



# Memorandum

**To:** CITY COUNCIL CANDIDATES  
**From:** CITY CLERK'S OFFICE  
**Date:** JULY 8, 2022  
**Re:** GENERAL INFORMATION - 2022 GENERAL MUNICIPAL ELECTION

## CANDIDATES PACKET

This Candidate's Packet is designed to help guide a candidate in the process of filing for the position of a City Councilmember in the November 8, 2022 General Municipal Election. Each candidate will receive identical packets of information. In order to obtain a Candidate's Packet, you will be required to acknowledge receipt of the Candidate's Packet.

The Candidate's Packet provides general information about the nomination and election of candidates. It does not have the force and effect of law, regulation, or rule. The City of Sausalito Clerks Office does not provide legal advice and this guide is not intended to provide legal advice. Any person, organization or candidate using this guide may not rely on it as a substitute to seeking legal counsel. Statutes and regulations change and are updated on a frequent basis; therefore, the guidelines provided in this booklet may not reflect the most current state of the law. While this handbook is intended to be as informative as possible, it is only general information, and as such you may wish to visit other sites noted below for more specific details.

Of particular note is the fact that the laws surrounding the raising of funds, and the expenditure and reporting of campaign contributions, are continually changing. If you have any questions, please feel free to call us direct, or you may want to contact the following State Offices direct:

Fair Political Practices Commission	1-866-275-3772 (toll free)
<a href="http://www.fppc.ca.gov">www.fppc.ca.gov</a>	
Secretary of State Elections Division	(916) 653-6814
<a href="http://www.sos.ca.gov">www.sos.ca.gov</a>	

**There are two (2) City Council seats up for election for a term through *November 2024*.**

Along with the official Nomination Paper, this packet contains various documents, instructions, and general information which you may require during the election

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campaign. Please retain these documents throughout your campaign. If you need additional forms or forms that have not previously been provided, please feel free to contact the City Clerk at (415) 289-4165.

Our office will provide the following forms:

- Candidate for City Council Acknowledgement Form
- Nomination Paper
- Candidate Intention Statement- Form 501
- Ballot Designation Worksheet (if requesting a designation)
- Candidate’s Statement and Information Sheet
- Consent for Website Publishing of Home Address and Telephone Number Form
- Campaign Sign Policy and Code of Conduct
- Code of Fair Campaign Practices
- Statement of Economic Interests- Form 700
- Campaign Finance Statements
  - Form 410
  - Form 460
  - Form 470
- Department of Transportation Form

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## NOMINATION PAPERS

The nomination filing period, July 18, 2022 through August 12, 2022 is the period of time candidates may file nomination papers with the office of the Sausalito City Clerk, City Hall, 420 Litho Street. Nomination papers must be filed with the City Clerk. **You must schedule an appointment with the City Clerk in order to take out or file nomination papers during the nomination filing period.** The Clerk will be generally available Mon-Thurs from 10:00 a.m. to 4:00 p.m. to schedule appointments for candidates to take out or file their nomination papers. Please call (415) 289-4165 or (415) 289-4102 to schedule an appointment. As required by law, the Clerk’s Office will remain open until 5:00 pm on the last day of filing, Friday, August 12, 2022.

Below you will find a brief description of some of the phases encompassing the election process for all Council candidates:

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## Qualifying for Office

To be eligible to take out Nomination Papers for the office of Sausalito City Councilmember:

- You must be a **resident** of the City of Sausalito (corporate City Limits), and
- You must be **registered to vote**, and that address must be your valid Sausalito address on the day you request Nomination Papers. If you are not currently registered to vote in Sausalito, or not registered at the address where you are currently residing, the official Nomination Paper cannot be issued until your registration can be properly verified and/or corrected.
- If you have any questions about the status of your voter registration it can be checked by calling the Marin County Registrar of Voters at (415) 499-6456 or online at <http://www.marincounty.org/depts/rv/voter-registration>.

## Nomination Process and Official Filing Form

The Nomination Paper is an official filing form that can only be issued by the City Clerk during the filing period specified by the State of California Elections Code. The official filing period is July 18, 2022 through August 12, 2022.

CIRCULATION OF THE NOMINATION PAPERS. To be accepted for filing, your Nomination Paper must be signed by **not less than 20 nor more than 30 registered voters** of the City of Sausalito. Anyone signing your papers must be a resident at a valid address within the Sausalito City Limits **AND** be currently registered to vote at that address. Be advised that there are community members who share the same zip code as Sausalito, but are NOT residents of Sausalito. You are urged to obtain more than the minimum number of 20 signatures in order to guarantee that those required signatures can be verified as current, registered voters in Sausalito. If you do not submit at least 20 verifiable signatures, you will not qualify for the ballot. Sausalito City Staff does not verify the signatures; this process is performed by the Marin County Registrar of Voters. Each person who signs a Nomination Paper must personally write his or her printed name, signature and place of residence (street and number). **Note:** Post office boxes, mail service addresses, and business addresses **WILL NOT BE ACCEPTED BY THE COUNTY ELECTIONS OFFICE**. Successive signers **may not** use ditto marks to show that the address or the city is the same as on the line above. It is required that each signer print all information out in full.

A voter may sign only one petition for each office. There are two vacancies in the November 8, 2022 election, therefore, a voter may sign no more than two sets of Nomination Papers for this election. You may sign your own Nomination Paper. If anyone wishing to sign your Nomination Paper has any questions about the status of his/her voter

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registration, their registration can be checked by calling the Marin County Registrar of Voters at (415) 499-6456 or online at <http://www.marincounty.org/depts/rv/voter-registration>.

The person who circulates the Nomination Paper, whether it is you or someone you appoint, must witness each signature being written, and must fill in the "Declaration of Circulator" before the paper can be officially filed. The circulator must be 18 years of age or older. The circulator **may not** fill in blanks left by anyone signing your papers, and as such, it is the responsibility of the circulator to return to a signer in order to obtain any missing information.

FILING NOMINATION PAPERS. The candidate must **SIGN** the "Affidavit of Nominee" **AND FILE** the Nomination Paper **PERSONALLY IN THE OFFICE OF THE CITY CLERK**. This cannot be done by anyone on behalf of the candidate, or done in advance of filing. Nomination Papers are to be filed with the office of the Sausalito City Clerk, City Hall, 420 Litho Street. The Clerk will be generally available Mon-Thurs from 10:00 a.m. to 4:00 p.m. to schedule appointments with candidates to file their nomination papers. Please call (415) 289-4165 or (415) 289-4102 to schedule an appointment.

As required by law, the Clerk's Office will remain open until 5:00 pm on the last day of filing. The last day to file Nomination Papers is **Friday**, August 12, 2022 at 5:00 pm. You are urged to file early. Remember, signatures are verified as promptly as possible by the County. Should your nominating signatures be found to be deficient, and we are able to inform you of the deficiency prior to the final filing date, you will be given the opportunity to make corrections and re-file prior to the final filing date.

The Nomination Paper must be accompanied by a \$25.00 filing fee. This fee should be in the form of a check and made payable to the "City of Sausalito." **Also** payable at this time is the fee to publish a Candidate's Statement in the sample ballot: **\$190.00** fee (English only) \$480.00 (English and Spanish). This fee is also made payable to the "City of Sausalito." **The Candidate Statement is required to be filed electronically in Word version. If you cannot provide an e-version of your statement, you will be charged a \$100 retyping fee.**

You are advised to file early. The City of Sausalito will submit Nomination Papers immediately upon receipt to the County Registrar of Voters in order to begin the verification process. **Waiting until the last day may result in your filing form being checked after the filing deadline, and thus being unable to correct any deficiencies.**

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## Withdrawal of Candidacy

Once a Nomination Paper has been filed, it may be withdrawn anytime up to the last day and hour for filing (Friday, August 12, 2022 at 5:00 pm). Candidacy may not be withdrawn after that time.

## Your Name on the Ballot

The way your name appears in the designated space on the official Nomination Paper is the way it will appear on the ballot. **PRINT VERY CLEARLY IN BLOCK LETTERS.** Be careful of the exact spelling and punctuation of your name. You may use a nickname in parentheses or quotation marks only. No personal title or degree, such as Miss, Mrs., Ms., Dr., Rev., Ph.D., etc., may appear on the same line with your name on the ballot.

## The Order of Candidates Names on the Ballot

The order in which names will appear on the ballot will be determined by a randomized alphabet drawing to be conducted by the California Secretary of State on August 18, 2022. The City of Sausalito will have the results of that drawing either later that day or on the following day. Each candidate will be placed on the ballot in the order that each of the letters of his/her surname was drawn.

## BALLOT DESIGNATION

There is also a space on the Nomination Paper for a *ballot designation*. The ballot designation is limited to **three** words describing your current principal occupation, profession, or vocation – that is, how you make your living. You may use “Retired” either alone or preceding the occupation, but not following it. You may not use words or prefixes such as “Former” or “Ex-” suggesting prior status. A candidate who is running for the same office he or she holds at the time of filing may use the designation “*Incumbent*”. Ambiguous or misleading designations are not acceptable. Remember that the designation must be how you earn your living and not a political statement. California state law says that your designation must describe your current profession, vocation, or what you do -- or did -- for a living during the 12 months before the filing deadline. The words you choose must be generic and neutral. The words must be accurate, and not misleading (Elections Code § 13107). Examples include: High School Teacher, Scientist, Emergency Department Neurologist. You may list more than one occupation or vocation, but you are limited to 3 words and you must separate them with a slash. Example: Professor/Mother/Doctor.

The ballot designation **may not:**

1. Mislead the voter.

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2. Suggest an evaluation of a Candidate, such as outstanding, leading, expert or eminent.
3. Abbreviate the word "retired" or place it following any word or words that it modifies.
4. Use a word or prefix, such as "former" or "ex-" which means prior status.
5. Use the name or any political party. Use a word or words referring to a racial, religious or ethnic group.
6. Refer to any activity that is prohibited by the law.

If you want a ballot designation, **you must fill out a Ballot Designation Worksheet** and file it with the rest of your candidate papers by the deadline. Enclosed in the Forms section of this packet is a copy of the Ballot Designation Worksheet and accompanying instructions issued by the Office of the Secretary of State, which should assist you in selecting acceptable designation wording. If you do not want a ballot designation, please write "**None Requested**" in the space on the Nomination Paper.

The Ballot Designation Worksheet is required at the time you file your nomination papers. In the event that you fail to file a Ballot Designation Worksheet, no designation shall appear under the candidate's name on the ballot. (Elections Code §13107.3)

## CANDIDATE'S STATEMENT OF QUALIFICATIONS

A Candidate's Statement of Qualifications is optional, but if you choose to submit one, you must do so at the same time you file the Nomination Paper. This is the statement which will be printed in the Voter's Pamphlet and Sample Ballot mailed to all registered voters within the City of Sausalito before the election.

City policy limits the length of the statement to 200 words. It must be typed and submitted on the form included with this packet. **The County also requires an electronic Microsoft Word version of the candidate statement to be emailed to the Election Office by the date required when you file your nomination papers, and must be an exact version of the required hard copy of your statement. Variations will not be accepted.**

The format must conform with the California Government Code provision that all statements be printed in the Voter's Pamphlet in type of uniform size and darkness, and with uniform spacing. The law requires uniformity in the printed appearance of all statements; therefore, do not use such devices as all capital letters, unusual spacing, markings, asterisks, unusual punctuation, etc. All candidate statements must be uniform in type and size, in block paragraphs and single spaced, and follow the following formatting requirements:

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- No ALL CAPS (use upper and lower case)
- No *italics*, no **bold**, no underlining, no **highlights**
- No clusters of exclamation points
- No bullets or numbered lists (if used they will be replaced with semicolons and wrap text)
- Indents are not allowed

A Candidate's Statement Information Sheet and a Sample Candidate's Statement have been included in this packet to guide you in staying within the limit of 200 words or less. Please compose and review the statement with care, since once filed, it **cannot be changed**. The statement may, however, be withdrawn up to 5:00 p.m. on the day after the close of nominations. The County Clerk will send you a proof prior to final printing, **but this is only for correction of printing errors; changes are not permitted by law**. Candidate's Statements, once submitted, are held confidential until the last day and hour for filing. After that time, the statements become public records.

The cost of printing this statement for the **November** 8th election will be: **\$190.00** (English only) or **\$480.00** (English and Spanish, which must be paid by the candidate. (This check is made payable to the "City of Sausalito".) This cost is established by the County Clerk/Registrar of Voters and is based on the number of voters registered in Sausalito. The Candidate must bear the cost of printing and handling the statement. Again, the Candidate's Statement is optional. If you are filing a Candidate Statement, it is now required that they be filed electronically in Word version. **If you are filing a Candidate's Statement and cannot provide an e-version of your statement, you will be charged a \$100 retyping fee.**

## INSUFFICIENT NOMINEES

If, by the close of the filing period, the number of candidates is equal to or less than the number of vacancies to be filled, the City Clerk shall notify the City Council, which may elect either to fill the office by appointment of the person nominated or still hold the election.

## WHEN CANDIDATES TAKE OFFICE

The candidate successfully elected at the election may take office only after the election has been certified by the County Registrar of Voters. The deadline for the County to certify the election is **December** 08, 2022. Councilmembers are then seated at the first Council meeting in December (December 13, 2022).



## CAMPAIGN FINANCE RULES

### Basic Rules

- Should you choose to appoint a Campaign Treasurer, you are urged to do so as soon as possible in order to file the required Statement of Organization of a Committee (Form 410). All the necessary forms and manuals are available to Treasurers through my office, the Marin County Elections Office or online at the Fair Political Practices Commission.
- All campaign finance reports are considered public and may be posted online.
- Deposit all campaign funds in a separate bank account that is only for the campaign. You cannot add contributed funds to personal accounts.
- Do not use the same bank account, committee, or committee name that you used in a previous election if you are running for a different office.
- Open a campaign finance committee at any time using a Form 410. You must open a committee once you raise or spend \$2000 for your campaign.
- Record all contributions and expenses of \$25 or more. (The FPPC Manual offers guidelines for recordkeeping.)
- Document any donation worth \$100 or more, including cash, loans, and in-kind contributions, including the contributor's name, address, occupation, and employer.
- In 1999, the Sausalito City Council adopted an ordinance that sets limitations on campaign contributions. This Ordinance was updated in June of 2018. **CANDIDATES MAY NOT ACCEPT CONTRIBUTIONS OR LOANS IN EXCESS OF \$500.** Please make sure you read Ordinance No. 1136 and Ordinance No. 1259, which are included in this packet, before you begin fundraising for your campaign. Chapter 4.04 of the Sausalito Municipal Code covers campaign finance reform.
- Other Campaign Reform adopted by the Sausalito City Council includes regulations on Independent Expenditures. For informational purposes only, I have included a copies of Ordinance No. 1202 and Ordinance No. 1256. Chapter 4.10 of the Sausalito Municipal Code covers Independent Expenditures.
- Do not use your campaign funds for non-campaign expenses or to make independent expenditures to support or oppose other candidates.
- **Important!** Your campaign finance reporting requirements do not end with the election. Be prepared to continuously file reports until you close your committee.

Once you file Form 501 and/or Form 410 (see the section on required Forms, below), you may be required to file reports or campaign statements on contributions and expenditures and which are due at various times during the course of the pre-election period. See the Reporting Deadlines table on the next page.

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<b>Reporting Deadlines</b>		
<b>Period Reported</b>	<b>Use this form</b>	<b>Deadline</b>
thru – June 30, 2022	460 Semi-Annual	August 1 <sup>st</sup> , 2022
July 1 – Sept. 24	460 Pre-election	Sept. 29, 2022
Sept. 25 – Oct. 22	460 Pre-election	Oct. 27, 2022
Oct. 23 – Dec. 31	460 Semi-Annual	January 31, 2023

For candidates who expect to spend or receive \$2,000 or more during their campaign may also wish to contact my office to obtain the complete **Informational Manual 2**. However, some detailed treasurer information including key chapters of this Manual have been included in the FPPC Forms and Manuals for Local Candidates and Committees document. All Campaign Manuals can also be found on the FPPC website at: <http://www.fppc.ca.gov/learn/campaign-rules/campaign-disclosure-manuals.html>).

**Also of note:** You may wish to seek the advice of a tax consultant on the following matter: On July 1, 2000, a new reporting requirement was enacted that applies to tax years beginning after June 30, 2000. It is detailed in 26 U.S.C.A. Section 527, Subsection (i). It states that a campaign committee that anticipates gross receipts of \$25,000 or more in any taxable year must notify the Secretary of Treasury that it is a “Section 527 Organization” in order to exempt certain income, including campaign contributions, from income taxation. An initial statement must be submitted, both electronically and by paper, using IRS Form 8871 and an annual tax return on IRS Form 1120-POL. To access the forms and additional information on Public Law 106-230 visit [www.irs.gov](http://www.irs.gov).

## REQUIRED FORMS

### Financial Disclosure – Form 700 Statement of Economic Interests

Each candidate must complete and file a Conflict of Interest Statement (Form 700 and instructions for completion are included in this packet). We request that this form be returned at the same time as your Nomination Forms are turned in, unless the candidate

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has filed such a statement within the City in the last 60 days prior to filing nomination papers for this election. This statement shows investments, income and interests in real property *within* the jurisdictional boundaries of the City of Sausalito.

Please note that it is the Political Reform Act that requires state and local government officials to publicly disclose their personal assets and income. The Fair Political Practices Commission (FPPC) is responsible for issuing the Statement of Economic Interests (Form 700) and for interpreting the law's provisions. If you have any questions regarding this filing, you may contact the Fair Political Practices Commission direct at 1102 Q Street, Suite 3000, Sacramento, CA 95811, or (866) 275-3772, or visit their website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Upon filing your Form 700, the Clerk's Office will forward the original to the Fair Political Practices Commission in Sacramento. A copy of the original will be made and kept on file in the Office of the City Clerk for public review.

## Form 501 – Statement of Intent

The Form 501 Statement of Intent must be filed by the candidate prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election **except for the use of personal funds only for filing fees and/or the Statement of Qualifications in the sample ballot.** Form 501 is filed with the Clerk's Office in Sausalito.

CAMPAIGN BANK ACCOUNT: Candidates who file a Form 501 must set up a separate bank account for the campaign with a financial institution in California, if they accept contributions.

## Form 410 – Statement of Organization Recipient Committee

If you will be establishing a committee and expect that the committee will receive contributions totaling \$2,000, you must select a committee treasurer and must file a Form 410 – Statement of Organization Recipient Committee. Before raising and expending funds on the election campaign this form needs to be immediately filed. The actual bank account number must be disclosed when filing the Form 410. The filing fee for the Form 410 is \$50, payable to the Secretary of State.

Form 410 and the filing fee must be sent, in duplicate, to the Secretary of State, Political Reform Division, 1500 11<sup>th</sup> St., Room 495, Sacramento, CA 95814, within 10 days after the committee has spent or received \$2,000. In addition, one copy of the form must also be filed with the Sausalito City Clerk. The Secretary of State will then assign an official identification number to the Committee. This number is to be inserted on all Fair Political Practices Commission Campaign Expense Statements to be filed with the City Clerk.

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Office holders with existing committees must re-designate the committee prior to the election period. Effective 2009, your candidate controlled committee name must include the candidate's name, office sought and year of the election. Form 410 is also used to terminate your committee.

## Form 470 – Campaign Statement

All candidates who have filed a Form 501 must file at least one campaign statement before the election. Candidates may file the Form 470 if they do not have a controlled committee, do not anticipate receiving contributions totally \$2,000 or more during the calendar year, and do not anticipate spending \$2,000 or more during the calendar year. The Form 470 is filed once, by the first pre-election due date. If the \$2,000 threshold is achieved, candidates must file the Form 470 Supplement, and establish a campaign committee.

## Form 460 – Recipient Committee Campaign Statement

Candidate Controlled Committees are required to use Form 460 to report all campaign activity during scheduled semi-annual and pre-election periods. Statements must be completed fully and accurately, and filed on time per the filing schedule noted in the Important Dates sheet.

## Electronic Filing

Campaign statements will be required to be filed on paper for the November 8, 2022 election.

## Code of Fair Campaign Practices

Included in this packet is the Code of Fair Campaign Practices. Your signature on this form is entirely voluntary. This form, should you consent to it, must be returned at the same time you file your nomination papers.

## Code of Conduct for Posting of Campaign Signs

Included in this packet is the Code of Conduct for Posting of Campaign Signs. Your signature on this form is voluntary. This form, should you consent to it, must be returned at the same time you file your nomination papers.

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## Consent Form for City of Sausalito Website

As time allows, information regarding the election and candidates is placed on the City's website. Included in this packet is a form for the City of Sausalito which authorizes (or not) the use of your personal information (specifically your mailing address and home phone number) on the website (***Consent for Website Publishing of Home Address and Telephone Number Form***). This form is to be returned at the same time you file your nomination papers.

A full list of all forms and manuals for candidates and committees provided by the FPPC has been included in the ***FPPC Forms and Manuals for Local Candidates and Committees*** document.

## MISCELLANEOUS INFORMATION

And finally, some miscellaneous information has been provided below to also educate you on some of the points not associated with required form filings or the actual election process; but nonetheless are still quite noteworthy.

### Mass Mailing

"Mass mailing" means over two hundred 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. (Government Code §82041.5)

The sender of a mass mailing is the candidate or committee who pays for the largest portion of the mailing. The sender must be identified by name, address, and city on the outside of the mailing and on at least one insert. If the sender of the mass mailing is a single officeholder, candidate, or committee, the identification need only be shown on the outside of each piece of mail. If the sender is a controlled committee, the name of the person controlling the committee must also be included. A committee may use a post office box if its street address is a matter of record with the Secretary of State. It is not necessary to include the committee's identification number or the name of a committee treasurer on the mailing.

Type size must be at least six points, printed in a color or typeface that contrasts with the background.

If two or more officeholders, candidates, or committees pay an equal share of the costs of the mailing, at least one of them must be identified on the outside of the mailing, and all of them must be identified on the inside.

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In the case of a mass mailing paid for by one officeholder, candidate or committee on behalf of another candidate or committee (ie: mass mailings that are in-kind contributions), the officeholder, candidate, or committee that pays for the mailing must be identified as the sender of the mailing.

Information on how to order voter index and mailing labels has been included in this packet.

Please also see the informational guide on Political Advertising Disclaimers from the Fair Political Practices Commission.

## Electioneering

No person, on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place or an elections official's office:

- (a) Circulate an initiative, referendum recall, or nomination petition or any other petition
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Elections Code §14240
- (d) Do any electioneering.

As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots. Any person who violates any of the provisions of this section is guilty of a misdemeanor. (Elections Code §18370)

## Right to a Recount

If for any reason you believe the canvass of the ballots (count of the votes) to be incorrect and that a recount would show a different candidate elected, you and all voters have the right to request a recount. This must be done in writing within five days of the completion of the official canvass and submitted to the Marin County Elections Department. Anyone requesting the recount will be required to deposit the costs for a recount before the counting board commences to function. If the recount only changes the number of votes received by each candidate and does not change the outcome, the money expended by you for the recount is not refundable.

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You are urged to read all of the material in this packet carefully to ensure compliance with many of the various legal requirements and deadlines connected with the election. As noted at the beginning of this document, this packet is provided to each candidate merely as a summary reference and is not intended to be a comprehensive outline of the election process. The City Clerk is precluded by law from giving you legal advice. While we welcome your questions and will attempt to be of assistance to you, only your attorney may offer you legal guidance. If you have any questions or need clarification regarding any aspect of the election, we can be reached at (415) 289-4165.