



OFFICE OF THE TOWN CLERK

Candidate Instructional Guide: Running for Elective Office

*General Municipal Election
November 8, 2022*

Los Gatos Candidate Instructional Guide: Running for Elective Office



Dear Candidate,

Thank you for your interest in running for elective office in the Town of Los Gatos! There is no higher honor than serving the people as an elected official. Regardless of the position, our democracy works best when people are willing to step up and get involved.

For the **November 8, 2022** General Municipal Election, there are three Town Council seats up for election, each for a term of four-years.

The following information is intended to provide you with an overview of requirements for running for elective office. It is not intended to be an all-encompassing guide; it simply summarizes the major provisions.

Additional information is available on the Town's website at www.losgatosca.gov/2492/Information-for-Candidates; on the Santa Clara County Registrar of Voters website at www.sccvote.sccgov.org; and the California Secretary of State's website at www.sos.ca.gov/elections.

For campaign finance disclosure related questions, information is available on the California Fair Political Practices Commission website at www.fppc.ca.gov.

As the Town of Los Gatos Elections Official, I am available to you as a resource, and I encourage you to contact me if you have any questions. I can be reached at (408) 354-6888 or via email at clerk@losgatosca.gov.

I wish you the best of luck!

Regards,

Shelley Neis

Shelley Neis, MMC, CPMC
Town Clerk

Table of Contents

INTRODUCTION 5

About Town Government..... 5

Meetings..... 5

 Regional and Local Liaison Appointments..... 5

 Meeting Materials 6

 Compensation 6

Support Staff..... 6

Terms of Office 6

Taking Elective Office..... 6

Records and Disclosure 6

RUNNING FOR OFFICE 9

Who Can Run for Office?..... 9

 Employment Restrictions for Elected Officials 9

 Filing for More than One Office 9

Nomination Process 9

 Nomination Period..... 10

 Extended Nomination Period..... 10

 Submission of Nomination Documents..... 10

 Withdrawal of Candidacy..... 10

 Write-in Candidates..... 10

Order of Names on the Ballot 11

Key Candidate Action Dates 12

Key Election Dates 12

NOMINATION DOCUMENTS 13

Nomination Paper..... 13

 Signing a Nomination Paper 14

 Circulating the Nomination Paper..... 14

 Handling the Nomination Paper..... 14

 Receiving or Filing Nomination Papers on Behalf of a Candidate 14

 Verification of Signatures 14

Ballot Designation and Worksheet..... 15

 Selecting a Ballot Designation..... 15

Option 1: Name of Candidate’s Elective Office 15

Option 2: Term “Incumbent” 16

Option 3: Terms “Appointed Incumbent” or “Appointed” 16

Option 4: Principal Profession, Vocation, or Occupation 16

Retired 17

Community Volunteer..... 17

Unacceptable Ballot Designations 18

Los Gatos Candidate Instructional Guide: Running for Elective Office

Candidate Statement (Optional)	18
Deposit for Candidate Statement	18
Withdrawal of Statement	19
Word Count, Format and Content of Statement	19
Public Review Period	20
Statement of Economic Interests (Form 700)	20
Code of Fair Campaign Practices (Optional)	20
Candidate Authorization and Acknowledgement Form	20
CAMPAIGN REPORTING REQUIREMENTS	22
Getting Started	22
Establishing a Bank Account.....	22
Candidate & Treasurer Workshops.....	23
Campaign Disclosure Reporting Forms	23
Candidate Intention Statement (Form 501)	23
Candidate Campaign Statement Short Form (Form 470)	23
Statement of Organization (Form 410)	24
Recipient Committee Campaign Statement (Form 460)	24
24-hour Contribution Report (Form 497).....	24
Campaign Disclosure Reporting Deadlines	25
Defeated Candidates/Outgoing Officeholders.....	25
Terminating a Recipient Committee.....	25
ELECTION ACTIVITIES IN GENERAL	27
Voter Registration	27
Voter Data Products	27
Fees	28
Ordering Instructions	28
Mass Mailings.....	28
Political Signs	29
Electioneering.....	29
Election Night Activities	30
Post-Election Night.....	30

INTRODUCTION

INTRODUCTION

About Town Government

The Town of Los Gatos was incorporated on August 10, 1887 and is governed by a Town Council – Town Manager form of government. The Town Council consists of five elected members who each serve a four-year term. Elections are staggered and held in even number years, with three Council seats up for election on **November 8, 2022**, and two on **November 5, 2024**. Annually in December, the Town Council votes to appoint a Mayor and a Vice Mayor from among its members.

The Town Council determines the policies of the town government and appoints the Town Manager and Town Attorney. In determining policy, the Town Council comes to a decision, authorizes its implementation, and bears full responsibility for the results. The Town Council, therefore, holds the Town Manager responsible for proper execution of policy decisions. The Town Council has general responsibility for effective administrative actions through the Town Manager.

Meetings

The Town Council holds regular public meetings on the first and third Tuesday of the month at 7:00 p.m. virtually (as authorized by law) or in the Town Council Chamber at Town Hall, located at 110 E. Main Street. Council Members are asked to hold these dates available as early as 5:00 p.m. for the frequent need to hold special Town council meetings. These meetings typically are held for closed session discussion(s), and/or interviews for appointment to Town advisory bodies. The Town Council adopts the Council meeting calendar in June for the next fiscal year. Typically, the first meeting in January and both meetings in July are cancelled.

Regional and Local Liaison Appointments

Annually in December, the Mayor brings forward a list of local and regional appointments for the upcoming year. Appointees serve and represent the Town on a variety of government agencies. This includes representation on Association of Bay Area Governments, League of California Cities, League of California Cities Peninsula Division Executive Commission, Marin Clean Energy Board, West Contra Costa Transportation Advisory Committee, Santa Clara County Housing and Community Development Advisory Committee, Santa Clara County Cities Association Executive Board, Santa Clara Valley Water District Commission, Santa Clara Valley Transportation Authority Board, Santa Clara Valley Transportation Authority Policy Advisory Committee, Santa Clara Valley Transportation Authority State Route 85 Corridor Policy Advisory Board, Silicon Valley Clean Energy Authority, Solid Waste Management Joint Powers Agency, West Valley Clean Water Program Authority, West Valley Sanitation District Board, Bay Area Air Quality Management District Board, and Santa Clara County Emergency Operational Area Council. In addition, two Council liaisons are assigned to the Town Conceptual Development Advisory Committee, Council Policy Committee, Finance Commission, General Plan Committee, and Senior Service Committee.

INTRODUCTION

Meeting Materials

Materials for Town Council meetings are produced and published by the Town Clerk's Office the Thursday prior to the regular Tuesday meetings. Council Members are encouraged to read and receive materials electronically. Supplemental or amended materials may be presented for consideration before or during the meeting. Materials for regional and local liaison appointments will be provided by the respective agency in relation to their meeting schedules.

Compensation

Each member of the Council shall receive, as salary, the sum of five hundred and seventy dollars (\$570) per month, which shall be payable at the same time and in the same manner as the salaries are paid for other officers and employees of the Town. The salaries prescribed are an shall be exclusive of any amounts payable to each member of the Town Council as reimbursement for actual and necessary expenses incurred by the member in the performance of official duties for the Town.

Support Staff

Council Members serve in a part-time capacity, and therefore do not have dedicated offices at Town Hall or full-time dedicated staff. The Executive Assistant to the Town Manager, with assistance from the Town Clerk's office staff, provides support to the members, and serves as the primary conduit between members of the public and the Council Members.

Terms of Office

Members serve four-year terms and are sworn in after certification of the election results, as a special Council meeting on the second Tuesday in December of each election year. Terms are staggered in alternating even years and can serve two consecutive four-year terms.

Taking Elective Office

Town Council certifies the election results upon receipt of the Registrar of Voter's official certification, which must be completed no later than 30 days following the election. This typically takes place at a special meeting on the second Tuesday in December. During this meeting, outgoing Council Members are provided an opportunity to be recognized and thanked for their dedicated service to the Town and new members are sworn-in and seated at the Council dais for the first time.

INTRODUCTION

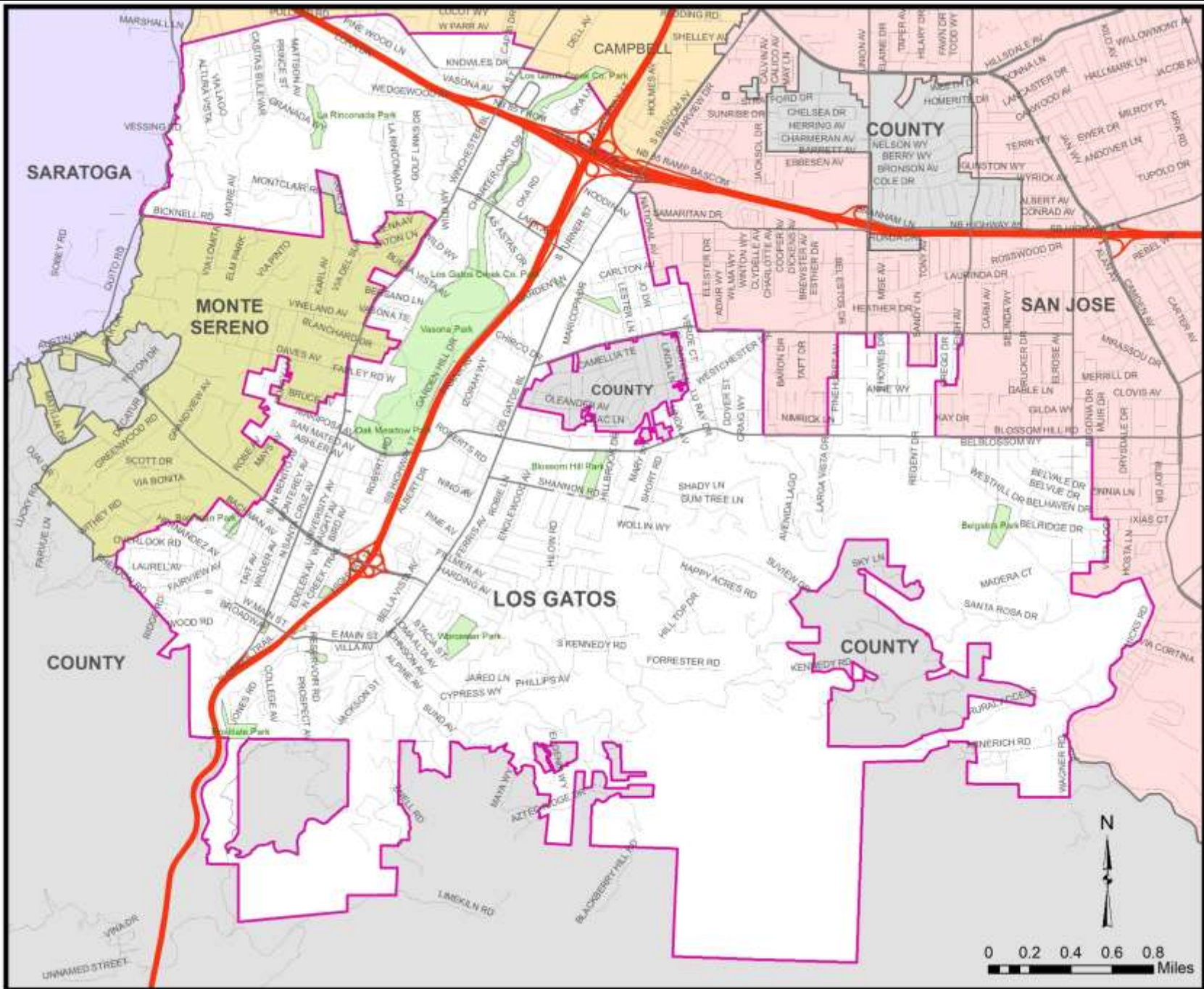
Records and Disclosure

The California Public Records Act allows for public inspection of most government records. As a candidate for elective office, all documentation provided to the Town of Los Gatos, including email, texts, and written correspondence, may be subject to public disclosure unless otherwise exempt under applicable law.

Council Members are provided with a Town email account and are strongly encouraged to avoid using personal email accounts and mobile phones for conducting Town business.

The *Nomination Paper* is the only document that requires the home address of the candidate. Pursuant to Elections Code (E.C.) section 17100(c), public access to this document is limited to viewing only. The *Nomination Paper* may not be copied, distributed or posted online.

All campaign reporting forms are public documents under the Political Reform Act and are subject to disclosure. Campaign reporting is required to provide receipts and expenditures in election campaigns and disclose assets and income of public officials that may affect their official actions. Full unreacted versions shall be provided to the public upon request.



RUNNING FOR OFFICE

RUNNING FOR OFFICE

Who Can Run for Office?

A candidate for Town Council shall be at least 18 years of age, a citizen of the United States, and a resident and registered voter in the incorporated limits of the Town of Los Gatos at the time of issuing nomination documents.

Candidates can verify their voter registration status by visiting the Santa Clara County Elections website at [Look Up Voter Registration \(sccgov.org\)](https://www.sccgov.org) or by calling (866) 430-VOTE (8683). Verify all information is accurate including name, birthdate, address, and city.

Employment Restrictions for Elected Officials

Government Code section 53227(a) prohibits an elected official from being an employee of the local agency they represent. It states: *An employee of a local agency may not be sworn into office as an elected or appointed member of the legislative body of that local agency unless they resign as an employee. If the employee does not resign, the employment shall automatically terminate upon their being sworn into office.*

Filing for More than One Office

Candidates should consider the common law doctrine of “incompatibility of offices”. This doctrine prevents an elected official from holding two offices simultaneously if the offices have overlapping and conflicting public duties. Candidates should refer to Government Code section 1099 for more information.

For additional 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.

Nomination Process

In order to qualify as a candidate on the ballot, a candidate shall successfully complete the nomination process. This includes the submission of all required nomination documents, as well as a *Nomination Paper* (issued by the Town Clerk) with not less than 20 and no more than 30 signatures of registered voters residing in the Town. This guide will provide detailed information regarding each form included in the nomination documents.

There is a \$25 filing fee for submission of nomination documents. If a candidate elects to submit a candidate statement, there is a fee associated with printing the candidate statement that is due at the time of filing. All documents shall be submitted at one time. Candidates are encouraged to make an appointment with the Town Clerk in order to obtain, review or file nomination documents. Once the nomination documents have been submitted to the Town Clerk no changes shall be made, nor shall any additional information be provided.

RUNNING FOR OFFICE

Nomination Period

Pursuant to California Elections Code, the nomination period shall begin on **Monday, July 18, 2022** and end on **Friday, August 12, 2022**. During the nomination period, the Town Clerk shall issue and accept nomination documents during regular business hours of Monday through Friday from 9:00 a.m. to 4:00 p.m.

The deadline for filing nomination documents is **Friday, August 12, 2022 at 4:00 p.m.** Candidates arriving after the deadline will be turned away. NO EXCEPTIONS ARE PERMITTED.

Extended Nomination Period

If all incumbents for elective office have not filed nomination documents by the close of the nomination period, the nomination period shall be extended to **4:00 p.m. Wednesday, August 17, 2022**. Candidates arriving after the deadline will be turned away. NO EXCEPTIONS ARE PERMITTED. During the extended period, no incumbent may file nomination documents.

Submission of Nomination Documents

All nomination documents shall be submitted at one time. In order to ensure that nomination documents are complete and aligned with all regulatory requirements, candidates are required to schedule a submission appointment prior to the filing deadline. This provides time to review documentation with the Town Clerk and ensure that documentation is complete and acceptable.

Appointments may be made by contacting the Town Clerk at (408) 354-6888 or via email at clerk@losgatosca.gov.

Withdrawal of Candidacy

Withdrawal of candidacy is permitted up to the close of the nomination period of **Friday, August 12, 2022 at 4:00 p.m.** If the nomination period is extended, withdrawal is permitted up to the close of the extended nomination period of **Wednesday, August 17, 2022 at 4:00 p.m.**

Write-in Candidates

A candidate who does not file during the nomination period may file for office as a write-in candidate. This allows votes cast for the candidate to be counted. The nomination period for write-in candidates begins on **Monday September 12, 2022** and ends on **Tuesday, October 25, 2022 at 4:00 p.m.**

RUNNING FOR OFFICE

Write-in candidates are subject to the same requirements and follow the same process as other candidates, with the following exceptions:

- Write-in Candidates do not have the option to submit a Candidate Statement.
- Write-in Candidates will not have their name, or a ballot designation, printed on the ballot.

Order of Names on the Ballot

The Secretary of State shall conduct a randomized alphabetical drawing on **Thursday, August 18, 2022** to be used in determining the order of names on the ballot. Each candidate will be placed on the ballot in the order that each of the letters of the surname was drawn. For example, the placement of candidates with the surname of Campbell and Carlson will depend on the order in which the letters M and R were drawn.

Candidates will be notified by the Town Clerk of the order via email within 48 hours of the drawing.

RUNNING FOR OFFICE

Key Candidate Action Dates

Action/Description	Date
Filing deadline for Semi-Annual <i>Campaign Disclosure Statement Form 460</i>	8/1/2022
Start of late campaign contribution reporting period (within 24 hours)	8/10/2022
Nomination Period	7/18/2022-8/12/2022
Deadline for filing nomination documents with the Town Clerk	8/12/2022 4:00 p.m.
Last day to withdraw candidate's statement.	8/15/2022 4:00 p.m.
Extended deadline to filing nomination documents with Town Clerk. <i>Only if all incumbents do not file by 8/12/2022</i>	8/17/2022 4:00 p.m.
Extended deadline to withdraw candidate's statement (<i>if nomination period extended</i>)	8/18/2022 4:00 p.m.
Secretary of State to hold randomized alpha drawing.	8/8/18/2022
Filing deadline for First Pre-Election <i>Campaign Disclosure Statement Form 460</i>	9/29/2022
Write-in nomination period	9/12/2022– 10/25/2022
Filing deadline for Second Pre-Election <i>Campaign Disclosure Statement Form 460</i>	10/27/2022
Election Day	11/8/2022
Filing deadline for Semi-Annual <i>Campaign Disclosure Statement Form 460</i>	1/31/2023

Key Election Dates

Action/Description	Date
Sample Ballot Mailing Period	9/29/2022-10/18/2022
Vote-by-Mail Mailing / Application Period	10/10/2022-11/1/2022
Last Day to Register to Vote	10/24/2022
Election Day	11/8/2022
Certification Deadline / Results Transmitted	12/8/2022

NOMINATION DOCUMENTS

NOMINATION DOCUMENTS

In order to qualify as a candidate, the following nomination documents shall be submitted during the nomination period:

- Candidate's Submission Checklist
- Nomination Paper
- Ballot Designation Worksheet
- Candidate's Statement Form (optional)
 - Payment for Candidate Statement
- Statement of Economic Interests Form 700
- Code of Fair Campaign Practices (optional)
- Candidate Authorization and Acknowledgement Form
- Candidate Intention Statement Form 501 (if not already submitted)
- Candidate Campaign Statement Short Form 470 (if applicable)

The following pages will provide detailed information regarding each form included in the nomination documents.

Nomination Paper

The *Nomination Paper* can only be issued by, and subsequently filed with the Town Clerk during regular business hours during the statutory nomination period. The document shall remain intact as one document. The information contained on the first page of the *Nomination Paper* shall be pre-populated and signed by the Town Clerk.

Each candidate shall be nominated by not less than 20 but no more than 30 registered voters residing within the Town. This is accomplished by obtaining signatures of registered voters on the *Nomination Paper*.

The Affidavit of Nominee section of the *Nomination Paper* is completed by the candidate for Town Council declaring that if nominated, they will accept the nomination and not withdraw; and indicating how they want their name and ballot designation to appear on the ballot.

Candidates must use their full legal name; nicknames may be used but must be listed in quotes; common shortened versions of first names do not require quotes. No title or degree may be used. If the candidate has changed their name within one year prior to the election, the new name will not appear on the ballot unless the change was made by marriage or by Decree or Court.

The Oath of Allegiance section of the *Nomination Paper* is administered by the Town Clerk (or designee) and will be signed by the candidate in the presence of the Town Clerk or their designee at the time the filing of nomination documents. If a candidate elects to authorize an individual to submit nomination documents on their behalf, the oath may be administered and signed by a notary public.

NOMINATION DOCUMENTS

Signing a Nomination Paper

Any registered voter in the Town, including the candidate, may sign a *Nomination Paper*. Signers may only sign as many *Nomination Papers* for candidates as there are seats to be filled. If the same registered voter signs the *Nomination Paper* for example, for four candidates, but only three seats are to be filled, their signature will only be considered valid for the first three *Nomination Papers* filed with the Town Clerk. The signatures on the *Nomination Paper* shall be written in the same manner as their voter registration.

Circulating the Nomination Paper

The *Nomination Paper* may be circulated by the candidate or by any other person 18 years of age. Only **one** person may circulate the *Nomination Paper*. Whoever circulates the *Nomination Paper* shall personally witness each signature and complete and sign the Affidavit of Circulator. This includes name, address, circulation dates; and is signed under penalty of perjury.

Handling the Nomination Paper

As provided in Elections Code section 18200-18205, no person shall submit a *Nomination Paper* knowing that any part of it has been made falsely. No person shall fraudulently deface or destroy, or willfully suppress all or part of any *Nomination Paper*, or deliberately fail to file at the proper time and in the proper place any *Nomination Paper* in their possession which is entitled to be filed. No person shall, directly or indirectly, pay, solicit, or receive anything of value in order to induce a person not to become, or to withdraw as, a candidate.

Receiving or Filing Nomination Papers on Behalf of a Candidate

If a candidate is unable to file in person, they may designate a person to act on their behalf. A written statement, signed and dated by the candidate, authorizing a person to receive the nomination document from the Elections Official is required.

Because an original signature is required, nomination documents may not be filed electronically. If the candidate will not be filing in person, the Oath of Allegiance section of the *Nomination Paper* must be notarized before filing. The candidate's designee may only receive and deliver papers and may not make any changes on the nomination documents.

Verification of Signatures

The Town Clerk shall cause all *Nomination Papers*, in the order received, to be validated by the Santa Clara County Registrar of Voters Office. Signature verification typically takes 24-48 hours and candidates will be notified by the Town Clerk immediately upon completion.

NOMINATION DOCUMENTS

Supplemental Nomination Paper

If, after submitting nomination documents, the *Nomination Paper* is verified to have less than the minimum number of signatures needed to qualify, the candidate may be issued a *Supplemental Nomination Paper*. With this supplemental document, the candidate may gather additional qualifying signatures. A copy of the original *Nomination Paper* indicating which signatures are valid will be provided with the *Supplemental Nomination Paper*. The original *Nomination Paper* shall remain on file with the Town Clerk.

A *Supplemental Nomination Paper* shall not be issued after the filing deadline. Therefore, if a candidate is unsure they have a sufficient number of qualified signatures it is recommended they submit nomination documents early. The issuance of a *Supplemental Nomination Paper* does not extend the filing deadline.

Ballot Designation and Worksheet

Candidates who qualify for the ballot have the option of a printed ballot designation directly below their name. This designation is used to describe the candidate's elected or appointed office, or their principal profession, vocation, or occupation. Elections Code requires the completion of a *Ballot Designation Worksheet* as part of the nomination documents, even if choosing no ballot designation.

Ballot designations shall strictly adhere to the provisions of Elections Code. After the filing of nomination documents, the Town Clerk shall review and verify that each designation is in compliance. If a ballot designation does not adhere to the Elections Code, the candidate shall be notified that the designation must be changed. If the candidate does not respond within three days of the notification (E.C. 13107(f)), the Town Clerk shall withdraw the designation.

Ballot designations become public upon the close of the nomination period. Designations shall not be changed after the final filing date, except as specifically requested by the elections official due to determination of a violation of restrictions set forth by elections code.

Selecting a Ballot Designation

A candidate may submit a proposed ballot designation pursuant to one of four provisions outlined in section 13107 of the California Elections Code.

Option 1: Name of Candidate's Elective Office

When a candidate holds elective office, or is a judicial officer, the designation may be the elective office the candidate holds at the time of filing nomination documents. There is no word limit for designations under this category.

A copy of the candidate's official *Certificate of Election* shall be provided as proof of elective office.

NOMINATION DOCUMENTS

For example: Los Gatos Town Council Member; Santa Clara County Supervisor;
or Los Gatos Unified School District Board Member

Option 2: Term “Incumbent”

The term “incumbent” shall only be used by a candidate who is a candidate for the same office which they hold at the time of filing nomination documents and shall not be used in conjunction with any other words.

Option 3: Terms “Appointed Incumbent” or “Appointed”

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 is a candidate for election to the same office. This designation 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.

Under this option, a candidate may also 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. There is no word limit for designations under this category.

For example: Appointed Santa Clara County Supervisor

Option 4: Principal Profession, Vocation, or Occupation

If a candidate proposes a designation of this type, the designation shall be limited to three words and shall be the candidate’s **current** principal profession, vocation, or occupation, or that of the candidate during the calendar year immediately preceding the filing of nomination documents.

If engaged in multiple principal professions, vocations or occupations, the candidate may designate multiple professions, vocations or occupations separated by a slash “/”. Each profession, vocation, or occupation shall independently qualify.

For example: Legislator/Rancher; or Teacher/Construction Worker

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 as their principal profession, vocation, or occupation if the candidate has a current, active license as of the date of filing nomination documents and has complied with all applicable requirements respective of the licensure, such as payment of licensing fees. A candidate may not use a ballot designation based on a license that is inactive, suspended, or revoked by the issuing agency.

NOMINATION DOCUMENTS

Retired

The use of “retired” as a ballot designation is generally limited to use by individuals who have permanently given up their chosen principal profession, vocation, or occupation. The following shall be considered for any designation including the word retired:

- Prior to retiring from their principal profession, vocation, or occupation, the candidate worked in such profession, vocation, or occupation for more than 5 years;
- The candidate is collecting, or eligible to collect, retirement benefits or other type of vested pension;
- The candidate has reached at least the age of 55 years;
- If the candidate is requesting a ballot designation indicating that they are a retired public official, the candidate shall 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;
- The candidate voluntarily left their last principal professional, vocational, or occupational position;
- The candidate has not had another more recent, intervening principal profession, vocation, or occupation; and
- The candidate’s retirement benefits are providing them with a principal source of income.

The word “retired” shall only be used alone, or as a prefix to the retired principal profession, vocation, or occupation. It shall not be abbreviated or placed following any word that it modified.

Acceptable: Retired or Retired Policeman

Not Acceptable: Ret. Policeman or Policeman Retired

Community Volunteer

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

1. A candidate’s community volunteer activities constitute their principal profession, vocation, or occupation;
2. A candidate is not using the designation in combination with any other principal profession, vocation, or occupation; and
3. A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

NOMINATION DOCUMENTS

Unacceptable Ballot Designations

Any ballot designation that is prohibited by Elections Code, is misleading, or otherwise improper shall be rejected. This includes if the designation:

- Would mislead the voter
- Would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent
- Contains the name of any political party, whether or not it has qualified for the ballot
- The use of any word(s) referring to a racial, religious, or ethnic group
- Reference to any activity that is prohibited by law
- Uses a word or prefix, such as “former” or “ex-,” which means a prior status.

Candidate Statement (Optional)

The Candidate Statement is an optional statement that provides candidates the opportunity to share additional descriptive and qualitative information about themselves. The statement may include the name, age, and occupation of the candidate. Candidate statements are limited to **200 words** and are printed in the official voter information guide in English, Spanish, Chinese, Vietnamese, and Tagalog mailed to all registered voters.

The Candidate Statement will remain confidential until **4:00 p.m. Friday, August 12, 2022**, the close of the nomination period. If the nomination period is extended, statements shall remain confidential until **4:00 p.m. Thursday, August 18, 2022**. For additional information regarding the extended nomination period, please refer to the Running for Office section of this guide.

The *Candidate Statement Form* shall be filed with the Town Clerk at the same time as filing nomination documents. In addition to a signed paper original, the form shall be provided electronically in editable format via email to clerk@losgatosca.gov.

Deposit for Candidate Statement

If a candidate elects to submit a statement, there shall be a deposit due at the time of filing nomination documents. The amount of the deposit will be set by Council resolution in June of each election year. Payment may be submitted in the form of cash, credit, check, or money order payable to the Town of Los Gatos.

This deposit represents the estimated cost of translating, printing, publishing, and distributing the candidate statement as part of the voter’s information guide. As provided by the Santa Clara County Registrar of Voters Office, the cost of the statement is estimated as it is prorated among those who submit statements, and the number of registered voters. Therefore, the exact amount cannot be determined until after the election.

NOMINATION DOCUMENTS

If the final cost is less than the deposit, the candidate shall be refunded the difference within 30 days of the Town receiving the final election services invoice from Santa Clara County. If the final cost is more than the deposit, the candidate shall be invoiced and required to pay the remaining balance within 30 days.

Withdrawal of Statement

The statement may be withdrawn, but not altered, up until **5:00 p.m. on Monday, August 15, 2022**, the first working day following the close of the nomination period. If the nomination period is extended, the deadline to withdraw is extended to **5:00 p.m. on Wednesday, August 17, 2022**. For additional information regarding the extended nomination period, please refer to the Running for Office section of this guide. Any request to withdraw shall be made by the candidate in writing to the Town Clerk.

Word Count, Format and Content of Statement

Candidate Statements are limited to **200 words** and must be of uniform size and font. Each word shall be counted as one word except as follows:

Acronyms (UCLA, ABAG, U.S.M.C.)	one word
Proper Noun, including CA Geographical names (Town of Los Gatos, Contra Costa County) and Government Agencies (East Bay Regional Park District, West Contra Costa Unified School District)	one word
Whole Numbers - Digits (1, 100, \$1,000)	one word
Spelled out Numbers (one hundred)	two words
Number combinations (1990, 1990-1991, 100%)	one word
Dates – Spelled out or digits (11/5/96 or November 5, 1996)	one word
Hyphenated words – (mush show hyphenated in the Merriam-Webster Dictionary online)	one word
Telephone Numbers, web address, email address	one word

Statements shall be printed exactly as submitted, no proofing or editing will be done by the Town Clerk once submitted. Statements that exceed the word count will be shortened by removing words from the end of the statement until the word limit is reached. Candidates are encouraged to request a review of the statement for word count and format with the Town Clerk, prior to submission of nomination documents.

The statement shall not refer to opponents in any manner and may not include the party affiliation of the candidate, nor membership or activity in partisan political organizations, or refer to any individual running for the same office.

If a candidate names any person or organization as an endorser within the text of the statement, the candidate must submit with the statement written consent of the person/organization named.

NOMINATION DOCUMENTS

When a quote is used, the candidate shall provide the original document in which the quote was printed, or a signed statement from the person who was quoted.

Public Review Period

Immediately following the close of the nomination period, during a 10-calendar day public review period, any Los Gatos voter, or the Town's elections official, may examine the Candidate Statements and seek a writ of mandate or an injunction challenging any or all of the material in a statement.

Statement of Economic Interests (Form 700)

Each candidate is required to file a candidate type *Statement of Economic Interests Form 700 (Form 700)* at the time nomination documents are filed. The *Form 700* requires disclosure of investments, interests in real property, and business positions held on the date nomination documents are filed with the Town Clerk. In addition, income (including loans, gifts, and travel payments) received during the 12 months prior to the date of filing is reportable. The filing of a candidate *Form 700* is mandated by state law and is not required if the candidate has filed a statement for the same jurisdiction within 60 days prior to the filing of nomination documents.

The Town Clerk is the Filing Official for the *Form 700*, and shall retain a copy of each filing, and forward the original to the State Fair Political Practices Commission (FPPC), the official Filing Officer for the *Form 700*. If a candidate is successful, they will be required to file an assuming type *Form 700* within 30 days of being sworn into office. Subsequently, they will be required to file an annual statement for the duration of their service, at which time a leaving type *Form 700* will be required within 30 days of leaving office.

The FPPC uses an electronic filing system (eDisclosure) for elected officials. In addition, an interactive version of this form is available on the FPPC's website www.fppc.ca.gov along with a *Form 700* that is specifically designed for visually impaired filers using screen readers. The FPPC also provides advice regarding the form that can be obtained by telephone at 1+(866) 275-3772 or 1+(916) 322-5660 or email at advice@fppc.ca.gov.

Code of Fair Campaign Practices (Optional)

The *Code of Fair Campaign Practices* is an optional form in which a candidate may choose to publicly agree to follow the principles of decency, honesty, and fair play. If filed, the form shall be submitted to the Town Clerk with nomination documents and will be retained for public inspection until 30 days after the election.

Candidate Authorization and Acknowledgement Form

The *Candidate Authorization and Acknowledgement Form* is used to ensure a candidate's understanding that all information provided as part of the nomination process is considered public information subject to public inspection pursuant to the Public Records Act and California Election Law.

NOMINATION DOCUMENTS

This form indicates the selection of each candidate regarding posting of personal address and contact information on the Town and Registrar of Voter's websites. If not authorized, any reference in nomination documents will be redacted. The form also requests acknowledgement of certain deadlines and modifications to normal business hours during the nomination period.

In addition to nomination documents, candidate contact information for the media and the public will be visibly posted online, as provided by the candidate on this form.

CAMPAIGN REPORTING REQUIREMENTS

CAMPAIGN REPORTING REQUIREMENTS

The information provided below is an overview of requirements. Individuals participating in related election activities are responsible for ensuring they meet the requirements of California Government Code, California Elections Code, and any other applicable statutory requirement. The Town Clerk cannot render legal, accounting, or other professional election advice or services.

Campaign reporting requirements are statutory requirements set by the Political Reform Act (Act), contained in Government Code sections 81000-91015, and enforced by the California Fair Political Practices Commission (FPPC).

The Act is intended to provide the public with details on who contributes money or items to a candidate's campaign, and how the candidate spends that money. All candidates are required to file some level of campaign disclosure documents and/or reports. It is important to adhere to the state mandated deadlines for filing of campaign disclosure forms. Forms that are not filed or are filed after the deadline are subject to enforcement, fines, and other penalties as allowed by law.

Getting Started

Prepared by the FPPC, [Campaign Disclosure Manual 2 – Information for Local Candidates](#) is the best resource for candidates regarding how to complete campaign reporting forms, establish a campaign committee, manage a campaign account, and what Government Code requires of a candidate and committee treasurer. The manual is available on FPPC's website at www.fppc.ca.gov.

The FPPC is available by phone at 1+(866) ASK-FPPC to provide assistance to anyone who has a reporting requirement under the Political Reform Act. Advice hours are Monday through Thursday from 9:00 a.m. – 11:30 a.m.

Establishing a Bank Account

Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending over \$2,000 of personal funds in connection with the election shall open a campaign bank account. A candidate's personal funds used to pay for the candidate's statement does not count toward the \$2,000 threshold.

Campaign contributions may not be commingled with any individual's personal funds. All contributions shall be deposited in, and expenditures made from, the campaign bank account. Additional details can be found in chapter two of *Campaign Disclosure Manual 2*.

CAMPAIGN REPORTING REQUIREMENTS

Candidate & Treasurer Workshops

The FPPC offers workshops for candidates and treasurers throughout the election season at various locations throughout the State. The workshops are scheduled live with FPPC technical advisors, through webinars and through YouTube. Staff unravel the technical complexities involved in campaign disclosure law, discuss the importance of recordkeeping, provide instructions regarding how to complete campaign disclosure forms, and allow for enough time for a question and answer period. More information is available on the FPPC's website at <http://www.fppc.ca.gov/learn/training-and-outreach/candidates-treasurers-committees.html>.

Campaign Contribution Limits

Effective January 1, 2021, AB 571 amended the Political Reform Act to create a default campaign contribution limit for Town and county candidates equal to the limit for State Assembly and Senate candidates from individual donors per calendar year. The limit is updated biennially for inflation and is currently set at **\$4,900**.

Campaign Disclosure Reporting Forms

The following is a summary of commonly used campaign reporting forms. Per Town Ordinance 2267, any elected officer, candidate, or committee are required to file statements using the Town's e-filing system. Once a candidate submits a 501 to the Town Clerk, the Clerk will add them to NetFile and the system will generate and electronically send a welcome letter with instructions on how to set up their login account. A snapshot diagram of basic filing requirements is included at the end of this section.

Candidate Intention Statement (Form 501)

Original and one copy filed with the Town Clerk

The *Form 501* shall be filed prior to soliciting or receiving contributions, and before any campaign expenditure is made from personal funds. The only exception is when a candidate spends personal funds to pay for a candidate's statement that is submitted with the nomination documents.

Candidate Campaign Statement Short Form (Form 470)

Original and one copy filed with the Town Clerk

If a candidate does not have a controlled committee and does not anticipate raising or spending \$2,000 or more in a calendar year, the candidate may file a *Form 470*. Payments from the candidate's personal funds used to pay for a candidate's statement submitted with nomination documents does not count toward the \$2,000 threshold. This form shall be submitted at the time the candidate files nomination documents, if the candidate has not formed a recipient committee.

If a *Form 470* is filed and later in the calendar year \$2,000 or more is raised or spent, the candidate's filing obligations and deadlines shall change. If this occurs, a *Form 470S* (supplemental) shall be filed with the Town Clerk within 48 hours of reaching this

CAMPAIGN REPORTING REQUIREMENTS

threshold and notification shall be sent to all candidates seeking the same office. The notice shall be sent by guaranteed overnight delivery, personal delivery, or fax.

Statement of Organization (Form 410)

*Original filed with the **Secretary of State**, one copy filed with the Town Clerk
Filing Fee: \$50 (annually) paid to the Secretary of State*

All candidates that receive \$2,000 or more in contributions in a calendar year qualify as a recipient committee and shall file with the Secretary of State a *Form 410* **within ten days** of meeting the threshold. There is a \$50 payment due at the time of filing, and thereafter annually by January 15th until such time as the committee is terminated. Upon submission the candidate will be issued a committee ID number.

Anytime an amendment to the *Form 410* is submitted to the Secretary of State, the candidate shall file a copy with the Town Clerk.

FPPC Regulation 18402 requires that all candidate-controlled committees contain the last name of the candidate, the office sought, and the year of the election in the name of the committee. Candidates may not re-designate a prior committee for a future election. A new campaign bank account and new campaign committee must be established for each election.

Recipient Committee Campaign Statement (Form 460)

Original and one copy filed with the Town Clerk

Candidates for office who receive contributions or have expenditures in excess of \$2,000 shall file pre-election and semi-annual campaign statements during the year in which their election is being held. Government Code requires the continued filing of campaign statements until the committee has been terminated. Disclosure requirements are complicated and lengthy; and therefore, are not detailed in this manual. Candidate should refer to the detailed instructions in chapter eight of *Campaign Disclosure Manual 2*.

24-hour Contribution Report (Form 497)

Submitted to the Town Clerk (no signature required)

Candidates who make or receive contribution(s) totaling \$1,000 or more to/from a single source during the 90-day period before or on the date of the election file this form. Contributions reported on the *Form 497* must also be reported on the committee's next *Form 460*.

Reporting is required within **24 hours** of meeting the threshold and shall be filed electronically via NetFile.

CAMPAIGN REPORTING REQUIREMENTS

Campaign Disclosure Reporting Deadlines

Several campaign disclosure statements are required by candidates who qualify as a recipient committee. The reporting period of these statements are pursuant to Government Code. For the **November 8, 2022** General Election, the reporting deadlines are as follows:

Deadline	Filing Type	Form	Period Covered
August 1, 2022	Semi-Annual	460 or 470	* - 6/30/2022
Within 24 hours	24 Hour Contributions	497	8/10/2022-11/8/2022
September 29, 2022	1 st Pre-Election	460 or 470	7/1/2022-9/24/2022
October 27, 2022	2 nd Pre-Election	460	9/25/2022-10/22/2022
January 31, 2023	Semi-Annual	460	10/23/2022-12/31/2022

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

Defeated Candidates/Outgoing Officeholders

Following the election, unsuccessful candidate or defeated officeholders should begin reviewing their campaign funds and allowable uses, as well as determine if their recipient committee should be terminated.

Terminating a Recipient Committee

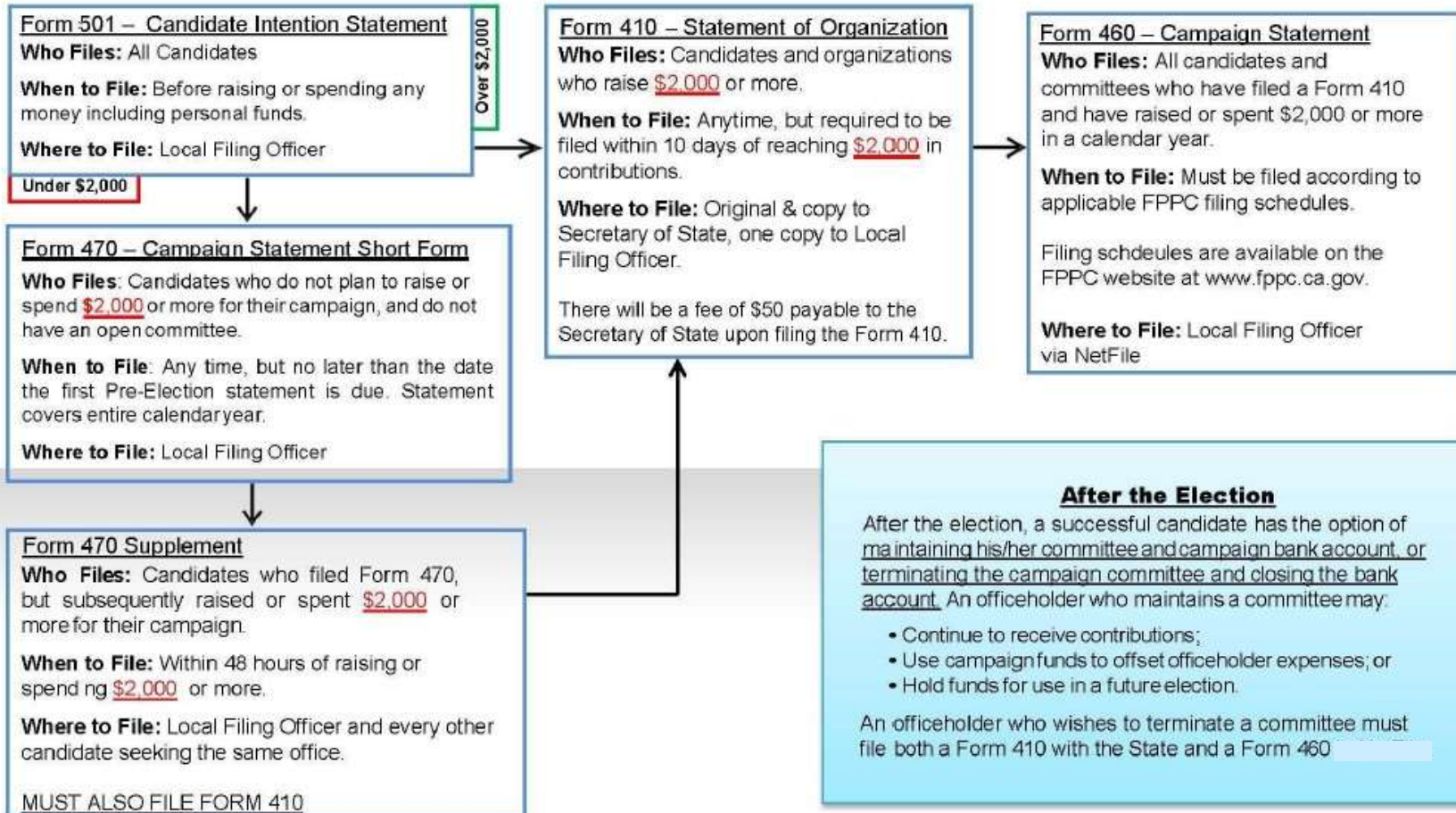
When all financial obligations are met, the committee's account has been spent or distributed, and a candidate ceases to raise or spend funds, the committee should be terminated. An original *Form 410* indicating termination shall be filed with the Secretary of State and filed with Town Clerk via NetFile.

At the time the *Form 410* for termination is filed with the Town Clerk, a termination *Form 460* shall also be filed, indicating a zero cash balance. This final statement should report the committee's activity since the close of the reporting period of the previous statement filed.

CAMPAIGN REPORTING REQUIREMENTS



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



ELECTION ACTIVITIES IN GENERAL

ELECTION ACTIVITIES IN GENERAL

Voter Registration

To vote in any election, a citizen must be properly registered **15 days** prior to the election date. For the **November 8, 2022** election, voters must be registered at their current residential address by **Monday, October 24, 2022**.

You are eligible to vote in the municipal election if you are:

- A United States citizen
- A resident of Los Gatos
- 18 years or older on Election Day
- Not in prison, or on parole, serving state prison sentence in a county jail, or serving sentence for a felony
- Not found to be mentally incompetent by a court of law.

You need to update your registration if:

- You moved to a new residence
- You changed your name
- You wish to change your political party choice

The California Secretary of State's Online Voter Registration website is <http://registertovote.ca.gov/>. Postage-paid voter registration forms are available at: U.S. Post Offices, Public Libraries, City/Town Halls, DMV offices and the County Election Office in San Jose.

If you plan to conduct a voter registration drive, please obtain your forms from the Santa Clara County Registrar's office.

Voter Data Products

Voter registration data files are available for. This information can be obtained through the Santa Clara County Registrar of Voters. Some of the most commonly purchased data files are:

- 1) List of registered voters vote history available upon request – \$129
- 2) Vote-by-Mail ballot updates (single election) - \$129 for initial report, \$65 per update

For a complete list of data available for purchase, please see the [fee schedule](#). Voter data may not be sold, leased, loaned, reproduced or possession thereof relinquished without receiving written authorization to do so from the Santa Clara County Registrar of Voters.

Prohibited usage includes commercial purposes and solicitation of contributions or services for any purpose other than on behalf of a candidate or political party, or in support of or opposition to a ballot measure.

ELECTION ACTIVITIES IN GENERAL

Ordering Instructions

To purchase voter registration data, you are required to complete the [Voter Registration File Request Application](#). All applications must be received with an original signature, a clear copy of applicant's current valid driver license or state identification card, any accompanying documentation, and payment before the application will be reviewed.

Applications must be hand-delivered or mailed to the Registrar of Voters office at 1555 Berger Drive, Building 2, San Jose. Emailed and faxed applications are NOT accepted.

Orders are processed in the order they are received. Once received, requests can take 3-4 business days to process. The Registrar of Voters will determine whether the application is complete and whether state law permits the proposed use of the voter registration information. Questions can be directed to the Santa Clara County Registrar of Voters at (408) 299-8683 or voterinfo@rov.scc.gov.org.

Mass Mailings

Government Code section 82041.3 defines a mass mailing as over two hundred substantially similar pieces of mail but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

Government Code section 84305 further states that candidates are prohibited from sending mass mailings without disclosing certain information, in a certain format. Candidates are strongly encouraged to consult the full text to ensure compliance with state law.

For more information regarding campaign advertising requirements and restrictions, please visit the [FPFC's website](#).

ELECTION ACTIVITIES IN GENERAL

Political Signs

The Town's practice is to wait until the candidate nomination period closes for candidates to post political signs.

The placement of political signs is subject to local regulation. In the Town of Los Gatos, sign regulations and restrictions are covered under Los Gatos Municipal Code. Please refer to the [Los Gatos Political Sign and Solicitation Regulations](#) for specific code sections. Candidates and committees may not place campaign signs of any kind within the public right-of-way, obstructing the view of a traffic sign, signal, or device, on any fence, pole tree, pavement, wall, bust stop, bench, or any other object in a public thoroughfare.

Campaign signs are considered "temporary" non-commercial signs under the Los Gatos Municipal Code and are subject to those regulations as to number, size, and location as identified in Los Gatos Municipal Code section 29.10.110(15).

Throughout this election period, please have your campaign workers confirm that all signs are posted legally. We also ask that you respect the wishes of property owners when displaying and distributing campaign information. Please be advised that Public Works Maintenance will remove all signs that do not conform to the Town's sign regulations and will hold them for pick up at the Town's Corporation Yard, 41 Miles Avenue, for up to three days. Public Works will notify the Town Clerk and the Town Clerk will contact you to notify you that non-conforming signs have been removed and are being held for you to pick up. Arrangements to pick up non-conforming signs can be made by contacting Parks and Public Works at (408) 399-5770 or email ppw@losgatosca.gov. Any non-conforming signs that are not picked up within three business days of notification will be disposed of. Regardless of the outcome of the election, within ten days of Election Day you are required to remove any campaign signs that are still standing.

Electioneering

No person shall, on election day, or at any time a voter may be casting a ballot, within 100 feet of any election's official's office or any building or location containing a polling place (including outdoor curbside voting areas or other vote by mail drop off locations) do any of the following:

- Circulate any petition of any kind
- Solicit a vote or speak to a voter on the subject of their ballot
- Place any signs or speak to any voter regarding voter qualifications
- Participate in any electioneering (visible or audible) activity

Electioneering is defined by Elections Code section 319.5 as visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot within the 100-foot limit specified.

ELECTION ACTIVITIES IN GENERAL

Election Night Activities

Election results are available from the Santa Clara County Registrar of Voters website at www.sccvote.sccgov.org, beginning at 8:00 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 Registrar of Voters Office, 1555 Berger Drive, Building 2, San Jose. Observer guidelines will be issued upon arrival.

Post-Election Night

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.