

CANDIDATE HANDBOOK

CITY OF ARROYO GRANDE, CALIFORNIA

NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION



This information is intended to provide general guidance only. While the information contained herein is believed to be substantially correct, it is not intended to provide legal or factual advice. Candidates and others using this information must bear full responsibility to make their own determinations as to all legal standards and duties and as to all factual matter contained herein.

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Please Note: The above references indicating “Section” refer to the “Candidate Handbook” binder, which is a separate document available in the Arroyo Grande City Clerk’s Office during regular business hours. To review or receive a binder, please contact the City Clerk’s Office to schedule an appointment at 805-473-5414.

Arroyo Grande City Hall ❖ 300 E. Branch Street ❖ Arroyo Grande, CA 93420
Regular Business Hours are M-Th 8:00am – 5:00pm, Closed Friday*
*(City Hall will remain open on Friday, August 10, 2018 for election related services)
Phone: (805) 473-5400 ❖ Fax: (805) 473-0386
Visit our website at www.arroyogrande.org



1. ELIGIBILITY

Section 201 - Elections Code; Section 36502 Government Code

A person is eligible to seek and hold office as Mayor or Council Member if he or she is a U.S. citizen, 18 years of age on or before Election Day, a registered voter of the City of Arroyo Grande and otherwise qualified to vote for that office at the time that nomination papers are issued to the person. Elected officials shall continue to reside within the city limits of Arroyo Grande during the term of office.

2. OFFICES TO BE FILLED

Mayor	2-year term to 2020	Compensation: \$405.00 monthly
2 City Council seats	4-year term to 2022	Compensation: \$405.00 monthly

(Note: The City's Travel Policy provides reimbursement for certain City business expenses. Additional stipends apply for elected officials appointed to serve on certain outside agency boards.)

3. NOMINATION PERIOD

Section 10220 - Elections Code

Monday, July 16, 2018, at 8:00 a.m., will be the first date and time that Nomination Papers will be available at the City Clerk's Office, 300 E. Branch Street, Arroyo Grande, California. Friday, August 10, 2018, at 5:00 p.m., will be the final date and time for filing Nomination Papers. Please contact the City Clerk's Office at 473-5400 or via email at kwetmore@arroyogrande.org to schedule an appointment for filing nomination papers.

NOTE: City Hall is open Monday through Thursday from 8:00am to 5:00pm, and closed on Friday; however, City Hall will remain open on the last day of the nomination period, Friday, August 10, 2018 until 5:00pm, for election related services.

EXTENSION IF INCUMBENT DOES NOT FILE

Section 10225 - Elections Code

If Nomination Papers for an incumbent officer of the City are not filed by 5:00 p.m. on Friday, August 10, 2018, the Nomination Period will be extended until Wednesday, August 15, 2018, at 5:00 p.m. The extension period is not applicable to incumbent officeholders.



4. NOMINATION PAPER – OFFICIAL FILING FORM

Sections 102, 104, 10220 - 10226 - Elections Code

A Nomination Paper will be issued by the City Clerk or the Deputy City Clerk in the name of a specific candidate for nomination to a specific office and term of office. Only one circulator may circulate a nomination paper. Whoever circulates the petition must complete and sign the Declaration of Circulator under penalty of perjury declaring his/her residence address, the dates signatures were obtained, that he/she personally witnessed each person's signature and that to the best of his/her information and belief, each signature is the genuine signature of the person whose name it purports to be.

Candidates shall be nominated by signatures of **not less than 20 nor more than 30 registered voters of the City of Arroyo Grande**. Please be sure the signer of the Nomination Paper lists his or her place of residence exactly as listed on the Voter Registration Form (Signatures and the residence address must match the information on the voter's registration card or affidavit on file at the San Luis Obispo County Registrar of Voters Office.). All signatures and addresses will be checked as to their validity. Once a Nomination Paper is filed, it may not be returned to the candidate to obtain additional signatures. A registered voter may sign as many nomination papers as there are seats to be filled. You are encouraged to secure more than the minimum number of signatures required but not more than the maximum, to guard against disqualification if one or more signatures are found to be invalid. If the Nomination Paper is determined to be insufficient, a copy of the Nomination Paper will be provided to the candidate, indicating which signatures are valid. A "Supplemental Nomination Paper" may be issued to the candidate to collect additional signatures. The deadline for submitting a supplemental petition is the same deadline as the Nomination Period.

5. AFFIDAVIT OF NOMINEE AND CANDIDATE'S OATH OF ALLEGIANCE

Sections 200, 10223, 10226 - Elections Code

On the back of the Nomination Paper, there are two sections to be completed.

- (1) **Affidavit of Nominee:** This section is a declaration stating that the candidate will accept the nomination and the office in the event of his/her election. In addition, the candidate must state his/her ballot designation. (Please see guidelines on "Ballot Designations" beginning on Page 5)
- (2) **Candidate's Oath of Allegiance:** *This portion must be completed in the presence of the City Clerk at the time the candidate files his or her Nomination Paper.*



6. FILING OF NOMINATION PAPER

Section 10224 - Elections Code

Once a candidate has obtained all signatures, the candidate must file the Nomination Paper with the City Clerk. Please note that all papers and fee deposits must be filed at the same time: Nomination Paper, Ballot Designation Worksheet, Candidate Statement (optional), Statement of Economic Interests, and the Code of Fair Campaign Practices (optional).

Filing - Nomination Papers shall be filed with the City Clerk during regular business hours, Monday through Thursday from 8:00am to 5:00pm. City Hall is closed on Friday, but will remain open on the last day of the nomination period, Friday, August 10, 2018 until 5:00pm. If an incumbent does not file, the close of the nomination period will be extended to 5:00 p.m. on Wednesday, August 15, 2018. **Please call 473-5400 to schedule an appointment for filing nomination papers.**

7. SIGNATURES; VERIFICATIONS; RESIDENCE ADDRESS

Section 105 - Elections Code

For purposes of verifying signatures on any Nomination Paper, the election official shall determine that the residence address on the petition is the same as the residence address on the affidavit of registration. If the addresses are different, the affected signature shall not be counted as valid.

8. CODE OF FAIR CAMPAIGN PRACTICES (SECTION 2)

Section 20440 – Elections Code

Pursuant to Elections Code Section 20440, at the time an individual receives Nomination Papers, a copy of the “Code of Fair Campaign Practices” will be provided. Execution of this pledge is voluntary. If executed, the Code can be submitted with the Nomination Papers, Ballot Designation Worksheet, Candidate Statement, and Statement of Economic Interests.

9. BALLOT DESIGNATIONS (SECTION 2)

Sections 10223, 13107 – 13107.5 – Elections Code

California Code of Regulations, Division 7 – Secretary of State, Chapter 7, Section 20710-20719

The ballot designation is the word or groups of words that will appear on the ballot under the candidate’s name, designating the principal profession, vocation, or occupation of the candidate. All candidates may choose a ballot designation to appear immediately under his or her name on the ballot. Each candidate who submits a ballot designation must file a **Ballot Designation Worksheet** at the same time nomination papers are filed that supports the use of that ballot designation by the candidate. *Refer to Section 2 for additional guidelines and regulations regarding ballot designations.*



UNACCEPTABLE BALLOT DESIGNATIONS:

No election official shall accept a designation which:

- (1) Would mislead the voters.
- (2) Would suggest an evaluation of a candidate such as "outstanding", "leading", "expert", "virtuous", or "eminent".
- (3) Abbreviates the word "retired" or places it following any word or words which it modifies.
- (4) Uses the word or prefix such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired" under specified criteria. Retired cannot be used in conjunction with another principal profession, occupation or vocation.
- (5) Uses the name of any political party, whether or not it has qualified for the ballot.
- (6) Uses a word or words referring to a racial, religious, or ethnic group.
- (7) Refers to any activity prohibited by law.

If upon checking the Nomination Paper the election official finds the designation to be in violation of any of the restrictions set forth in this subdivision, the election official shall notify the candidate by registered or certified mail. The candidate shall, within three days from the date of receipt of the notice, appear before the election official and provide an alternate designation. **Note: It is important for the candidate to include a correct telephone number, email address, fax number (if available) and mailing address on the ballot designation worksheet in order to expedite communication in the event the ballot designation is rejected.**

In the event the candidate fails to provide an alternate designation, no designation shall appear after the candidate's name.

CHANGING BALLOT DESIGNATION:

No designation given by a candidate shall be changed by the candidate after the final date for filing Nomination Papers except as specifically requested by the election official.

10. PLACEMENT OF NAMES ON BALLOT

Section 13112 - Elections Code

For each election, the Secretary of State will conduct a "randomized alphabet" drawing of the letters of the alphabet to determine the order in which the names of candidates shall appear on the ballot. For the General Municipal Election to be held on Tuesday, November 6, 2018, this drawing will be conducted on August 16, 2018.



11. CANDIDATE STATEMENT OF QUALIFICATIONS (SECTION 3)

Section 13307-13312 - Elections Code

A Candidate Statement printed in the Sample Ballot booklet is *optional*. If a candidate decides to submit a Candidate Statement, a deposit is due when the Nomination Paper and Candidate Statement are filed with the City Clerk as follows:

- \$200.00 deposit for Candidate Statement printed in English only
- \$485.00 deposit for Candidate Statement printed in both English and Spanish

The cost for printing and handling this Statement is the responsibility of the candidate.

The Candidate Statement may contain the candidate's NAME, AGE, and OCCUPATION plus a brief description of the candidate's EDUCATION and QUALIFICATIONS in not more than 200 words expressed by the candidate himself/herself.

The Candidate Statement must be **typed** and submitted in the following formats:

- 1) **electronic** copy (in Microsoft Word on USB device, or e-mailed directly to City Clerk), and
- 2) **printed** copy, **signed** by the candidate, and **attached to the signed Candidate Statement of Qualifications** form.

Once submitted, the statement may be WITHDRAWN, BUT NOT CHANGED, by the candidate in writing at any time up until 5:00 p.m., on the next working day after the close of the nomination period (or the next working day after the close of the extension of the nomination period for non-incumbents). Statements will be printed exactly as submitted. Candidates are therefore cautioned to carefully check their statements for errors in spelling, punctuation, and grammar. A statement may NOT be resubmitted after it is withdrawn.

After the election, the City of Arroyo Grande will send the candidate a refund, or an invoice, based on actual printing costs for the Sample Ballot/Voter Information Pamphlet as determined by the County Clerk Recorder's Office.

Please see the "Candidate Statement of Qualifications" form provided with this material for important additional information to be used in completing your Statement.

WORD COUNT STANDARD FOR CANDIDATE STATEMENT

Section 9 - Elections Code

- (1) Punctuation is not counted.
- (2) Each word shall be counted as one word except as specified in this section.
- (3) All geographical names shall be considered as one word; for example, "County of San Luis Obispo", or "City of Arroyo Grande" shall be counted as one word.
- (4) Each abbreviation of a word, phrase, or expression shall be counted as one word.



- (5) 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.
- (6) Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting only of a combination of digits shall be counted as one word. (November 6, 2018 = 2 words; 11/06/18 = one word)
- (7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. ("100" shall be counted as one word)
- (8) Telephone numbers shall be counted as one word.
- (9) Internet web site addresses shall be counted as one word.

12. FAIR POLITICAL PRACTICES COMMISSION (FPPC)

The Political Reform Act of 1974 requires all candidates for local elective office to file campaign disclosure statements disclosing contributions received and expenditures made. It is the responsibility of the candidate and the committee treasurer to be aware of and to file the required campaign disclosure statements in a correct and timely manner. Government Code §91013 provides for a late filing fine of \$10 per day for the late filing of any campaign disclosure statements after the deadline until the statement or report is filed.

The City Clerk serves as the filing officer for local campaign disclosure statements. Included in the Handbook is Campaign Disclosure Manual 2 of the Political Reform Act (Manual 2 is located in Section 10). This manual provides detailed information to assist both the candidate and his or her treasurer. Note: Be sure to check the FPPC website for recent amendments to campaign disclosure requirements at www.fppc.ca.gov.

A. STATEMENT OF ECONOMIC INTERESTS (FORM 700) (SECTION 4)

Candidates must file a "Statement of Economic Interests – Form 700" at the same time Nomination Papers are filed. All Form 700s for any city office are filed with the City Clerk and are forwarded to the Fair Political Practices Commission in accordance with State law. Completed forms are public documents and therefore subject to disclosure.

B. CANDIDATE INTENTION (FORM 501) (SECTION 5)

Candidates and officeholders who intend to raise or spend campaign funds must file a Candidate Intention Statement (Form 501) prior to solicitation or receipt of any contribution, or expenditure of any personal funds used for the election (including loans). This form is filed with the City Clerk. Please refer to Chapter 1 (1.1 to 1.3) of the Campaign Disclosure Manual 2 for instructions on completing the form.



C. STATEMENT OF ORGANIZATION (**FORM 410**) (SECTION 6)

A Statement of Organization (Form 410) must be filed by all candidates and "recipient committees" who have received **\$2,000 or more** in contributions (including the candidate's personal funds) during a calendar year. Personal funds used to pay filing or candidate statement fees are not counted toward the \$2,000 committee qualification threshold. (Note: If a candidate *anticipates* spending or receiving more than \$2,000, a candidate may file the Form 410 early by checking the "Not Yet Qualified" box at the top of the form.)

The Form 410 must be filed with the Secretary of State within ten (10) days of receiving \$2,000 in contributions, along with a **\$50 filing fee made payable to the Secretary of State**. The Secretary of State will issue an identification number to the committee. The identification number is to be included on all campaign disclosure forms.

If any of the information on a Statement of Organization changes, the candidate/committee must file an amendment to the Statement within 10 days of the change.

Once a candidate has formed a committee, campaign expenditure statements are required to be filed at designated times which disclose all monies raised or spent during the course of the campaign. The Election Calendar in this Handbook includes filing deadlines for campaign statements.

All committees required to file a Form 410 must thereafter pay a **\$50 annual fee** to the Secretary of State by no later than January 15th (a \$150 late penalty will be assessed if the payment is late).

(Please refer to Campaign Disclosure Manual 2, Chapter 1 (1.19-1.28), for instructions on completing the form.)

D. CAMPAIGN STATEMENT - SHORT FORM (**FORM 470**) (SECTION 7)

WHO FILES

Form 470 is for use by candidates who:

- do not have a controlled committee
- do not anticipate receiving contributions totaling \$2,000 or more in the calendar year
- do not anticipate spending \$2,000 or more in a calendar year

WHEN TO FILE

File on or before the filing deadline for the first semi-annual statement (July 31) or the first pre-election statement filed in connection with an election.

WHERE TO FILE

All campaign statements are filed with the City Clerk.

Please note: If, after filing Form 470, receipts or expenditures reach \$2,000, see Form 470 Supplement (Section 7) for important 48-hour reporting requirements.



E. CAMPAIGN STATEMENT - LONG FORM (FORM 460) (SECTION 7)

WHO FILES

Form 460 is for use by candidate controlled committees who have raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with election to office. The Form 460 is the main campaign disclosure statement and provides the public with an overview of the committee's activity, including money coming in and money going out, during a specified reporting period.

WHEN TO FILE

See Election Calendar on Pages 13-14.

WHERE TO FILE

All campaign statements are filed with the City Clerk.

F. 24-HOUR CONTRIBUTION REPORTS (FORM 497) (SECTION 7)

The 24-Hour Contribution Report (Form 497) provides immediate reporting of contributions received or made near an election. **Within 90 days before the election**, including the date of the election, if a primarily formed committee makes a contribution(s) that total in the aggregate of \$1,000 or more to a candidate or ballot measure committee or receives a contribution(s) that total in the aggregate of \$1,000 or more from a single source, the Form 497 must be filed within 24 hours. The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 report within 48 hours from the time the contribution is received.

24-Hour Contribution Report(s) [Form 497] must be filed by fax, email, guaranteed overnight delivery service, or personal delivery. **Regular mail may not be used.** The Report must be filed **within 24 hours** of the time the contribution was made. The Report must be filed at the City Clerk's Office, 300 E. Branch Street, Arroyo Grande, CA 93420, by fax to the City Clerk at 805-473-0386, or by email to the City Clerk at kwetmore@arroyogrande.org.

Note: Penalties may be imposed for late filings in accordance with regulations of the FPPC, and it is the sole responsibility of the filer to be aware of and comply with all filing requirements and deadlines.

G. FUTURE FILINGS

Future filings will depend on a candidate's success in this election and whether the candidate has an open candidate or officeholder controlled committee. All officeholders will be required to file a Semi-Annual Statement by July 31 each year during his or her term of office.

H. REQUESTING ADVICE FROM THE FPPC

The Fair Political Practices Commission (FPPC) is the state agency that is responsible for issuing the campaign disclosure forms and for interpreting the provisions of the law. While the City Clerk and



Deputy City Clerk can provide general guidance on filing requirements and review your forms for completeness, City Clerks are required to refer all technical questions regarding campaign contributions and expenditures to the FPPC. FPPC staff is available by telephone or email to provide assistance to anyone who has reporting or other requirements under the Political Reform Act. Call the toll free number **1-866-ASK-FPPC** (1-866-275-3772) or 1-916-322-5660 and press 2 to speak to a political reform consultant in the Technical Assistance Division. Telephone assistance is available Monday – Thursday, 9:00 a.m. – 11:30 a.m.

Assistance by Telephone:

Call Toll-Free
1-866-ASK-FPPC
(1-866-275-3772)

Assistance by Mail

Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811

Assistance by Email

advice @fppc.ca.gov

13. TEMPORARY SIGNS (SECTION 8)

Use of temporary campaign signs during the election campaign is subject to regulations contained in the Arroyo Grande Municipal Code. *Refer to Section 8 in your Handbook for further information.*

If you have any questions regarding temporary signs, please contact the City Clerk's Office at 473-5414 or the Community Development Department at 473-5420.

POLITICAL SIGNS ON STATE HIGHWAYS

A Statement of Responsibility for Temporary Political Signs must be filled out and submitted to the Department of Transportation, Outdoor Advertising Branch. *Refer to Section 8 in your Handbook for further information.*

14. DISCLAIMERS: MASS MAILING & PHONE CALLS (SECTION 9)

Section 84305 – Government Code

The Political Reform Act specifies that a candidate or committee who sends a mass mailing (200 or more identical or nearly identical pieces of mail in a calendar month) must identify the candidate or committee on the mailer. A candidate or committee who makes 500 or more telephone calls (by "robo" call or paid individuals other than the candidate, campaign manager or volunteers) must identify the candidate that paid for the call or the organization authorizing the call.

California Elections Code Section 16, Literature Requirements, requires that a copy of Government Code Section 84305 be provided by the election official (City Clerk) to each candidate at the time that a declaration of candidacy is filed. *A copy of Section 84305 is provided in Section 9 of the Handbook.*



MASS MAILINGS SENT ELECTRONICALLY

California Code of Regulation 18435 – Fair Political Practices Commission

Effective January 2013, the name of the candidate or committee must be disclosed on over 200 substantially similar campaign messages distributed to the public through electronic mail.

ONLINE COMMUNICATIONS

California Code of Regulation 18421.5 – Fair Political Practices Commission

Effective November 2013, a recipient committee has an expenditure reporting requirement to disclose on its campaign statement if the committee paid a person to provide favorable or unfavorable content about a candidate or ballot measure on an internet site other than the committee's own website [e.g., by providing content for or posting on a website or web log ("blog"), social media platform or service, or video content for posting online].

15. REGISTRAR OF VOTERS AND VOTER REGISTRATION

The Registrar of Voters has information regarding registered voters in Arroyo Grande, precinct maps (available online), and polling places (available online):

San Luis Obispo County-Clerk Recorder's Office – Elections Division
1055 Monterey Street, Room D120
San Luis Obispo, CA 93408
Phone: (805) 781-5228
Website: www.slovote.com

The last day to register to vote for the November 2018 election is **Monday, October 22, 2018**.

Voter Registration Forms are available at City Hall, in the City Clerk's Office, at many local libraries, post offices, the County Clerk-Recorder's Office, as well as online from the Secretary of State's website at <http://www.ss.ca.gov/elections> or <http://registertovote.ca.gov/>.

16. INFORMATION REQUESTS

The City has a wide variety of documents available for viewing and downloading online at www.arroyogrande.org. Candidates are also encouraged to sign up online through the "Notify Me" feature at www.arroyogrande.org/list.aspx to receive email or text message notifications when agendas, news releases, special events and other public notices are posted.

For information not found online, candidates are requested to direct all inquiries for information to the City Manager's Office. In order to ensure all candidates are presented with the same information, a copy of the information provided will be coordinated and distributed to all candidates through the City Manager's Office, with a copy kept on file in the City Clerk's Office.



17. ABBREVIATED ELECTION CALENDAR FOR CANDIDATES

July 16 – August 10 **NOMINATION PERIOD.**
Incumbents must file by August 10 at 5:00 PM. (EC 10220 - 10224)
Please call the City Clerk’s Office at (805) 473-5414 to schedule an appointment.

July 31 **Campaign Statement Filing Deadline**
Semi-Annual Statement Filing Period: *6/30/18
*The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.

August 8 – November 6 **24-Hour Contribution Reports**
Contributions totaling in the aggregate \$1,000 or more from a single source made to or received by a candidate or committee *during the 90 days preceding the date of the election, including Election Day*, at which the candidate being supported or opposed is to be voted on must be reported within 24 hours. (GC 82036)

August 10 **Last day to file Nomination Paper, Ballot Designation Worksheet, Candidate Statement, Statement of Economic Interests (Form 700), and Code of Fair Campaign Practices at 5:00 p.m.,**
Nomination period will be extended to August 15, if an incumbent does not file. Until 5:00 p.m. *of the next business day*, a candidate may withdraw, but not change, his or her Statement of Qualifications. (EC 13307.a.3.)

August 11 – 15 **Extension of Nomination Period.** Non-Incumbents Only
If an eligible incumbent fails to file by the deadline, a five day extension period is allowed for any person other than the incumbent to file. (EC 10225)

August 16 Last Day to withdraw, but not change, Candidate Statement of Qualifications by 5:00pm if filing during the extension period.

August 16 **Randomized Alphabet Drawing** by the Secretary of State to determine order of candidate names on ballot.

September 13, 6pm **Candidate Forum** - Sponsored by the Arroyo Grande & Grover Beach Chamber of Commerce at the South County Regional Center (candidates contribute towards the cost of this event).

September 27 **Campaign Statement Filing Deadline**
Pre-Election Campaign Statement.
Filing Period: *7/1/18 – 9/22/18 *(or 1/1 if no previous statement filed)
(Gov Code 84200.5, 84200.5(a), 84200.8.a.)

October 22 **Last day to register to vote.**

October 25 **Campaign Statement Filing Deadline**
Pre-Election Campaign Statement.
Filing Period: 9/23/18 – 10/20/18
(Gov Code 84200.5, 84200.8.b.)



CANDIDATE'S GUIDELINES FOR MUNICIPAL OFFICE

November 6	ELECTION DAY. Polls open at 7:00 AM and close at 8:00 PM
December 3	Tentative date for Special City Council Meeting to adopt Resolution accepting election results as canvassed by County Clerk and install newly elected officials.
December 31	Statement of Organization, Recipient Committee Termination (Form 410) Suggested last day for candidates/committees to file.
January, 2019 (TBD)	Statement of Economic Interests (Form 700). Within 30 days of City Council adopting Resolution declaring election results, newly-elected Council Members and Mayor to file <u>Assuming</u> Office Statements and outgoing officers to file Leaving Office Statements with the City Clerk.
January 31, 2019	Campaign Disclosure Statement Filing Deadline Semi-Annual Statement Filing Period: 10/21/18 - 12/31/18

