

CITY OF ST. HELENA

November 8, 2016, Municipal Election Candidate Information Guide



Prepared by:
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THE CONTENTS OF THIS HANDBOOK AND ANY LEGAL INTERPRETATIONS CONTAINED HEREIN ARE NOT TO BE RELIED UPON EITHER AS BEING CORRECT FACTUALLY OR AS LEGAL OPINION. RELIANCE ON THE CONTENT WITHOUT PRIOR SUBMISSION TO AND APPROVAL OF YOUR APPROPRIATE LEGAL COUNSEL IS AT THE READER'S RISK.

ELECTION DATE

Tuesday, November 8, 2016

OFFICE OPEN FOR ELECTION

Mayor

City Council Member (2)

NOMINATION FILING PERIOD

Monday, July 18, 2016

Through

Friday, August 12, 2016

EXTENSION OF NOMINATION PERIOD
(IF INCUMBENT DOES NOT FILE)

To Wednesday, August 17, 2016

Cindy Black, City Clerk
St. Helena City Hall
1480 Main Street
St. Helena, California 94574
(707) 942-2807

City Clerk's Office Hours

Monday through Friday
8:00 a.m. to 5:00 p.m.

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INTRODUCTION

The following is a summary of election information. It is not a substitute for the provisions of state and local law which it summarizes. An attempt has been made to make this summary accurate, but if there are any differences between this summary and the applicable provisions of state law, Elections Code or the City of St. Helena Municipal Code or duly adopted City Resolutions, the state and local law will prevail.

OFFICE:	<u>City Council Member</u>	<u>Term Expires</u>
	Alan Galbraith, Mayor	2016
	Sharon Crull, Council Member	2016
	Greg Pitts, Council Member	2016
	Peter White, Vice Mayor	2018
	Paul Dohring, Council Member	2018

SALARY/BENEFITS: Current Salary = \$300.00 per month. Health Insurance, Deferred Compensation and PERS.

TERM: Council: Four (4) years, elected by the voters
Mayor: Two (2) years, elected by the voters

MEETING DATES: Second and Fourth Tuesdays of each month, as well as other special meetings, as scheduled. Council Members also sit on various Boards and Commissions throughout the District, on behalf of the City of St. Helena

GENERAL INFORMATION

CANDIDATE ELIGIBILITY

In order to be eligible to hold office as a member of the St. Helena City Council, a candidate must be a registered voter within the corporate limits of the City of St. Helena at the time nomination documents are issued by the City Clerk. An eligible voter in the City of St. Helena must be a United States citizen, 18 years of age or older, and a resident of the City of St. Helena. (Government Code §§ 34882, 347904, 36502).

OFFICES VACANT

Two (2) City Council seats, for four-year terms expiring December 2018 and one (1) Mayor, for a two-year term (2016-2018).

FILING PERIOD FOR NOMINATION DOCUMENTS

Section 10220 - Elections Code

Monday, July 18, 2016, at 8:00 a.m. will be the first date and time that nomination documents will be available at the City Clerk's Office, St. Helena City Hall, 1480 Main Street, St. Helena, California

Friday, August 12, 2016, at 4:30 p.m. will be the final date and time for filing any nomination documents, unless an incumbent does not file.

Write-In Candidates can pick up nomination documents starting Monday, September 12, 2016, at 8:00 am. Tuesday, October 25, 2016, at 5:00 p.m. will be the final date and time for filing any nomination documents.

Extension If Incumbent Doesn't File

Section 10225 - Elections Code

If nomination documents for an incumbent City Council Member are not filed by 4:30 p.m. on Friday, August 12, 2016, the Nomination Period will be extended until Wednesday, August 17, 2016, at 5:00 p.m.

NOTE: The City Clerk's office is open from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays.

FILING FEE

The City of St. Helena does not collect a filing fee.

PLACEMENT OF NAMES ON BALLOT

Section 13112 - Elections Code

The Secretary of State will make a random drawing of letters of the alphabet following the close of the nomination period (i.e., on August 18, 2016). Candidates' names will be placed on the ballot by their surnames in the order determined by this drawing. The City Clerk will notify candidates of the results of the drawing.

VOTER REGISTRATION DEADLINE

Section 2107 - Elections Code

The last day to register to vote for this election is Monday, October 24, 2016.

LITERATURE/MASS MAILING REQUIREMENTS

The Political Reform Act specifies that a candidate or committee that sends a mass mailing (200 or more substantially similar pieces of mail in a calendar month) must identify itself on the mailer (Government Code Section 84305). The Elections Code (Section 16) requires that City Clerks/Elections Officials provide a copy of Government Code Section 84305 to each candidate or his/her agent at the time that a Nomination Paper is filed. A copy of Section 84305 is included in this Candidate's Information Guide. Additional information regarding mass mailing can be found in the Fair Political Practices Commission (FPPC) *Campaign Disclosure Manual 2* which is included in the Candidate Information Guide.

VOTE-BY-MAIL

Please review the information provided by the Napa County Registrar of Voters Office (ROV).

CODE OF FAIR CAMPAIGN PRACTICES

Enclosed in the Candidate's Information Guide is a copy of the Code of Fair Campaign Practices. In endorsing this Code, you pledge to conduct your campaign in a fair and honest manner. Endorsement of the Code is voluntary and is not a requirement. If you choose to sign the Code, it will be on file in the City Clerk's Office for public inspection.

OFFICIAL FILING REQUIREMENTS

OFFICIAL NOMINATION PAPER

Sections 10221 - 10222

The **Nomination Paper (Official Filing Form)** will be furnished only by the City Clerk. At the time of issuance, the City Clerk will type on the form the name of the candidate and the office for which he/she is running. The City Clerk will affix his/her signature and date of issuance on it. Only one candidate may be named on each Nomination Paper. It is recommended that candidates file as far as possible in advance of the deadline so that any deficiency in the papers may be found and cleared in time to qualify.

The first step you should take in completing your Nomination Paper is to decide if you will personally be the circulator or if someone else will circulate it for you. Remember, whoever circulates the petition must personally witness each person's signature. Also remember, if you have someone else circulate the petition for you, he/she does not need to be a registered voter in the City of St. Helena but must complete the Declaration of Circulator in the same way that he/she is registered

The second step is to obtain signatures. No less than 20 or more than 30 voters may sign a Nomination Paper. Please request voters to sign as registered. Registered voters may sign one Nomination Paper for each vacant seat. Each seat is a separate office. Therefore, a registered voter may sign Nomination Papers for two Council Member candidates and one Mayor candidate in the upcoming City of St. Helena City Council election.

As can be seen on the Nomination Paper, the name of each registered voter nominating a candidate should be printed on the form. The voter should then sign the nomination paper and thereafter print his or her voting residence, giving the street and number, if any, or some description of the residence as will enable the Clerk to readily confirm the residence. Please be sure the name and the residence address of the person signing the Nomination Paper are printed clearly. Please, no ditto marks. The signatures have to be verified by the City Clerk and if a name or address is not legible, verification may not be possible.

(See next section for completing last page of Nomination Paper.)

AFFIDAVIT OF NOMINEE AND OATH OR AFFIRMATION OF ALLEGIANCE

Section 10223 - Elections Code

This is included in the official Nomination Paper. The Affidavit of Nominee states that the candidate will accept the nomination and the office in the event of his/her election, and an oath or affirmation of allegiance. In addition, the candidate may state his/her ballot designation. (Please see guidelines relating to "Ballot Designations," below.) The **affidavit of nominee and oath or affirmation of allegiance MUST BE SIGNED IN THE PRESENCE OF THE CITY CLERK AT THE TIME YOU FILE YOUR NOMINATION DOCUMENTS. DO NOT SIGN IT PRIOR TO THAT TIME.**

FILING OF NOMINATION PAPER

Section 10224 - Elections Code

Once all signatures have been obtained, the candidate must file the Nomination Paper with the City Clerk. Please note that nomination documents (Nomination Paper, Affidavit of Nominee and Oath or Affirmation of Allegiance, Candidate's Statement of Qualifications, Ballot Designation Worksheet, Candidate Intention Statement FPPC 501, and Statement of Economic Interests FPPC 700) must be filed at the same time.

BALLOT DESIGNATION

Section 13107 - Elections Code

The Ballot Designation is the word, or group of **not more than three words**, which will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate. Only one of the following designations may appear:

- < No more than three (3) words designating the current principal profession(s), vocation(s), or occupation(s) of the candidate or the principal profession(s), vocation(s) or occupation(s) 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.
- < Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed if the office held is that of a superior, municipal, or justice court judge.
- < The word "incumbent" may be used if the candidate is presently a member of the St. Helena City Council, and was elected to that office by a vote of the people.
- < More than one occupation may be designated. Voluntary positions may be acceptable as occupational designations if performed on a regular basis.
- < If a candidate desires no occupation to appear on the ballot, he or she must enter the word "none" in the appropriate space on the Affidavit of Nominee.
- < An occupational designation may not be changed after the deadline for filing nomination papers except as specifically requested by the City Clerk.

The City Clerk shall not accept a Ballot Designation which:

- < Misleads the voter.
- < Suggests an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- < Abbreviates the word "retired" or places it following any word which it modifies.
- < Uses a word or prefix, such as "former" or "ex", which means a prior status. The only exception is the use of the word retired.
- < Uses the name of any political party, whether or not it has qualified for the ballot.
- < Uses a word(s) referring to a racial, religious, or ethnic group.
- < Refers to any activity that is prohibited by law.

If, on checking the Nomination Paper, the City Clerk, as Elections Official, finds the designation to be in violation of any restrictions set forth in Section 13107 of the Elections Code, she/he shall notify the candidate by registered mail, return receipt requested. The candidate shall, within three days from the date of receipt of the notice, appear before the City Clerk/Elections Official 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 the Nomination Paper except as specifically requested by the City Clerk/Elections Official under the circumstances previously set forth.

The Ballot Designation Worksheet is required to be filed at the same time as the Affidavit of Nominee. The City Clerk, as Elections Official, follows the Secretary of State Ballot Designation Regulations set forth in the California Administrative Code, Chapter 7 (commencing with section 20710) and Elections Code 13107.

CANDIDATE'S STATEMENT OF QUALIFICATIONS

Section 13307 - Elections Code

Each candidate may file a **Candidate's Statement of Qualifications** of no more than 200 words on a form provided by the City Clerk. The Statement will be printed in the Voter's Pamphlet and distributed to all registered voters with the sample ballot prior to the election. Statements must be filed at the same time the Nomination Paper is filed. **This Statement may be withdrawn, but not changed, on or before 5:00 p.m. on the next working day after the close of the nomination period.** The Statement may include the name, age, and occupation of the candidate and a description of the candidate's education and qualifications.

The Elections Code prohibits the Statement from containing references to the candidate's party affiliation or membership, or his or her activities in partisan political organizations. (City Council elections are required to be non-partisan.) In addition, the City Clerk is required to reject a Statement which contains any obscene, vulgar, profane, scandalous, libelous, or defamatory matter, or any language which in any way incites, counsels, promotes or advocates hatred, abuse, violence or hostility toward, or which tends to cast ridicule or shame upon, any person or group of persons by reason of sex, race, color, religion or manner of worship, or any language or matter, the circulation of which through the mails is prohibited by Congress. The Elections Code also provides that the author of a Candidate's Statement is not exempt from any civil or criminal lawsuit filed because of any false, scandalous, or libelous statements contained in the Candidate's Statement.

FORMAT OF STATEMENTS OF QUALIFICATIONS

State law requires that each statement be printed in uniform type (size and darkness), with uniform spacing. Therefore, all statements will be printed in block form with no paragraphs or indenting, no boldface characters, and no underlining. Please do NOT submit your statement in all upper-case letters. Statements submitted in all upper-case letters will be revised to lower case, with the exception of common acronyms; i.e. ABAG, LAPD, PEO, etc. This may result in some of those words being lower-cased when you do not desire that they appear that way.

WORD COUNT STANDARDS

- The name and official title at the top of the form are not counted-only the text.
- Punctuation is not counted.
- Each word shall be counted as one word except as specified in the following information.
- All geographical names shall be counted as one word (i.e., "City of St. Helena" shall be counted as one word).
- Each abbreviation for a word, phrase, or expression shall be counted as one word (i.e., A.D.A.).
- Hyphenated words that appear in any generally available dictionary shall be counted as one word. Each part of all other hyphenated words shall be counted as a separate word.
- Dates consisting of a combination of words and digits shall be counted as two words (i.e., July 18, 2016). Dates consisting of only digits shall be counted as one word (i.e., 7/18/16).
- Digital numbers shall be counted as one word (i.e., 100). Numbers that are written out are counted as one word each (i.e., "one" shall be counted as one word and "one hundred" shall be counted as two words).
- Telephone numbers shall be counted as one word.
- Internet web site addresses shall be counted as one word.

COSTS OF STATEMENTS OF QUALIFICATIONS

Napa County requires that the Candidate's Statement be printed and distributed in both English and Spanish. The **estimated** cost to the City of St. Helena for printing and distributing a Candidate's Statement in English and Spanish is \$688.00. There is no cost to the candidate.

CONFIDENTIALITY OF STATEMENTS

Elections Code Section 13311 makes the Candidate's Statement confidential until the close of nominations. The purpose of confidentiality is to prevent candidates from writing what amounts to a rebuttal. The City Clerk will not release the statement to the media until the expiration of the filing deadline.

POLITICAL REFORM ACT OF 1974: FAIR POLITICAL PRACTICES COMMISSION (FPPC) FILING REQUIREMENTS

The FPPC mandates the filing requirements for candidates. Appropriate information manuals, addendums, and forms will be provided to each candidate. Copies of the Political Reform Act, manuals, additional forms, and other helpful information may be obtained by contacting the FPPC at 1-866-275-3772 (toll free) or 1-916-322-5660. The FPPC website: <http://www.fppc.ca.gov> will connect you with valuable tools. It is highly advised you visit the site and become familiar with the requirements of the FPPC.

FPPC REQUIRED CAMPAIGN DISCLOSURE FILING SCHEDULE

<i>Filing Deadline</i>	<i>Type of Statement</i>	<i>Period Covered by Statement¹</i>	<i>Method of Delivery</i>
August 1, 2016	Semi-Annual	See below - 6/30/16	<ul style="list-style-type: none">• Personal Delivery• First Class Mail
September 29, 2016	Pre-Election	7/1/16 - 9/24/16	<ul style="list-style-type: none">• Personal Delivery• First Class Mail
October 27, 2016	Pre-Election	9/25/16 - 10/22/16	<ul style="list-style-type: none">• Personal Delivery• Guaranteed Overnight Service
Within 24 Hours	Late Reports 16 Day Reports	8/10/16 - 11/8/16	<ul style="list-style-type: none">• Personal Delivery• Guaranteed Overnight Service• Fax
January 31, 2017	Semi-Annual	10/23/16—12/31/16	<ul style="list-style-type: none">• Personal Delivery• First Class Mail

- **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.
- A controlled committee of a candidate may not make an independent expenditure to support or oppose another candidate.
- Local jurisdictions may impose contribution limits and additional filing requirements.
- **Primarily Formed Ballot Measure Committees:** Prior to the semi-annual period in which the measure(s) supported or opposed is being voted on, committees must file quarterly campaign statements in addition to semi-annual statements. Following the election, quarterly statements may also be required.
- **Form 470:** Candidates that do not have a committee or raise/spend \$1,000 in 2016, may file Form 470 on October 5, 2016. Form 470 cannot be filed for other deadlines if the candidate has a committee or has raised/spent \$1,000 or more in 2016. After filing a Form 470, if the candidate raises/spends \$1,000 or more in 2016, see Manual 2, Chapter 4 for additional required filings.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is maintained.
- **Late Statements:** Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, filing deadlines may not be extended. Late statements are subject to a \$10 per day late fine.
- All statements are public documents. Paper reports may be mailed by first class mail unless otherwise noted.
- For important information refer to www.fppc.ca.gov and click on the Candidates and Committees section. Use [*Campaign Manual 2*](#) and [*Campaign Manual 3*](#).

It is your responsibility to become familiar with the filing requirements and request forms from this office as you need them. You will be fined by this office and/or the Secretary of State's office if filing deadlines are not met.

Please note: once filed, all of the following statements/forms become public records.

STATEMENT OF ECONOMIC INTERESTS (FORM 700)

Each candidate is required to file a **Statement of Economic Interests** form (Form 700). It is preferable that this form be filed at the time the Nomination Paper is filed. However, it must be filed by the close of the Nomination Period. Please carefully read the manuals and forms that you are provided and refer to the FPPC website. Candidates for office need only disclose investments and interests in real property held on the date at which time this form is completed/filed. If you need assistance with the form, you may call the City Clerk's office at 707-942-2807 or the **FPPC at 1-866-275-3772**.

CAMPAIGN STATEMENTS

Candidate Intention Statement (Form 501)

This form is required for all candidates, including incumbents, except those candidates who will not be raising or spending funds other than their own for the printing of the Candidate's Statement of Qualifications. It must be filed with the City Clerk prior to solicitation or receipt of any contribution, including personal funds.

Statement of Organization/Recipient Committee (Form 410)

This form is required for all candidates who received contributions totaling \$1000 or more during a calendar year. The original and one copy of this form must be filed with the Secretary of State's Office within ten days of receiving \$1000 in contributions. One copy must also be filed with the City Clerk at the same time.

If any of the information on a Statement of Organization changes, the committee must file an

amendment within 10 days of the change. Please see Form 410 for special requirements during the 16-day period prior to the election. Included in this packet is the 410 fact sheet.

Recipient Committee Campaign Statement (Form 460)

This form is required for all candidates who receive contributions of \$1000 or more. The original and one copy is to be filed with the City Clerk at the time pre-election statements are required and on a semi-annual basis until the campaign bank account has been closed. See the Filing Schedule for dates when this form must be filed (included in this packet).

Officeholder and Candidate Campaign Statement- Short Form and Form 470 Supplement (Form 470/470 Supplement)

Candidates that do not have a committee or raise/spend \$1,000 in 2014 may file Form 470. An original and one copy must be filed with the City Clerk at the time the first campaign statement for this election period must be filed. See the Filing Schedule for the date. Form 470 cannot be filed for other deadlines if the candidate has a committee or has raised/spent \$1,000 or more in 2016. After filing a Form 470, if the candidate raises/spends \$1,000 or more in 2016, see Manual 2, Chapter 4 for additional required filings.

Semiannual Campaign Statements (Form 460 or 470)

Each candidate is required to file a Semiannual Campaign Statement. The Statement is due Monday, January 1, 2017 and covers the period from October 23, 2016, through December 31, 2016.

Future Filings

Future filings will depend on your success in this election and whether you retain your committee status.

Campaign forms are available in the City Clerk's office upon request. We urge all candidates and their treasurers to read the information manual and guidelines accompanying all forms. The FPPC also offers training options and assistance.

POLITICAL SIGNS

**ST. HELENA SIGN REGULATIONS
REGARDING TEMPORARY SIGNS ERECTED IN CONNECTION WITH ELECTIONS**

St. Helena Municipal Code 17.148.090

- A. Campaign signs shall not be erected more than sixty (60) days prior to the election day and shall be removed within five days after the election day.
- B. Campaign signs may be placed or erected in any district subject to property owner's permission.
- C. A candidate, sponsor for a ballot measure, or local committee must obtain an administrative permit; one permit shall suffice for all similar signs.
- D. A cash bond of one hundred dollars (\$100.00) is required upon approval of the administrative permit. The bond is refundable after the removal of the signs.
- E. Campaign signs are limited to six square feet per side or a total of twelve (12) square feet for a two-sided sign. (Ord. 08-2 § 2 (part): Ord. 06-5 § 2 (part): Ord. 02-6 § 15: prior code § 27.327. Formerly 17.148.080.)

STATE LAW GOVERNING CAMPAIGN SIGNS

See Misc. Tab for information from the Department of Transportation.