u> Polls open 7:00 am – 8:00 pm	
July 7	Deadline for County Clerk to complete official cavass and prepare certified statement of the results and forward to City	EC 15400
Aug 1	Last day to file Semi-Annual Campaign Statement (Jan 1 – June 30, 2022 or May 22 – June 30, 2022)	GC 84200
Within 24 Hours	Late Contribution and Independent Expenditures of \$1,000 or more (Mar 9 – June 7) (Form 497/496)	