



City of Anaheim
OFFICE OF THE CITY CLERK

July 18 to August 12, 2016

Dear Anaheim Candidate for Council Member:

Thank you for your interest in serving Anaheim by becoming a candidate for Council Member on the Anaheim City Council. The General Municipal Election will be held on Tuesday, November 8, 2016 for four (4) Council Member district seats (District 1, 3, 4 and 5 – see attached). Following the swearing-in of the Council Members elected at the November 8, 2016 election, the City Council will select by casting of lots one member to hold office for a term of two years (term ending November 2018); the remaining three elected members will serve a four year term (ending November 2020).

This Handbook was prepared for Anaheim citizens wishing to become a candidate for the office of Council Member and can be used as a general guide to assist in facilitating the election process. The handbook outlines procedures established by the City Charter, City Ordinances, and the California Elections Code and Government Code. Online access to this handbook is available on the City's website (www.anaheim.net/elections).

Candidates and others using this Handbook must bear full responsibility to make their own determinations as to all legal standards, duties and factual material contained herein. This Handbook is not intended to provide legal advice and should not be used as a substitute for legal counsel; it does not necessarily include all provisions which may affect candidates.

Please keep in mind that running for office is an open and public process. Therefore, once contact is made with this office and/or documents are filed, candidate and campaign information generally becomes public record and may be made available to the public, in various forms, unless any such record or information is deemed exempt. Daily listings of qualified candidates will be posted online for public access.

Should you have any questions, please do not hesitate to call me at (714) 765-5166 or email me at landal@anaheim.net. Thank you for your commitment and service to Anaheim.

Sincerely,

Linda N. Andral, CMC
City Clerk

DISTRICT OFFICES TO BE FILLED

OFFICES SCHEDULED FOR ELECTION NOVEMBER 8, 2016	
DISTRICT	INCUMBENT
District 1	Vacant
District 3	Jordan Brandman (eligible for second term)
District 4	Lucille Kring (eligible for second term)
District 5	Vacant

In our continual goal to provide access to information that will help guide you through the nomination process, the following is a summary of the handbook that briefly describe its contents, as well as provide you with various resources:

SECTION I – ELECTION CALENDAR:

The election calendar provides specific election-related dates to assist you through the process. It is important to familiarize yourself with the dates to ensure timely filing and avoid penalties.

SECTION II – DISTRICTS:

For the first time in Anaheim's 159 year history, Anaheim's "at-large" system for electing City Council Members has changed to a "by-district" system, with the exception of the Mayor who will continue to be elected at-large.

On February 9, 2016 the City Council unanimously adopted the city's first districting map and election sequence for the 2016 and 2018 General Municipal Election. Districts 1, 3, 4 and 5 will hold elections in November 8, 2016. Districts 2 and 6 will hold elections in 2018, together with the council member (district) randomly selected to serve a two-year term following the administration of Oath, to occur on or around December 13, 2016.

SECTION III – ELIGIBILITY AND NOMINATION DOCUMENTS

Section 501 of the Anaheim City Charter provides that a City Council candidate shall have been a resident and qualified elector of the district of which he/she seeks office at the time of, and for the thirty-day period immediately preceding the filing of his/her nominating papers and for the thirty-day period immediately preceding his/her appointment to such office.

The candidate for City Council shall be and remain a qualified voter in the district from which he/she seeks office from the time of filing nomination papers and throughout the full term of his/her office.

A Nomination Paper can only be obtained from the City Clerk's Office. At the time of issuance, the City Clerk, or her designee, will type on the Nomination Paper the name of the candidate, the office sought and district number. The name of the candidate on the Nomination Paper (as will be shown on the ballot) should be the same as on the registration affidavit. However, if you wish to use a nickname or combination of a given name and nickname on the ballot, you should advise the City Clerk at the time the Nomination Paper is **issued**, so the form can be completed to reflect this.

July 18, 2016 is the first day voters may nominate candidates of their district for election. Each candidate shall be proposed by no less than twenty (20), and no more than thirty (30) Anaheim registered voters of their respective district. It is suggested that the latter be obtained should any signatures be invalidated when verified by the Registrar of Voters. A

candidate with less than 20 qualified signatures shall be disqualified, unless supplemental signatures are received and filed prior to the close of nomination. Only one candidate may be named on a Nomination Paper.

Voters may only sign one nomination paper, per district. If a voter signs the nomination paper of two or more candidates in the same district, only the signature on the first paper filed with the City Clerk will be counted. All signatures on each Nomination Paper must be affixed on the same sheet of paper and each signer must print his/her name and place of residence, giving the street number and name.

Any person 18 years of age or older may circulate a Nomination Paper and each Nomination Paper must be circulated by only one person. The circulator must complete the certificate of circulation, certifying the fact that he/she witnessed all signatures affixed thereto and knows that they are the signatures of the persons whose names they purport to be.

Each Nomination Paper shall also be accompanied by a verified statement of the candidate that he/she will accept the nomination and subsequently the office in the event of his/her election.

August 12, 2016 at 5:00 PM, is the last day and hour that Council Member Nomination Papers may be filed in the City Clerk's Office along with the filing fee. Section 1.12.090 of the Anaheim Municipal Code sets a filing fee of \$25, which is to be paid when the nomination paper is filed with the City Clerk. For candidates who choose not to pay the candidate filing fee, please contact the City Clerk for a Petition In Lieu of Filing Fee.

Please note: A candidate may withdraw his/her candidacy after his/her Nomination Paper is filed with the City Clerk up to and including the last applicable day of filing at 5:00 PM (August 12th).

August 18, 2016, the California Secretary of State will conduct a random drawing of the letters of the alphabet to determine the order of all candidates on the ballot. The result of the drawing will be mailed to the City Clerk. The City Clerk will advise all candidates of the results. This same order will be used in the voters' pamphlet for those candidates filing a Candidate Statement.

SECTION IV - BALLOT DESIGNATION

Candidates may wish to submit a ballot designation (no more than three (3) words) that describes their current profession, vocation, occupation or incumbency status which will appear on the ballot under the candidate's name. If a candidate chooses to submit a ballot designation, a Ballot Designation Worksheet shall be filed at the **same time** of the nomination documents. The Ballot Designation Worksheet supports the use of that ballot designation by the candidate. If a worksheet is not filed, no designation shall appear under the candidate's name on the ballot (EC §13107.3).

SECTION V - CANDIDATE'S STATEMENT

Each candidate may prepare a Candidate Statement on the form provided by the City Clerk. The statement will be included with the sample ballot to all registered voters

The Statement may include the candidate's name, age, occupation, and a brief description (not more than 200 words), of his/her education and qualifications. The Statement shall not include the political party affiliation of the candidate, or any reference to membership/activity in partisan political organizations. Additionally, the statement shall not, in any way, make reference to other candidates for that office.

Candidates wishing to file a Candidate Statement is required to pay \$1,666, in advance, for his/her estimated pro rata share of the printing, handling, translating and mailing costs. This, along with the nomination filing fee, are the only two expenditures that can be made from personal funds without the creation of a Campaign Bank Account. The advance deposit (*check or money order only*) is payable at the time each candidate files a Nomination Paper and any related filings. Any additional amount due the City or candidate shall be billed or refunded as soon as the final costs have been determined. The City Clerk will refund any overpayment within 30 days of the election (Please contact the City Clerk if you wish to file a Statement of Financial Worth).

A Candidate Statement must be submitted in a Word document format, on a USB flash drive which is being provided to you, along with a hard copy signed by the candidate.

THE CANDIDATE'S STATEMENT MUST BE FILED WHEN THE NOMINATION PAPER IS FILED. A candidate statement can be completely withdrawn, but not changed, during the period for filing Nomination Papers and until 5:00 PM of the next working day after the close of the nomination period.

SECTION VI – STATEMENTS OF ECONOMIC INTERESTS (FORM 700)

A “Candidate” Statement of Economic Interests, Form 700, must be filed with the City Clerk during the nomination period. Those candidates who are elected to City Council within 30 days after assuming office must file a second Statement of Economic Interest. An incumbent need not file Form 700 after being reelected.

Gift Limitations

The Political Reform Act prohibits local public officials from receiving or accepting certain gifts or honoraria. These same prohibitions apply to candidates for local elective office. Candidates are generally prohibited from accepting gifts from any single source totaling more than \$490 within a calendar year. Campaign contributions are not regarded as gifts for purposes of this limitation. Candidates are also prohibited from receiving any honorarium (payment) made in consideration for any speech given, article published, or attendance at any public or private conference, meeting, social event, meal, or like gathering. The Act contains certain express exceptions to the limits on gifts and the ban on honoraria.

SECTION VII – CAMPAIGN DISCLOSURE REQUIREMENTS

Candidate Intention Statement (Form 501)

State law requires that prior to receiving or expending any funds, a candidate must file a Candidate Intention Statement (Form 501) with the City Clerk. Candidates are exempt from filing a Form 501 if contributions are not received and the only expenditures made are from personal funds for the candidate statement and nomination filing fee.

Statement of Organization (Form 410)

Within 10 days of receiving \$2,000 or more, the candidate must file a Form 410. (It may be filed earlier by indicating in the proper area "Not Yet Qualified," however upon reaching the \$2,000 threshold, the Form must be amended within 10-days of reaching said threshold and disclose the date qualified as a committee).

Pursuant to FPPC Regulation 18402(c)(2), the name of a committee shall include the last name of the candidate that controls the committee, office sought, and the year of such election (2016). The Original Form 410 and one (1) copy are filed with the Secretary of State; a copy is filed with the City Clerk. After filing, the Secretary of State will issue an identification number for your campaign committee.

Campaign Disclosure Statements (Form 460 or 470 and 497)

As a convenience to committees, the City Clerk hosts cost-free software that provides Anaheim committees the ability to track (monetary) activity and e-file accordingly. As an authorized e-filing City, all e-filed campaign statements received are in lieu of paper filings (Ordinance No. 6293). E-filing becomes mandatory after a committee files its first report electronically. To opt out of e-filing, a committee would simply continue to file an original executed statement with the City Clerk.

State law requires that Campaign Disclosure Statements be filed by each candidate and each committee supporting or opposing a candidate or candidates as reflected below:

Statement	Deadline	Reporting Period
460 or 470 (1 st Pre-Election)	September 29, 2016	Period ending September 24, 2016
460 (2 nd Pre-Election)	October 27, 2016	September 25 - October 22, 2016
496/497 Late expenditure/ late contribution	Within 24 hours	August 10 - November 8, 2016 (aggregate contributions/ expenditure of \$1,000 or more)
460 (Semi-annual)	January 31, 2017	October 23 - December 31, 2016

Late expenditures (Form 496) or **Late contributions** (Form 497) must be reported within **24 hours** from the time of the transaction from **August 10, 2016 through November 8, 2016**. A late contribution shall also be reported on subsequent campaign statements without regard to reports filed previously. The Forms must be sent via facsimile, guaranteed overnight service, personal delivery, or e-filed at: <http://static.netfile.com/agency/ana/>.

When filing, a candidate must verify his/her Campaign Statement and the statement of each committee subject to his/her control, and sign it stating that to the best of his/her knowledge, all information is accurate and complete. Committees who opt to e-file verify the accuracy and completeness of the statements on-line. If statements are e-filed, a wet signature is not required to be filed with the City Clerk. Campaign Statement forms can be e-filed via the City's website at: <http://static.netfile.com/agency/ana/> or a hard copy can be downloaded at www.fppc.ca.gov.

SECTION VIII -CAMPAIGN FUND REGULATIONS

Section 1.09.050 of the Anaheim Municipal Code stipulates that no person shall make, and no city candidate or treasurer of any controlled committee of any city candidate shall solicit or accept, any contributions which would cause the total amount contributed by such person to such candidate or his or her controlled committee to exceed one thousand nine hundred dollars (\$1,900) during any election cycle for any city office. Please review the regulations carefully.

SECTION IX - CODE OF FAIR CAMPAIGN PRACTICES

At the time Nomination Papers are filed, the candidate will be given the Code of Fair Campaign Practices and asked to voluntarily sign the form subscribing to the principles and practices set by the elections code. The intent of the Code is to encourage candidates to conduct fair campaigns that are free from untruths or distortions. A copy of the form is included in the candidate's packet for consideration.

SECTION X -POSTING OF POLITICAL SIGNS

The Anaheim Municipal Code Sections 4.04.130, 4.04.380 and 18.44.210.030, 18.44.080.090 establishes guidelines for the posting of political signs in the City. A copy of the political sign guidelines is included in the candidate's manual.

SECTION XI -CANDIDATES' CAMPAIGNING AIDS

Candidates are eligible to purchase mailing labels, precinct maps, etc. directly from the Orange County Registrar of Voters Office. Please contact (714) 567-7600 for general information.

SECTION XII- MISCELLANEOUS INFORMATION

No person shall do any electioneering, soliciting of votes, talking to a voter on the subject of marking his/her ballot or speaking to a voter on the subject of his/her qualifications to vote, within one hundred (100) feet of a polling place on the day of the election. Only members of the election board are permitted to challenge voters' qualifications.

This section includes information on Electioneering, Mass Mailing, Paid Political Advertisements and related FPPC regulations on Political Advertising.