



## CITY OF MORRO BAY

CITY HALL

595 Harbor Street  
Morro Bay, CA 93442

Dear Candidate:

Congratulations on seeking elected office in Morro Bay. It is a pleasure to see that you have made the decision to consider public service or, as an incumbent, continue public service.

There are many requirements associated with being a candidate and the information provided herein has been prepared to help guide you through the nomination process. It will aid in explaining various rules, regulations, and common-sense ideas for surviving your campaign. Although it is not all encompassing, we are confident you will find it useful.

Please note it is the sole responsibility of the candidate to ensure they comply with the laws and regulations surrounding the election process. The City of Morro Bay does not serve as counsel to individual candidates, and the information herein should not be construed as legal advice.

We have included a Candidate's Checklist as a reminder of what to bring in when you file, and which we will go over together when we issue your nomination papers. Your Nomination Paper, Candidate's Statement of Qualifications, payment of fees, and required FPPC forms must be filed together in my office before the close of the filing period on **Friday, August 9, 2024, at 5:00 p.m.**

It is the goal of the City Clerk's Office to offer information that will make the process of seeking office easier to navigate and more approachable for you as a candidate. If you have questions or need additional information, please contact me at (805) 772-6205 or the Fair Political Practices Commission (FPPC) via email at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).

City staff will schedule a candidate orientation in late August to provide you with a brief snapshot of the City, current Department activities, and other items of interest. I will contact you as soon as the date and time are set and encourage you to attend.

We hope your election experience will be a positive one; we are here to help.

Dana Swanson  
City Clerk

Heather Goodwin  
Deputy City Clerk

# MORRO BAY CITY COUNCIL

## Offices to be Elected

The following offices are scheduled for general election on Tuesday, November 5, 2024:

**Mayor (1) for a 2-year Term**

**Council Member (2) for a 4-year term**

## Eligibility

To be eligible to hold office as a Mayor or City Council Member, a person **must be at least 18 years of age by Election Day** and a **resident** and **registered voter** in the City at the time Nomination Papers are issued. If, during the term of office, a member of the city council moves their place of residence outside of the City limits, or ceases to be an elector of the City, their office shall immediately become vacant. ([Government Code Section 36502](#) and [Election Code section 201](#))

## Candidate Open Nomination Period is July 15 – August 9, 2024

Every election starts with a “Nomination Period.” This is the period of time that begins 113 days before Election Day and closes 88 days before Election Day. This is the only period of time during which you can obtain and return “nomination papers,” which are the forms you must submit in order to run for office.

During the open Nomination Period an appointment to receive and/or file nomination papers is required. To schedule an appointment during the nomination period, please book a [Candidate Information meeting online](#). The deadline for filing Nomination Papers is August 9, 2024, by 5:00 p.m.

## Nomination Extension Period

If an incumbent does not file their Nomination Papers by the August 9<sup>th</sup> deadline, the Nomination Period for that office shall be extended until August 14, 2024, by 5:00 p.m. for candidates other than the incumbent.

## Official Filing Requirements

Below is a checklist indicating various forms required, or recommended to be filed, for candidacy for the offices of Mayor or Council Member. These forms will be reviewed in detail during your appointment to pull Nomination Papers.

### Forms to be submitted at time of filing:

1. Nomination Papers
2. Ballot Designation Worksheet
3. Candidate’s Statement of Qualifications and deposit for estimated printing costs
4. [Form 700](#) Statement of Economic Interest
5. \$25 Candidate Filing Fee ([EC 10228](#) & [Resolution No. 26-24](#))
6. Code of Fair Campaign Practices (optional)
7. [Form 501](#) Candidate Intention Statement (may be filed at any time)
8. [Form 410](#) Recipient Committee Organization Statement (optional)

It is the obligation of each candidate to meet all filing requirements and deadlines. Candidates are encouraged to return the necessary forms prior to the established filing dates. **The Nomination Paper, Ballot Designation Worksheet, Candidate Statement of Qualifications, Candidate's Statement and payment for estimated printing cost (if desired), Code of Fair Campaign Practices and Statement of Economic Interest (Form 700) must be filed at the same time.**

Withdrawing a Nomination

A candidate may withdraw their Nomination Papers at any time on or before the 88<sup>th</sup> day (August 9, 2024) prior to the Election Date for said office.

## NOMINATION PAPER PROCEDURES

### Nomination Signatures:

Each candidate must be proposed by not less than 20 or more than 30 registered voters within the city limits of Morro Bay ([Election Code Section 10220](#)). You should secure more than the minimum number of signatures required, but no more than the maximum, to guard against falling short if one or more signatures are disqualified. Any person 18 years of age or older may circulate a nomination paper. **Only one person may circulate each nomination paper; the candidate may circulate their own nomination paper.**

No voter may sign more than one nomination paper for the same office, and in the event the voter does so, the voter's signature shall count on the first nomination paper filed which contains the voter's signature.

On the Affidavit of Nominee, each candidate will indicate how their name should appear on the ballot. This notation should be recognizable as the name under which the candidate is registered, though the two need not be identical. (Example; A candidate registered as "Jonathan William Smith" may use such variations as "John W. Smith", "John Smith", or "J. William (Bud) Smith".) No title or degree may appear on the same line on a ballot as the candidate's name ([Election Code Section 13106](#)). The candidate cannot change their ballot designation after the final date for filing nomination papers unless required by the City's Election Official. (See attached "Ballot Designation Requirements.")

### Ballot Designation and Ballot Designation Worksheet:

The ballot designation is the word or group of words that will appear on the ballot under the candidate's name, designating the principal profession, vocation, or occupation of the candidate. Acceptable ballot designations are governed by [Elections Code Section 13107](#) and [Secretary of State Regulations](#). All candidates (except candidates for Justice of the State Supreme Court or Court of Appeal) may choose a ballot designation to appear immediately under their name on the ballot.

[Elections Code Section 13107.3](#) requires a ballot designation worksheet be completed and filed with the Election's Official **at the same time** that the candidate files their Declaration of Candidacy. The statute mandates that no designation will appear under the candidate's name on the ballot if the candidate fails to file the required ballot designation worksheet.

## CANDIDATE'S STATEMENT OF QUALIFICATIONS

Each candidate for elective office may prepare a statement of qualifications to be included in the Sample Ballot Booklet and sent to every registered voter in the jurisdiction of the office. The statement is optional and not a requirement of filing for office. In accordance with [Resolution No. 36-24](#), each candidate is required to pay for the cost of translating and printing their candidate statement. The estimated Candidate Statement cost is \$160 for English only and \$420 for English and Spanish. Actual printing costs are not known until after the election; a refund or balance-due invoice will be sent to candidates as soon as those costs are known.

The statement **MAY** include:

- Name, Age, Occupation of the Candidate
- A brief description (no more than 200 words) of the candidate's education and qualifications expressed by the candidate in their own words (first person singular).

The statement **MAY NOT** include:

- The party affiliation of the candidate.
- Membership or activity in any partisan political organizations.
- References to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official shall not cause to be printed, posted on an internet website or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section. ([EC §13308](#))

The statement must be **typed** and follow the format on the form provided and submitted to the Clerk's office as a Word document. Boldface type, bullets, boxes, arrowheads, diamonds, asterisks, all capital letters, or underlining (including websites) are not allowed. The statement should be set out in block style paragraphs in type of uniform size (Arial Narrow, 10-point font) and darkness and with uniform spacing. Obvious spelling errors will be corrected; however, the candidate should proof the statement very carefully for spelling, punctuation, and grammar, as it will be printed as submitted.

The statement may be **WITHDRAWN**, by the candidate in writing, **BUT NOT CHANGED**, during the nomination period, or the extension of the nomination period for non-incumbents only, and 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 only.

Each candidate who files a statement of qualification will be required to pay deposit at the time the statement is filed to cover the cost of the printing and handling. The estimated deposit amount is an approximation of the actual cost and may be more or less than the estimate, depending on the actual number of candidates filing statements. **Accordingly, the elections official is not bound by the estimate and will bill the candidate for additional actual expense or refund any excess amount paid depending on the final actual cost.**

## **STATEMENT OF ECONOMIC INTEREST**

Members of the Morro Bay City Council are required to file Statements of Economic Interest ([Form 700](#)) annually according to [Government Code Section 87200](#) of the Political Reform Act. Required disclosures include information regarding investments, sources of income, loans, real estate and other economic information. These disclosures are available to the general public so that potential conflicts of interest can be avoided. In addition, if it is reasonably foreseeable that a decision of the City Council will have a material financial effect on certain financial interests held by you, or your immediate family, disqualification from making or participating in the decision may take place.

No later than the last day to file nomination papers, the candidate must file a Statement disclosing the nature of their investments, their interests in real property, and any income received during the immediately preceding 12 months. (Statement of Economic Interest, Form 700; Government Code Section [87201](#), [87206](#).) Incumbents who have filed such a statement with the City in the last 60 days prior to filing nomination papers need not file again.

If you have any questions regarding any of these forms, please contact the FPPC by email at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).

## **FPPC Rules and Requirements**

You and your treasurer will need to become conversant with the rules of the Political Reform Act (Act), which is the State law that regulates contributions and expenditures for elective offices in California. There are campaign laws and regulations you must follow. The Fair Political Practices Commission (FPPC) has regulatory responsibility and authority for the Act. The day-to-day implementation of the Act for City offices is the responsibility of the City Clerk.

The FPPC requires various campaign disclosure reports from committees, candidates and elected officials at various times throughout the year. Candidate and campaign filings (including, but not limited to, the Candidate Intention Statement (501), Statement of Organization Recipient Committee (410), and Campaign Statements (460, 470) for Morro Bay candidates, committees and officeholders, are available for public review through the [public access portal](#) of the City's Electronic Filing System.

*For improved transparency and efficiency, the City has transitioned to NetFile, an electronic campaign filing system. The [Filer Access Portal](#) is a web-based, data entry filing system that allows candidates and campaign committees to submit enter all of the transactions needed complete disclosure statements for filing electronically as well as on paper. Transactions include contributions, disbursements, loans and bills. The NetFile Campaign Disclosure E-filing System stores this information for use in preparing disclosure reports mandated by the Act.*

- **[Form 501](#) – Candidate Intention Statement.** A candidate for local office must file this form prior to solicitation or receipt of any contribution or expenditure of any personal funds used for the election. This original signed form is filed with the City Clerk's Office and can be hand-delivered or mailed to the City Clerk's office at 595 Harbor Street, Morro Bay, CA 93442.
  
- **[Form 410](#) – Statement of Organization Recipient Committee.** If you expect to receive or spend \$2,000 or more on your campaign, you are required to file a Form 410 with the Secretary of State (SOS) to establish a Candidate Controlled Committee. A copy of the Form 410 must also be filed electronically in NetFile, delivered to the City Clerk's office or via email to [cityclerk@morrobayca.gov](mailto:cityclerk@morrobayca.gov). A Form 410 must be filed within ten (10) days of receiving \$2,000 in contributions. Once you have submitted your Form 410 to the SOS, you can visit the [Cal-Access database](#) to find your committee ID number.
  - **Committee Name**  
A committee controlled by a candidate must include in its name the last name of the candidate, the office sought, and the year of the election.
  - **Statement Types**
    - **Initial**  
Mark the "initial" box and enter the date the committee qualification was met. If the committee has not met the qualification threshold, mark the "initial" and "Not Yet Qualified" boxes.

### Amendment - Qualification Threshold Met

The “date qualification threshold met” is the date the committee received contributions totaling \$2,000 or more during a calendar year.

### Amendment – Change of Information

If any of the information reported on an initial statement of organization changes:

- Mark the amendment box,
- Include the committee’s ID number and name,
- Provide the changed information, and
- Complete the verification.

- **Additional Resources provided by the FPPC**

- [Local Candidate/Committee Checklist](#)
- [FPPC Frequently Asked Questions: Campaign Activity](#)
- [AB571 Fact Sheet](#)
- [Government Code Section 84308 – “pay-to-play” restrictions](#)

### **Good Record Keeping**

Candidates should review the [FPPC Campaign Disclosure Manual 2](#) regarding record keeping. All money used for campaign purposes, including your personal funds, must be deposited into a separate campaign bank account prior to the expenditure. The only exception is the candidate statement fee.

Detailed records need to be kept for expenditures and contributions of \$25 or more. Your records should include:

- Date spent or received
- Dollar Amount
- Name and Address of Contributor (or Payee)
- Contributor’s Occupation and Employer (for contributions of \$100 or more)
- Description

Be sure to keep originals of canceled checks, vouchers, invoices, and keep photocopies of checks. Also be sure to keep dates and daily total of all expenditures and contributions. Records must be maintained for four years after the election.

### **FPPC Questions...**

The City Clerk’s Office is available to answer general election questions but at no time is permitted to offer legal advice. For questions regarding the completion of FPPC forms, please contact the FPPC by email at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov).

**FUNCTIONS OF THE CITY CLERK AND**  
**THE SAN LUIS OBISPO COUNTY CLERK-RECORDER**

The City Clerk is the local elections official and responsible for the issuance and acceptance of nomination papers, the publication of necessary legal notices, campaign disclosure filings requirements, and City measures. Once the election season is over, the City Clerk is responsible for issuing the certificate of election and administering the oath of office to the successful candidates.

The City of Morro Bay has contracted with the San Luis Obispo County Clerk-Recorder to conduct the City's General Municipal Election on Tuesday, November 5, 2024. The Clerk-Recorder arranges for the printing and mailing of all necessary voter information and locates and staffs all the polling places. Additionally, the Clerk-Recorder is responsible for all Election Day activities, including the counting of the votes cast, and post-election activities such as the canvass of the returns and certification of election results.

County of San Luis Obispo  
Elaina Cano, County Clerk-Recorder / Registrar of Voters  
1055 Monterey Street, Suite D120  
San Luis Obispo, CA 93408  
Phone (805) 781-5080

## **POLITICAL CAMPAIGN SIGNS**

State law allows local agencies to impose time, place and manner restrictions for signage but, otherwise, the regulations must be content neutral. Therefore, political signs likely fall under the category of “temporary signs.” Pursuant to [MBMC 17.29.040 A.](#), temporary signs are not allowed in public right-of-way or on public property, or on private property without the expressed consent of the property owner.

Additionally, MBMC [5.40.090 - Posting on public property](#) states, “No person, except a public officer or employee in performance of a public duty, shall place or fasten any handbill, sign, poster or notice of any kind on any lamp post, pole, hydrant, bridge, wall, tree or other object in any public place, except as may be required or allowed by law.”

The City often receives complaints that campaign signs have been defaced and/or removed from private property. Campaign signs represent the personal property of the candidate and/or election committee. When posted on private property (as required), the signs further constitute the personal property of the owner/tenant consenting to such posting. The damage, defacing, or destruction of personal property not one’s own, constitutes vandalism ([California Penal Code Section 594](#)); and stolen personal property represents theft or larceny ([California Penal Code Section 484](#)). Depending upon the cost, imprisonment and/or fines are associated penalties for vandalism and theft (e.g., one-year jail; \$1,000 fine.)

Please inform your committee members and supporters of the consequences of these actions and your personal non-support of such practices. Your leadership in this regard will enhance the opportunity for the Morro Bay voters to more fully express their choices.

Questions on requirements or permits for signs outside the City limits or on State Highways should be referred to the [State Department of Transportation, Outdoor Advertising Branch](#).

**CITY OF MORRO BAY  
GENERAL MUNICIPAL ELECTION CALENDAR  
Tuesday, November 5, 2024**

July 15 – August 9	Filing period for Nomination Papers and Candidates’ Statements
July 31	Semi-Annual Campaign Statements (Form 460) due for period covering January 1 – June 30 ( <i>file only if you received contributions or made expenditures during this period</i> )
August 7 – November 5	90-day reporting period for contributions of \$1,000 or more in the aggregate. Form 497 – 24 Hour Contribution Report – due within 24 hours of receiving or making contributions of \$1,000 or more in the aggregate
August 10 - 14	Extended nomination period for Non-Incumbents only; if an incumbent failed to file nomination papers by the 88th day
August 12	Last day to withdraw Candidate Statement
August 15	Secretary of State to draw randomized alphabet; determines placement of candidate’s name on ballot
August 15	Last day to withdraw Candidate Statement for those who filed during the extended filing period
Date/time TBD	Candidate Orientation with City Manager and Department Heads
September 9 – October 22	Filing period for write-in candidates
September 26	First Pre-Election Campaign Statement (Form 460) due for the period covering July 1 – September 21
October 7	Vote-by-Mail ballots period begins (last day to register to vote in order receive Sample Ballot and State Ballot Pamphlet)
August 12	Last day Candidate Statement may be withdrawn, but not changed, during the period for filing nomination papers for candidates filing by the August 9 deadline
August 15	Last day Candidate Statement may be withdrawn, but not changed, during the period for filing nomination papers for candidates filing by the August 9 deadline
Date/time TBD	Candidate Orientation with City Manager and Department Heads
October 24	Second Pre-election Campaign Statement (Form 460) due for the period covering September 22 – October 19
October 29	Last day for City Clerk to publish Notice of Nominees
<b>November 5</b>	<b><u>ELECTION DAY. Polls open 7:00 am – 8:00 pm</u></b>
December 5	Last day for County Clerk to complete official canvass and certify election results
December 10	New Officers sworn in at City Council Meeting
January 31, 2025	Last day to file Post-Election Campaign Statement (Form 460) for the period covering Oct 20 – Dec 31