



**CITY OF SAN JUAN CAPISTRANO
CANDIDATE HANDBOOK**

**GENERAL MUNICIPAL ELECTION
NOVEMBER 5, 2024**

Prepared by
City Clerk's Office



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Candidate Statement Form (Optional)

Ballot Designation Worksheet (Must be submitted if a ballot designation is desired)

Candidate Contact Information



32400 PASEO ADELANTO
SAN JUAN CAPISTRANO, CA 92675
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(949) 493-1053 FAX
www.sanjuancapistrano.org



MEMBERS OF THE CITY COUNCIL

TROY BOURNE
JOHN CAMPBELL
SERGIO FARIAS
HOWARD HART
JOHN TAYLOR

To prospective candidates:

Welcome to San Juan Capistrano City Government. Your interest in city government is welcomed, and we hope this information will make the electoral process easier for you.

To qualify for candidacy, the Candidate must be a registered voter and a resident of either District 1 or District 5 at the time of obtaining nomination papers.

Running for office can be a confusing and difficult process, especially for the first-time candidate. Even if you have run for office in the past, the laws may have changed. This guide contains a wealth of information – and has been compiled as an aid to all candidates and committees interested in participating in the City’s Municipal Election. It highlights major provisions required of all participants. In conjunction with your proposed candidacy a number of City, County and State requirements must be met. We encourage you to carefully review the enclosures and we will be happy to go over them with you.

The City Clerk’s Office is always here to help. We are open from 7:30 a.m. to 5:30 p.m., Monday through Thursday; 7:30 a.m. to 4:30 p.m. on Friday; and closed daily from 12:00 p.m. to 1:00 p.m. You can also reach us at (949) 443-6310 or cjkl@sanjuancapistrano.org. We welcome your comments and questions throughout this process and hope we can assist you in making this a positive experience.

Best Regards,

Christy Jakl, CMC
City Clerk
City of San Juan Capistrano



Notice Regarding the Candidate Handbook

The Candidate's Handbook for the November 5, 2024, San Juan Capistrano General Municipal Election is intended to provide general information for candidates and candidate committees. This handbook is distributed with the understanding that the Office of the City Clerk of the City of San Juan Capistrano, serving as Elections Official, is NOT rendering legal advice. Candidates interested in elective office should not, rely solely on this guide. Therefore, this handbook is NOT to be used as a substitute for legal counsel for the individual candidate or the candidate's committee.

The City Clerk, as the designated Filing Officer for the Fair Political Practices Commission (FPPC), can provide candidates and committees with appropriate forms and provide general guidance regarding Fair Political Practices Commission filing requirements and deadlines. The City Clerk is NOT authorized to interpret California Codes regarding filing responsibilities for specific circumstances for candidates or their committees. Only the Fair Political Practices Commission can provide that interpretation. The Fair Political Practices Commission can be contacted, toll-free, at (866) 275-3772.



General Information

City of San Juan Capistrano City Clerk's Office Hours

Operating Hours: Monday through Thursday, 7:30 a.m. – 5:30 p.m.; Friday, 7:30 a.m. – 4:30 p.m., excluding holidays; and closed daily from 12:00 p.m. to 1:00 p.m.

Candidates are *required* to make an appointment with the City Clerk to discuss the election process and receive nominating materials. Please contact Christy Jakl, City Clerk, at (949) 443-6310 or cjakl@sanjuancapistrano.org.

Functions of the San Juan Capistrano City Clerk and Orange County Registrar of Voters

The San Juan Capistrano City Clerk is responsible for City elections, and the Orange County Registrar of Voters conduct major aspects of the elections. The City Clerk is responsible for the issuance and acceptance of nomination papers, acceptance of ballot measures and arguments, publication of legal notices, filing of campaign disclosure statements, and monitoring compliance with the City's election ordinance. The City Clerk consults with the City Attorney if legal advice is needed.

The County Registrar of Voters verifies signatures on nomination papers and petitions, arranges for printing and mailing of voter information and ballots, provides precinct lists and maps, employs precinct officials, obtains polling places, counts ballots, canvasses returns, and certifies election results.

The City Clerk reports election results to the San Juan Capistrano City Council, which adopts a resolution declaring the results. The City Clerk swears in the newly-elected officials.

City Government

San Juan Capistrano is a general law city organized under the statutes of the State of California and governed by the California Constitution. Incorporated on April 19, 1961, the City at present encompasses approximately 14 square miles and has an estimated population of 35,271 as of the 2020 Census.

The City Council is the legislative, or lawmaking, branch of San Juan Capistrano's municipal government.

Beginning with the November 2016 election, the City of San Juan Capistrano's "at-large" system for electing City Council Members changed to a "by-district" system. This change means that on Election Day, voters will only vote for the candidate running in the district in which they live. The district boundaries were updated through the redistricting

process in early 2022, as required by law and reflecting revised demographics as found in the federal 2020 decennial census. There are 5 districts in the City of San Juan Capistrano. The City Council acts as the board of directors of the municipal corporation and meets in a public forum where citizens may participate in the governmental process as the City Council adopts ordinances, resolutions, policy statements, and in other ways makes City decisions.

The San Juan Capistrano City Council Members also sit as the Board for the Successor Agency to the Community Redevelopment Agency; Commissioners for the San Juan Capistrano Housing Authority; and Board for the San Juan Capistrano Public Financing Authority.

Each year in December, the City's Mayor and Mayor Pro Tem are selected to serve a one-year term. These positions are filled by sitting City Council Members by a vote of the majority of members.

The City Council receives advice and assistance from the Planning Commission, the Design Review Committee, the Cultural Heritage Commission, and the Parks, Equestrian and Community Services Commission.

San Juan Capistrano operates under the City Council/City Manager form of government. The City Council hires a professional City Manager, who is responsible for all management functions for the City, including budget, ordinance enforcement, and operations.

Conduct of Business

The variety and volume of business that comes before the City Council requires an efficient approach to conducting such matters. The City Clerk's office, under guidance of the City Manager, prepares an agenda for each meeting. Copies are available to the public on the Wednesday before the Tuesday meeting. Agendas, staff reports and related materials prepared in support of the scheduled agenda items are available on the City's website at www.sanjuancapistrano.org and printed packets are made available to each City Council Member.

A public comment period is provided at the beginning of each meeting for citizens to speak about matters that are not on the agenda. The Council cannot act on unscheduled matters but may choose to direct staff to review a matter or schedule an item for action at a later date.

Persons wishing to address the Council are asked to first fill out a blue speaker's card for Oral Communication or a yellow speaker's card for items on the agenda, so the City may have a record of individuals who address the Council. The cards should be given to the

City Clerk, preferably at the beginning of the meeting. Speakers are called upon by the City Clerk as their items are reached on the agenda. Groups wishing to address the City Council are encouraged to select a spokesperson, and the Council reserves the right to place time limits on speakers. Once the Mayor has ceased public discussion on any item, debate is closed and no further comments will be taken from the audience, unless requested by the City Council. The City Council invites public comment on all agenda items.

The City Council encourages expression of views by its citizens on matters of concern to those persons if those matters fall within the purview of the City Council. In addition to verbal communication at meetings, citizens may write to the Mayor, Mayor Pro Tem, and City Council Members at City Hall, 30448 Rancho Viejo Road, Suite 110. They may also directly email their City Council Members.

City Council meetings are held the 1st and 3rd Tuesdays in the City Council Chamber at the Community Center. Meetings are streamed live on the City's website and specific action on all items can be reviewed on-demand following the meeting.

Agenda Deadlines

The Brown Act requires Regular meeting agendas to be posted 72 hours in advance of the regular meeting. Items must be on the agenda to be considered by the City Council and acted upon in accordance with the Brown Act. If a need arises after posting the agenda and City Council action is deemed necessary, the item may be placed on the agenda for action after a vote of the City Council, under limited exceptions. In the event of a Special Meeting, the Brown Act requires posting notice of the meeting no less than 24 hours in advance of the meeting.

Public Hearings

Public hearings provide an opportunity for the public to express opinions on a particular item on the Council agenda. For public hearings, notices are published in the Capistrano Valley News, mailed to affected property owners and interested persons, and are posted in at City Hall and the Community Center.



Important Dates for Candidates

November 5, 2024, General Municipal Election

All necessary forms for candidacy for the San Juan Capistrano City Council Member are available from the Office of the City Clerk. Candidates must be registered to vote in the City of San Juan Capistrano at their current residence (District 1 or District 5) before the City Clerk can issue nomination papers.

DATE	ITEM
July 15 to August 9	NOMINATION PERIOD - Nomination papers may be obtained from the City Clerk, by appointment, during regular office hours M-TH, 7:30 a.m. - 5:30 p.m. and FR 7:30 a.m. - 4:30 p.m. (except Holidays). Appointments are highly recommended, as issuing of nomination papers requires approximately 3/4 hour. (949) 443-6310. Signers of nomination papers must be registered voters in Districts 1 or 5 in City of San Juan Capistrano.
August 9	LAST DAY FOR CANDIDATES TO WITHDRAW - No candidate shall withdraw his/her declaration of candidacy after the close of business on the 88th day prior to the election.
August 14	LAST DAY TO FILE NOMINATION PAPERS - IF EXTENDED - The nomination period is extended for non-incumbents only, if any one incumbent fails to file nomination papers by August 9th. Last day to withdraw is extended to this date.
August 15	RANDOMIZED ALPHABET DRAWING - On this day the Secretary of State conducts a drawing of the letter of the alphabet, the result of which shall be known as the randomized alphabet, to determine the order in which candidates appear on the ballot for each District (1 and 5).
September 9 to October 22	FILING PERIOD FOR WRITE-IN CANDIDATES - Nomination papers may be obtained from the City Clerk, by appointment, during regular office hours M-TH, 7:30 a.m. - 5:30 p.m. and FR 7:30 a.m.- 4:30 p.m. (except Holidays). Appointments are highly recommended.
September 26	FIRST PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENTS DUE - The last day to file campaign disclosure statements for candidates and committees covering the period July 1, 2024, through September 21, 2024.
October 7	VOTE-BY-MAIL BALLOT AND DROP-OFF BOXES - First day vote-by-mail ballots are available. Ballot drop-off boxes will be available 29 days before election day.

DATE	ITEM
October 21	LAST DAY TO REGISTER TO VOTE - Closing date of voter registration for this election. Conditional Voting Registration (October 22 – November 5) allows voters to register and vote provisionally 14 days prior to an election and on Election Day at any Vote Center in Orange County or at the Registrar of Voters office.
October 24	SECOND PRE-ELECTION CAMPAIGN DISCLOSURE STATEMENTS DUE - The last day to file campaign disclosure statements for candidates and committees covering the period September 22, 2024, through October 19, 2024.
October 26	VOTE CENTERS OPEN - Vote Centers will be open for in-person voting 10 days before election day.
November 5	ELECTION DAY - All Vote Centers will be open from 7:00 a.m. to 8:00 p.m. for in-person voting.
December 3	CERTIFICATION OF ELECTION - The Registrar of Voters will certify the election on or before this date.
December 10	ELECTION CERTIFIED AND ELECTED CITY COUNCIL MEMBERS SEATED - City Council meeting begins at 5:00 p.m.
January 31, 2025	CAMPAIGN EXPENDITURE STATEMENTS DUE - Last day to file semi-annual campaign disclosure statements for all candidates and committees for the period covering October 20, 2024, through December 31, 2024.

Nomination Forms and Procedure

Candidate's Checklist of Documents Required to be Filed

Listed below is the checklist indicating the various forms required to be filed for candidacy for a seat on 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 misunderstanding. Additionally, it is recommended that the candidate file all papers involved with his/her candidacy personally.

Candidate Nomination Packet

- Candidate Handbook
- Nomination Petitions
- Ballot Designation Worksheet
- Candidate Statement of Qualifications
- Statement of Economic Interests (Form 700)
- Campaign Finance Disclosure
- Code of Fair Campaign Practices (optional)
- Candidate Intention Statement (Form 501)
- Candidate Contact Information

Positions for Election

Two (2) positions as Members of the City Council, each for a four (4) year term, one (1) from District 1 and one (1) from District 5.

Term of Office

Term begins on the installation date of newly elected Council Members, which is scheduled to be on Tuesday, December 10, 2024. Term ends with the installation of newly elected Council Members, as elected in November 2028.

Remember the deadline for filing all forms is Friday, August 9, 2024, at 4:30 p.m.

Nomination Procedure

(Elections Code 10220 et seq.)

Qualifications for Office

(Election Code 20, 201)

General Qualifications

- a) Be a U. S. citizen.
- b) Be a registered voter at the time the Nomination Paper is issued in either District 1 or District 5 in the City of San Juan Capistrano.
- c) Not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.

Issuance of Nomination Papers

(E.C. 10220, 10224, 10407)

Date: July 15, 2024, through August 9, 2024

July 15, 2024, is the first day candidates that are registered voters in either District 1 or District 5 may obtain Nominating Papers from the City Clerk, San Juan Capistrano City Hall, 30448 Rancho Viejo Road, Suite 110, San Juan Capistrano, California 92675. Nominating papers are issued and must be filed with the City Clerk during normal, posted working hours beginning July 15, 2024, through August 9, 2024:

7:30 a.m. to 5:30 p.m. Monday through Thursday

7:30 a.m. to 4:30 p.m. Friday

12:00 p.m. to 1:00 p.m. Closed daily

Candidates must use the original Nominating Papers issued by the City Clerk. The candidate must take the Oath of Allegiance before the City Clerk (or a Notary Public) at the time that nomination papers are filed. There is no filing fee. This process issuing nomination papers requires 30 to 45 minutes. Therefore, **APPOINTMENTS ARE REQUIRED.**

The last day to file as a candidate is Friday, August 9, 2024, at 4:30 p.m., unless any one incumbent fails to file nomination papers for reelection, then the candidate filing period is extended for non-incumbents only to Wednesday, August 14, 2024, at 5:30 p.m. The last day to withdraw as a candidate is Friday, August 9, 2024, until 4:30 p.m., unless the filing period is extended.

Filing Nomination Papers

Nomination papers *may not* be filed outside of normal working hours and *faxed or emailed nomination papers will not be accepted*. The process of filing nomination papers takes at least ½ hour, therefore -- *please do not wait until the end of the day to file documents*. *Appointments are required to file the nomination papers*.

ALL NOMINATING PAPERS AND FORMS MUST BE FILED TOGETHER WITH THE CITY CLERK.

A candidate may withdraw his or her nominating papers after they are filed with the City Clerk up to the last day of the nominating period (4:30 p.m. on August 9, 2024, unless extended to 5:30 p.m. on August 14, 2024).

Circulation of Nomination Papers

(Election Code 102, 104)

Nominating papers must be secured from the City Clerk and issued in the name of the candidate. A candidate may circulate his/her own nomination papers, or he/she may appoint a circulator. Only one person may circulate the nomination paper. Circulators may obtain signatures to the nomination papers of any candidate at any time not earlier than the 113th day (July 15, 2024) nor later than the 88th day (August 9, 2024) prior to the election.

A person shall not circulate a nominating paper unless the person is 18 years of age or older. All signatures must be those of registered voters residing within the district of the candidate. No voter may sign more than one nomination paper for the same office.

At the time of filing, the Declaration of the Circulator must be completed.

Signatures Required

(Election Code 102)

Nomination papers for all candidates shall be signed by not less than twenty (20) nor more than thirty (30) registered voters at their present address of the city, and district, for which the nomination papers were issued. Twenty (20) valid signatures are required to qualify as a candidate. A candidate may sign his/her own nomination paper.

Should there be less than twenty (20) valid signatures on the nominating paper, the City Clerk, upon request by the candidate, will issue a "Supplemental Nomination Paper" to the candidate. The candidate may circulate this document to obtain the needed number of valid signatures. The Supplemental Nomination Paper must be filed with the City Clerk by the close of the nomination period.

Ballot Designation Worksheet

(Election Code 13107, 13107.3, 13107.5)

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the candidate's principal profession, vocation, or occupation.

Ballot designations for City candidates will be reviewed and accepted by the City Clerk. Ballot designations may be rejected if they do not comply with the rules set by the California Election Code 13107. If rejected, the candidate is to be notified by phone or by registered or certified mail, with a return receipt, addressed to mailing address appearing on the candidate's ballot designation worksheet. If an alternative designation is not provided within the time allowed, no designation will appear on the ballot. If a candidate fails to file a "Ballot Designation Worksheet", no designation will appear on the ballot.

Ballot Designation Guidelines and examples are found on Attachment A.

Public Review Period

After the close of the filing period, anyone may examine any candidate's ballot designation. During a 10-calendar-day period commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held or the city or county elections official may seek a writ of mandate or an injunction challenging a ballot designation.

Candidate Statement of Qualifications

(Election Code 13307)

Each candidate for elective office may prepare an optional candidate statement at their own expense. The candidate statement is designed to familiarize voters with a candidate's qualifications for the office he/she is seeking. The candidate statement is incorporated into the Voter Information Guide, and will be mailed to all registered voters eligible to vote for that particular office. The candidate statement is printed in English, and Spanish.

Every candidate filing for office must complete a "Candidate Statement of Qualifications Form" indicating whether or not a candidate statement will be filed. For a sample of the guidelines see Attachment B.

Filing of "Candidate Statement"

The candidate statement will be formatted to appear, as closely as possible, to the hard copy filed. Statements are subject to the word counts and guidelines described in Attachment B.

Each candidate must email the statement in an editable text format to the City Clerk at cjaki@sanjuancapistrano.org prior to filing Nomination papers.

Restrictions

The candidate statement cannot refer to opponents in any manner and may not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. (Election Code 13308)

Withdrawing/Changing the Statement

The candidate statement may be withdrawn, *but not changed*, during the period for filing nomination papers until 5 p.m. of the next business day, after the close of the filing period. A candidate must sign a statement if he/she chooses to withdraw the candidate statement. A new candidate statement cannot be filed to replace a withdrawn candidate statement after the end of the filing period.

The candidate statement will remain confidential until after the close of the filing period for the office sought. (Election Code 13311)

Public Review Period

After the close of the filing period, anyone may examine the candidate statements. During a 10-calendar-day period, commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held or the city or county elections official may seek a writ of mandate or an injunction challenging any or all of the material in a candidate statement.

Statement Costs

The cost of the candidate statement must be paid at the time the statement is filed. A Candidate's Statement is optional. If you wish your statement of qualification to be printed in the sample ballot, all costs will have to be paid by the candidate, with a \$600 deposit due for printed statements at the time of filing of Nominating Papers. Acceptable payment methods: credit card or check (make out checks to: City of San Juan Capistrano).

Statement of Economic Interests (Form 700)

(Government Code 87202, 87203)

Every candidate is required to file a "Statement of Economic Interests" (Form 700) disclosing certain financial interests with the City Clerk at the time nomination papers are filed.

The Form 700 is not required if the candidate has filed a Form 700 for the same jurisdiction within 60 days prior to the filing of his/her Declaration of Candidacy or other nomination documents. The candidate shall file a copy of his/her previously filed Form 700.

Campaign Finance Disclosure

(Government Code 85201)

All candidates, their committees, and committees supporting or opposing ballot measures are required to report campaign contributions and expenditures.

Effective January 1, 2016, the recipient committee qualification threshold was raised from \$1,000 to \$2,000. Candidates for City office file Campaign Finance forms with the City Clerk's office. The City of San Juan Capistrano requires two signed paper originals.

Candidates should familiarize themselves thoroughly with the information provided by the FPPC and the filing deadlines, as the Act imposes penalties for late filing of campaign statements. Information and requirements can be found at www.fppc.ca.gov.

For a brief summary and most commonly used forms, see Attachment C.

Code of Fair Campaign Practices (Optional)

(Election Code 20400, 20420, 20440-20444)

By subscribing to the Code of Fair Campaign Practices, a candidate vows to follow the principles of decency, honesty, and fair play. Subscription to the Code is optional. Completed forms are to be filed with the filing official, and shall be retained for public inspection until 30 days after the election.

Extension of the Nomination Period

If an incumbent City Council Member does not file nominating papers for this election by August 9, 2024, at 4:30 p.m., the Nominating Period is extended for three (3) additional business days. The extension does not apply to incumbents. If extended, the Nominating Period will close on Wednesday, August 14, 2024, at 5:30 p.m.

Write-in Candidates

(Election Code 8600, 8601)

A person who did not file during the regular filing period may file for office as a write-in candidate. There is no fee or charge required of a write-in candidate. Any person who desires to be a write-in candidate, and have any votes cast for him/her reported, shall file a "Statement of Write-In Candidacy."

The write-in filing period begins September 9, 2024, and ends October 22, 2024.

The City requires nomination signatures to be collected for a valid write-in candidacy. Signers of nomination papers for write-in candidates shall be voters in the district in which the candidate is to be voted on.

Write in candidates must also file the same forms required of other candidates, who have filed during the regular filing period. The candidate statement form or ballot designation form does not apply to write-in candidates and write-in candidates may not submit a candidate statement.

Votes cast for official write-in candidates will be reported at the time of certification.

Important Notice Concerning Candidate's Personal Information

Most the documents and processes of municipal government are open for public participation and/or inspection including your filing during the nomination process.



Frequently Asked Questions

Common Questions and Situations

Filing Fees

There is no fee to file nomination papers. If a candidate wishes to file a Candidate's Statement (Optional), a \$600 deposit is required at the time of filing nomination papers.

Appearance of Names on the Ballot

(Election Code 13112)

A randomized alphabet drawing is the basis for determining the order of candidates on the ballot. Each candidate will be placed on the ballot in the order that each of the letters of his/her surname was drawn. For example, the placement of candidates with the surnames of Miller and Ramos will depend on the order in which the letters M and R were drawn.

The Secretary of State conducts a drawing of the letters six days after the end of the filing period. For the November 5, 2024, election, the drawing will be conducted on August 15, 2024.

Candidates Elected at General Election

(Election Code 10551, 10600)

The candidate(s) for city office that receive(s) the highest number of votes from all votes cast for candidates for that office shall be elected to that office.

Election Night Results

Election results are available on the Orange County Registrar of Voters website at www.ocvote.gov beginning shortly after 8 p.m. on Election Night. Results will be updated periodically, until all Election Day ballots are counted.

Candidates and/or members of their campaigns are welcome to observe the Election Night processes at the Orange County Registrar of Voters, 1300 South Grand Avenue, Building C, Santa Ana, CA 92705. Observer guidelines will be issued upon arrival.

Final Official Results

Beginning the day after the election, a complete audit of all returns is performed. Any uncounted Vote by Mail ballots are processed and counted. Additionally, provisional ballots are processed and counted and votes cast for qualified write-in candidates are counted. Election Code requires the election to be certified by 30 days following the election.

Taking Office

Elected candidates will take office at the City Council meeting on Tuesday, December 10, 2024.

Map of Precincts and Index of Registered Voters

Contact the Orange County Registrar of Voters 1300 South Grand Avenue, Building C, Santa Ana, CA 92705 or (714) 567-7600

City Council Compensation

City Council Members receive compensation of \$300 per month. Per Assembly Bill 23, each Housing Authority member receives a \$50 stipend to conduct meetings. City Council Members are eligible to receive medical benefits.

Holding or Running for More than One Office

(Government Code 1099)

Candidates are not prohibited from seeking more than one elective office, and may serve in more than one office. There are, however, situations when holding more than one office is considered a conflict and incompatible.

There is no single statute that defines “incompatibility of offices”. The common law doctrine of incompatibility of office prevents an elected official from holding two offices simultaneously if the offices have overlapping and conflicting public duties.

The courts have defined this concept as follows: “One individual may not simultaneously hold two public offices when the function 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.”

For further information about conflict of interest or incompatibility of offices, contact the Fair Political Practices Commission’s website at www.fppc.ca.gov or phone toll free (866) 275-3772 (866-ASK-FPPC).

ATTACHMENT A - BALLOT DESIGNATION GUIDELINES

The ballot designation is the word or words, which appear on the ballot under the candidate's name, designating the current principal profession, vocation, or occupation of the candidate. The listing of a designation on the ballot is optional. (Election Code 13107)

Ballot designations become public once filed on with the nomination documents. Ballot designations cannot be changed by the candidate after the final date to file for office.

Format of Ballot Designation

A ballot designation may be an elective office title, officeholder status, or profession.

The following examples illustrate each type. Combining these types is not permitted.

Elective Office Title

Words designating the elective public office currently held, provided the officeholder was elected to the office. In the case of judicial offices only, an appointed Judge may use the office title.

Example A: Governing Board Member

Example B: Board member, XYZ School District

Officeholder Status

Incumbent: The word "Incumbent" may be used if the candidate is seeking re-election to the same office and was elected to that office by a vote of the people or was appointed as a nominated candidate in lieu of an election.

Appointed Incumbent: The phrase "Appointed Incumbent" may be used if:

- a) The candidate holds an office other than a judicial office by virtue of appointment and is a candidate for the same office; or,
- b) A candidate for the same or other office, the word "Appointed" and the title of the office.

The phrase "Appointed Incumbent" is not required of a candidate who seeks reelection to an office that they hold and to which they were appointed in-lieu of an election.

Example A: Appointed Incumbent

Example B: Appointed Board member, XYZ School District

Profession

Principal Occupation: 3-Word Profession/Occupation/Vocation – No more than three words designating the current principal professions, vocations, or occupations of the candidate.

Example A: High School Teacher

Example B: Attorney/Educator/Rancher

Example C: Businessman/Councilmember

Community Volunteer

A Community Volunteer shall constitute a valid principal vocation or occupation subject to the following conditions:

- a) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.
- b) A candidate may not use the designation of "Community Volunteer" in combination with any other principal profession, vocation, or occupation.
- c) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

No Occupation Desired

If no ballot designation is requested, the word "NONE" and the candidate's initials must be written in the space provided for ballot designation on the Declaration of Candidacy. The space provided for the ballot designation on the official ballot will be blank.

Unacceptable Designations

Designations will not be accepted if:

- It would mislead the voter.
- It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
- It abbreviates the word "retired" or place it following any word(s) that it modifies.

Unacceptable: Ret. Policeman

Policeman, Retired

- It includes the name of any political party, whether or not it has qualified for the ballot.
- It uses any word(s) referring to a racial, religious, or ethnic group.
- It refers to any activity that is prohibited by law.

- It uses a word or prefix, such as “former” or “ex-,” which means a prior status.

Unacceptable: Former Policeman

Ex-Policeman

The only exception is the use of the word “retired.”

Acceptable: Retired Policeman

Ballot Designation Regulations (Full Text)

§ 13107.

- (a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:
- (1) 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.
 - (2) The word “incumbent” if the candidate is a candidate for the same office which he or 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.
 - (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 or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Sections 7228, 7423, 7673, 10229, or 10515 of this code.

(b)

(1) Except as specified in paragraph (2) for candidates for judicial office, immediately under the name of each candidate, and not separated from the name by any line, only one of the following designations may appear at the option of the candidate:

(A) Words designating the city, county, district, state, or federal office held by the candidate at the time of filing the nomination documents.

(B) The word “incumbent” if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers.

(C) 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.

(2) For a candidate for judicial office who is an active member of the State Bar employed by a city, county, district, state, or by the United States, the designation shall appear as one of the following:

(A) Words designating the actual job title, as defined by statute, charter, or other governing instrument.

(B) One of the following ballot designations: “Attorney,” “Attorney at Law,” “Lawyer,” or “Counselor at Law.” The designations “Attorney” and “Lawyer” may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(3) A designation made pursuant to subparagraph (A) of paragraph (1) or paragraph (2) shall also contain relevant qualifiers, as follows:

(A) If the candidate is an official or employee of a city, the name of the city shall appear preceded by the words “City of.”

(B) If the candidate is an official or employee of a county, the name of the county shall appear preceded by the words “County of.”

(C) If the candidate is an official or employee of a city and county, the name of the city and county shall appear preceded by the words “City and County.”

(D) If the candidate performs quasi-judicial functions for a governmental agency, the full name of the agency shall be included.

(c) A candidate for superior court judge who is an active member of the State Bar and practices law as one of his or her principal professions shall use one of the

following ballot designations as his or her ballot designation: “Attorney,” “Attorney at Law,” “Lawyer,” or “Counselor at Law.” The designations “Attorney” and “Lawyer” may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

- (d) For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
- (e) The Secretary of State and any other elections official shall not accept a designation of which any of the following would be true:
 - (1) It would mislead the voter.
 - (2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.
 - (3) It abbreviates the word “retired” or places it following any word or words which it modifies.
 - (4) It 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.”
 - (5) It uses the name of any political party, whether or not it has qualified for the ballot.
 - (6) It uses a word or words referring to a racial, religious, or ethnic group.
 - (7) It refers to any activity prohibited by law.
- (f) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate’s ballot designation worksheet.
 - (1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a) or (b).

- (2) If a candidate fails to provide a designation that complies with subdivision (a) or (b) within the three-day period specified in paragraph (1), a designation shall not appear after the candidate's name.
- (g) A designation given by a candidate shall not be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (f) or as provided in subdivision (h). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.
- (h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days before the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.
- (i) In all cases, the words so used shall be printed in a manner consistent with the space requirements of Sections 13207 and 13211.
- (j) If a foreign language translation of a candidate's designation is required under the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

California Administrative Code (2 CCR § 20710 et seq). Any reference to the Secretary of State may be replaced with city elections official.

CCR § 20710. GENERAL PROVISIONS.

- (a) The regulatory purpose of this Chapter is to ensure the accurate designation of the candidate upon the ballot in order that an informed electorate may intelligently elect one of the candidates.
- (b) The Secretary of State shall, at all times, apply and interpret the provisions of Elections Code Section 13107 and the regulations included in this Chapter in a manner consistent with the regulatory purpose of this Chapter.
- (c) Candidates are not required to use a ballot designation pursuant to Elections Code Section 13107, subdivision (a), and may opt to leave the space for such a designation on the ballot blank. In order to notify the elections official as to whether he or she will use a ballot designation or will opt to leave the ballot designation space blank, the candidate must initial the appropriate box on the Declaration of Candidacy or otherwise so indicate on the Declaration of Candidacy.
- (d) Pursuant to Elections Code Section 13107, subdivision (a), a candidate may submit a proposed ballot designation pursuant to any one of the four provisions specified

in Elections Code Section 13107, subdivision (a), subparts (1) through (4), applicable to that candidate. The candidate shall be free to select from which of the applicable four subparts he or she is submitting his or her proposed ballot designation.

- (e) The regulations set forth in this Chapter shall apply only to elections held for offices for which elections returns are certified by the Secretary of State of the State of California.
- (f) Whenever, the word “should” is used in this Chapter, it is recommended, not mandatory.

CCR § 20711. BALLOT DESIGNATION WORKSHEET.

- (a) In order to facilitate review of a candidate’s proposed ballot designation by the Secretary of State pursuant to Elections Code Section 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.
- (b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.
- (c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:
 - (1) The candidate’s name, home, business and mailing addresses, telephone numbers, email address, if available, and fax number;
 - (2) A designation of the office for which the candidate is seeking election;
 - (3) The name, home, business and mailing addresses, telephone numbers, email address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;
 - (4) The proposed ballot designation submitted by the candidate;
 - (5) The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate’s preference;

- (6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:
- (A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a) (2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;
 - (B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a) (1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;
 - (C) If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate shall indicate:
 - (i) The title of the position or positions which he or she claims supports the proposed ballot designation;
 - (ii) The dates during which the candidate held such position;
 - (iii) A description of the work he or she performs in the position;
 - (iv) The name of the candidate’s business or employer;
 - (v) The name and telephone number of a person or persons who could verify such information; and
 - (vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term “principal” as set forth at Section 20714, subdivision (b).
 - (D) If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.
- (d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate’s Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

- (e) If a candidate requests a change of his or her ballot designation pursuant to Elections Code Section 13107(e), that request shall be accompanied by a Ballot Designation Worksheet.

CCR § 20712. PROPOSED BALLOT DESIGNATIONS SUBMITTED PURSUANT TO ELECTIONS CODE SECTION 13107, SUBDIVISION (a)(1).

Proposed ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(1), shall be subject to the following provisions:

- (a) In the case of candidates holding elective city, county, district, state, or federal office, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents;
- (b) In the case of judicial officers, the candidate's ballot designation shall be the elective office which the candidate holds at the time of filing the nomination documents;
- (c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(1);
- (d) Proposed ballot designations indicating a position of legislative leadership or leadership in another elected body, such as "Majority Leader of the California Senate," "Minority Leader of the California State Assembly," "Speaker of the California State Assembly," "President Pro Tempore of the California State Senate," "City of Orange Mayor Pro Tem," and the like, are not elective offices described in Elections Code Section 13107, subdivision (a)(1). Such ballot designations are improper, pursuant to Elections Code Section 13107, subdivision (a)(1). They may, however, subject to the three-word limit, be considered under the provisions of Section 13107(a)(3). Examples of acceptable ballot designations under this section include, but are not limited to, "Assembly Minority Leader," "California Assembly Speaker," and "Mayor Pro Tem;"
- (e) Proposed ballot designations indicating that the candidate is a member of the state or county central committee of a political party, or an officer of a state or county central committee of a political party, are improper, as such positions do not constitute elective county or state offices as specified in Elections Code Section 13107, subdivision (a)(1).

CCR § 20713. PROPOSED BALLOT DESIGNATIONS SUBMITTED PURSUANT TO ELECTIONS CODE SECTION 13107, SUBDIVISION (a)(2).

Proposed ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(2), shall be subject to the following provisions:

- (a) A proposed ballot designation submitted pursuant to Elections Code Section 13107, subdivision (a)(2), is limited “incumbent,” as that term is defined in Elections Code Section 13107, subdivision (a)(2);
- (b) The term “incumbent” must be used as a noun. It shall not be used in conjunction with any other words, including any accompanying adjectives or modifiers, and must stand alone. A candidate qualified to use this designation pursuant to Elections Code Section 13107, subdivision (a)(2), shall be entitled to use the ballot designation “Incumbent;”
- (c) The word “incumbent” is strictly limited for use in ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(2), and may not be used as an adjective in any other ballot designation.

CCR § 20714. PROPOSED BALLOT DESIGNATIONS SUBMITTED PURSUANT TO ELECTIONS CODE SECTION 13107, SUBDIVISION (a)(3).

Proposed ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(3), shall be subject to the following provisions.

- (a) The terms “profession,” “vocation,” or “occupation,” as those terms are used in Elections Code Section 13107, subdivision (a)(3), are defined as follows:
 - (1) “Profession” means a field of employment requiring special education or skill and requiring knowledge of a particular discipline. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual. Recognized professions generally include, but are not limited to, law, medicine, education, engineering, accountancy, and journalism. Examples of an acceptable designation of a “profession,” as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, “attorney,” “physician,” “accountant,” “architect,” and “teacher;”
 - (2) “Vocation” means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood and spends a major portion of his or her time. As defined, vocations may include, but are not limited to, religious ministry, child rearing, homemaking, elderly and dependent care, and engaging in trades such as carpentry, cabinetmaking, plumbing, and the like. Examples of an acceptable designation of a “vocation,” as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, “minister,” “priest,” “mother,” “father,” “homemaker,” “dependent care provider,” “carpenter,” “plumber,” “electrician,” and “cabinetmaker;”
 - (3) “Occupation” means the employment in which one regularly engages or follows as the means of making a livelihood. Examples of an acceptable

- designation of an “occupation,” as defined in Elections Code Section 13107, subdivision (a)(3), include, but are not limited to, “rancher,” “restaurateur,” “retail salesperson,” “manual laborer,” “construction worker,” “computer manufacturing executive,” “military pilot,” “secretary,” and “police officer;”
- (b) “Principal,” as that term is used in Elections Code Section 13107, subdivision (a)(3), means a substantial involvement of time and effort such that the activity is one of the primary, main or leading professional, vocational or occupational endeavors of the candidate. The term “principal” precludes any activity which does not entail a significant involvement on the part of the candidate. Involvement which is only nominal, pro forma, or titular in character does not meet the requirements of the statute.
- (1) If a candidate is licensed by the State of California to engage in a profession, vocation or occupation, the candidate is entitled to consider it one of his or her “principal” professions, vocations or occupations if the candidate has maintained his or her license current as of the date he or she filed his or nomination documents by complying with all applicable requirements of the respective licensure, including the payment of all applicable license fees and the status of the candidate’s license is active at the time he or she filed his or her nomination documents.
- (2) A candidate who holds a professional, vocational or occupational license issued by the State of California may not claim such profession, vocation or occupation as one of his or her “principal” professions, vocations or occupations if the candidate’s licensure status is “inactive” at the time the candidate files his or her nomination document, or the candidate’s license has been suspended or revoked by the agency issuing the license at the time the candidate files his or her nomination documents.
- (c) In order for a ballot designation submitted pursuant to Elections Code Section 13107, subdivision (a)(3), to be deemed acceptable by the Secretary of State, it must accurately state the candidate’s principal professions, vocations or occupations, as those terms are defined in subdivisions (a) and (b) herein. Each proposed principal profession, vocation or occupation submitted by the candidate must be factually accurate, descriptive of the candidate’s principal profession, vocation or occupation, must be neither confusing nor misleading, and must be in full and complete compliance with Elections Code Section 13107 and the regulations in this Chapter.
- (d) If the candidate is engaged in a profession, vocation or occupation at the time he or she files his or her nomination documents, the candidate’s proposed ballot designation is entitled to consist of the candidate’s current principal professions, vocations and occupations. In the event the candidate does not have a current principal profession, vocation or occupation at the time he or she files his or her

nomination documents, the candidate may use a ballot designation consisting of his or her principal professions, vocations or occupations, which the candidate was principally engaged in during the calendar year immediately preceding the filing of the candidate's nomination papers.

- (e) A candidate may engage in multiple principal professions, vocations or occupations. Accordingly, the candidate may designate multiple principal professions, vocations or occupations. If a candidate proposes a ballot designation including multiple principal professions, vocations or occupations, the proposed ballot designation must comply with the following provisions:
 - (1) The proposed ballot designation must comply with the three-word limitation specified in Elections Code Section 13107, subdivision (a)(3), and as implemented pursuant to subdivision (f) herein;
 - (2) Each such proposed profession, vocation or occupation shall be separately considered by the Secretary of State and must independently qualify as a "principal" profession, vocation or occupation, as that term is defined pursuant to subdivision (b) herein;
 - (3) When multiple professions, vocations or occupations are proposed as a ballot designation, they shall be separated by a slash ("/"). An example of an acceptable designation would be "Legislator/Rancher/Physician."
- (f) Pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate's ballot designation shall be limited to not more than three (3) words. The following rules shall govern the application of the three-word limitation:
 - (1) The proposed ballot designation shall be grammatically correct, generic, and all words must be spelled correctly;
 - (2) Punctuation shall be limited to the use of a comma (e.g., District Attorney, Los Angeles County) and a slash (e.g., Legislator/Rancher/Physician), pursuant to subdivision (e) of this section. A hyphen may be used if, and only if, the use of a hyphen is called for in the spelling of a word as it appears in a standard reference dictionary of the English language, which was published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted;
 - (3) All California geographical names shall be considered to be one word and shall be limited to the names of cities, counties and states. The names of special districts and political subdivisions are not "geographical names," as that term is used in Elections Code Section 13107, subdivision (a)(3). If the candidate desires, the geographical name may be used in the form of "City of...," "County of...," or "City and County of..." Examples of geographical names considered to be one word include Tehama County, Los Angeles County and County of Sacramento. Examples of designations containing a special district or political subdivision that are not geographical names include "Butte County Rural Fire District Captain," "Huntington Beach Unified School District President," and "South Bay Irrigation District Director;"
 - (4) An acronym shall be counted as one word;

- (g) A candidate who chooses to include the name of his or her elective office with another profession, vocation, or occupation may do so pursuant to Elections Code Section 13107(a)(3), but that ballot designation shall be limited to no more than three words. Examples of acceptable designations under this section include “State Senator/Rancher,” “California Assemblywoman/Attorney,” “County Supervisor/Teacher,” and “State Controller/Businessman.” Examples of unacceptable designations under this section include “Assemblyman, 57th District/Educator,” “California State Senator/Architect,” “Placer County Supervisor/Business Owner,” and “Member, Board of Equalization/Banker.”

CCR § 20714.5. “COMMUNITY VOLUNTEER.”

- (a) “Community Volunteer” means a person who engages in an activity or performs a service for or on behalf of, without profiting monetarily, one or more of the following:
- (1) A charitable, educational, or religious organization as defined by the United States Internal Revenue Code section 501(c)(3);
 - (2) A governmental agency; or
 - (3) An educational institution.
- (b) The activity or service must constitute substantial involvement of the candidate’s time and effort such that the activity or service is the sole, primary, main or leading professional, vocational or occupational endeavor of the candidate within the meaning of subdivisions (a) and (b) of section 20714 of this Chapter.

CCR § 20715. PROPOSED BALLOT DESIGNATIONS SUBMITTED PURSUANT TO ELECTIONS CODE SECTION 13107, SUBDIVISION (a)(4).

- (a) Pursuant to Elections Code Section 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the phrase “appointed incumbent” if the candidate holds an office, other than a judicial office, by virtue of appointment, and the candidate is a candidate for election to the same office. The candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.”
- (b) Pursuant to Elections Code Section 13107, subdivision (a)(4), a candidate may propose a ballot designation consisting of the word “appointed” in conjunction with the elective office, if the candidate is a candidate for election to the same office or to some other office. The candidate may not use any words designating the office unmodified by the word “appointed.”
- (c) There shall be no word count limitation applicable to ballot designations submitted pursuant to Elections Code Section 13107, subdivision (a)(4).

CCR § 20716. UNACCEPTABLE BALLOT DESIGNATIONS.

- (a) The Secretary of State shall reject as unacceptable any proposed ballot designation which fails to comply with Elections Code Section 13107, subdivision (a); is prohibited pursuant to Elections Code Section 13107, subdivision (b); is misleading; or is otherwise improper pursuant to the regulations set forth in this Chapter.
- (b) The following types of activities are distinguished from professions, vocations, and occupations and are not acceptable as ballot designations pursuant to Elections Code Section 13107, subdivision (a)(3):
 - (1) Avocations: An avocation is a casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate's principal profession, vocation or occupation. Avocations may include, but are not limited to, hobbies, social activities, volunteer work (except as set forth in Section 20714.5 of this Chapter), and matters pursued as an amateur;
 - (2) Pro Forma Professions, Vocations, and Occupations: Pro forma professions, vocations, or occupations are positions held by the candidate which consume little or none of the candidate's time and which, by their nature, are voluntary or for which the candidate is not compensated, except as set forth in Section 20714.5 of this Chapter. Pro forma professions, vocations and occupations may include, but are not limited to, such pursuits as honorary peace officer, honorary chairperson, honorary professor, goodwill ambassador, official host or hostess and the like;
 - (3) Statuses: A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole. A status is generic in nature and generally fails to identify with any particular specificity the manner by which the candidate earns his or her livelihood or spends the substantial majority of his or her time. Examples of a status include, but are not limited to, veteran, proponent, reformer, scholar, founder, philosopher, philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife, and the like.
- (c) Pursuant to Elections Code Section 13107, subdivision (b)(1), the Secretary of State shall reject as unacceptable any proposed ballot designation which would mislead voters. In making this determination, the Secretary of State shall determine whether there is a substantial likelihood that a reasonably prudent voter would be misled as to the candidate's principal profession, vocation or occupation by the candidate's proposed ballot designation. The determination shall take into account the plain meaning of the words constituting the proposed ballot designation and the factual accuracy of the proposed ballot designation based upon supporting documents or other evidence submitted by the candidate in support of the proposed ballot designation, pursuant to Section 20711 and Section 20717 of this Chapter.
- (d) A ballot designation may not comprise or include commercial identification information, such as a trademark, service mark, tradename, or the specific name of a business, partnership, corporation, company, foundation, or organization.

Examples of an improper use of commercial identification information include, but are not limited to, “Acme Company President,” “Universal Widget Inventor,” “Director, Smith Foundation,” “UCLA Professor,” and the like.

- (e) Pursuant to Elections Code Section 13107, subdivision (b)(2), the Secretary of State shall reject as unacceptable any proposed ballot designation which would suggest an evaluation of the candidate’s qualifications, honesty, integrity, leadership abilities or character. Any laudatory or derogatory adjectives which would suggest an evaluation of the candidate’s qualifications shall not be permitted. Such impermissible adjectives include, but are not limited to, “senior,” “emeritus,” “specialist,” “magnate,” “outstanding,” “leading,” “expert,” “virtuous,” “eminent,” “best,” “exalted,” “prominent,” “famous,” “respected,” “honored,” “honest,” “dishonest,” “corrupt,” “lazy,” and the like.
- (f) Pursuant to Elections Code Section 13107, subdivision (b)(3), the Secretary of State shall reject as unacceptable any proposed ballot designation which abbreviates the word “retired” or places it following any word or words which it modifies. Examples of impermissible designations include “Ret. Army General,” “Major USAF, Retired” and “City Attorney, Retired.”
- (g) Pursuant to Elections Code Section 13107, subdivision (b)(4), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or prefix to indicate a prior profession, vocation, occupation or elected, appointed or judicial office previously held by the candidate. Such impermissible words or prefixes include, but are not limited to, “Ex-,” “former,” “past,” and “erstwhile.” Examples of impermissible designations include “Former Congressman,” “Ex-Senator,” and “Former Educator.
- (h)
 - (1) Subject to the provisions of Elections Code Section 13107, subdivision (b)(4), use of the word “retired” in a ballot designation is generally limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation.
 - (2) In evaluating a proposed ballot designation including the word “retired,” the Secretary of State will consider the following factors in making a determination as to the propriety of the use of the term “retired:”
 - (A) Prior to retiring from his or her principal profession, vocation or occupation, the candidate worked in such profession, vocation or occupation for more than five (5) years;
 - (B) The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
 - (C) The candidate has reached at least the age of 55 years;
 - (D) The candidate voluntarily left his or her last professional, vocational or occupational position;
 - (E) The candidate’s retirement benefits are providing him or her with a principal source of income.

- (3) If a candidate is requesting a ballot designation that he or she is a retired public official, the candidate must have previously voluntarily retired from public office, not have been involuntarily removed from office, not have been recalled by voters, and not have surrendered the office to seek another office or failed to win reelection to the office. If such a candidate did not voluntarily retire from public office, he or she may not use the word “retired” in his or her ballot designation.
- (4) A candidate may not use the word “retired” in his or her ballot designation if that candidate possesses another more recent, intervening principal profession, vocation, or occupation.
 - (i) Pursuant to Elections Code Section 13107, subdivision (b)(5), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses the name of any political party, whether or not it has qualified for recognized ballot status.
 - (j) Pursuant to Elections Code Section 13107, subdivision (b)(6), the Secretary of State shall reject as unacceptable any proposed ballot designation which uses a word or words referring to a racial, religious, or ethnic group.
 - (1) The Secretary of State shall reject as unacceptable any ballot designation which expressly contains or implies any ethnic or racial slurs or ethnically or racially derogatory language.
 - (2) If the candidate is a member of the clergy, the candidate may not make reference to his or her specific denomination. However, the candidate may use his or her clerical title as a ballot designation (e.g., “Rabbi,” “Pastor,” “Minister,” “Priest,” “Bishop,” “Deacon,” “Monk,” “Nun,” “Imam,” etc.)
 - (k) Pursuant to Elections Code Section 13107, subdivision (b)(7), the Secretary of State shall reject as unacceptable any proposed ballot designation which refers to any activity prohibited by law. Unlawful activity includes any activities, conduct, professions, vocations, or occupations prohibited by state or federal law.

CCR § 20717. REQUESTS FOR SUPPORTING DOCUMENTATION.

In addition to the Ballot Designation Worksheet required to be filed with the Secretary of State pursuant to Elections Code Sections 13107.3 and CCR 20711, the Secretary of State may request that a candidate submit additional supporting documentation or other evidence to support the proposed ballot designation.

- (a) Time is of the essence regarding all matters pertaining to the review of proposed ballot designations submitted by candidates for public office. Failure to promptly submit requested supporting materials will preclude consideration of such materials in and the rendering of a final decision on the candidate’s proposed ballot designation.
- (b) The Secretary of State will communicate, whenever possible, with the candidate in the most expeditious manner, including, but not limited to, telephone, facsimile transmission and email at the number or address provided by the candidate. When the candidate does not have reasonable access to a facsimile machine or electronic

mail, the Secretary of State will transmit written communication to the candidate by means of overnight express delivery to the address provided by the candidate.

- (c) The candidate shall have the burden of establishing that the proposed ballot designation that he or she has submitted is accurate and complies with all relevant provisions of the Elections Code, including Section 13107.

CCR § 20718. COMMUNICATION OF DECISIONS REGARDING BALLOT DESIGNATIONS.

- (a) If a candidate's proposed ballot designation has been rejected, an official copy of the decision of the Secretary of State will be made in writing and transmitted directly to the candidate by registered or certified mail, return receipt requested, to the address provided by the candidate. The Secretary of State shall also provide a copy to the elections official in the candidate's county of residence and to the elections official of each county within the political subdivision. Copies may also be made available to all other candidates in the race.
- (b) At the request of the candidate, the Secretary of State will transmit a copy of the decision of the Secretary of State regarding the candidate's proposed ballot designation by facsimile transmission or email to the facsimile number or email address listed on the candidate's Ballot Designation Worksheet.
- (c) All written decisions of the Secretary of State regarding ballot designations are public records and are available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, 1500 11th Street, Fifth Floor, Sacramento, California 95814.

§ 20719. SERVICE OF LEGAL PROCESS REGARDING BALLOT DESIGNATIONS.

- (a) In the event a candidate or other interested party files a petition for the issuance of an extraordinary writ with the court or other legal action pertaining to a candidate's ballot designation, the summons and any other legal process should be served upon the Chief Counsel to the Secretary of State, 1500 11th Street, Sixth Floor, Sacramento, California 95814. The Chief Counsel may designate a Deputy Secretary of State to accept service of process on behalf of the Secretary of State.
- (b) Telephone notice pertaining to any ex parte applications filed with the court by any candidate or other interested party should be directed to the attention of the Chief Counsel to the Secretary of State at (916) 653-7244. Counsel for all parties to such ex parte matters are admonished that waivers of the Secretary of State's right to timely notice and the right to personally appear at the ex parte hearing will be granted in writing and only in limited instances.
- (c) The Secretary of State shall provide a copy of any legal actions noted in the preceding two paragraphs to the elections official in the county of the candidate's residence and any other county in the district.

- (d) The Secretary of State shall be named as a respondent in any legal action pertaining to a ballot designation for a candidate described in Elections Code Section 15375, except for a candidate for judge of the superior court.

ATTACHMENT B - CANDIDATE STATEMENT OF QUALIFICATIONS INFORMATION

Each candidate may choose to prepare a candidate's statement. The statement may include the name, age and occupation of the candidate and a brief description, totaling no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself/herself.

- All candidate statements must be submitted in electronic format, in Microsoft Word format. Accompanying the electronic submittal should be a hard copy of the Statement of Qualifications.
- Candidates will be required to sign a hard copy of their candidate's statement after it is reviewed by the City Clerk for word count, corrected by the candidate (if necessary), and meets all requirements.

The statement must be submitted with the Nominating Paper. It may be withdrawn, but not changed, during the period for filing nomination papers and until 4:30 p.m. (E.C §13307) August 9, 2024. Candidates' statements remain confidential until 4:30 p.m. August 9, 2024. At that time, Statements will be posted for public review and could be subject to legal challenge. (If the candidate filing period is extended, all candidate statements will remain confidential until 5:30 p.m. August 14, 2024, and may be withdrawn, but not changed, until 5:00 p.m. August 14, 2024).

CANDIDATE'S RESPONSIBILITY FOR COSTS: The estimated cost of printing a candidate statement is \$600.00. Candidates submitting a statement must pay this estimated deposit fee in advance, at the time of submitting the candidate's statement. This is only an estimate of the actual cost to print or have a candidate's statement posted electronically. The candidate is responsible for the actual cost to print the statement, or have it electronically posted, which will be provided by the Orange County Registrar of Voters, after the election. The City Clerk will refund any excess paid by the candidate. Likewise, if the actual cost is more than \$600.00 to print, the candidate will be responsible to provide the additional funds to the City Clerk within 30 days of the invoice. Any refund will be made within 30 days following receipt of an invoice from the County. An invoice will be sent if any additional amount is required to be paid by the candidate.

In the event that a candidate pays for a statement by check and the check is returned by the bank due to insufficient funds, the candidate will have 24 hours to pay for the statement in cash, money order or certified check, or the statement will not be printed in the voter's pamphlet.

The cost of printing candidate's statements includes the cost of translating and printing the statements in English and other languages required by the Voting Rights Act. Statements are included in the Voter Information Pamphlet and mailed to all households with registered voters. The mailing of Voter Information Pamphlets takes place approximately one month before the election.

RESTRICTED CONTENT: A candidate's statement of qualifications may make no reference to another candidate. It is limited to a recitation of the candidate's own personal background and qualifications and shall not in any way make reference to another candidate for the office or to another candidate's qualifications, character, or activities. Reference to any political party is prohibited. (§ 13308)

The regulations and Elections Code do not provide an exemption to the candidate from any civil or criminal action or penalty because of false, slanderous or libelous statements offered for printing or contained in the voter's pamphlet. The guidelines for computing word count, paragraph styles and a sample of printed statements follow this page.

If the text exceeds the word limit, the candidate must delete or change a sufficient number of words, or a sentence, to put the statement within the required word limit before the statement is filed. The candidate should correct any misspellings before the statement is filed. Other than formatting requirements, your statement will be printed as filed.

The submitted statement must be typed. No word will be printed in "ALL CAPS", bolding or underlining. Do not use bullet points, stars, asterisks, or numbers that function as bullet points to block-indent paragraphs. Excessive number of paragraphs or block-indentation in a Candidate's Statement may cause the statement to not fit in the allotted space even though the word count hasn't exceeded the maximum number of words. If the statement does not fit into the box, you will be asked to edit your statement. Keep this in mind as you write and format your statement.

IMPORTANT: The candidate must sign and date the statement when it is filed. The candidate is required to pay for the statement and complete a Candidate's Statement form at the time the statement is filed. A copy of the signed statement and form will be given to the candidate.

NOTE: A nomination period may be extended because an incumbent, eligible to be elected, failed to file a nominating documents. Candidates' Statements for that particular office filed by any candidate, other than the person who was the incumbent, prior to the 88th day before the election or during the extended period, may be withdrawn, but not changed, until August 14, 2024, 5:30 p.m. (§ 8022).

All statements are confidential until the expiration of the filing deadline (§ 13311).

WORD COUNT CRITERIA

The following are the guidelines for computing the word count for candidate statements. Each word shall be counted as one word except as specified on this page. The title of the office, name, district, age, and occupation lines are not included in the word count –only the text is counted. For voter-nominated offices, the party preference line is also not included in the word count.

Acronyms and Abbreviations – Examples: UCLA, U.C.L.A., PTA, P.T.A., USMC, U.S.M.C	one word
All proper nouns including geographical names and names of persons – Examples: County of Orange, Orange County, San Juan Capistrano, City of Brea, Gus Enright, Jane Smith.	one word
Whole numbers – digits (1 – 10 – 100, etc.) Spelled out numbers – One Hundred, Ten Thousand →	one word each word is counted
Number combinations (1990, 1990-1991, 100%)	one word
Dates – all digits (11/5/96) Word and digits (June 2, 1998)	one word one word
Monetary amounts – If the dollar sign is used with figures - \$1,000 → Spelled out numbers – One Hundred, Ten Thousand →	one word each word is counted
Regularly hyphenated words that appear in the Merriam-Webster Dictionary online	one word
Normal punctuation	not counted
Telephone numbers	one word
Website addresses/email	one word

SAMPLE CANDIDATE STATEMENT LAYOUT

Below are samples of 200-word candidate statements, as they would appear in the “Voter Information Guide.” Statements will appear in the same order as the candidates appear on the ballot. Each candidate is paying for a ¼ page.

WASHINGTON UNIFIED SCHOOL DISTRICT

JANE DOE **Businesswoman**

I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I fully understand the value of a quality public education. As your next school board member, I will work to protect small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

If elected to serve as a Governing Board Member, I will build on this experience and work diligently to maintain financial stability and foster an educational environment that meets the intellectual and social-developmental needs of our children.

I am looking forward to serving you on the Washington Unified School District Governing Board. I respectfully ask for your vote Thank you.

JOHN T. WHEELER **Attorney/Educator/Rancher**

I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district.

I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district.

I fully understand the value of a quality public education. As your next school board member, I will work to protect small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.

I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows.

If elected to serve as a Governing Board Member, I will build on this experience and work diligently to maintain financial stability and foster an educational environment that meets the intellectual and social-developmental needs of our children.

I am looking forward to serving you on the Washington Unified School District Governing Board. I respectfully ask for your vote. Thank you.

MARY SMITH **Teacher**

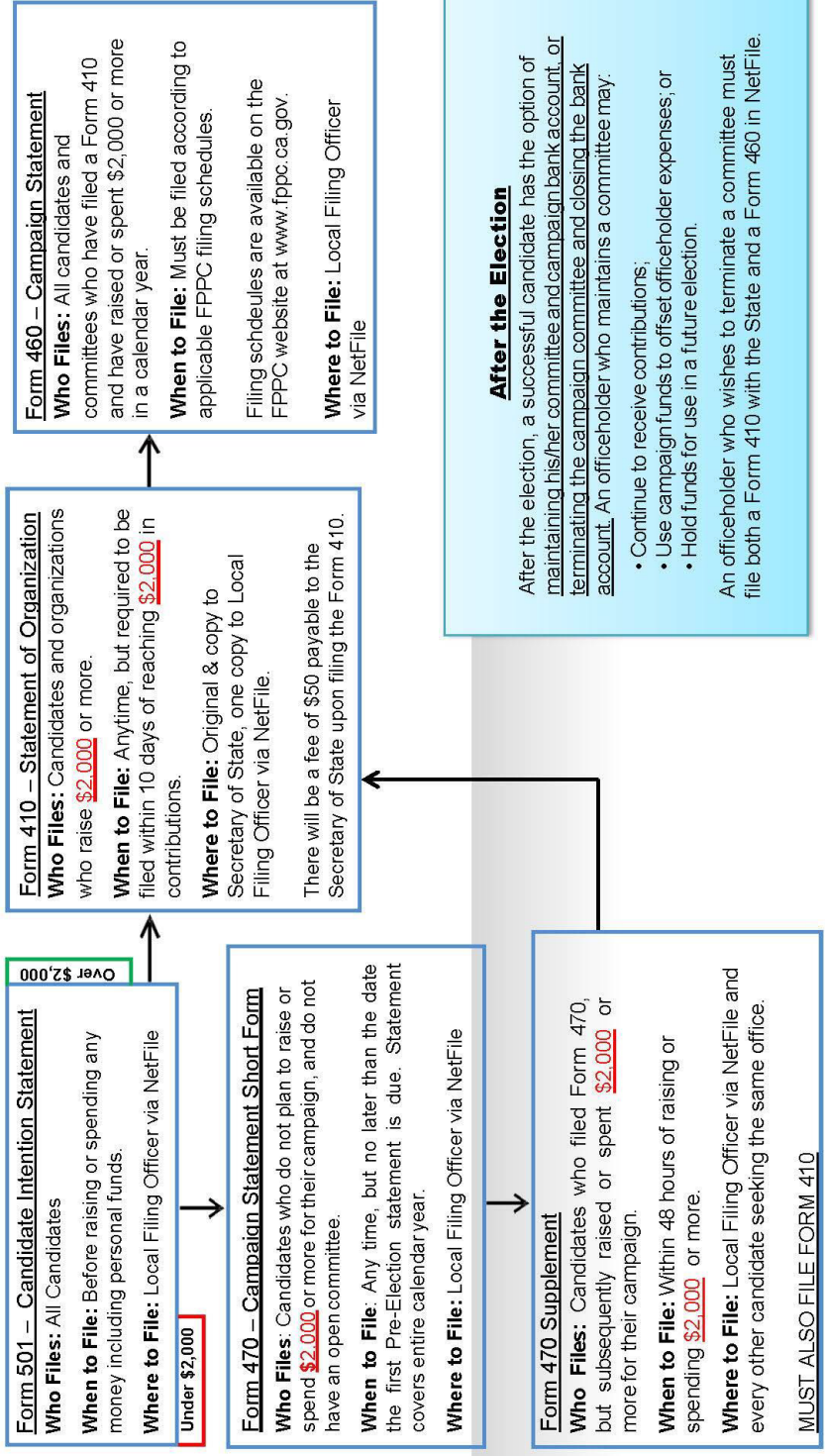
I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of the need to operate within a budget. With proper distribution of resources and educational materials I am convinced we can offer quality education to all students within the district. I fully understand the value of a quality public education. As your next school board member, I will work to protect small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. I have been active in the P.T.A., served on the Save Our Youth committee, and am an active member of the All-Faith Church. I have served as Boy Scout Den Mother and Girl Scout Leader for the past 3 years. I also serve as a volunteer at the Community Recycling Center as time allows. If elected to serve as a Governing Board Member, I will build on this experience and work diligently to maintain financial stability and foster an educational environment that meets the intellectual and social-developmental needs of our children. I am looking forward to serving you on the Washington Unified School District Governing Board. I respectfully ask for your vote

Thank you.

ATTACHMENT C- SUMMARY OF CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS



Basic Filing Guidelines for Candidates & Committees. For more information you may contact FPPC at 1-866-ASK-FPPC and by going to the FPPC website at www.fppc.ca.gov



SUMMARY OF CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS

FORM 501 – Candidate Intention Statement

This statement must be filed before a candidate solicits or receives any contributions or loans from others or before any expenditure are made from personal funds on behalf of his/her candidacy, excluding personal funds used to pay filing fees and/or fees for Statements of Qualifications.

Exception: Form 501 is not required to be filed by candidates who do not intend to receive any contributions or loans, and the only expenditures from personal funds would be for payment of the filing fee, if applicable, and the Statement of Qualifications. Form 501 is not used to obtain a Committee Identification Number.

FORM 410 – Statement of Organization

The Form 410 must be filed if a candidate or committee receives contributions or loans totaling \$2,000 in a calendar year. This statement must be filed within 10 days of opening a campaign bank account at a financial institution in California. All personal funds and/or contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the campaign bank account prior to expenditure. A printed copy of the Form 410 must be filed with the Secretary of State's Office to obtain a Committee Identification Number.

FORM 460 – Recipient Committee Campaign Statement

Candidates for office who receive contributions or have expenditures in excess of \$2,000 must file pre-election and semi-annual campaign statements during the year in which their election is being held. Please refer to the Filing Schedule for filing deadlines.

FORM 470 – Officeholder/Candidate Campaign Statement – Short Form

Candidates for office who expect to receive or spend less than \$2,000 during the election and who do not have a controlled committee may file a Form 470 with their Declaration of Candidacy (or no later than the filing deadline for the first pre-election campaign statement).

FORM 470 – Supplemental

Supplemental Candidate and Officeholder Campaign Statement. This form applies to candidates and officeholders who have filed a Form 470 and subsequently receive contributions or make contributions totaling \$2,000 or more for a calendar year. Once a Supplemental Form 470 is filed, the candidate or officeholder will be required to file a Form 410 and Form 460.

ATTACHMENT D - CAMPAIGNING INFORMATION

Most campaign activities are regulated by state and local laws. It is the responsibility of each candidate to campaign within these regulations or be subject to penalties, fines, or criminal charges.

Local Campaign Regulations

The City of San Juan Capistrano regulates campaign contributions and signs. Regulations are detailed in the San Juan Capistrano Municipal Code available on the City's website: www.sanjuancapistrano.org

Please refer to Ordinance 1011 and Resolution 24-01-16-02 (refer to Appendix A) for Campaign Contribution Regulations and refer to Ordinance 1059 (refer to Appendix B) for Temporary Signs Regulations.

State Campaign Regulations (Partial List)

State Code of Fair Campaign Practices.

At the time an individual is issued his/her Nominating Papers, the City Clerk will give the individual a blank form of the California Code of Fair Campaign Practices and a copy of the provisions of Chapter 5 of Division 20 of the Elections Code (commencing with Section 20400). The candidate's subscription to the code is voluntary. If the Candidate subscribes to the code, the signed Code of Fair Campaign Practices should be submitted at the same time that Nominating Papers are submitted.

State Regulation of Use of Surplus Campaign Funds.

Use of campaign funds and surplus campaign funds is regulated by the State through the Fair Political Practices Commission (FPPC). Each candidate is legally responsible for understanding and complying with these regulations, as outlined in the pamphlet distributed by the FPPC entitled, CAMPAIGN DISCLOSURE MANUAL 2 (refer to Appendix A). Each candidate will be provided this manual during the nomination process and the manual is available at the Fair Political Practices Commission website: <https://www.fppc.ca.gov/learn/campaign-rules/campaign-disclosure-manuals.html>

Mass Mailings and Political Advertising.

For guidelines Mass Mailings and Political Advertising please see FPPC Campaign Manual 2, Chapter 8 Advertisement Disclosures.

State Penal Provisions.

Penal Code § 115.1 provides:

(a) The Legislature finds and declares that the voters of California are entitled to accurate representations in materials that are directed to them in efforts to influence how they vote.

(b) No person shall publish or cause to be published, with intent to deceive, any campaign advertisement containing a signature that the person knows to be unauthorized.

(c) For purposes of this section, “campaign advertisement” means any communication directed to voters by means of a mass mailing as defined in Section 82041.5 of the Government Code, a paid television, radio, or newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code.

(d) For purposes of this section, an authorization to use a signature shall be oral or written.

(e) Nothing in this section shall be construed to prohibit a person from publishing or causing to be published a reproduction of all or part of a document containing an actual or authorized signature, provided that the signature so reproduced shall not, with the intent to deceive, be incorporated into another document in a manner that falsely suggests that the person whose signature is reproduced has signed the other document.

(f) Any knowing or willful violation of this section is a public offense punishable by imprisonment in a county jail not exceeding 6 months, or pursuant to subdivision (h) of Section 1170, or by a fine not to exceed fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

(g) As used in this section, “signature” means either of the following:

(1) A handwritten or mechanical signature, or a copy thereof.

(2) Any representation of a person’s name, including, but not limited to, a printed or typewritten representation, that serves the same purpose as a handwritten or mechanical signature.

Penal Code § 115.2 provides:

(a) No person shall publish or cause to be published, with actual knowledge, and intent to deceive, any campaign advertisement containing false or fraudulent depictions, or false or fraudulent representations, of official public documents or purported official public documents.

(b) For purposes of this section, “campaign advertisement” means any communication directed to voters by means of a mass mailing as defined in Section 82041.5 of the Government Code, a paid newspaper advertisement, an outdoor advertisement, or any other printed matter, if the expenditures for that communication are required to be reported by Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code.

(c) Any violation of this section is a misdemeanor punishable by imprisonment in the county jail, or by a fine not to exceed fifty thousand dollars (\$50,000), or both.

Elections Code § 18200 provides:

Every person who subscribes to any nomination petition a fictitious name, or who intentionally subscribes thereto the name of another, or who causes another to subscribe a fictitious name to a nomination petition, is guilty of a felony and is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

Elections Code § 18201 provides:

Any person who falsely makes or fraudulently defaces or destroys all or any part of a nomination paper, is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years or by both that fine and imprisonment.

Elections Code § 18202 provides:

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any nomination paper or declaration of candidacy in his or her possession that is entitled to be filed under this code.

Elections Code § 18203 provides:

Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years or by both that fine and imprisonment.

Elections Code § 18204 provides:

Any person who willfully suppresses all or any part of a nomination paper or declaration of candidacy either before or after filing is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment pursuant to subdivision (h) of Section 1170

of the Penal Code for 16 months or two or three years or by both that fine and imprisonment.

Elections Code § 18205 provides:

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received, any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

Elections Code § 18350 provides:

(a) A person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office, or in connection with the campaign of another person for nomination or election to a public office, does either of the following acts:

(1) Assumes, pretends, or implies, by his or her statements, conduct, or campaign materials, that he or she is the incumbent of a public office when that is not the case.

(2) Assumes, pretends, or implies, by his or her statements, conduct, or campaign materials, that he or she is or has been acting in the capacity of a public officer when that is not the case.

(b) A violation of this section may be enjoined in a civil action brought by a candidate for the public office involved.

Elections Code § 18351 provides:

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section 11327 or 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1,000).

Elections Code § 18370 provides:

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, a satellite location under Section 3018, or an elections official's office:

(a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.

(b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.

(c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.

(d) Do any electioneering as defined by Section 319.5.

As used in this section, "100 feet of a polling place, a satellite location under Section 3018, or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Elections Code § 18371 provides:

(a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.

(b) Any person who knowingly violates this section is guilty of a misdemeanor.

(c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

Government Code § 3205.5 provides:

No one who holds, or who is seeking election or appointment to, any office shall, directly or indirectly, offer or arrange for any increase in compensation or salary for an employee of a state or local agency in exchange for, or a promise of, a contribution or loan to any committee controlled directly or indirectly by the person who holds, or who is seeking election or appointment to, an office. A violation of this section is punishable by imprisonment in a county jail for a period not exceeding one year, a fine not exceeding five thousand dollars (\$5,000), or by both that imprisonment and fine.



ATTACHMENT E – SIGN ORDINANCE

See Appendix B

Campaign Signs on Public and Private Property

The following information is intended to provide a brief summary of the City’s regulations regarding campaign signs and serve as a convenient reference in advance of the November 5, 2024, election. The full text of the City’s sign regulations can be found in Sections 7-9.01 – 7.9.10 and 9-3.543 of the City’s Municipal Code, available online at: <https://ecode360.com/SA5003>.

Signs within Public Right-of-Way (streets, parkways, bicycle and equestrian trails):

- If within 100 ft. of intersection, maximum of 6 sq. ft. and 3 ft. in height
- If outside of 100 ft. of intersection, maximum of 9 sq. ft. and 6 ft. in height
- Must be freestanding
- Not allowed in center median of any public road or street
- No closer than 5 ft. from edge of roadway
- Flags, valances, pennants, lights, etc. are prohibited
- Signs cannot be illuminated, revolve, or otherwise function with mechanical parts or devices
- Signs must be kept in a state of good repair at all times
- Signs must be a minimum of 100 ft. from polling place

Signs on Private Property (residential and commercial):

- Must have private property owner authorization
- Each individual sign can be a maximum of 9 sq. ft. and 6 ft. in height, or, if building mounted must be located below roof eaves
- A property owner may place a maximum aggregate of nine 9 sq. ft. of area of temporary noncommercial signage on a property for one period of forty-five (45) days per year
 - During ninety (90) days prior to and seven days (7) after an election, a property owner may place temporary signage on the property as follows:
 - For residential property, sixty-three (63) additional square feet of area; and
 - For nonresidential property eighty-one (81) additional square feet of area

Signs may not obstruct the flow or visibility of vehicular, bicycle, or pedestrian traffic, or any emergency equipment. The Municipal Code authorizes removal of signs that are in violation of any City codes. In the event that a sign is removed, it is the policy of the City to make a reasonable attempt to notify the owner. All signs must be removed from public or private property within seven days following the election date.

Thank you for your cooperation.

ATTACHMENT F - ADMINISTRATIVE ROSTERS

City of San Juan Capistrano Elected Officials and Executive Staff

San Juan Capistrano is a General Law city with a City Council/City Manager form of government. Municipal elections are consolidated with the statewide general elections and held in November of the even-numbered years.

Members of the City Council may be contacted by telephoning City Hall at (949) 493-1171. Executive staff may be contacted at the telephone numbers listed below. Elected officials and City staff may also be contacted by writing to the City of San Juan Capistrano, 30448 Rancho Viejo Road, Suite 110, or by emailing to cityclerk@sanjuancapistrano.org. Office hours are Monday through Thursday 7:30 a.m. to 5:30 p.m. and Friday 7:30 a.m. to 4:30 p.m. (except holidays).

Council Meetings

Regular City Council meetings are held on the 1st and 3rd Tuesday of the month at 3:00 p.m. for Executive Session and 5:00 for public Business Session in the Council Chamber at the Community Center 25925 Camino Del Avion.

City Councilmembers

Name/ District	Position	Term Expires
Sergio Farias District 1	Mayor	December 2024
Troy Bourne District 2	Mayor Pro Tem	December 2026
John Campbell District 3	Councilmember	December 2026
Howard Hart District 5	Councilmember	December 2024
John Taylor District 4	Councilmember	December 2026

Executive Staff

Name	Position	Email Address	Telephone Number
Benjamin Siegel	City Manager	bsiegel@sanjuancapistrano.org	(949) 234-4563
Matisse Reischl	Assistant City Manager	mreischl@sanjuancapistrano.org	(949) 234-4563
Shelley Velez	Director of Human Resources	svelez@sanjuancapistrano.org	(949) 443-6375
Ken Al-Imam	Chief Financial Officer	kalimam@sanjuancapistrano.org	(949) 443-6301
Joel Rojas	Director of Development Services	jrojas@sanjuancapistrano.org	(949) 234-4410
Thomas Toman	Director of Public Works and Community Services	ttoman@sanjuancapistrano.org	(949) 234-4580
Charlie View, Acting	Director of Engineering and Environmental Services	cview@sanjuancapistrano.org	(949) 443-6322
Christy Jakl	City Clerk	cjakl@sanjuancapistrano.org	(949) 443-6310
Justin Montano	Police Chief	jmontano@sanjuancapistrano.org	(949) 443-6369
Cheyne Maule	Fire Chief		(949) 831-0872
Jeffrey Ballinger	City Attorney - Best Best & Krieger	jeff.ballinger@bbklaw.com	(619) 525-1343

Website: www.sanjuancapistrano.org