



CANDIDATE GUIDELINES SALINAS CITY COUNCIL

*NOVEMBER 5, 2024
GENERAL MUNICIPAL ELECTION*

City of Salinas

Office of the City Clerk

200 Lincoln Avenue

Salinas, CA 93901

(831) 758-7381

cclerk@ci.salinas.ca.us

www.cityofsalinas.org

Business hours: Monday - Friday, 9:00 a.m. to 4:00 p.m.

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MESSAGE FROM THE CITY CLERK

Dear Potential Candidate:

This informational guide will provide you with an overview of the local nomination process, nomination papers, official forms, and campaign deadlines that you will encounter during your candidacy. Please take the time to review the information in the guide as it may answer many questions you may have regarding running for public office.

ELECTION CONTACT

The Office of the City Clerk can assist you in understating the general rules contained in this guide and will oversee the nomination filing process. I can be reached at (831) 758-7381 or via e-mail at cclerk@ci.salinas.ca.us. To expedite your candidacy filing, you are encouraged to make an appointment in advance as priority will be given to potential candidates with appointments. You may visit us at City Hall at 200 Lincoln Avenue, Salinas, on the web at www.cityofsalinas.org , or call us at (831) 758-7381.

WHAT TO EXPECT

This filing period, you can expect the following:

- Appointments required to initialize the process
- Appointments required to file documents

FILING REMINDERS

- Make an appointment
- Review the Guide in its entirety
- File early

Sincerely,

Patricia M. Barajas
City Clerk

Alexis Mejia
Assistant City Clerk

DISCLAIMER

The materials contained in this guide represent the research and knowledge of the staff at the Office of the City Clerk. The contents of the guide and any legal interpretations contained herein are not to be relied upon as legal opinion. Reliance on the content without prior submission to and approval of your appropriate legal counsel is done at your own risk. This guide should be used as a general reference only, in addition to other references that may be used by you or your campaign. Our office is precluded from providing you legal advice. If you have any questions or comments, please call (831) 758-7381.

FILING PROCEDURES

No person shall be eligible to hold the office of Mayor or Councilmember unless on the date of the filing of nomination papers, the individual is a qualified elector of the City of Salinas, and, with respect to a Councilmember, has been a resident of the district for which s/he is running, for at least twenty-eight (28) days preceding the opening date for the filing of nomination papers, or the appointment to fill a vacancy therein, and shall forfeit office upon ceasing to reside therein. (Salinas City Charter Article 2 Section 2.2)

A person is disqualified from holding an office upon conviction of designated crimes as specified in the Constitution and laws of the State. (Government Code Section 1021)

The Affidavit of Nominee is an affidavit in which each candidate swears or affirms that s/he meets the qualifications for office and will accept the office if elected. (EC 10226)

Nomination Paper will be issued and executed at:

Where: City of Salinas
Office of the City Clerk
200 Lincoln Avenue
Salinas, California 93901
By appointment only

Hours: Monday – Friday, 9:00 a.m. – 4:00 p.m.

Be prepared to schedule an appointment, confirm your voter registration status, provide proof of residency, and allow sufficient time to review general candidate guidelines prior to issuance of nomination documents.

TERM OF OFFICE

The Monterey County Registrar of Voters is authorized on behalf of the City of Salinas to conduct the election and complete the canvass of the election results within twenty-eight (28) days of the election. The City Clerk shall certify the results to the City Council by no later than the next regularly scheduled meeting following receipt of the canvass. Installation of elected and reelected officers shall take place after the City Council's declaration of the election results. (EC 10262)

The candidate with the highest number of votes shall be declared elected. In the event of a tie vote, tie votes shall be determined by lots in accordance with Salinas Charter Section 3.4.

The terms of office are as follows:

- Mayor shall serve a two (2) year term
- Councilmembers shall serve a four (4) year term
- District 3 Councilmember shall serve a two (2) year term (Special Consolidated Election)

The Political Reform Act does not prohibit any office holder from holding multiple public offices or seeking more than one elective office. There are, however, instances of holding more than one office that are considered incompatible.

Government Code Section 1099 stipulates that if public officials hold two different public offices simultaneously, they must not have overlapping and conflicting public duties. Each position must be a “public office” for this code section to apply. (Cal. Gov. Code Sec. 1099(c))

Government Code Section 1099 does not allow for a person to hold two public offices simultaneously if:

1. Either of the offices exercises an auditing, removal, or supervising power over the other office or body;
2. There is a considerable clash of loyalties or duties between the offices; or
3. If certain public policy considerations make it improper.

In the case that a person was to hold an incompatible office, the person is “deemed to have forfeited the first office upon acceding to the second.” (Cal. Gov. Code Sec. 1099(b))

The Attorney General’s office has given numerous opinions on the subject of incompatible offices. If you have any questions about whether two public offices would be considered incompatible, contact your attorney, or the State of California Attorney General’s office.

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

Here are three examples of incompatible offices:

1. The offices of city councilmember and school district board member where the city and the school district have common territory.
2. Fire chief of a county fire protection district and a member of the board of supervisors of the same county.
3. Water district director and school district trustee having territory in common.

NOMINATION PROCEDURE

ISSUANCE

The candidate nomination period opens on July 15, 2024. Nomination forms will only be issued to candidates once the City Clerk has determined they are eligible to hold office. Only official nomination papers that are issued by the Salinas City Clerk's Office may be circulated for signatures. Candidates shall not file nomination papers for more than one municipal office or term of office for the same municipality in the same election. Candidates are required to schedule an appointment with the City Clerk's Office for issuance and filing of Nomination Paper and related documents. Priority will be given to candidates with appointments. (EC 10220, 10220.5, 10227)

NOMINATION FORM AND AFFIDAVIT OF CIRCULATOR

The Nomination Paper – Official Filing Form must contain a minimum of twenty (20) and not more than thirty (30) signatures from registered voters of the district for which the Councilmember candidate is filing, or if filing for the office of the Mayor, signatures from registered voters from the city at-large. No voter shall sign more than one Nomination Paper for the same office. If a registered voter does, the signature shall count only on the first Nomination Paper that is filed. (EC 10220)

Each signer shall personally affix his or her signature, printed name, and place of residence on the Nomination Paper, unless otherwise allowed by California Elections Code. The printed name shall not include titles. The residential address must be affixed next to the signature. Post Office box numbers and ditto marks are NOT acceptable, and these signatures will not count toward the minimum number of signatures required. The residence address must match the address on the Affidavit of Registration filed with the Registrar of Voters for the signature to count toward the minimum required signatures. (EC 100 and 10221)

If the Nomination Form contains less than twenty (20) eligible registered voter's signatures, the City Clerk's Office will issue a Supplemental Nomination Form to the nominee. The circulator must obtain the requisite supplemental signatures from eligible voters and the completed Supplemental Nomination Form must be filed with the Salinas City Clerk's Office prior to the close of the nomination filing deadline.

Any person, including the candidate, who is 18 years of age or older may circulate the Nomination Paper. The circulator must complete the "Affidavit of Circulator". (EC 102 and 104)

FILING DEADLINE

The Nomination Paper must be filed with the Salinas City Clerk's Office by 4:00 p.m. on August 9, 2024. Candidates are encouraged to file early. (EC 10224)

The filing deadline shall be extended, if an incumbent officer does not file or fails to qualify by the close of the filing deadline on August 9, 2024. In this instance, candidates other than the incumbent may obtain and file all required nomination form by 4:00 p.m. on August 14, 2024. (EC 10225)

All candidates are encouraged to file nomination documents as early as possible following the opening of the nomination period. This will allow sufficient time to gather additional signatures if it is determined that the Nomination Paper contains less than twenty (20) qualified signatures from registered voters within the district for which the candidate is running. Candidates may obtain a “walking list” from the Monterey County Election (MCE) Department prior to obtaining signatures and filing the Nomination Paper with the City Clerk’s Office. The Monterey County Registrar of Voters is not responsible for, nor will they verify, your signatures prior to filing the Nomination Paper with the City Clerk’s Office.

FILING FEE

A \$25.00 nonrefundable filing fee must be paid to the City of Salinas at the time that the Nomination Paper is filed. Payment must be made by check or money order. Debit, credit cards, and cash are NOT accepted. (EC 10228)

DECLARATION OF CANDIDACY

The candidates must complete the Declaration of Candidacy, including the ballot designation and the candidate’s name as it will appear on the ballot. The printed name on section 1 of this form must be recognized as the legal name under which the candidate is registered to vote. The ballot designation will appear on the ballot as approved on the Ballot Designation Worksheet.

The candidate must also complete the *Oath of Office* in the presence of the Elections Official. By subscribing to the Oath of Office, the candidate declares that they have met the statutory and constitutional qualifications for office and will accept the office if elected. (EC 200, 10223 and 10226)

BALLOT DESIGNATIONS

The Ballot Designation Worksheet must be completed and filed at the same time of filing the Nomination Paper. The ballot designation may include the candidate’s elected office title or may state “incumbent” if applicable, as a standalone designation, or may state the nominee’s principal profession/occupation/vocation described in no more than three words. The candidate must complete the attached Ballot Designation Worksheet in its entirety. (EC 13107)

Once filed, the City Clerk’s Office will review the Ballot Designation Worksheet with the candidate to ensure the ballot designation complies with California Elections Code and California Regulations. The City Clerk’s Office will also forward the Nomination Form along with the Ballot Designation Worksheet to the Monterey County Election Department to verify the signatures.

WITHDRAWAL OF NOMINATION FORM

The candidate may withdraw their Nomination Paper until the end of the nomination period for that office, but not after the filing deadline. **The \$25.00 filing fee is non-refundable and will be forfeited upon withdrawal.** (EC 10224)

CANDIDATE STATEMENT OF QUALIFICATIONS

Candidates may choose to file a Candidate Statement of Qualifications for printing in the Voters' Guide. If the candidate elects to submit a Statement of Qualifications, it must be submitted in electronic form, such as a USB drive and a printed hard copy. E-mailed statements will not be accepted. (EC 13307)

The Candidate Statement must be accompanied by a check or money order at the time of filing the Nomination Form. The estimated Candidate Statement cost is based on the total number of registered voters within the City at-large and Districts as follows:

- Mayor \$1,968.00
- District 1 \$347.00
- District 3 \$491.00
- District 4 \$356.00
- District 6 \$476.00

Submitted statements may be withdrawn, but not changed, during the period for filing nomination papers and until 4:00 p.m. of the next working day after the close of the nomination period. The Candidate Statement of Qualification becomes a public record following the close of the nomination period. The cost will be reimbursed if the statement is withdrawn by the deadline. (EC 13307)

The statement shall not exceed **200** words. The word count begins after the Occupation and Age heading. See the Candidate Statement of Qualifications Guidelines in the appendices.

The statement may include the candidate's:

- Name
- Age (optional)
- Occupation (optional) – The occupation listed in the candidate statement for the voters' guide can differ from the ballot designation and is not subject to ballot designation regulations. However, if it extends beyond one line, it will be included in the word count.
- A brief description of the candidate's education and qualifications, not exceeding 200 words written in the first person.

The Monterey County Election Department will translate the statement into Spanish and will include the statement in both English and Spanish in the Voters' Pamphlet. Please refer to the Candidate Statement of Qualifications Guidelines attached in the appendices.

RESTRICTIONS

The Candidate Statement **shall not** include:

- Party affiliation of the candidate nor membership or activity in partisan political organizations. (EC 13307(a)(1))
- Any false, slanderous, or libelous statements. (13307(e))
- Reference to other candidates for that office or to another candidate's qualifications, character, or activities. (EC 13308)

The Candidate Statement of Qualifications is intended to describe and highlight the candidate's education and qualification.

The candidates' statements will be made available for public examination for a period of ten (10) calendar days immediately following the filing deadline for submission of nomination documents. During the ten (10)-calendar-day public examination period, any voter of the jurisdiction in which the election is being held, or the Elections Official, may seek a writ of mandate or an injunction requiring any or all of the material in the candidate's statements to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the ten (10)-calendar-day public examination period. (EC 13313; 13314)

FORMATTING

Candidate statements will be printed in uniform size, type and darkness. All candidate statements will be printed in justified/block paragraph form.

DO NOT SUBMIT OR USE ANY OF THE FOLLOWING:

- Handwritten statements
- Bullets or outline formats
- Special formatting including bolding, *italics*, underlining or ALL CAPITAL LETTERS
- Special characters or symbols (including but not limited to diamonds, stars, boxes, asterisks, #, +/-, etc.)

BE ACCURATE! Documents will be printed as submitted and cannot be amended or corrected once filed.

GUIDELINES

In the Voter Information Guide, all candidate statements will be of uniform format, font, size, spacing, and darkness. All candidate statements will be printed in block paragraph and the first line of the paragraph will be indented.

Due Date	<ul style="list-style-type: none"> ✓ At the time of filing your Nomination Papers along with estimated costs. <p style="text-align: right;"><i>ELECTIONS CODE 13307</i></p>
Template for Content	<ul style="list-style-type: none"> ✓ Name ✓ Age (optional) ✓ Occupation (optional) <ul style="list-style-type: none"> • Can differ from ballot designation, not subject to ballot designation regulations • If it extends beyond one line it will be included in word count ✓ A brief description of the candidate’s education and qualifications ✓ Written in the first person
Restrictions	<ul style="list-style-type: none"> ✓ Shall be limited to a candidate’s own personal background and qualifications. ✓ Shall not in any way make reference to another candidate. ✓ Local non-partisan candidate shall not include party preference nor membership or activity in partisan political organizations. ✓ No statement shall contain any false, slanderous, or libelous statements. Authors are not exempt from any civil or criminal action or penalty. ✓ The statements may be withdrawn, but not changed, during the nomination filing period and until 5 p.m. of the next working day after the close of the nomination period. <p style="text-align: right;"><i>ELECTIONS CODE 13307</i></p>
Requirements	<ul style="list-style-type: none"> ✓ Typed in English <ul style="list-style-type: none"> • Monterey County Certified Translators will translate into Spanish ✓ Electronic Copy (identical to printed copy) <ul style="list-style-type: none"> • Email attachment to: cclerk@ci.salinass.ca.us • USB drive ✓ Hard copy (printed copy, identical to electronic copy) <ul style="list-style-type: none"> • If there is a discrepancy between the electronic copy and the hard copy, the hard copy will prevail.
Not Permitted	<ul style="list-style-type: none"> ✓ Handwritten statements ✓ Bullet or outline formats ✓ Special formatting including bolding, italics, underlining, or ALL CAPITAL LETTERS (except for titles and acronyms) ✓ Special characters or symbols (including but not limited to (diamonds, stars, bullets, circles, boxes, check marks, asterisks, #, +, etc.) ✓ Statements addressing opponents or other elected officials

WORD COUNT CRITERIA

The following are the guidelines for computing the word count for candidate statements.

- The word count begins after the headings: Occupation and Age.
- In the event that occupation carries on to the second line, the word count will begin on that second line.

Each word in the candidate statement is counted as one word except below:

Punctuation	Punctuation is not counted.
Titles	Words used by Monterey County Elections as part of a standardized heading, such as “Argument in Favor of Measure Z” or “Statement of Candidate for Mayor” are not counted.
Cities/Counties	All geographical names shall be counted as one word. For example, “Monterey County”, “City of Salinas”, “County of Santa Cruz”, and “City and County of San Francisco” are considered one word. The names of school districts, special districts and political subdivisions are considered geographical names as well. For example, “North County Fire Protection District” and “Monterey Peninsula Community College District” are each one word.
Proper Nouns	All proper nouns, including geographical names, shall be considered as one word; for example, “City and County of San Francisco” or “Salinas High School” shall be counted as one word. (Generic location terms such as “North County” or “South County” do not constitute proper nouns and each word will be counted separately)
Hyphenations	Hyphenated words that appear in any generally available U.S. dictionary published in the last ten (10) years shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word. Elections has a dictionary on hand and will reference this dictionary as the deciding factor.
Dates	Dates consisting of a combination of words and digits shall be counted as two words. Dates consisting of only a combination of digits shall be counted as one word. October 29, 2007 shall be counted as two words, whereas 10/29/2007 will be counted as one word.
Numbers	Any number consisting of a digit or digits shall be considered as one word (e.g. “100”). Any number that is spelled shall be considered as a separate word (“one hundred” is two words).
Phone & Internet	Website addresses or telephone numbers are one word.

Example 1 – English Version



Paid candidate statements: Supervisor, District 6

This section may not contain every candidate on your ballot. Each candidate’s statement is written and paid for by the candidate. The candidate’s statements are printed exactly as submitted. Statements are printed in the random alpha order conducted by Elections Official.

Oliver Candidate

Occupation: Teacher

Age: 42

I can bring to the office a diversity of viewpoints and experience. Born and raised in the Monterey Bay Area, with my family still farming, I can appreciate the general concerns. On the other hand, having been in business since my undergraduate days at USCMB, and with my experience in the rental and real estate fields, I appreciate the practical housing requirements of our community.

I am a graduate of USCMB with a B.S. and MBA; US Air Force Sergeant; married and parent of 2; small business owner; homeowner. In addition, I have either served or am serving in the following clubs and organizations: Rotary; Chamber of Commerce; Ocean Club; PTA; Arts Council; and Rock the Farm.

If elected to this office, I will do my best to continue to serve as a leader and role model for our community and children.

For more information about my campaign and endorsements, visit www.Vote4Me.com.

Name

Occupation:

Age: ##

Statement here



Declaraciones pagadas del candidato: Supervisor, Distrito 6

Es probable que esta sección no contenga a todos los candidatos de la boleta electoral. La declaración de cada candidato ha sido escrita y pagada por el candidato. Las declaraciones del candidato se imprimen exactamente según se entregan. Las declaraciones se imprimen en un orden alfabético aleatorio llevado por el Funcionario Electoral.

Oliver Candidate

Ocupación: Maestro

Edad: 42

Puedo aportar al cargo una diversidad de puntos de vista y experiencia. Nacido y criado en la región de la Bahía de Monterey, con una familia que aún cultiva la tierra, puedo comprender las inquietudes de otros. Por otra parte, dada mi experiencia comercial desde que mis estudios en USCMB, y con mi experiencia en los campos de bienes raíces y de arrendamiento de bienes, puedo entender los aspectos prácticos de las necesidades de vivienda en nuestra comunidad.

Egresado de USCMB con Licenciatura en Ciencias y Maestría en Administración de Empresas; sargento de la Fuerza Aérea de EE.UU.; casado y con dos hijos; propietario de pequeña empresa; propietario residencial. Además he participado o participo en los siguientes asociaciones y organizaciones: Rotary; Cámara de Comercio; Ocean Club; Asociación de Padres y Maestros; Arts Council; y Rock the Farm.

Si me eligieran a este cargo, me esforzaría por continuar siendo un líder y un ejemplo para nuestros hijos y nuestra comunidad.

Para información sobre mi campaña y endosos, visite www.Vote4Me.com

Nombre

Ocupación:

Edad: ##

FAIR POLITICAL PRACTICES COMMISSION FILING

CONFLICT OF INTEREST, CALIFORNIA FORM 700

A Candidate's Statement of Economic Interests, Form 700, must be completed and filed with the City Clerk's Office by the close of the nomination filing period. The Form 700 is available for download on the Fair Political Practices Commission (FPPC) website at www.fppc.ca.gov

The form must be completed and filed online via the City's Statement of Economic Interests e-Filing System.

CAMPAIGN STATEMENTS

The City of Salinas has not adopted a local campaign contribution and expenditure limits. Candidates' and treasurers should familiarize themselves with the Fair Political Practices Commission Campaign Disclosure Manual 2, which may be found at www.fppc.ca.gov . Please refer to the FPPC tab for a Statement of Organization Fact Sheet to ensure timely filing and acceptance of Form 410 by the Secretary of State.

Recipient Committee Campaign Statement Form (Form 460) is available on the FPPC's home webpage at www.fppc.ca.gov . Forms may be completed and filed electronically via the City's e-Filing system. The candidate or treasurer file the required statements with the Salinas City Clerk's Office by the State's statutory deadlines.

Failure to file statements or filing late statements will result in imposition of fines and referral to the FPPC for enforcement.

A candidate who has established a campaign committee must ensure that their treasurer meets the record-keeping and audit requirements as stated in the Political Reform Act, including Government Code Section 84104 and Section 90000-90007, and as further outlined in the California Code of Regulations, Title 2, Division 6, and the FPPC'S Campaign Disclosure Manual 2. **The City Clerk's Office is unable to assist you with completion of campaign disclosure forms.**

The FPPC offers you an opportunity to have simple questions answered by experienced staff, by emailing advice@fppc.ca.gov or calling 1-866-ASK-FPPC (1-866-275-3772).

SUMMARY OF CAMPAIGN DISCLOSURE FORMS

FORM NAME	DESCRIPTION
Form 501 , Candidate Intention	The Form 501 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 their candidacy, excluding personal funds used to pay filing fees and/or fees for Statements of Qualifications.
Form 410 , Statement of Organization	The Form 410 must be filed with the Secretary of State's Office to obtain a Committee Identification Number. 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.
Form 460 , Recipient Committee Campaign Statement	The Form 460 is used by candidates or officeholders who have formed a controlled committee, or who have raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with an election to office or holding office.
Form 470 , Candidate and Office Holder Campaign Statement Short Form	The Form 470 is filed by officeholders and candidates who do not have a controlled committee, do not receive contributions totaling \$2,000 or more during the calendar year, and do not spend \$2,000 or more during the calendar year.
Form 470 , Supplement	A candidate who filed Form 470 in connection with an election and subsequently receives contributions or makes expenditures totaling \$2,000 or more is required to file this form with a Form 410.
Form 496 , 24-hour/10-Day Independent Expenditure Report	The Form 496 is filed by committees that make independent expenditures whose combined total is \$1,000 or more to support or oppose a single candidate for elective office, or a single ballot measure. File the Form 496 within 24-hours of making the expenditure during the 90 days immediately preceding the election.
Form 497 , 24-hour/10-Day Contribution Report	The Form 497 is filed by state and local committees making or receiving contribution(s) whose combined total is \$1,000 or more in the 90 days before an election.
Form 700 , Statement of Economic Interests	Every public official who makes or participates in making governmental decisions is required to file a Statement of Economic Interests.

FILING DEADLINES FOR CAMPAIGN DISCLOSURE FORMS

Filing Deadline	Type of Statement	Period Covered	Method of Delivery
July 31, 2024	Form 460, Semi-Annual Statement for Candidates who established Committees prior to June 30, 2024	From Committee formation to 6/30/24	<input type="checkbox"/> Personal Delivery <input type="checkbox"/> First Class Mail <input type="checkbox"/> E-filed
September 26, 2024	Form 460, 1st Pre-Election Statement	7/1/24 – 9/21/24	<input type="checkbox"/> Personal Delivery <input type="checkbox"/> First Class Mail <input type="checkbox"/> E-filed
October 24, 2024	Form 460, 2nd Pre-Election Statement	9/22/24 – 10/19/24	<input type="checkbox"/> Personal Delivery <input type="checkbox"/> Overnight Service <input type="checkbox"/> E-filed
Within 24 Hours	Form 497, Late Contributions/ and Independent Expenditures	08/07/24– 11/5/24	<input type="checkbox"/> Personal Delivery <input type="checkbox"/> Overnight Service <input type="checkbox"/> E-filed
January 31, 2025	Semi-Annual	10/23/24 – 12/31/24	<input type="checkbox"/> Personal Delivery <input type="checkbox"/> First Class Mail <input type="checkbox"/> E-filed

Statements filed after the deadline are late and are subject to penalties.

CAMPAIGN PRACTICES

POLITICAL SIGNS

The placement of political signs is subject to regulation by the state, county, or the city. The City of Salinas' sign ordinance is outlined in City Code Section 37-50.580(u). In accordance with City Code Section 37-50.580(u), temporary noncommercial message signs, not exceeding thirty-two (32) square feet may be placed on private property in any zoning district for a maximum of ninety (90) days prior to an election. Such signs shall be removed within ten (10) days after the election. Signs that are removed from City property by City staff will be disposed of immediately. The person responsible for any such illegal sign posting shall be liable for the cost incurred in the removal of the sign. If a candidate, campaign committee or campaign staff continue to violate the Municipal Code in this manner, an administrative citation may be issued to deter repeated violations.

If you are interested in the details of Salinas' sign regulations, you may refer to the Municipal Code available on the City's website.

MASS MAILING

PROHIBITIONS

California Government Code 84305

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

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

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

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

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

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

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

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

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

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

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

DEFINITION

California Government Code 82041.5

"Mass Mailing" means over two hundred substantially similar pieces of mail, but does not include a form letter or other mail that is sent in response to an unsolicited request, letter or other inquiry.

INCUMBENCY

California Government Code 89001

No newsletter or other mass mailing shall be sent at public expense.

OFFICIAL SEAL

CAMPAIGN LITERATURE

California Elections Code 18304

- a) Any person who uses or allows to be used any reproduction or facsimile of the seal of the county or the seal of a local government agency in any campaign literature or mass mailing, as defined in Section 82041.5 of the Government Code, with intent to deceive the voters, is guilty of a misdemeanor.
- b) For purposes of this section, the use of a reproduction or facsimile of a seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by a public official is evidence of intent to deceive.
- c) For purposes of this section, the term "local government agency" means a school district, special or other district, or any other board, commission, or agency of local jurisdiction.

CITY SEAL AND CITY LOGO

Salinas Municipal Code Chapter 1 Article 2

No person shall use or allow to be used the city seal/logo or any reproduction or facsimile of the city seal/logo or any use or design which is an imitation of said seal/logo or of the design thereof, or which may be mistaken for the city seal/logo or the design thereof, for any purpose without the express authorization of the city manager and the city clerk. Use of the city seal/logo is not authorized for any political campaign or political activity. Any violation of this section is misdemeanor.

POLITICAL ADVERTISING

POLITICAL ADVERTISEMENT REQUIREMENTS

California Elections Code 20008

Any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type of lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.

As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

CAMPAIGN MATERIALS

FORGING, STEALING, MUTILATING, AND FALSIFYING JUDICIAL AND PUBLIC RECORDS

California Penal Code 115.2

- 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 §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 §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 \$50,000, or both.

NO PICTURES OF CANDIDATES IN CAMPAIGN MATERIALS

California Elections Code Section 20010

a) Except as provided in subdivision (b), a person, committee, as defined in Section 82013 of the Government Code, or other entity shall not, within 60 days of an election at which a candidate for elective office will appear on the ballot, distribute, with actual malice, materially deceptive audio or visual media, as defined in subdivision (e), of the candidate with the intent to injure the candidate's reputation or to deceive a voter into voting for or against the candidate.

b) (1) The prohibition in subdivision (a) does not apply if the audio or visual media includes a disclosure stating: “This ____ has been manipulated.”

(2) The blank in the disclosure required by paragraph (1) shall be filled with whichever of the following terms most accurately describes the media:

(A) Image. (B) Video. (C) Audio.

(3)(A) For visual media, the text of the disclosure shall appear in a size that is easily readable by the average viewer and no smaller than the largest font size of other text appearing in the visual media. If the visual media does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For visual media that is video, the disclosure shall appear for the duration of the video.

(B) If the media consists of audio only, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than two minutes each.

c)(1) A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may seek injunctive or other equitable relief prohibiting the distribution of audio or visual media in violation of this section. An action under this paragraph shall be entitled to precedence in accordance with Section 35 of the Code of Civil Procedure.

(2) A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may bring an action for general or special damages against the person, committee, or other entity that distributed the materially deceptive audio or visual media. The court may also award a prevailing party reasonable attorney's fees and costs. This subdivision shall not be construed to limit or preclude a plaintiff from securing or recovering any other available remedy.

(3) In any civil action alleging a violation of this section, the plaintiff shall bear the burden of establishing the violation through clear and convincing evidence.

(d)(1) This section shall not be construed to alter or negate any rights, obligations, or immunities of an interactive service provider under Section 230 of Title 47 of the United States Code.

(2) This section does not apply to a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, that broadcasts materially deceptive audio or visual media prohibited by this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the materially deceptive audio or visual media.

(3) This section does not apply to a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, when it is paid to broadcast materially deceptive audio or visual media.

(4) This section does not apply to an internet website, or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes materially deceptive audio or visual media prohibited by this section, if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate.

(5) This section does not apply to materially deceptive audio or visual media that constitutes satire or parody.

e) As used in this section, "materially deceptive audio or visual media" means an image or an audio or video recording of a candidate's appearance, speech, or conduct that has been intentionally manipulated in a manner such that both of the following conditions are met:

(1) The image or audio or video recording would falsely appear to a reasonable person to be authentic.

(2) The image or audio or video recording would cause a reasonable person to have a fundamentally different understanding or impression of the expressive content of the image or audio or video recording than that person would have if the person were hearing or seeing the unaltered, original version of the image or audio or video recording.

f) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

g) This section shall remain in effect only until January 1, 2027, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2027, deletes or extends that date.

ELECTIONEERING

ELECTIONEERING WITHIN 100 FEET OF A POLLING PLACE

California Elections Code Section 18370

- a) A person shall not, on election day, or at any time that a voter may be casting a ballot, within the 100 foot limit specified in subdivision (b), do any of the following:
- (1) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
 - (2) Solicit a vote or speak to a voter on the subject of marking the voter's ballot.
 - (3) Place a sign relating to voters' qualifications or speak to a voter on the subject of the voter's qualifications except as provided in Section 14240.
 - (4) Do any electioneering as defined by Section 319.5.
- b) The activities described in subdivision (a) are prohibited within 100 feet of either of the following:
- (1) The entrance to a building that contains a polling place as defined by Section 338.5, an elections official's office, or a satellite location specified in Section 3018.
 - (2) An outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot.
- c) A person shall not, on election day, or at any time that a voter may be casting a ballot, do any of the following within the immediate vicinity of a voter in line to cast a ballot or drop off a ballot:
- (1) Solicit a vote.
 - (2) Speak to a voter about marking the voter's ballot.
 - (3) Disseminate visible or audible electioneering information.
- d) Any person who violates any of the provisions of this section is guilty of a misdemeanor.

ELECTIONEERING DURING VOTE BY MAIL VOTING

California Elections Code 18371

- 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, or to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

CODE OF FAIR CAMPAIGN PRACTICES

The Code of Fair Campaign Practices form is issued to encourage candidates to subscribe to the code with the intent to follow basic principles of decency, honesty and fair play. (EC 20400-20444).

PERMISSION TO POST PERSONAL INFORMATION ON THE INTERNET

The Declaration of Candidacy Form, Section 3, is a document granting or denying the Elections Official permission to post information beyond the candidates' name and office sought on the City and County websites. This form is required by all candidates and must be filed at the time of filing the Nomination Paper. Candidates will need to decide if they want to release residential address, phone number, e-mail, fax or mailing address. It is recommended that prior to filing the Permission to Post Personal Information on the Internet form, the candidate establishes a campaign specific e-mail address, website, phone number, fax or mailing address.

MONTEREY COUNTY ELECTION DATA

Voter data may be purchased by contacting the Monterey County Registrar of Voters (ROV), 1441 SCHILLING PLACE, PO BOX 4400, Salinas, California 93912, (831) 796-1499, Website: <http://www.montereycountyelections.us>