CITY COUNCIL CANDIDATE GUIDE

November 3, 2020 Election

PRISCILLA SCHAUS, CMC

Elections Official/City Clerk
610 Foster City Blvd,
Foster City, CA 94404
Phone: (650) 286-3253
Fax: (650) 286-2553
pschaus@fostercity.org
www.fostercity.org

CITY OF FOSTER CITY
COMMUNICATIONS/CITY CLERK DEPARTMENT
610 Foster City Boulevard
Foster City, CA 94404
(650) 286-3253

CANDIDATE GUIDE

This election guide has been compiled to assist candidates in preparing for the Election of November 3, 2020. This guide is not all encompassing; it merely summarizes the major provisions related to candidates running for office in the City of Foster City. This guide is distributed with the understanding that the City of Foster City is not rendering legal advice and, therefore, the guide is not to be a substitute for legal counsel for the candidate using it. In case of conflict, the law, regulation, or rule will apply.

The Communications/City Clerk Department is open from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding holidays. For further information or a more detailed explanation, please contact Priscilla Schaus, Elections Official/City Clerk at (650) 286-3253 or by e-mail at pschaus@fostercity.org.

We welcome your comments and suggestions for improving this guide.

PRISCILLA SCHAUS, CMC
ELECTIONS OFFICIAL/CITY CLERK

YELENA CAPPELLO
DEPUTY CITY CLERK

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Functions of City Clerk and San Mateo County Chief Elections Official Assessor-Clerk Recorder

The City of Foster City has contracted with the San Mateo County Assessor-County Clerk Recorder & Elections Office to conduct the City's general municipal elections.

The City Clerk is the elections official for the City of Foster City. The City Clerk is responsible for the issuance and acceptance of nomination papers, publication of necessary legal notices, and campaign disclosure filing requirements.

The San Mateo County Assessor-County Clerk Recorder & Elections Office arranges for the printing and mailing of all necessary voter information and establishes locations of and staffs all vote centers. Additionally, the Assessor-County Clerk Recorder & Elections Office 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.

The City Clerk issues the certificates of election to the successful candidates.

ALL REFERENCES CONTAINED IN THIS BOOKLET ARE AS FOLLOWS:

E.C./EC	California Elections Code
G.C./GC	California Government Code
F.C.M.C./FCMC	Foster City Municipal Code
FPPC	Fair Political Practices Commission

November 3, 2020 Election Calendar

Date	Action	Days Prior to Election
June 15	City adopted Resolution calling the Election	No later than E-88
June 29-July 13	Notice of Election Published in Foster City Islander (English) Published in El Reportero (Spanish) Published in World Journal (Chinese)	E-127 to E-113
July 13-August 7	Candidate Nomination Filing Period E.C. E.C. 10407	E-113 to E-88
August 5-November 13	Political signs can be placed 90 days prior to election day & removed no later than 10 days after an election day. F.C.M.C. 15.12	E-90 to E+10
August 13	Random alphabet drawing by Secretary of State to determine order of names on ballot E.C. 13112	E-82
August 13-October 27	City Clerk publishes/posts list of "Nominees of Public Office" in the order they will appear on the ballot after the alphabet drawing, at least one week before election. E.C. 12110	E-82 to E-7
September 24	Deadline to file 1st Pre-Election Campaign Statement G.C. 84200.8	E-40
July 31	Deadline to file Semi-Annual Campaign Statement	
September 24-October 13	County mails sample ballot pamphlets to voters. E.C. 13303	E-40 to E-21
October 5-October 27	Vote by Mail ballot will be sent. E.C. 3001	E-29 to E-7
October 19	Voter registration closes. E.C. 2102 Note: Conditional Voter Registration allows voters to register and vote after the close of registration. EC 2170 - 2173	E-15
October 22	Deadline to file 2nd Pre-Election Campaign Statement G.C. 84200.8	E-12
November 3	Election Day -- All Vote Centers open from 7:00 a.m. to 8:00 p.m.	E-0
December 3	Last day for the County Elections Official to certify the election results to the jurisdictions participating in the election	E+30
December 7	Adopt Resolution Declaring Results of Election. Installation of Newly Elected Councilmember.	
February 1, 2021	Deadline to file Semi-Annual Campaign Statement G.C. 84200	

Voter's Choice Act

The California Voter's Choice Act (VCA) is landmark legislation which fundamentally transforms the manner in which elections will be conducted in the State of California. San Mateo County is proud to be one of 14 counties authorized by the State to conduct elections under the new law.

On September 12, 2017, the San Mateo County Board of Supervisors authorized the Chief Elections Officer to proceed with the implementation of the Act, and the June 5, 2018 Statewide Direct Primary Election was the first election held under the California Voter's Choice Act.

The California Voter's Choice Act changes the traditional polling place election model to an All-Mailed Ballot/Vote Center model with ballot drop-off locations. The primary goal of this new legislation is to expand accessibility and voting opportunities for all voters, particularly those with disabilities, visual impairments and language minorities.

Additional information about San Mateo County's implementation of the California Voter's Choice Act can be found on the county website at https://www.smcacre.org/california-voters-choice-act, and on page 62 of the County Candidate Guide.

Voter Registration

To vote in any election, a citizen must be properly registered 15 days prior to the election date. San Mateo County Registration & Elections Division encourages all voters to be properly registered well before that 15-day deadline to ensure enough time to complete postal delivery of correct and complete election materials prior to an election.

For the November 3, 2020 election, voters must be registered at their current residential address on or before Monday, October 19, 2020. ***EC §2102***

Voters must re-register if they have changed their address, name, or political party affiliation. Voters may register using a paper form which is available at City Hall and other locations, or online at regsitertovote.ca.gov.

Voters who miss the October 19 deadline may come to the Registrations & Elections Division at 40 Tower Road, San Mateo or any operating Vote Centers in the county to complete a Voter Registration Form and be issued a Conditional Voter Registration (CVR) provisional ballot on or before Election Day. ***EC §2170***

For additional information on voter registration, please see page 60 of the County Candidate Guide.

Vote by Mail

The County will mail all registered voters a vote-by-mail ballot with a postage-paid return envelope.

Vote by Mail ballots returned by mail must be postmarked on or before Election Day and received by the County Registration & Elections Division no later than three days after Election Day in order to be counted. ***EC §3020***

A voter's signature on the Vote by Mail return envelope must match the voter's signature appearing on the affidavit of registration records in order for the ballot to be counted. ***EC §3019***

No person shall solicit the vote of a Vote by Mail voter, or do any electioneering while in the residence of or immediate presence of the voter during the time the Vote by Mail voter is voting. Any person who knowingly violates this section is guilty of a misdemeanor. ***EC §18371***

Voter File Data

A database of voter registration information as well as Voter Data seminars are available from the County.
For further information, please see page 58 of the County Candidate Guide.

Candidate Filing Procedures Checklist

Listed below is a checklist indicating the various forms required to be filed for candidacy for the office of Member of the City Council. ***It is the obligation of the candidate to ensure that he/she meets all filing requirements and deadlines.*** All candidates are urged to file the necessary papers as early as possible in order to avoid last minute rush and confusion, or any misunderstandings. Additionally, it is recommended that the candidate file all papers involved with his/her candidacy personally. The deadline for filing all forms is by **5:00 p.m. on August 7, 2020. If an incumbent does not file for reelection, the filing deadline for non-incumbents is extended until 5:00 p.m. on August 12, 2020.**

	Date Issued	Date Filed
Personal information		
Candidate is a resident of Foster City		
Permission to Post Personal Information on Internet Form		
Nomination Paper		
Nomination Paper with required number of signatures		
Declaration of Candidacy *EC §§10223, 10226*		
Name on ballot (no titles or degrees)		
Ballot designation (same as on Ballot Designation Worksheet)		
Oath of Office taken ***EC §200***		
Ballot Designation Worksheet *EC §13107*		
Ballot designation provided meets requirements		
Candidate Statement of Qualifications Form. Candidate Statement is optional.		
Candidate Statement of Qualifications Form completed		
Candidate Statement is 200 words or less		
Candidate Statement is in proper format		
Printed copy and electronic copy of Statement is provided		
Check is payable to “City of Foster City”		
Character Based Name Form		
Chinese name or preferred transliteration, if any, is indicated		
Campaign Disclosure Statements		
FPPC Form 501 (Candidate Statement of Intention) file before soliciting or receiving contributions		
FPPC Form 700 (Statement of Economic Interests) ***GC §87201***		
Code of Fair Campaign Practices *(optional)*		
Note: Additional FPPC forms are required to be filed during the campaign process disclosing contributions and expenditures. See page 19-25 of this guide and the FPPC Campaign Disclosure Manual 2.		

Offices To Be Elected

The following office is scheduled for the Election on November 3, 2020:

Three (3) Members of the City Council	Full 4-year terms

Other Offices Held By Councilmembers

The Mayor and Councilmembers also serve as President and Board of Directors of the Estero Municipal Improvement District (EMID).

Meetings

The City Council/EMID Board of Directors meet regularly on the first and third Monday of each month at 6:30 p.m. in the Foster City Council Chambers, 620 Foster City Boulevard; provided, however, that when the time for any regular meeting falls on a holiday, such meeting shall be held on the next business day. Adjourned regular meetings and special meetings are held from time to time. Beginning on March 17, 2020 due to COVID-19 considerations and Governor Newsom's Executive Order N-29-20, meetings have been held via video conference only.

Compensation

City Councilmembers receive $496 per month. Councilmembers shall be reimbursed for reasonable expenses incurred in the performance of duties imposed upon them by law or in the course of business on behalf of the City as authorized by the City Council. In addition, each Councilmember receives $25 for each Estero Municipal Improvement District meeting attended, not to exceed three meetings per month. Councilmembers are also eligible for certain other City benefits such as medical and dental insurance.

Ethics and Sexual Harassment Training

On October 7, 2005, the Governor signed Assembly Bill No. 1234. This law requires (among other things) that all local agencies that provide compensation, salary, or stipend to, or reimburses the expenses of, members of a legislative body must provide ethics training to local agency officials, and every two years thereafter.

On September 29, 2016, the Governor signed Assembly Bill No. 1661. This law requires (among other things) that all local agencies that provide compensation, salary, or stipend to, or reimburses the expenses of, members of a legislative body must provide sexual harassment prevention training and education to local agency officials, and every two years thereafter.

Holding Two Offices

The 1999 San Mateo County Grand Jury recommended that all candidates be made aware that individuals cannot hold incompatible offices. If a candidate is elected to an office that is incompatible with the first office, the first office becomes vacant upon the taking of the second office.

This doctrine of incompatible offices precludes public officials from holding two different public offices simultaneously if the offices have overlapping and conflicting public duties. Courts have summarized the doctrine as follows: "One individual may not simultaneously hold two public offices where the functions of the offices concerned are inherently inconsistent, as where there are conflicting interests,

or where the nature of the duties of the two offices is such as to render it improper due to considerations of public policy for one person to retain both." (Mott v. Horstmann (1950) 36 Cal.2d 388; see also, Chapman v. Rapsey (1940) 16 Cal.2d 636.)

For additional information regarding holding two offices, please see page 18 of the County Candidate Guide.

Candidates for office must file nomination documents during the nomination period of July 13 through August 7, 2020, 5:00 p.m. A nomination paper must be issued by the City Clerk and is available at the Communications/City Clerk Department. Forms are available during regular business hours of Monday through Friday, 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. It is suggested that you set up an appointment with the City Clerk in advance by calling (650) 286-3253 or emailing pschaus@fostercity.org. Due to COVID-19 considerations, it is preferred that documents are issued by mail or email and reviewed via video conference.

If a candidate elects to receive the candidate documents via mail or email, to meet the requirements of Elections Code section 8028(b), the candidate must provide a written request to receive the documents in that manner. The Candidate Registration Form is provided to fulfil this requirement.

The nomination paper consists of an affidavit of nominee and an oath or affirmation of allegiance (declaration of candidacy), space for 10 registered voters to sign and a Declaration of Circulator. Three copies of the nomination paper are provided with the hard-copy of the nomination document packet. If printing electronic versions of the nomination paper, it is recommended that the candidate print 3 copies (double sided) of the nomination paper so they may gather 30 signatures for review. Per Elections Code 10220, candidates shall get signatures of not less than 20 nor more than 30 voters. 20 valid signatures are required to become a qualified candidate.

The candidate must designate how his/her name will appear on the ballot.

- The candidate must swear that he/she will accept the office if elected.
- The candidate must choose a designation (3 words maximum) that will appear under his/her name on the ballot.
- The candidate must take an oath or affirmation of allegiance.

If a candidate wishes to prepare a candidate's statement of qualifications (200-word limit) that will appear in the sample ballot, it must be filed with the nomination documents.

Fees

There are no filing fees for running for office in the City of Foster City. If a Statement of Qualifications (Candidate's Statement) is requested by the candidate, a deposit of $400.00 made payable to, "City of Foster City" is required to cover the cost of publication and translation (into Spanish and Chinese). Any unused funds will be refunded back to the candidate. Similarly, any overage of cost will be invoiced to the candidate.

Qualifications for Office

Any person, regardless of sex, who is 18 years of age or older, a citizen of the State, a resident of Foster City, a registered voter, and who is not disqualified by the Constitution or laws of the State from holding a civil office, is eligible to be elected or appointed as a member of the City Council without further qualifications.

The City Clerk shall furnish all forms required for nomination free of charge. The City Clerk shall give the following items to each candidate or candidate's representative at the time nomination documents are issued:

1. Nomination paper;
2. Declaration of Candidacy;
3. Ballot Designation Worksheet;
4. Candidate's Statement of Qualifications form with word count standards;
5. Statement of Economic Interests Form 700;
6. Code of Fair Campaign Practices Form;
7. Character Based Name Form;
8. Permission to Post on the Internet Form;
9. A copy of Government Code 84305 regarding campaign disclosure (page 28 of this guide, and page 49-53 of the County Candidate Guide); and
10. City of Foster City Resolution No. 89-112 and No. 2015-50 relating to regulations for Candidate Statements (Appendix of this Guide).

Execution and Receipt of Candidate Documents

Any documents that require an oath by the candidate may be executed in the presence of a notary, or in the alternative, in the office of the elections official during available business hours, by appointment, or via an online video conferencing service.

A candidate may electronically submit their completed documents to the Elections Official (City Clerk) so that the review process can begin as soon as possible. However, in order to be a qualified candidate, **the completed documents with original signatures must be *received* by the Elections Official by the 5 p.m. on August 7.** The candidate may submit the original documents to the City Clerk Department by appointment, in a drop box provided by the Department, or via mail or other delivery service.

Drop off of documents is preferred to ensure timely receipt.

Nomination Paper and Gathering Signatures

The nomination paper must be issued in the name of a specific candidate for nomination to a specific office. The City Clerk or a deputy must sign and date the form when it is issued. The nomination paper may be issued to an individual other than the candidate, with or without the candidate's knowledge; however, State law requires that the candidate certify that he or she will accept the nomination and also accept the office in the event of his or her election before the nomination paper can be accepted for filing.

A circulator must be 18 years of age or older. A candidate may serve as a circulator of his or her own Nomination Paper. Candidates may also sign their own Paper, and the signature will be given the same effect as that of any other qualified signer. ***EC §102***

Candidates may be nominated by signatures of not less than 20 nor more than 30 registered voters in a city of 1,000 registered voters or more. If the signatures on a nomination paper are verified and the results show less than 20 signatures of registered voters, the candidate will be disqualified. A voter may sign as many nomination papers as there are seats to be filled. Signatures submitted on subsequent petitions shall not be allowed.

For guidelines on guidelines for gathering signatures, please see page 19-24 of the County Candidate Guide.

Declaration of Candidacy Form

The candidate's name as provided by the candidate on the Declaration of Candidacy is the way it will appear on the ballot. The declaration CANNOT be changed after the nomination process is complete.

No title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to office. ***EC §13106***

If the candidate has changed his/her name within one year prior to the election, the new name will not appear on the ballot unless the change was made by either of the following: (a) Marriage, (b) Decree of any court of competent jurisdiction. ***EC §13104***

For additional instructions on completing the Declaration of Candidacy, please see page 25 of the County Candidate Guide.

Ballot Designation Worksheet

The ballot designation is the word, or group of not more than three (3) words, which will appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate.

The ballot designation that a candidate may use is governed by ***EC §13107*** which, in part, states the following:

At the option of the candidate, immediately under the name of each candidate and not separated from the name by any line, may appear only one of the following designations:

1. Words designating the elective city, county, district, state, or federal office that the candidate holds at the time of filing the nomination papers to which he/she was elected by vote of the people.

2. The word "incumbent" if the candidate is a candidate for the same office which he/she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people.

3. No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word.

4. The phrase "appointed incumbent" if the candidate holds an office by virtue of appointment and the candidate is a candidate for election to the same office; or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed," however, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he/she holds and to which he/she was appointed, as a nominated candidate, in lieu of an election, pursuant to ***EC §7228, 7423, 7673, 10229, or 10515.***

The City Clerk, pursuant to ***EC §13107*** shall **NOT** accept a ballot designation which:

1. Would mislead the voter.
2. Would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
3. Abbreviates the word "retired" or places it following any word or words that it modifies.
4. Uses a word or prefix, such as "former" or "ex-," that means a prior status. The only exception is the use of the word "retired."
5. Uses the name of any political party, whether or not it has qualified for the ballot.
6. Uses a word or words referring to a racial, religious, or ethnic group.
7. Refers to any activity that is prohibited by law.

Additionally, no title or degree shall appear on the same line on a ballot as a candidate's name, either before or after the candidate's name, in the case of any election to any office. ***EC §13106***

The ballot designation will be checked and verified by the City Clerk prior to the printing of voter pamphlets and sample ballots.

If, upon checking the nomination papers, the City Clerk finds the designation to be in violation of any of the restrictions set forth in ***EC §13107***, the City Clerk shall notify the candidate by registered or certified mail, return receipt requested, addressed to the mailing address appearing on the candidate's nomination documents. The candidate shall, within three days from the date of receipt of the notice, appear before the City Clerk and provide an alternate designation. In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the City Clerk pursuant to the Elections Code.

For guidelines on completing the Ballot Designation Worksheet, please see page 26-32 of the County Candidate Guide.

Permission to Post Personal Information on the Internet Form

In order to post candidate information on the internet the County of San Mateo and the City of Foster City need to acquire permission from the candidate. No state or local agency shall post the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual. ***GC §6254.21***

For additional information, please see page 34 of the County Candidate Guide.

Candidate Statement of Qualifications Form

This form should be completed even if a candidate chooses not to submit a candidate statement. Information is provided on page 16-18 of this guide.

Character-Based Name Form

In San Mateo County, all election information that is provided in English about voter registration, elections and voting, including information provided in Vote Centers and the voting booths, must be provided in Chinese and Spanish to allow effective participation of all individuals in the electoral process and all voting-related activities. Voting Rights Act, 52 U.S.C.10503

In July 2019, California adopted new laws regarding candidates' character-based names. Candidates should provide their character-based names on the Character-Based Name Form, along with supporting documents. Candidates without character-based names will automatically be given a phonetic transliteration of their names in Chinese.

For additional information, please see page 34 of the County Candidate Guide.

Campaign Disclosure Statements

Fair Political Practices Commission (FPPC) Form 700 (Statement of Economic Interests) should be submitted with the nomination paperwork and Form 501 (Candidate Statement of Intention) should be filed prior to making expenditures related to candidacy. Information on these and other required forms is provided on page 19 -25 of this guide.

Candidate Statement Guidelines

Each candidate for the office of Member of the City Council may prepare a candidate's statement on an appropriate form provided by the City Clerk. The candidate's statement is designed to acquaint voters with a candidate's qualifications for the office he/she is seeking. This statement is incorporated into the sample ballot and will be mailed to all registered voters in the City eligible to vote.

City Resolution Nos. 89-112 and 2015-50 set certain conditions pertaining to Candidate Statements, as follows:

- A candidate's statement is to contain not more than 200 words of the candidate's education and qualifications expressed by the candidate himself/herself;
- The candidate shall make a deposit of $400.00 made payable to “City of Foster City” to cover the cost of publication and translation of a candidate's statement. Any unused funds will be refunded back to the candidate. Similarly, any overage of cost will be invoiced to the candidate; and
- No additional material other than a candidate's statement will be accepted for inclusion in the voter information pamphlet (sample ballot) to be mailed to all registered voters.

The Candidate's Statement MUST be filed with the Nomination Papers.

Contents: The Statement may include the name, age, and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself/herself. The spacing is to be uniform and conform to the guidelines shown in the "Candidate's Statement Guidelines."

Restrictions: The candidate's statement shall not include the party affiliation of the candidate, or membership or activity in partisan political organizations.

Confidentiality: Notwithstanding any other provisions of law, candidate's statements filed pursuant to ***EC § 13311*** shall remain confidential until expiration of the filing deadline.

Withdrawal: The statement may be withdrawn, but may not be changed, during the period for filing nomination papers and until 5:00 p.m. on August 8, 2020, the next working day following the close of the nomination period.

Preparation of Candidate's Statement: In order to ensure uniformity of candidate's statements, the candidate must prepare the statement as follows:

Type statement exactly as you want it to appear. Attach the printed copy to the form provided. When prepared in accordance with these standards, statements are printed exactly as submitted.

Submit a typed, double-spaced printed copy. Use upper and lower case type.

In addition to a hard copy, please provide statements on flash drive or e-mail to pschaus@fostercity.org, in plain text format (Microsoft Word is preferred). One signed hard copy must be filed by the deadline. If there are discrepancies between the hard copy and the electronic copy, the hard copy will prevail.

1. Do not use any unusual spacing, punctuation, indentations, bullets or an outline format.
2. Do not use words that are underlined, bolded, italicized, Initial Capitalized or ALL CAPITALIZED.
3. Check statement for errors in spelling, punctuation and grammar.
4. Confine the statement to 200 words.
5. Do not include any party affiliation.
6. Do not include membership or activity in partisan political organizations.

If a candidate submits a statement that is not in conformance with the guidelines provided (e.g., typed in all caps, underscoring, bolded, unusual spacing, or capitalization of some words for emphasis purpose), the City Clerk will instruct the printer to ignore any special emphasis placed on words or phrases and to type-set the statements utilizing a uniform format.

All statements, therefore, will be set in a full-justified format so as to fit within a 1/4-page space. If a candidate's statement is submitted and found not to be in compliance with these guidelines, the City Clerk will make the necessary changes to bring said statement into compliance.

Candidate statements are to discuss the education and qualifications of the candidate filing the statement only. The City Clerk will not accept any candidate's statement that specifically discusses the education, qualifications or record (or lack thereof) of any opponents.

Notwithstanding the above guidelines, nothing shall be deemed to make any statement or author thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statement offered for printing. ***EC §13307***

Guidelines for Determining Number of Words in Candidate's Statement

Listed below are the guidelines the City Clerk uses in determining the number of words submitted on the candidate's statement which contents are limited by statute:

1. Name, age, and occupation in the header and signature are not counted.
2. Punctuation is not counted.
3. All proper nouns, including geographical names, shall be considered as one (1) word. Examples: "City of Foster City," "San Mateo-Foster City School District," "State of California," "Estero Municipal Improvement District," "Joe Sanchez," "Margaret Mead Johnson"
4. Abbreviations/acronyms are counted as one (1) word.
    a. Examples: UCLA, NAACP, PTA, F.C.P.D., AFL-CIO
5. Dictionary words such as "a," "I," "the," "and," "an," etc. are counted as one word.
6. Any number consisting of a digit or digits shall be considered as one word. Any number that is spelled, such as "one," shall be considered as a separate word or words.
    a. Examples of one word: 1, 1000, 3333, 50%, 1/2, 10-1/2, $16,300,275, 30th
    b. Examples of two words: one hundred, one thousand, $16,000-$19,000, 1999-2000
    c. Examples of five words: two hundred forty-five thousand dollars
7. Initials are counted as one word.
8. Hyphenated words that appear in any generally available standard reference dictionary shall be considered as one word e.g., Re-elected; co-founder; one-half. Each part of all other hyphenated words shall be counted as separate words.
9. Characters used in place of a word or number ($, #) are counted as one (1) word.
10. Telephone numbers shall be counted as one word.
11. Internet web site and email addresses will be counted as one word.
12. Dates shall be counted as one word. Examples: "May 1, 2015," or "5/1/15"

If the text exceeds the word limit, the author will be asked to rewrite the text in order to bring the total number of words to within the required word limit. Final determination in the counting of words will be made by the City Clerk. ***EC §13307***

For additional information on Candidate Statement Guidelines, see pages 36-41 in the County Candidate Guide.

Campaign Disclosure Information

The State of California Political Reform Act of 1974 requires all candidates to file campaign disclosure statements disclosing contributions received and expenditures made. Additionally, any committee formed to support or oppose a candidate or ballot measure is required to file campaign disclosure statements as required by the Political Reform Act. The statutory requirements of the Political Reform Act are contained in Sections 81000 through 91015 of the California Government Code. Forms may be obtained from the City Clerk and are also available at www.fppc.ca.gov. General information and assistance relating to campaign reporting obligations under the Act should be made to the Technical Assistance Division of the Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811 or call 916-322-5660 (toll free 1-866-275-3772) or visit their web site at www.fppc.ca.gov.

The Fair Political Practices Commission (FPPC) issues Campaign Disclosure Manual 2 that provides important information on campaign disclosure rules for local candidates and officeholders. This manual is an instructional guide and provides information on who must file, when campaign statements must be filed, where statements are to be filed, etc.

Campaign Disclosure Manual 2 will be provided to all candidates at the time they obtain their nomination documents from the City Clerk. The manual will also be available free of charge, upon request, to committees and other interested persons required to file with the City Clerk. FPPC forms will be available and provided to candidates and committees free of charge. **Forms and Manual 2 can also be downloaded from the FPPC website at www.fppc.ca.gov.**

The following is a partial listing of the most commonly used FPPC campaign disclosure forms, and a brief explanation of the appropriate usage:

Form 501 — Candidate Intention

Must be filed before you solicit or receive any contributions or before making expenditures of personal funds on behalf of your candidacy. File with the City Clerk.

Form 410 — Statement of Organization

Form 410 is used when organizing a campaign committee and must be filed within 10 days of receiving $2,000 in contributions. The form includes a space to indicate the campaign's bank account information. File the original and one copy with the Secretary of State's Political Reform Division and a copy with the City Clerk.

Form 460 —Consolidated Campaign Statement

Form 460 is a Recipient Committee Campaign Statement, for use by a candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend $2,000 or more during a calendar year in connection with an election to office, or holding office. File with the City Clerk.

Form 470 — Candidate and Officeholder Campaign Statement (Short Form)

This form is used by candidates who do not have a controlled committee and do not anticipate receiving contributions or making expenditures totaling $2,000 or more in a calendar year. If a Form 470 is filed on or before the filing deadline for the first pre-election campaign statement, no additional campaign statement need be filed in connection with the election, so long as total receipts/expenditures remain less than $2,000. File the original and one copy with the City Clerk.

Form 470 Supplement

A candidate who has filed Form 470 in connection with an election and subsequently receives contributions or makes expenditures totaling $2,000 or more is required to file notification within 48 hours. Form 470 Supplement may be used, and must be sent by guaranteed overnight delivery service, personal delivery, fax or email to the Secretary of State, the local filing officer, and to each of his or her opponents seeking the same office. (Contact your filing officer for candidate addresses.) Regular mail may not be used.

Form 496 — 24-hour Independent Expenditure Report

Any committee that makes independent expenditures totaling in the aggregate of $1,000 or more to support or oppose a single candidate or single ballot measure during the 90 days immediately prior to the election in which the candidate or measure is being voted must file a report within 24 hours of the expenditure. File Form 496 with the City Clerk by fax, guaranteed overnight delivery or personal delivery. Regular mail may not be used. Email is acceptable.

Form 497 — 24-hour Contribution Report

Any committee that makes or receives contribution(s) totaling in the aggregate of $1,000 or more from a single source during the 90 days immediately prior to the election in which the candidate or measure is to be voted must file a report within 24 hours of the time the contribution was made or received. State committees file this form electronically with the Secretary of State. Local committee file Form 497 with the City Clerk by fax, guaranteed overnight delivery service or personal delivery. Email is acceptable.

Campaign Statements

All candidates with qualified committees are required to file semi-annual campaign statements no later than July 31 and February 1. In addition, all committees that have made or received contributions of $2,000 or more or made expenditures of $2,000 or more in connection with an election and during the periods specified in the chart to follow must file campaign statements on the required dates.
For all FPPC forms and complete instructions, please visit FPPC website *www.fppc.ca.gov/forms.html*.

Candidates Receiving or Spending *OVER* $2,000 **Must file forms 410 + 501 + 460's (pre-election & semi-annual) + 410 to terminate**
Candidates Receiving or Spending *UNDER* $2,000 **Must file forms 501 + 470 (pre-election)**

Filing is the Responsibility of Candidate and/or Committee

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a timely manner. As a courtesy, the Office of the City Clerk emails a reminder notice to candidates who, based on nomination documents, appear to have a campaign disclosure filing requirement.

Forms are available by telephoning the City Clerk Department at (650) 286-3250 or emailing pschaus@fostercity.org. Assistance for filling out the forms should be obtained by calling the Technical Assistance and Analysis Division of the Fair Political Practices Commission at (916) 322-5662, or emailing advice@fppc.ca.gov.

Penalty for Late Filing

G.C. Section 91013 imposes a fine of $10.00 per day after the filing deadline until a statement is filed. The liability is limited to the cumulative amount of the contributions or expenditures for the period covered by the late statement or $100, whichever is greater. Persons who do not comply with the requirements of the law are also subject to criminal and civil penalties.

Please review the full instruction for each form and applicable state regulation on the FPPC website (*www.fppc.ca.gov*).

Form 501 – Candidate Intention

Who: All Candidates

When: Before raising or spending any money, including personal funds.

With: State and judicial candidates file with Secretary of State. Local candidates with Local Filing Officer.

→

Form 410 – Statement of Organization

Who: State and local candidates who raise $2,000 or more.

When: Anytime, but required to be filed within 10 days of reaching $2,000 in contributions (or within 24 hours if $2,000 level is reached in final 16 days before Election Day).

With: File the original and one copy with Secretary of State. County and city committees also file a copy with the Local Filing Officer.

→

Form 460 – Campaign Statement

Who: All campaign committees formed via filing of a Form 410.

When: Two pre-election statements due before election, and semi-annual statements thereafter until committee is terminated.

- *Exception for officeholders earning under $200/yr. from the office and having inactive committees. (GC § 84200).*

With: State and judicial candidate committees file with Secretary of State. A copy must also be filed with Local Filing Officer, if the state candidate does not file electronically with Secretary of State. Local committees file original and one copy with Local Filing Officer

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Form 470 – Campaign Statement Short Form

Who: Candidates who do not plan to raise or spend $2,000 or more for their campaign, and do not have an open committee.

When: Any time, but no later than the date the first pre-election statement is due. Statement covers entire calendar year.

With: State and judicial candidates file original and one copy with Secretary of State and one copy with Local Filing Officer. Local candidates file an original and one copy with Local Filing Officer.

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Form 470 Supplement

Who: Candidates who filed form 470 but subsequently raised or spent $2,000 or more for their campaign.

When: Within 48 hours of raising or spending $2,000.

With: Secretary of State, Local Filing Officer, every other candidate seeking the same office.

MUST ALSO FILE FORM 410

After the Election

Successful Candidates	Defeated Candidates
Form 470 Filers: No additional filing obligations during the current election year as long as less than $2,000 was raised or spent. Must be filed by July 31 of each subsequent non-election year. **Form 460 Filers:** Must continue to file semi-annually until the committee terminates.	**Form 470 Filers:** No further reporting obligations as long as less than $2,000 was raised or spent during the calendar year. **Form 460 Filers:** Must continue to file semi-annually as long as the committee remains open. A state candidate controlled committee that has no " net debt outstanding" must terminate no later than 24 months after the election.

Terminate a Committee

A committee may terminate only if it:

- Has ceased receiving contributions or making expenditures;
- Has no remaining funds;
- Has filed all required campaign statements disclosing all reportable transactions, including the disposition of leftover funds; and
- Has eliminated all debts and loans, or has no intention or ability to discharge debts and loan

How to terminate:

A committee must file a Form 410 and a final Form 460 or form 450.

Where to File:

Form 410: All committees file the original and a copy with Secretary of State. A local committee must also file a copy with Local Filing Officer.

Form 460/450: State committees file with Secretary of State and local committees file with the Local Filing Officer.

CAMPAIGN RULES PAGE:
Bookmark the Campaign Rules page to find resources and answers to campaign-related questions throughout your campaign. All links noted below can be reached through the Campaign Rules page.
FPPC Home Page > Learn > Campaign Rules

TWO IMPORTANT RULES TO REMEMBER:

- Candidates **MUST** deposit funds into the campaign bank account before spending money on the campaign. Candidates may not spend money out of pocket for campaign expenses.
- Candidates **MUST** file Form 501 before soliciting or accepting contributions.

FORMS TO START:

- Form 501 – Candidate Intention Statement
- Form 410 – Statement of Organization (No bank account yet? Enter "Pending" where asked.)
- Form 700 – Statement of Economic Interests

ID NUMBER:

1. Send completed Form 410 to CA Secretary of State (SOS) and a copy to your local filing official.
2. SOS issues the committee ID number and posts it to their website, usually within 1-2 business days after receiving your completed Form 410.
3. To find your committee ID number, go to *cal-access.sos.ca.gov*.
4. Enter your committee name in the search bar at top left of the screen.
   - If your committee ID number is not available, SOS may not have posted it yet. Or, the Form 410 may be incorrect and SOS will send you a notice via USPS.
   - To find out the status of your ID number, contact the SOS at (916) 653-6224.

FILING SCHEDULES & DEADLINES:
Determine what campaign reports are due, and when they're due, by reviewing your filing schedule.

MOST COMMON CAMPAIGN REPORTS:

- Form 460
- Form 497

MANUALS:

- Disclosure Manual 1 – State Candidates
- Disclosure Manual 2 – Local Candidates and Judges

CANDIDATE/TREASURER VIDEO:
Watch the Candidate/Treasurer video and print slides to read while you watch.

TRAINING OPPORTUNITIES:
In addition to the video above, you may learn more by registering for webinars and workshops.
FPPC Home Page > Learn > Campaign Rules > Training & Outreach > Candidate, Treasurer, or Committee?

QUESTIONS?

- advice@fppc.ca.gov
- (866) 275-3772 Mon-Thurs, 9-11:30 a.m.

This fact sheet is informational only, and contains only highlights of selected provisions of the law. It does not carry the weight of the law. EAED 05/17

Fair Political Practices Commission Filing Calendar

Candidates for Local Office Being Voted on November 3, 2020

Deadline	*Period*	*Form*	*Notes*
July 31, 2020 *Semi-Annual*	*** – 6/30/20**	460 or 470	• Form 460: All committees must file Form 460
Within 24 Hours *Contribution Reports*	**8/5/20 – 11/3/20**	497	• File if a contribution of $1,000 or more in the aggregate is received from a single source. • File if a contribution of $1,000 or more is made in the aggregate to *another* candidate or measure being voted upon November 3, 2020. • The recipient of a non-monetary contribution of $1,000 or more must file a Form 497 report within 48 hours from the time the contribution is received. • File by personal delivery, e-mail, guaranteed overnight service or fax. The committee may also file online, if available.
Sept 24, 2020 *1st Pre-Election*	**7/1/20 – 9/19/20**	460 or 470	• Each candidate listed on the ballot must file Form 460 or Form 470.
Oct 22, 2020 *1st Pre-Election*	**9/20/20 – 10/17/20**	460	• All committees must file Form 460. • File by personal delivery, guaranteed overnight service or online.
Feb 1, 2021 *Semi-Annual*	**10/18/20 – 12/31/20**	460	• All committees must file unless the committee filed termination Forms 410 and 460 before December 31, 2020.

Additional Notes:

*** Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.

Local Ordinance: Always check on whether additional local rules apply.

Deadline Extensions: Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24- Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.

Method of Delivery: All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.

Form 501: All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

Form 460: Candidates who have raised/spent $2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once $2,000 or more has been raised/spent.

Form 470: Candidates who do not raise or spend $2,000 or more (or anticipate raising or spending $2,000 or more) in 2020 and do not have an open committee must file Form 470 on or before September 24, 2020. If, later during the calendar year, the candidate raises or spends $2,000 or more, a Form 470 Supplement and a Form 410 must be filed.

Independent Expenditures: Committees making independent expenditures totaling $1,000 or more to support or oppose other candidates or ballot measures also file:

- **462:** This form must be e-mailed to the FPPC within 10 days.
- **496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.

After the Election: Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See Campaign Disclosure Manual 2 for additional information.

Public Documents: All statements are public documents.

Resources: Campaign manuals and other instructional materials are available on www.fppc.ca.gov > Learn > Campaign Rules.

The following code sections concerning fair campaign practices, campaign literature and mass mailing are required by law to be issued to all candidates.

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES as found in Chapter 5 of Division 20 of the California Elections Code:

Chapter 5. Fair Campaign Practices: Article 1. General Intent
20400. Intent of legislature.

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions
20420. As used in this chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices
20440. Subscription to code; form.
At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure, as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

20441. Supply of forms.
The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. Retention of forms; public inspection.
The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Public record.
Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. Voluntary.
In no event shall a candidate for public office be required to subscribe to or endorse the code.

For reference, the text of the code shall read, as follows:

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) **I SHALL CONDUCT** my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.

(2) **I SHALL NOT USE OR PERMIT** the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.

(3) **I SHALL NOT USE OR PERMIT** any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.

(4) **I SHALL NOT USE OR PERMIT** any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.

(5) **I SHALL NOT** coerce election help or campaign contributions for myself or for any other candidate from my employees.

(6) **I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE** support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.

(7) **I SHALL DEFEND AND UPHOLD** the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Please print your name and the title of the office sought:

_____

Signature Date

_____

(Name) (Office Sought) (Election Date)

A "mass mailing" is defined as over 200 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. ***GC §82041.5***

Government Code 84305. Mass Mailings; requirements.

(a) (1) Except as provided in subdivision (b), a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the candidate's, candidate controlled committee established for an elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.

(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84502 unless the name, street address, and city of the committee is shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the committee's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(d) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

(e) For purposes of this section, the following terms have the following meaning:

(1) "Mass electronic mailing" means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.

(2) "Sender" means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84217, inclusive.

(3) To "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to

incur an obligation to make, any payment: (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

Political Advertising

Any paid political advertisement referring to an election or to any candidate for state or local office contained in or distributed with a newspaper, shall bear on each page in type at least half as large as the type of the advertisement or in 10-point roman type, whichever is larger, the words, "Paid Political Advertisement," and such words shall be set apart from any printed matter. ***EC §20008***

Political Signs -- State of California Requirements [for highways]

Business and Professions Code 5405.3

5405.3 Temporary political signs. Nothing in this chapter, including, but not limited to, Section 5405, shall prohibit the placing of temporary political signs, unless a federal agency determines that such placement would violate federal regulations. However, no such sign shall be placed within the right-of-way of any highway or within 660 feet of the edge of and visible from the right-of-way of a landscaped freeway.

A temporary political sign is a sign which:

(a) Encourages a particular vote in a scheduled election.
(b) Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
(c) Is no larger than 32 square feet.
(d) Has had a statement of responsibility filed with the department (Department of Transportation) certifying a person who will be responsible for removing the temporary political sign and who will reimburse the Department for any cost incurred to remove it.

Electioneering on Election Day

Pursuant to ***EC §18370***, 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 election 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/her ballot.
c. Place a sign relating to voters' qualifications or speak to a voter on the subject of his/her qualifications except as provided in ***EC §14240***. No person other than the precinct board or election official may challenge or question any voter on his/her qualifications.
d. Do any electioneering.

As used in this section, "100 feet of a polling place or an election official's office" shall mean 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 and if intimidation is used, a felony. ***EC §§18370 & 18541***. Persons who conspire to violate ***EC §18543*** (challenging without probable cause) are guilty of a felony.

EC §18403 provides that any person other than an election official or a precinct board member who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars ($10,000), State imprisonment for 16 months or two or three years, a county jail term not exceeding one year, or both the fine and imprisonment. This section shall not apply to a person returning an absentee ballot or persons assisting a voter as provided by law.

EC §18540 provides that every person who makes use of or threatens to make use of, or who hires or arranges for any other person to vote or refrain from voting at any election, or for any particular person or measure, or because any person voted or refrained from voting for any particular person or measure at any election, is guilty of a felony punishable by State imprisonment for 16 months or two or three years.

EC §18544 provides that any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel who is stationed in the immediate vicinity of, or posted at a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars ($10,000), State imprisonment for 16 months or two or three years, a county jail term not exceeding one year, or both the fine and imprisonment.

Please review pages 49-53 in the County Candidate Guide for additional necessary information about applicable laws.

Local Regulations Pertaining to Political Signs

Foster City has established standards for signage which are outlined in Chapter 15.12 of the Foster City Municipal Code (FCMC).

The City recognizes the importance of political signs in the exercise of free speech. The City hereby finds it necessary to regulate certain aspects of political signs, pursuant to FCMC 15.12.010, for the following reasons:

Prohibition of political signs on public street medians, bridges, public utility box or any poles used for public utility, traffic control signs, traffic signals, or street signs is necessary to: prevent visual distractions to motorists which create traffic hazards, prevent unsafe road conditions, and to prevent eyesores from proliferating along public streets.

Regulation of the size of political signs is necessary for safety and aesthetic reasons, specifically, that the strong winds common in Foster City would remove the signs, creating hazards and accumulation of debris, and extremely large or illuminated signs would create a distraction to motorists.

The following sections of the FCMC govern the placement of political signs in the City:

15.12.020: Definitions. "'Political sign' means a sign associated with a candidate for elected office or ballot measure."

15.12.160.V. "With the exception of signs as provided in subsections A, B and C of Section 15.12.170 (traffic signs or pavement markings required by state law, City/District regulations, or the City Engineer, signs erected by the city of Foster City, Estero Municipal Improvement District, county of San Mateo, state of California and United States of America, signs erected by public utility companies with the permission of the planning director which serve the public safety or welfare) the placement of signs in any portion of a city park is prohibited; signs placed in violation of this subsection are subject to immediate removal by a representative of the city authorized to do so by the City Manager. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign;"

Except as otherwise provided in this chapter, the following signs are declared to be exempt from the requirements of sign permit application, review, approval and fees, but must adhere to all other regulations of federal, state and local laws:

15.12.170.J. "Political signs which meet the following criteria:

1. Political signs shall not be placed in any public street median, or on any bridge, public utility box, or any pole used for public utility, traffic control signs, traffic signals, or street signs. These signs are deemed to create a hazardous condition and shall be subject to immediate removal by a representative of the city authorized to do so by the City Manager. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign.

2. Political signs shall not be placed in or along public rights-of-way such that they are considered by the city to be a sight distance problem for the drivers of vehicles, or which interfere or distract from the traffic control devices in place, or which interfere with safe bicycle or pedestrian circulation. These signs are deemed to create a hazardous condition and shall be subject to immediate removal by a representative of the city authorized to do so by the City Manager. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign.

3. With the exception of public parks, political signs may be placed on public property within ten feet from the back of curb adjacent to a public street if they do not interfere with pedestrian circulation along sidewalks, pathways or the levee/pedway; do not obstruct

bicycle circulation along bicycle paths; do not obstruct the sight distance of drivers of vehicles; and/or, do not cause unsafe conditions as determined by the city. Signs deemed to create a hazardous condition shall be subject to immediate removal by a representative of the city authorized to do so by the City Manager. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign.

4. Political signs placed in residential zoning districts shall be no larger than four square feet. Placement of political signs on roofs is prohibited.

5. Political signs placed in zoning districts other than residential shall be no larger than eight square feet.

6. Political signs placed on private property must have the express consent of the property owner.

7. Political signs shall not be illuminated.

8. Political signs may be placed ninety days prior to an election and shall be removed no later than ten day after the election.

9. Any political signs placed in median strips along Foster City Boulevard, Shell Boulevard, Beach Park Boulevard, East Hillsdale Boulevard, Edgewater Boulevard, Metro Center Boulevard, Chess Drive, Vintage Park Drive, Bounty Drive, Polynesia Drive or any other public street shall be subject to immediate removal by a representative of the city authorized to do so by the City Manager. If information is provide to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign.

10. Any political sign deemed to have damaged public property shall be subject to immediate removal by the city. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign."

If you still have any questions pertaining to political signs, feel free to contact the Foster City Community Development Department at (650) 286-3225, cdd@fostercity.org.

Election Day and Results Reporting

All Vote Centers are open from 7 a.m. to 8 p.m. Election activities may be observed.

The County will commence with the semi-official canvass immediately upon the close of the polls at 8 p.m. Generally, results will be released as follows:

- 8:15 p.m.: Vote by Mail Ballots Only
- 9:00 p.m.: All Vote Center Electronic Voting Results (Updated every 30 minutes until completion)

There are two different ways you may obtain Election Night Semi-Official results:

- View the results as they are posted on the County website at www.smcacre.org
- Subscribe to emailed reports, via subscription form posted on www.smcacre.org one week prior to the election.

For further information on Election Day procedures, observing the process, and election results reporting, please see page 63-64 of the County Candidate Guide or visit smcacre.org

Declaration of Elected Candidate, Seating of Newly Elected Councilmember

At the time that the official canvass is submitted to the City Council by the City Clerk, a declaration of the elected candidates will be made through the adoption of a resolution of the City Council. It is anticipated that the installation of the newly elected Councilmembers and the reorganization of the City Council, including the election of a new Mayor and Vice Mayor, will be held held at the regular meeting of December 7, 2020.

Certificates of Election

If a replacement candidate is selected by voters, a Certificate of Election shall be issued by the City Clerk and presented to the newly installed Councilmembers at the December 7, 2020 Council meeting after the swearing in ceremony.

Appendix

ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS DIVISION
1500 11th Street, 5th Floor, Sacramento, CA 95814 | **Tel** 916.657.2166 | **Fax** 916.653.3214 | www.sos.ca.gov

May 5, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum #20085

TO: All County Clerks/Registrars of Voters

FROM: /s/ Jana M. Lean
Chief, Elections Division

RE: Presidential General: County Local/Candidate Filing

In light of COVID-19 and the stay at home order issued by the Governor, several counties have inquired about county and local candidate filing that will take place during the summer for the November 2020 election. The purpose of this CCROV is to provide guidance and options for candidates and county elections officials to maintain health and safety during the candidate filing process.

Issuing Candidate Documents

Elections officials may issue candidate documents in person during available business hours or by appointment, via mail, via email, or via a website using an encrypted internet security protocol. If a candidate elects to receive the candidate documents via mail, email, or a website using an encrypted internet security protocol, to meet the requirements of Elections Code section 8028(b), the candidate must provide a written request to receive the documents in that manner.

Prior to issuing candidate documents, elections officials shall follow normal procedures and guidelines, such as verification of eligibility for the office sought and collecting the appropriate filing fee. The elections official shall determine the available method(s) for the candidate to submit the applicable filing fee for the office sought.

County and local election officials should provide information regarding these processes on their website and to any candidate which requests candidate documents.

Execution of Candidate Documents

Any documents that require an oath by the candidate may be executed in the presence of a notary, or in the alternative, in the office of the elections official

during available business hours, by appointment, or via an online video conferencing service.

Receipt of Candidate Documents and Filing Deadlines

A candidate may electronically submit their completed documents to the elections official so that the elections official may begin the review and verification process as soon as is practicable. However, in order to be a qualified candidate for the office in which they seek, **the completed documents with original signatures must be received by the elections official by the close of the nomination period for that particular office.**

To submit the original documents, the candidate may submit those documents to the office of the elections official during available business hours, by appointment, in a drop box provided by the elections official, or via mail or other delivery service.

Reminder to Candidates

Elections officials must provide clear written guidance to candidates regarding the requirement of submitting the candidate documents with original signatures to the elections official by the official close of the nomination period. The candidate must acknowledge receipt of the written guidance in the manner provided by the elections official. A candidate who has elected to submit their candidate documents electronically, so the candidate filing process may begin, must be made aware that they must submit the original documents to the elections official in a manner that will ensure that those original documents are in the possession of the elections official prior to the close of the nomination period. Any candidate who fails to timely submit the candidate documents with original signatures by the close of the nomination period will not be included on the ballot for that office.

The Secretary of State's office will send a survey to county elections officials prior to the opening of candidate filing to learn what process each county will follow.

If you have any questions, please contact Robbie Anderson at aanderso@sos.ca.gov.

RESOLUTION NO. 89-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE'S STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION

CITY OF FOSTER CITY

WHEREAS, Section 10012 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOSTER CITY DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

1. GENERAL PROVISIONS. That pursuant to Section 10012 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Foster City may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

2. SPANISH LANGUAGE. The City Clerk shall have translated and printed in the voters pamphlet only the candidate's statements of those candidates who request translation and printing.

3. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

4. PAYMENT. The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to the Elections Code, and require each candidate filing a statement to pay in advance his or her pro rata share as a condition of having his or her statement included in the voter's pamphlet. The City Clerk shall bill each candidate for any cost in excess of the deposit or shall refund within 30 days of the election any unused portion of the deposit.

5. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

6. That this resolution shall apply at the next ensuing municipal election and at each municipal election after that time.

PASSED AND ADOPTED as a Resolution of the City Council of the City of Foster City at the Regular Meeting held on the 3rd day of July, 1989, by the following vote:

AYES: Councilmen Chinn, Fitzgerald, Martinson, Oliver, and Mayor Battaglia

NOES: None

ABSENT: None

ABSTAIN: None

Thomas C. Battaglia

THOMAS C. BATTAGLIA, MAYOR

ATTEST:

Marvell L. Herren

MARVELL L. HERREN, CITY CLERK

RESOLUTION NO. 2015-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY REPEALING RESOLUTION NO. 97-69 AND ADOPTING NEW REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION

CITY OF FOSTER CITY

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including the costs of the candidate's statement; and

WHEREAS, the City Council of the City of Foster City has by adoption of City Resolution 97-69, designated The City of Foster City to bear the total cost associated with the printing, handling, translating, and mailing of candidate statements in voter sample ballots.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City does hereby repeal Resolution 97-69 and designates the candidate to bear the total cost associated with the printing, handling, translating, and mailing of candidate statements in voter sample ballots.

BE IT FURTHER RESOLVED, by the City Council of the City of Foster City that each candidate who requests that a Statement of Qualifications be published and distributed with the sample ballot for the Statewide General Election, shall be charged a deposit of $400.00 to cover the cost of publication of such Statement of Qualifications, including the cost of translation of such statement into Spanish and Chinese, if requested by the candidate. Any unused funds will be refunded back to the candidate. Similarly, any overage of cost will be invoiced to the candidate.

BE IT FURTHER RESOLVED, that such Statement of Qualifications may not exceed two hundred words in length and such statement will be the only material sent with the sample ballots and no other material will be included for distribution.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 1st day of June, of 2015 by the following vote:

AYES: Councilmembers Bronitsky, Okamoto, Perez, Pollard and Mayor Kiesel

NOES: None

ABSENT: None

ABSTAIN: None

ART KIESEL, MAYOR

ATTEST:

DORIS L. PALMER, CITY CLERK