

CITY OF LONG BEACH



# Candidate Handbook



[www.longbeach.gov/cityclerk/elections](http://www.longbeach.gov/cityclerk/elections)

PRIMARY NOMINATING ELECTION

Tuesday, April 12, 2016

Council District 2  
Council District 4  
Council District 6  
Council District 8



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# **SECTION 1**

**Introduction and Calendar**

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# CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

333 W. Ocean Blvd.

Long Beach, CA 90802

(562) 570-6101

FAX (562) 570-6789

December 21, 2015

To: Candidates for elected offices for the City of Long Beach

Running for public office is a challenging and exciting experience that carries with it certain legal responsibilities and obligations. To help all candidates focus on the substance of their campaigns in as productive a manner as possible we have prepared the City of Long Beach Candidate Handbook.

The handbook includes materials and information to assist you in your nomination and candidacy for public office. Please note that in order to file for nomination, the following must be completed and returned to the Office of the City Clerk no later than 5:00 p.m. on Friday, January 15, 2016:

- Candidate Contact Form
- Candidate Statement Information Sheet
- Declaration of Candidacy & Eligibility
- Nomination Paper
- Filing fee (\$210)
- Ballot Designation Worksheet
- Candidate Statement (*Optional*) and Fee (*If Statement filed*)
- Statement of Economic Interests (Form 700)
- Statement of Acceptance or Rejection of Expenditure Limitations
- Fair Campaign Practices Pledge

We realize that much or all of the material covered in this handbook may be new to you. My elections staff and I are here to make the election process meaningful and understandable to you and your campaign staff. If you have any suggestions for improving this manual, please let us know.

Should you have any questions about the election process, please feel free to contact me or any member of the elections staff at (562) 570-6101.

I look forward to meeting with you.

Sincerely,

Maria de la Luz Garcia  
City Clerk

**CALENDAR**  
**Primary Nominating Election**  
**Tuesday, April 12, 2016**

<b>DATE</b>	<b>DAYS FROM ELECTION</b>	<b>EVENT</b>
Dec 21, 2015 - Jan 15, 2016	E-113 to E-88	Candidate nomination period is open (Elections Code § 10220, 10224, Long Beach City Charter Sec.1904, LBMC § 1.25.010).
Dec 21, 2015	E-113	Candidate Workshop 10:00 a.m. held in City Council Chamber.
Jan 21, 2016	E-82	Randomized alphabet drawing by Secretary of State. This alphabet draw is to be used in determining the order of appearance on the official ballot (Elections Code § 13112).
Jan 31, 2016 (due next business day - Feb 1, 2016)	E-72	Semi-annual campaign statements due in the Office of the City Clerk no later than 4:30 p.m. Period covered is July 1, 2015 to December 31, 2015 (Government Code § 84200 – 84200.8).
Feb 15, 2016 - Mar 29, 2016	E-57 to E-14	Filing period of write-in candidate. Any person who desires to have his or her name as written on the ballot of an election shall file a statement of candidacy, title of office and nominating petition with the required number of signatures (Elections Code § 8600-8604, 10220, 10228, Long Beach City Charter Sec. 214(b)).
Mar 3, 2016	E-40	First pre-election campaign statement due in the Office of the City Clerk no later than 4:30 p.m. Period covered is January 1, 2016 to February 27, 2016 (Government Code § 84200.8).
Mar 14, 2016 - Apr 5, 2016	E-29 to E-7	Period for voters to request vote-by-mail ballots (Elections Code § 3001, 3003).
Mar 22, 2016	E-21	Deadline for City Clerk to mail Official Sample Ballot Booklets (Elections Code § 13303).
Mar 28, 2016	E-15	Last day to register to vote (Elections Code § 2107).
Mar 31, 2016	E-12	Second pre-election campaign statement due in the Office of the City Clerk no later than 4:30 p.m. Period covered is February 28, 2016 to March 26, 2016 (Government Code § 84200.8).
Apr 6, 2016 - Apr 12, 2016	E-6 to E-Day	Emergency vote-by-mail period (Elections Code § 3021).
Apr 8, 2016	E-4	Third pre-election campaign statement due in the Office of the City Clerk no later than 4:30 p.m. Period covered is March 27, 2016 to April 6, 2016 (LBMC § 2.01.720).
Apr 9, 2016 – Apr 11, 2016	E-5 to E-1	Late Contribution Report filing period. A Form 497 must be filed in the Office of the City Clerk during this period within 24-hours of the receipt of a contribution of \$1,000 or more from a single source (Government Code § 82036, 82036.5).
<b>Apr 12, 2016</b>	<b>Election Day</b>	<b>Election Day</b>

DATE	DAYS FROM ELECTION	EVENT
Apr 12, 2016	Election Day	8:00 P.M. Deadline for City Clerk to receive vote-by-mail ballots (Elections Code § 3020).
May 3, 2016	E+21	Last day to report election results to City Council (LBMC § 1.21.010).
Jul 19, 2016		Elected candidates assume office (Long Beach City Charter Sec. 200, 1901).
July 31, 2016		Semi-annual campaign statements due in the Office of the City Clerk no later than 4:30 p.m. Period covered is January 1, 2016 to June 30, 2016 (Government Code § 84200 – 84200.8).
Apr 11, 2017		Election cycle ends (LBMC § 2.02.210).

# IMPORTANT TELEPHONE NUMBERS

## Fair Political Practices Commission

P.O. Box 807 (95812-0807)  
428 J Street, Ste. 450  
Sacramento, CA 95814  
Phone (916) 322-5660  
Toll Free (866) ASK-FPPC (866-275-3772)  
Fax (916) 322-0886  
E-mail [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)  
Website [www.fppc.ca.gov](http://www.fppc.ca.gov)

- Campaign Disclosure
- State Contribution Limits
- Conflict of Interest Disclosure
- Lobbying Disclosure
- Conflict of Interests
- Proper use of Campaign Funds

To Report a Violation

Phone 1-866-ASK-FPPC (1-866-275-3772) (press 1)  
E-mail [complaint@fppc.ca.gov](mailto:complaint@fppc.ca.gov)

## Secretary of State Political Reform Division

1500 11<sup>th</sup> Street, Room 495  
Sacramento, CA 95814  
Phone (916) 653-6814  
Fax (916) 653-5045  
Website [www.sos.ca.gov](http://www.sos.ca.gov)

- Committee Identification Numbers
- Termination of Committees
- Online/Electronic Filing

## Elections Division

Phone (916) 657-2166

- Questions related to the Elections Code

## Los Angeles County Registrar-Recorder/County Clerk

### Campaign Reporting Unit

12400 Imperial Highway  
Norwalk, CA 90650  
Phone (562) 462-2339  
Toll Free (800) 815-2666  
Fax (562) 651-2548  
Website [www.lavote.net](http://www.lavote.net)

### Attorney General

Phone (800) 925-5225  
Website <http://oag.ca.gov/>

- Brown Act Requirements

## Federal Election Commission

Phone (800) 424-9530  
Website [www.fec.gov](http://www.fec.gov)

- Federal Campaign Disclosure
- Contribution From National Banks, National Corporations and Foreign Nationals

## State Franchise Tax Board

Phone (800) 338-0505  
Website [www.ftb.ca.gov](http://www.ftb.ca.gov)

- Committee Tax Status
- Tax Deductible Contributions
- Charitable Non-Profit Groups
- Any other Tax-Related Questions
- Questions related to City Campaign Finance Reform
- General Questions regarding Long Beach Municipal Elections

## League of California Cities/ Institute for Local Government

1400 K Street  
Sacramento, CA 95814  
Phone (916) 658-8208  
Fax (916) 444-7535  
Website [www.ca-ilg.org](http://www.ca-ilg.org)

- General resource for California Ethics Laws

## Office of the City Clerk

Lobby Level  
333 W. Ocean Boulevard  
Long Beach, CA 90802  
Phone (562) 570-6101(Main)  
Fax (562) 570-6789  
TDD (562) 570-6626  
Website [www.longbeach.gov/cityclerk](http://www.longbeach.gov/cityclerk)  
E-mail [electinfo@longbeach.gov](mailto:electinfo@longbeach.gov)

Maria de la Luz Garcia – City Clerk	(562) 570-6489
Matthew Ceballos – Campaign Finance	(562) 570-5119
Tamela Austin – Poll Worker/Poll Place	(562) 570-5103
Allison Bunma – Vote-By-Mail	(562) 570-5298
Daisy Gomez – Voter File/Reports	(562) 570-6503

- Questions regarding Long Beach Municipal Elections

# City of Long Beach Ballot

The City of Long Beach ballot is an 8 ½ by 11 sheet of paper, configured specifically to meet the requirements of the California Elections Code as well as to provide a voter friendly experience. All ballots are in English and Spanish and contain the election type, date, and contests specific to each precinct. Each ballot is marked with a pen in the designated vote target position and is digitally scanned.

 11000010110052 <b>Sample Ballot</b> 100000000190 	<b>Official Ballot</b> <i>Boleta Electoral Oficial</i> <b>PRIMARY NOMINATING ELECTION</b> <i>Elección Nominativa Primaria</i> <b>City of Long Beach</b> <b>April 08, 2008 - 08 de Abril de 2008</b>		<b>Precinct Distrito 101</b>
	<b>Instruction Note:</b> Please use a black or blue ink pen to mark your choices on the ballot. To vote for your choice in each contest, completely fill in the box provided to the left of your choice. To vote for a write-in candidate, completely fill in the box provided to the left of the words "Write-in" and write in the name of the candidate on the line provided.  <i>Nota de Instrucción:</i> Favor de usar una pluma de tinta negra o azul para marcar su boleta. Para votar por su selección en cada carrera, llene completamente el espacio cuadrado a la izquierda de su selección. Para votar por voto escrito, llene completamente el espacio cuadrado a la izquierda de las palabras "Voto Escrito" y escriba el nombre del candidato en la línea provista.	<b>Proposition</b> Should internet voting be allowed in the United States? <i>Proposición</i> ¿Se debería permitir votar por medio del Internet en los Estados Unidos?  <input type="checkbox"/> FOR <i>Favor</i> <input type="checkbox"/> AGAINST <i>En Contra</i>	
	<b>Mayor</b> <i>Alcalde</i> <input type="checkbox"/> ABRAHAM LINCOLN <input type="checkbox"/> JOHN ADAMS <input type="checkbox"/> GROVER CLEVELAND <input type="checkbox"/> Write-in <i>Candidato intercalado</i>		
	<b>City Council Member</b> <i>Miembro del Concejo municipal</i> <input type="checkbox"/> CHARLES DICKENS <input type="checkbox"/> MARTHA WASHINGTON <input type="checkbox"/> Write-in <i>Candidato intercalado</i>		<b>Sample Ballot</b> 0563031166 

The 100% digital scan delivers advantages optical scanning simply can't match. Digital imaging captures a "picture" of the entire ballot, helping officials clarify voter intent, adjudicate stray markings, and reduce handling of original paper ballots.



# **SECTION 2**

**Declaration of Candidacy & Eligibility**





**City of Long Beach  
Primary Nominating Election  
April 12, 2016**

**List of City Offices to be on Ballot**

Council District 2

Council District 4

Council District 6

Council District 8



# DECLARATION OF CANDIDACY & ELIGIBILITY

## Office of Member of the City Council City of Long Beach

I hereby declare myself a candidate for nomination to the office of Councilmanic District Number \_\_\_\_\_ to be voted for at the Primary Nominating Election to be held Tuesday, April 12, 2016 and declare the following to be true:

My name is \_\_\_\_\_.

I am a legally registered voter and resident of the Councilmanic District from which I wish to be nominated for City Council, at least 30 days prior to the last day upon which candidates are permitted to file nominating petitions for this Councilmanic Office.

Council District: \_\_\_\_\_

Residence Address:	Mailing Address:	Business Address:
_____	_____	_____
_____	_____	_____

Telephone numbers: Day \_\_\_\_\_ Evening \_\_\_\_\_

Website: \_\_\_\_\_

Email: \_\_\_\_\_

I meet the statutory and constitutional qualifications for this office (including, but not limited to, citizenship, and residency).

I am at present an incumbent of the following public office (if any) \_\_\_\_\_.

If nominated, I will accept the nomination and not withdraw. (Elections Code § 8040)

**CANDIDATE WITHDRAWAL** – All nomination papers shall be filed no later than the 88<sup>th</sup> day before election. Until that time, but not after, a candidate may **withdraw** his or her nomination paper after it is filed with the elections official as provided in this section. (Elections Code § 10224)

I declare under penalty of perjury that the foregoing is true and correct.

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Signature of Candidate	Date
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SEE MANILA  
ENVELOPE  
FOR ORIGINAL

## CHARTER SECTIONS PERTAINING TO ELECTED OFFICIALS

### Sec. 200. CITY COUNCIL MEMBERS AND TERMS.

The City Council shall consist of nine (9) Council members elected to office in a manner provided in this Charter, one from each of the Councilmanic Districts into which the City has been divided. The term of office shall be four (4) years. Alternatively, and successively, odd numbered districts shall be filled at one general municipal election and even numbered districts at the next such election. The term of a City Council member shall commence on the third Tuesday of July following his or her election, and he or she shall serve until his or her successor qualifies. Any ties in voting shall be settled by the casting of lots under the supervision of, and in such manner and place as the City Clerk decides.

### Sec. 201. ELIGIBILITY.

No person shall be eligible to hold the office of City Council member or Mayor unless such person is a legally registered voter and resident of the Councilmanic District if and from which nominated for City Council, or of the City if nominated for Mayor, at least thirty (30) days immediately preceding the last day upon which candidates are permitted to file nominating petitions for such office with the City Clerk.

### Sec. 203. SALARY.

(a) Commencing with the first Mayor to assume the office of Mayor on or after July 1, 1988, the Mayor shall receive an annual salary of Sixty-seven Thousand, Five Hundred Dollars (\$67,500.00)\*, which salary shall be automatically adjusted on July 1, 1989, and on July 1 of each year thereafter equivalent to the most recent upward change in the annual average of the Consumer Price Index as published by the United States Department of Labor for the Los Angeles-Long Beach-Anaheim metropolitan area.

For purposes of calculating the annual adjustment under this section the base year shall be that year ending with the quarter ending December 31, 1988. The Mayor's salary shall first be adjusted on July 1, 1989, and annually thereafter, based on the annually calculated change from the base year.

(b) Each member of the City Council shall receive a salary which shall be twenty-five percent of that provided for the Mayor under Subsection (a) of this Section 203.

\*Note: City Council salary is \$34,166 (Adopted as of July 1, 2015)

Sec. 214. TERM LIMITATIONS ON BALLOT ACCESS BY CANDIDATES FOR CITY COUNCIL AND MAYOR.

(a) Notwithstanding any other previously enacted provision of law or of this Charter, the City Clerk, or other election official authorized by law, shall not accept or verify the signatures on any nomination paper for any person, nor shall he or she certify or place on the list of certified candidates, nor print or cause to be printed on any ballot, ballot pamphlet, sample ballot or ballot label, the name of any person who either:

(1) Is elected to two full terms as a member of the City Council after November 3, 1992 and thereafter seeks to become a candidate for City Council, or

(2) Is serving a full unexpired term as a member of the City Council on November 3, 1992 or other date upon which this act becomes law and is subsequently elected to a second full term as a member of the City Council and thereafter seeks to become a candidate for City Council, or

(3) Is elected to two full terms as Mayor after November 3, 1992 and thereafter seeks to become a candidate for Mayor, or

(4) Is serving a full unexpired term as Mayor on November 3, 1992 or other date upon which this act becomes law and is subsequently elected to a second full term as Mayor and thereafter seeks to become a candidate for Mayor.

(b) Write-In Candidacies. Nothing in this article shall be construed as prohibiting any qualified voter of this City from casting a ballot for any person by writing the name of that person on the ballot, or from having such ballot counted or tabulated, nor shall any provision of this article be construed as prohibiting any person from standing or campaigning for any elective office by means of a write-in campaign. Notwithstanding Section 214(a) above, in the event that a write-in candidate is nominated at a primary election pursuant to Section 1904, that candidate's name shall appear on the ballot for the general election pursuant to Section 1905.

(Amended by Prop. D, 5-1-2007, eff. 5-22-2007; Added by Prop. G, 11-3-1992, eff. 8-23-1993)

Note: The complete charter of the City of Long Beach is available on the City's website at <http://www.longbeach.gov/cityclerk>

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# **SECTION 3**

## **Nomination Guidelines**

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## NOMINATION PAPER INSTRUCTIONS

### Guidelines for Circulating Your Nomination Paper:

- You may circulate your own nomination paper. Any other person that is at least 18 years of age or older may circulate on your behalf (Elections Code 102). Only one voter may circulate the paper. (Elections Code § 10220)
- The “Declaration of Circulator” on the back of the nomination paper must be signed by the circulator, and contain the dates between which the paper was circulated. All information contained in the “Declaration of Circulator” must be completed in the circulator’s own handwriting.
- The nomination paper must be signed by not less than 20, and no more than 30 registered voters from within your Council District. It is strongly recommended that you obtain 30 signatures in order to provide for those that may be invalidated due to their registration status. A nomination paper containing more than 30 signatures will not be accepted.
- No voter may sign more than one nomination paper for the same office, and in the event the voter does so, that voter’s signature shall count only on the first nomination paper filed which contains the voter’s signature. (Elections Code § 10220)
- Voters signing your nomination paper must sign and print their complete names, and print their residence address.
- You may sign your own nomination paper.
- It is recommended that you file your papers early in order to have the signatures verified as quickly as possible. In the event you do not obtain enough valid signatures to qualify on the initial nomination form, you will be issued one supplemental nomination petition form. The supplemental petition must be filed not later than the last day for filing for that office. (Elections Code § 10221(b))
- No person shall circulate any petition, or solicit any person to sign any petition of whatsoever nature, in the City Hall, Public Utilities Building, Public Safety Building, any public library or other building open to and used by the public for the purpose of transacting public business, not upon the grounds, sidewalks, or other areas surrounding and adjacent to said building. (LBMC Section 9.34.010)

## Completing the “Affidavit of Nominee and Oath or Affirmation of Allegiance”/Ballot Designation:

- It is suggested that this section of the nomination paper be completed at the time of filing in the presence of City Clerk staff.
- State law strictly prohibits certain words from being used as a ballot designation. You may want to confer with the City Clerk staff before recording your designation on the form.
- Submission of the Ballot Designation Worksheet (Document 3-4) is required, and is intended to assist the City Clerk in evaluating the appropriateness of your ballot designation, which will appear on your nomination papers, official ballot and in the Official Sample Ballot Booklet.
- Your ballot designation is restricted to no more than three words describing your principal profession, vocation, or occupation.
- The Oath or Affirmation of Allegiance is required to be executed in the presence of City Clerk staff or a Notary Public in order to assure the voters that in the event you are elected, you will accept the office and faithfully discharge the duties of the office.
- All nomination papers shall be filed with the City elections official during regular business hours as posted, not later than the 88<sup>th</sup> day before the election. Until that time, but not after, a candidate may withdraw his or her nomination paper after it is filed with the elections official as provided in this section. (Elections Code § 10224)

### Deadline for Nomination Papers:

Nomination papers will be made available between December 21, 2015 from 7:30 a.m. and January 15, 2016 until 5:00 p.m. The **deadline** to file your nomination paper is **Friday, January 15, 2016 no later than 5:00 p.m.**

### Order of Candidates on Ballot:

On January 21, 2016, the Secretary of State will conduct a random alphabetical drawing which will determine the order in which the qualified candidates' names will appear on the ballot. The same order will be used in the Official Sample Ballot Booklet for those candidates filing a Candidate's Statement to be printed in the booklet. (Elections Code § 13113)

# EXCERPTS FROM THE LONG BEACH MUNICIPAL CODE PERTAINING TO NOMINATION PETITIONS

## **Chapter 1.25 Nominating Petitions**

### **1.25.010 Voter Signature.**

A nominating petition for a candidate in a district election for City Council member must be signed by a registered voter and resident of the geographical area making up the district from which the member is elected. No voter shall sign the nominating petition of any candidate for whom he cannot vote.

A nominating petition for a candidate for a City-wide office may be signed by a registered voter and resident of the City. (*Ord. C-5851 § 1, 1982*).

## **Chapter 9.34 Circulating Petitions**

### **9.34.010 Prohibited in certain public buildings.**

No person shall circulate any petition, or solicit any person to sign any petition of whatsoever nature, in the City Hall, public utilities building, public safety building, any public library or other building open to and used by the public for the purpose of transacting public business, nor upon the grounds, sidewalks, or other areas surrounding and adjacent to said buildings.

## NOMINATION FORMS CHECKLIST

***The following materials must be submitted to the Office of the City Clerk no later than Friday, January 15, 2016 by 5:00 p.m. in order to file for nomination.***

Item	To Be Filed	Filing Requirements	Filing Deadline	Filing Completion Date (For candidate's use)
1	Declaration of Eligibility	Complete and file at the time your nomination papers are filed.		
2	Candidate Contact Form	Complete and file at the time your nomination papers are filed.		
3	Candidate Intention Statement	File the Form 501 prior to soliciting or receiving any campaign contributions.	Before raising or spending any money on campaign.	
4	Nomination Paper	Must contain the signatures of at least 20 but no more than 30 registered voters.	<u>Required:</u> Jan 15, 2016 by 5:00 p.m.	
5	Ballot Designation Worksheet	Form to assist City Clerk in evaluating the appropriateness of your ballot designation.	<u>Required:</u> Jan 15, 2016 by 5:00 p.m.	
6	Statement of Economic Interests (Form 700)	Type or complete in black ink, and present only those pages on which you have information to disclose.	<u>Required:</u> File no later than 10 days after final filing date of declaration of candidacy.	
7	Candidate's Statement	Your Statement is limited to no more than 200 words, and must be submitted in paper format <b>only</b> . A deposit is required at the time of filing, (see p.4-2). An additional deposit is required if you want your Statement printed in an additional language in the Official Sample Ballot Booklet.	<u>Optional:</u> if you choose to file, you must file at same time as your Nomination Paper.	
8	Candidate's Statement Information Sheet	Complete and file at the time your nomination papers are filed.	<u>Required:</u> Jan 15, 2016 by 5:00 p.m.	
9	Filing Fee of \$210	File with your nomination papers.	<u>Required:</u> Jan 15, 2016 by 5:00 p.m.	
10	Fair Campaign Practices Pledge	Complete and sign Certificate of Compliance.	<u>Optional:</u> if you choose to file, you must file no later than Jan 15, 2016 by 5:00 p.m.	
11	Statement of Acceptance or Rejection of Expenditure Limits	Required by Long Beach Campaign Reform Act.	<u>Required:</u> Jan 15, 2016 by 5:00 p.m.	

*\*This deadline is extended to Wednesday, January 20, 2016 by 5:00 p.m. if an incumbent who is eligible for re-election fails to file no later than January 15, 2016 by 5:00 p.m.*

## Ballot Designation Worksheet

Pursuant to California Elections Code Section 13107.3 and Section 20711 of the California Code of Regulations, this entire form **must be completed**, or it will not be accepted and you will **not** be entitled to a ballot designation. **DO NOT LEAVE ANY RESPONSE SPACES BLANK.** If information requested is not applicable, please write N/A in the space provided. Otherwise the information **MUST** be provided. Upon filing, this worksheet will be a public record.

Candidate Information

Candidate Name: \_\_\_\_\_  
Office: \_\_\_\_\_  
Home Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number(s) Business: \_\_\_\_\_ Home/Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

Attorney Information

Attorney Name (or other person authorized to act in your behalf): \_\_\_\_\_  
Address: \_\_\_\_\_  
Home Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number(s) Business: \_\_\_\_\_ Home/Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_

**Proposed Ballot Designation:** \_\_\_\_\_

**1<sup>st</sup> Alternative:** \_\_\_\_\_

**2<sup>nd</sup> Alternative:** \_\_\_\_\_

You may select as your ballot designation:

- Your current principal profession(s), vocation(s), or occupation(s) [maximum total of three words, separated by a “/”]
- The full title of the public office you currently occupy and to which you were elected
- “Appointed [full title of public office]” if you currently serve by appointment in an elective public office and are seeking election to a different office
- “Incumbent” if you were elected (or, if you are a Superior Court Judge, appointed) to your current public office and seek election to a new term
- “Appointed Incumbent” if you were appointed to your current elective public office (other than Superior Court Judge) and seek election to a new term

In the space provided on the next page or on an attachment sheet, describe why you believe you are entitled to use the proposed ballot designation. Attach any documents or exhibits that you believe support your proposed ballot designation. If using the title of an elective office, attach a copy of your certificate of election or appointment. These documents will not be returned to you. **Do not submit originals.**

If your proposed ballot designation includes the word “volunteer,” indicate the title of your volunteer position and the name of the entity for which you volunteer along with a brief description of the type of volunteer work you do and the

approximate amount of time involved. You may only use the ballot designation "community volunteer" if you volunteer for a 501(c)(3) charitable, educational, or religious organization, a governmental agency or an educational institution. You may not use "community volunteer" together with another designation.

**Remember, it is your responsibility to justify your proposed ballot designation and to provide all requested details.** For your reference, attached are Elections Code Sections 13107 and 13107.3, and 2 California Code of Regulations (CCR) Section 20711. You may also wish to consult Elections Code Section 13107.5 ("community volunteer") and 2 CCR Sections 20712 - 20719 (found at [www.sos.ca.gov](http://www.sos.ca.gov)).

Justification for use of proposed ballot designation: \_\_\_\_\_

**SEE MANILA**

**FOLDER**

Current or Most Recent Job Title: \_\_\_\_\_ Start/End Dates: \_\_\_\_\_

Employer Name or Business: \_\_\_\_\_

**FOR ORIGINAL**

Person(s) who can verify this information:

Name(s) \_\_\_\_\_ Phone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Name(s) \_\_\_\_\_ Phone Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Before signing below, answer the following questions.**

Does your proposed ballot designation:

- Use only a portion of the title of your current elected office? Yes  No
- Use only the word "Incumbent" for an elective office (other than Superior Court Judge) to which you were appointed? Yes  No
- Use more than three total words for your principal professions, vocations or occupations? Yes  No
- Suggest an evaluation of you, such as outstanding, leading, expert, virtuous, or eminent? Yes  No
- Refer to a status (Veteran, Activist, Founder, Scholar), rather than a profession, vocation or occupation? Yes  No
- Abbreviate the word "retired"? Yes  No
- Place the word "retired" after the words it modifies? Example: Accountant, retired Yes  No
- Use any word or prefix (except "retired") such as "former" or "ex-" to refer to a former profession, vocation or occupation? Yes  No
- Use the word "retired" along with a current profession, vocation, or occupation? Example: Retired Firefighter/Teacher Yes  No
- Use the name of a political party or political body? Yes  No
- Refer to a racial, religious, or ethnic group? Yes  No
- Refer to any activity prohibited by law? Yes  No

**If the answer to any of these questions is "Yes," your proposed ballot designation is likely to be rejected.**

Candidate's Signature \_\_\_\_\_ Date \_\_\_\_\_

For your reference, the relevant provisions of Elections Code section 13107 are reproduced below:

**13107.**

(a) With the exception of candidates for Justice of the State Supreme Court or Court of Appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people, or to which he or she was appointed, in the case of a superior court judge.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(4) The phrase "appointed incumbent" if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed incumbent" shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) Neither the Secretary of State nor any other elections official shall accept a designation of which any of the following would be true:

(1) It would mislead the voter.

(2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

(3) It abbreviates the word "retired" or places it following any word or words which it modifies.

(4) It uses a word or prefix, such as "former" or "ex-," which means a prior status. The only exception is the use of the word "retired."

(5) It uses the name of any political party, whether or not it has qualified for the ballot.

(6) It uses a word or words referring to a racial, religious, or ethnic group.

(7) It refers to any activity prohibited by law.

(c) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate's ballot designation worksheet.

(1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a).

(2) In the event the candidate fails to provide a designation that complies with subdivision (a) within the three-day period specified in paragraph (1), no designation shall appear after the candidate's name.

(d) No designation given by a candidate shall be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (c) or as provided in subdivision (e). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

(e) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

For your reference, Elections Code section 13107.3 is reproduced below:

**13107.3.**

(a) A candidate who submits a ballot designation pursuant to subdivision (a) of Section 13107 shall file a ballot designation worksheet that supports the use of that ballot designation by the candidate, in a format prescribed by the Secretary of State.

(b) The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy.

(c) In the event that a candidate fails to file a ballot designation worksheet in accordance with subdivision (a), no designation shall appear under the candidate's name on the ballot.

For your reference, Elections Code section 13107.5 is reproduced below:

**13107.5.**

(a) A candidate's ballot designation as "community volunteer" shall constitute a valid principal vocation or occupation for purposes of subdivision (a) of Section 13107, if not otherwise in violation of any of the restrictions set forth in that section, and subject to the following conditions:

(1) A candidate's community volunteer activities constitute his or her principal profession, vocation, or occupation.

(2) A candidate is not engaged concurrently in another principal profession, vocation, or occupation.

(3) A candidate may not use the designation of "community volunteer" in combination with any other principal profession, vocation, or occupation designation.

(b) The Secretary of State shall by regulation define what constitutes a community volunteer for purposes of this section.

For your reference, 2 CCR 20711 is reproduced below:

**20711. *Ballot Designation Worksheet.***

(a) In order to facilitate review of a candidate's proposed ballot designation by the Secretary of State pursuant to Elections Code Section 13107, the candidate shall submit, at the time of filing his or her proposed ballot designation on the Declaration of Candidacy, a completed Ballot Designation Worksheet on a form provided by the Secretary of State.

(b) All Ballot Designation Worksheets filed with the Office of the Secretary of State or the county elections officials pursuant to this section shall be public records and shall be available for inspection and copying at the public counter of the Elections Division of the Office of the Secretary of State, Fifth Floor, 1500 11th Street, Sacramento, California 95814, or at the office of the applicable county elections official.

(c) The Secretary of State shall provide a master copy or copies of the Ballot Designation Worksheet to all elections officials responsible for providing and accepting the nomination documents for candidates in elections for offices certified by the Secretary of State. The Ballot Designation Worksheet shall request that the candidate proposing the ballot designation provide the following information:

(1) The candidate's name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number;

(2) A designation of the office for which the candidate is seeking election;

(3) The name, home, business and mailing addresses, telephone numbers, e-mail address, if available, and fax number of the attorney representing the candidate or for any other person to be contacted in the event the Secretary of State requires further information regarding the proposed ballot designation;

(4) The proposed ballot designation submitted by the candidate;

(5) The candidate may submit one or more proposed alternate ballot designations ranked in order of the candidate's preference;

(6) A brief statement identifying the factual basis upon which the candidate claims the proposed ballot designation and each proposed alternate ballot designation, including the following:

(A) If the candidate holds elected office and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently occupies and may attach a copy of his or her Certificate of Election;

(B) If the candidate is a judicial officer and is submitting his or her proposed ballot designation pursuant to Elections Code Section 13107, subdivisions (a)(1) or (a)(2), the candidate shall indicate the elective office he or she currently holds and may attach either (A) a copy of his or her Certificate of Election or (B) a copy of his or her commission or certificate of appointment, issued at the time the candidate was appointed to the judicial office which he or she currently occupies;

(C) If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(3), the candidate shall indicate:

(i) The title of the position or positions which he or she claims supports the proposed ballot designation;

(ii) The dates during which the candidate held such position;

(iii) A description of the work he or she performs in the position;

(iv) The name of the candidate's business or employer;

(v) The name and telephone number of a person or persons who could verify such information; and

(vi) A statement that the professions, vocations or occupations relied upon to support the proposed ballot designation constitute the primary, main or leading professions, vocations or occupations of the candidate, in accordance with the definition of the term "principal" as set forth at Section 20714, subdivision (b).

(D) If the candidate submits a ballot designation pursuant to Elections Code Section 13107, subdivision (a)(4), the candidate shall indicate the date on which he or she was appointed to the office for which he or she is an appointed incumbent.

(d) The candidate may attach or append any supporting documents or other exhibits to his or her Ballot Designation Worksheet which he or she believes support his or her proposed ballot designation. Such attached documents or other exhibits shall be deemed to be incorporated by reference as part of the candidate's Ballot Designation Worksheet and shall be considered as such by the Secretary of State.

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

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# **SECTION 4**

## **Candidate's Statement Guidelines**

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## GUIDELINES FOR COMPLETING THE CANDIDATE'S STATEMENT

Candidates have the option of submitting a 200-word statement for inclusion in the Official Sample Ballot Booklet. The Booklet is produced by the Office of the City Clerk and mailed to every registered voter no later than 21 days before the election.

Pursuant to California Elections Code § 13307, the Candidate's Statement is "...a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself... The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations."

Should you choose to prepare and file a Candidate's Statement, please keep the following in mind:

- Must be submitted in hard copy only.
- Your Statement is limited to 200 words. Office of the City Clerk staff will conduct a word count following the filing of the nomination documents. If you exceed the word limit, you will be contacted to revise your Statement. See Document 4-3 in this Handbook for word count standards.
- To remain consistent with State and County policies and to ensure that no candidate receives undue advantage due to the appearance of the statement, underlining, asterisks, capitals, bold, bullets, etc., will be allowed. Reverse block will not be allowed.
- Pursuant to LBMC Section 1.25.030(A), "In any candidates statement filed in any election in the city the designation of present principal profession, vocation, or occupation of a candidate shall be governed by the provisions of Section 10211(a)(3) [renumbered as 13107] of the California Elections Code as that section now reads or as it may be amended." Please refer to Document 3-4 of this Handbook for the full text of Elections Code § 13107.
- A deposit is required when the Candidate Statement is filed (cash, check, or money order made payable to the City of Long Beach). The deposit is an estimate of the candidate's pro rata share of the cost of printing the Statement in the Official Sample Ballot Booklet. Please refer to the "Candidate Statement Fee Deposit" on Document 4-2 in this handbook.
- Your Statement and Ballot Designation Worksheet both must be filed at the same time your Nomination Paper is filed. (Elections Code § 13307 and § 13107.3)
- Except as provided in Section 13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. (Elections Code § 13307 (a) (3))
- Candidates Statements shall remain confidential until the expiration of the filing deadline. (Elections Code § 13311)

You may request that your Statement be printed in a language other than English/Spanish in the Official Sample Ballot Booklet. You will be charged an additional printing fee for each translation that must be paid at the time you submit your Candidate Statement. See Document 4-2 in this Handbook for fee information. The Candidate's Statement Form and Ballot Designation Worksheet are in the manila envelope provided.

**CANDIDATE'S STATEMENT GUIDELINES**  
Refer to Document 4-3 for Word Count Standard

Section 13307 of the California Elections Code sets forth guidelines for candidate's statements.

Please follow them:

1. The statement of each candidate shall be printed in type of uniform size and darkness and with uniform spacing.
2. The statement shall not include any party affiliation or membership or activity in partisan political organizations.
3. Your statement will be printed exactly as submitted; therefore you are advised to carefully check for errors in punctuation and grammar. Once submitted, statement may be withdrawn, but not changed. (Elections Code § 13307 (a) (3))
4. Attach any supplemental sheets if used to your statement. If you wish to have a foreign language translation of your statement prepared for printing in the Official Sample Ballot Booklet, be sure to check the space(s) as in the Candidate Statement Information Sheet provided.

Please type your statement clearly and legibly using upper and lowercase letters, do not use all CAPS.

**CANDIDATE'S STATEMENTS MUST BE FILED AT THE TIME NOMINATION PAPERS ARE FILED.**

**SAMPLE OF CANDIDATE STATEMENT FORMAT**

<p><b>JOHN SMITH</b> Occupation: Businessman Age: 45</p>	}	<p><b>LINES NOT INCLUDED IN WORD COUNT</b></p> <p>OPTIONAL: Will only be printed in Official Sample Ballot Booklet if provided on hard copy.</p>
<p>I have been a 30 year resident of the City and thoroughly enjoy living here. I would like to increase citizen education and police resources to stop the gang and graffiti activity that are overtaking our city.</p> <p>I would like to implement environmental standards for cleaner water and air quality.</p> <p>I respectfully ask for your support and thank those of you who cast your vote for me. A vote for me is a vote for a better City Council.</p>		

Use a Separate Sheet of paper for your candidate statement. Use upper and lower case letters (do not use all caps). The candidate statement is a brief description of no more than 200 words, of the candidate's education and qualifications. Be sure to include the official title of the office you are a candidate for, your name, age, and occupation. This heading is not included in the 200 word count.

# CANDIDATE STATEMENT PRINTING FEE DEPOSIT

OFFICE	ENGLISH/SPANISH*	EACH ADDITIONAL LANGUAGE**
Council District 2	\$950.38*	\$475.19**
Council District 4	\$875.16*	\$437.58**
Council District 6	\$710.69*	\$355.34**
Council District 8	\$912.37*	\$456.18**

The above amounts are due upon submittal of the Candidate's Statement. The fee deposit is considered an estimate of the pro rata share of the total cost of printing the candidates' statements in the sample ballot. In accordance with Elections Code 3307 (c), ". . . the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly 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 may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the elections official may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the elections official shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election."

Elections Code Section 13307.

(a)(3) Except as provided in Section 13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close for the nomination period.

**\*The estimated candidate statement fee was calculated using the number of registered voters per district, estimated total printing and mailing costs, and estimated candidate statement pages in the Official Sample Ballot Booklet.**

**\*\*For an additional fee, you may choose to print your candidate statement in another language in addition to English/Spanish (e.g., Khmer, Vietnamese, Tagalog, Korean).**

Translations of the ballot measures and ballot instructions, as required by Section 14201, shall be provided by a person selected by the elections official who is one of the following: (a) A certified and registered interpreter on the Judicial Council Master List. (b) An interpreter categorized as "certified" or "professionally qualified" by the Administrative Office of the United States Courts. (c) From an institution accredited by a regional or national accrediting agency recognized by the United States Secretary of Education. (d) A current voting member in good standing of the American Translators Association. (e) A current member in good standing of the American Association of Language Specialists.

**WORD COUNT STANDARD  
FOR CANDIDATE’S STATEMENTS, ARGUMENTS, AND MEASURES**

*Based on California Elections Code - Chapter 1 General Provisions, Section 9.*

Candidate’s Statements – 200 word limit<sup>1</sup>

EC§ 9: (a) Counting of words, for purposes of this code, shall be as follows:

- (1) Punctuation is not counted.
  - (2) Each word shall be counted as one word except as specified in this section.
  - (3) All proper nouns, including geographical names, shall be considered as one word; for example, “City and County of San Francisco” shall be counted as one word.
  - (4) Each abbreviation for 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 shall be counted as 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.
- (b) This section shall not apply to counting words for ballot designations under Section 13107.

***Examples of word count items 2 – 9 (located above) are displayed on the next page.*** Candidate’s Statements are filed at the time nomination papers are filed. Once filed, they can be withdrawn, but not changed, until 5:00 p.m. of the next working day after the close of the nomination period.

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<sup>1</sup> EC § 13307(1)

Item	<b>Examples of word counts</b>				
	<i>These examples best describe the intent of the code as suggested by: CLB<sup>[1]</sup>, RRCC<sup>[2]</sup>, SOS<sup>[3]</sup>, EC<sup>[4]</sup></i>				
	<b>1 Word</b>	<b>2 Words</b>	<b>3 Words</b>	<b>4 Words</b>	<b>5 Words</b>
2	I, A, The, And, An, &, I'm, symbols used separately from a word or digit.				
3	City and County of San Francisco, LA, Los Angeles, Long Beach, North Long Beach, Long Beach Unified School District.				
4	ACLU, UCLA, PTA, LBUSD, USMC, U.S.M.C, USA, U.S.A.				
5	Attorney-at-law, step-up, fine-tune, razzle-dazzle.				
6	2012, 04/10/2012, 4/10/2012, 4/10, 4/2012, 4/10/12; April 10, 2012; 10 April 2012;10 April; April 10.				
7	100, one, 1, Fifty-two, 25%, #5, 1994, \$1.00, \$52, 8½.	One hundred, twenty-five percent, 25 cents, number 5, nineteen ninety-four, One dollar, Fifty-two dollars, \$60 Million.	Nineteen hundred ninety-four.		Fifty-two dollars and twenty-five cents.
8	1-800-555-6101, 800-555-6101, 555-6101.				
9	http://www.longbeach.gov, jdoe42012@att.net.				

[1] [City of Long Beach](#)

[2] [Los Angeles Registrar Recorder/County Clerk](#)

[3] [California Secretary of State](#)

[4] [California Elections Code](#)

**City of Long Beach**  
**Candidate Statement Information Sheet**  
**FILED COPY WILL BE PROVIDED**  
**TO CANDIDATE**

Enter the candidate's name in all CAPS

\_\_\_\_\_ CITY OF LONG BEACH  
(Candidate's name in all CAPS) (Jurisdiction)

Mark the box for the Office Sought:

- Member of the City Council District No. 2
- Member of the City Council District No. 4
- Member of the City Council District No. 6
- Member of the City Council District No. 8

**I DO NOT WANT** my candidate statement to appear in the Official Sample Ballot Booklet.

Signature of candidate: \_\_\_\_\_

**I DO WANT** my candidate statement to appear in the following languages in the Official Sample Ballot Booklet in addition to English/Spanish:

- Khmer     Korean     Tagalog     Vietnamese

Estimated cost of printing candidate's statement in:

English/Spanish \$ \_\_\_\_\_ other languages \$ \_\_\_\_\_

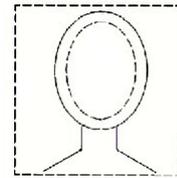
**A deposit is required when the Candidate Statement is filed (cash, check, or money order made payable to the City of Long Beach). The deposit is an estimate of the candidate's pro rata shares of the cost of printing your Statement in the Official Sample Ballot Booklet.**

## PHOTOGRAPH REQUIREMENTS

There are requirements for all photographs placed on the Official Sample Ballot Booklet for the April 12, 2016 Primary Nominating Election. Please read carefully.

Requirements:

Photographs will only be accepted if you have already filed an official candidate statement. Your photograph will not appear on the City Clerk website, only the Official Sample Ballot Booklet. It will be printed in grayscale and will include the head, neck and upper shoulders. Photos depicting more than the head, neck and upper shoulders will be cropped at the discretion of the City Clerk staff.



Plain background is required. No trees, flags, pets or family in the photo. The purpose of the photo is to show the voter what you look like. Faded, muted colors in the background or black and white photos with light backgrounds have made the best presentation in the past. Professional photographers will give you the best picture and provide good advice on composition of your photograph.

The size of the photograph you submit can be no larger than 8 1/2" by 11". The actual image that appears will be about 2" by 2" (200 pixels by 200 pixels appx.). Photographs submitted in print, CDs, and USB flash drives will NOT be returned.

We encourage you to submit an electronic image using a CD, USB flash drive, or via e-mail to the City Clerk staff at [electinfo@longbeach.gov](mailto:electinfo@longbeach.gov). The image should be in either .gif or .jpg formats. We will reduce or crop electronic images to conform to the size and presentation standards. We recommend you have the image with the resolution and size already configured and ready to upload to the Official Sample Ballot Booklet. If we must reduce a large picture electronically it may not appear in high resolution.

Note: Pictures may not be included in the sample ballot booklet for a run-off election.

## **You May Provide a Photo ONLY if Submitting a Candidate Statement (Optional)**

As we have done in prior years, we will make candidate statements of qualified candidates available on our website for the April 12, 2016 Primary Nominating Election. This is available at no additional cost to the candidate. Candidates who chose not to submit a candidate statement will not have their age, and occupation appear on the website next to their name. Instead the phrase "No Candidate Statement Filed" will appear. The City cannot link to candidate websites and will not post anything other than the candidate statement as it was submitted for the Official Sample Ballot Booklet.

All candidate statements appearing on the City website will be provided in Spanish, Tagalog, Vietnamese, Khmer, and Korean to conform to Department of Justice requirements.

The photo will appear on the website in the form of the Official Sample Ballot Booklet.

Please contact City Clerk staff, at (562) 570-6101, or by e-mail at [electinfo@longbeach.gov](mailto:electinfo@longbeach.gov) to make arrangements for providing the City Clerk staff with a photograph.

Photos must be submitted by the close of the nomination period on **Friday, January 15, 2016 no later than 5:00 P.M.** to appear on the Official Sample Ballot Booklet.



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# **SECTION 5**

## **Campaigning Regulations**

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**CITY OF LONG BEACH  
Fair Campaign Practices Pledge**

1. **I SHALL CONDUCT** my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
2. **I SHALL NOT USE OR PERMIT** the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
3. **I SHALL NOT USE OR PERMIT** any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
4. **I SHALL NOT USE OR PERMIT** any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
5. **I SHALL NOT** coerce election help or campaign contributions for myself or for any other candidate from my employees.
6. **I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE** support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
7. **I SHALL DEFEND AND UPHOLD** the right of every qualified American voter to full and equal participation in the electoral process.

I, \_\_\_\_\_, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices (Elections Code § 20440).

**CERTIFICATE OF COMPLIANCE**

I, \_\_\_\_\_, candidate for the office of \_\_\_\_\_, agree to comply with the above Fair Campaign Practices Pledge.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Address Zip Telephone

**SEE MANILA ENVELOPE  
FOR ORIGINAL**

## **LITERATURE REQUIREMENTS**

Elections Code Section 16.

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions. *(Added by Stats. 1994, c.920, §2.)*

## **MASS MAILING REQUIREMENTS**

Government Code Section 84305.

(a) Except as provided in subdivision (b), no candidate or committee shall 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 which shall be in a color or print which 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 organization'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) 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).

## **TRUTH IN ENDORSEMENTS LAW**

Elections Code Section 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 or 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.

**LONG BEACH MUNICIPAL CODE  
SECTION PERTAINING TO MASS MAILINGS**

**Chapter 1.26      MASS MAILINGS**

**1.26.010      Mass mailings by candidates at public expense prohibited.**

A. No mass mailing and no television or radio program shall be prepared, produced, printed, sent, broadcast, transmitted, delivered or distributed at public expense by or on behalf of any person holding the office of Mayor or City Council member to any person residing within the jurisdiction from which the officer was elected or to which he or she seeks election after any such officer has filed the nomination documents as defined in Section 1.25.010 of the Long Beach Municipal Code or Section 6489 of the California Elections Code, whichever is applicable, for any local, State or federal office.

B. "Mass mailing" as used in this section means two hundred or more substantially similar documents, including but not limited to, any newsletter, report, survey or questionnaire, except:

(1) mail which is sent in response to an unsolicited letter or other inquiry; or

(2) any announcement, notice or invitation to an elected officer's constituents concerning a public meeting which is directly related to the elected officer's incumbent governmental duties, which is to be held by the elected officer and which the elected officer intends to attend; or

(3) any announcement, notice or invitation to any official agency event or events for which the City is providing its facilities, its staff or other financial support.

C. Any such notice or announcement may be printed on the elected officer's stationery and shall only include information which is pertinent to the purpose of the public meeting or event, such as, the date, time and place, description of the subject matter, identification of speakers or participants, an explanation of the problems or issues, directions to the location of the meeting, and a telephone number to call for additional information. The notice or announcement may include the name of the elected officer set forth in the letterhead, and on the return address portion of the envelope or post card, as well as a single mention of the elected officer's name in the body of the notice or announcement. Any said notice or announcement may not include the elected officer's signature or photograph.

D. Any violation of this section shall be deemed to constitute an infraction as provided in Section 17 of the California Penal Code, and penalties for such infraction shall be as set forth in Subsection 19.8 of the Penal Code. (Ord. C-7010 § 1, 1992)

# *CAMPAIGN SIGNS*

## **Placing of Campaign Signs on Public Property**

General rules for political signs:

- Campaign signs cannot be placed on telephone poles, streets signs, trees, on sidewalks or median islands, in parks or other public areas.
- Candidates must sign removal affidavit before posting signs.

Long Beach Municipal Code Sections 21.44.600 and 21.44.900, State statutes and a rule of the Public Utilities Commission prohibits the placement or fastening of any sign on public property (including street light and utility poles), except as may be required by ordinance or law. This prohibition refers to cards, banners, flags, pennants, handbills, notices, posters and advertisements, as well as to signs.

City Employees operating in the field are hereby instructed to remove all signs encountered on public property, utility rights-of-way, and utility poles and their appurtenances.

Field supervisors are directed to notify the Business License Office when illegal sign posting is occurring.

The Business License Office shall contact the licensee notifying that violators of the Municipal Code will be prosecuted.

Criminal complaints will be filed where legally possible against those persons who do not voluntarily comply with the regulations.

### **21.44.900 Signs on Public Property.**

A. **Applicability.** No person, except a public officer or employee performing a public duty, shall place any sign on, above, along or within any public property.

## **Political Sign Information Numbers**

Please direct phone calls regarding political signs to the following numbers:

- (562) 570-CODE (2633) All questions from the public or candidates that question the legality of a particular sign or general information regarding political signs. This number is also for candidates to request the required political sign affidavit.
- (562) 570-CODE (2633) Street maintenance for sign removal or enforcement for all signs on the public right-of-way. If the sign is on public property, (ie: Metro Blue Line fence, street center divider, public park, etc.) call this number for removal. The candidate sponsoring the sign will be billed for its removal.
- (562) 570-CODE (2633) Sign removal from private property. This relates to vacant houses, lots and business. Residents may remove unwanted signs from their property at any time.

## Electioneering

Under existing law, no one may place a sign as to voter qualifications or speak to a voter about his or her qualifications within 100 feet of a polling place. **A violation is a misdemeanor.**

In addition, no one may place a sign displaying any insignia or slogan identified with a particular candidate within 100 feet of a polling place, or do any electioneering, as defined below. To do so is a misdemeanor.

No person, on Election Day, or any time that a voter may be casting a ballot, shall, within 100 feet from where the voter is casting his/her ballot:

- (a) Circulate an initiative, referendum, recall, nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his/her ballot.
- (c) Place a sign relating to voters' qualifications or displaying any insignia or registered trademark slogan used by any organization that endorsed any candidate listed on the ballot or speak to a voter on the subject of his or her qualifications except as provided in Elections Code § 14420.
- (d) Do any electioneering, hereby defined as campaigning for or against a candidate, ballot question, or political party by one of the following:
  - (1) Posting signs relating to the support of or opposition to a candidate, ballot question, or political party.
  - (2) Distributing literature relating to the support of or opposition to a candidate, ballot question, or political party.
  - (3) Using loudspeakers to broadcast information relating to the support of or opposition to a candidate, ballot question, or political party.
  - (4) Buying, selling, wearing, or displaying any badge, button, or other insignia which is designed to or tends to aid or promote the success or defeat of any candidate, ballot question, or political party.
  - (5) Polling or otherwise soliciting from a voter information as to whether the voter intends to vote or has voted for or against any candidate, ballot question, or political party.
  - (6) Soliciting signatures to any petition. As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.



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

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# **SECTION 6**

## **Obtaining Voter Information**

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## **GUIDELINES FOR VIEWING VOTER REGISTRATION INFORMATION**

Effective 1994, all information contained in a voter's registration affidavit was declared confidential by State law. As a candidate, you may access voter information on file with the Office of the City Clerk by completing an Application to View Voter Registration Information form see Document 6-2 of this Handbook. If your application meets the criteria of California Elections Code § 2188, your request to view these records will be fulfilled by City Clerk staff within 10 days of the request, pursuant to the Public Records Act.

Should you wish to view or copy any of the following voter information on file with the Office of the City Clerk, an Application To View Voter Registration Information form is required:

- Nomination Petition Report (after the close of the nomination period)
- Vote-by-mail voter information, including lists maintained by the Office of the City Clerk during the vote-by-mail processing period (vote-by-mail envelopes are not open to public inspection following completion of canvass)

The following information is not considered confidential, and is available online at [www.longbeach.gov/cityclerk](http://www.longbeach.gov/cityclerk):

- Statements of Economic Interest
- Campaign Statements (Form 460, 470, et al)
- Statements of Organization (Form 410)
- All other forms filed pursuant to Fair Political Practices Commission (FPPC) regulations
- Candidate Statements (after the close of the nomination period)
- Past Election Results
- Official Sample Ballot Booklets from past Elections

Please note that original voter registration applications and current lists of registered voters may be requested for viewing/copying by contacting the Los Angeles County Registrar-Recorder/County Clerk at (562) 466-1310.

## APPLICATION TO VIEW VOTER REGISTRATION INFORMATION

Please **PRINT** or **TYPE** necessary information

Applicant's Name		
Residence Address:		
City:	State, Zip:	Telephone:
Email:		
Business Address:		
City:	State, Zip:	Telephone:

*Complete this section below, if requested information is on behalf of an organization or individual other than applicant.*

Organization/Individual Name:		
Address:		
City:	State, Zip:	Telephone
Email:		
Name of Individual Authorizing Applicant:		

The specific information requested is stated below:
Registration information will be used for the purpose stated below:

<b><i>I certify under penalty of perjury under the laws of the State of California that information on this application is true and correct.</i></b>	
Executed on (Date)	at (Location)
Signature of Applicant:	Driver's License No.:

The elections official shall request the applicant to display his or her identification for purposes of verifying that the identifying numbers of the identification document match those written by the applicant on the application form. (California Elections Code 2188, 2188.5)

<b>Office Use Only</b>	Reviewed By:	Date:

Return to:	Office of the City Clerk	Telephone:	(562) 570-6101
	City of Long Beach	Fax:	(562) 570-6789
	333 W. Ocean Blvd.	TDD:	(562) 570-6626
	Long Beach, CA 90802		

Reference to Application to View Voter Registration Information  
California Elections Code — Voter Registration Index

**2188.**

- (a) Any application for voter registration information available pursuant to law and maintained by the Secretary of State or by the elections official of any county shall be made pursuant to this section.
- (b) The application shall set forth all of the following:
  - (1) The printed or typed name of the applicant in full.
  - (2) The complete residence address and complete business address of the applicant, giving street and number. If no street or number exists, a postal mailing address as well as an adequate designation sufficient to readily ascertain the location.
  - (3) The telephone number of the applicant, if one exists.
  - (4) The number of the applicant's driver's license, state identification card, or other identification approved by the Secretary of State if the applicant does not have a driver's license or state identification card.
  - (5) The specific information requested.
  - (6) A statement of the intended use of the information requested.
- (c) If the application is on behalf of a person other than the applicant, the applicant shall, in addition to the information required by subdivision (b), set forth all of the following:
  - (1) The name of the person, organization, company, committee, association, or group requesting the voter registration information, including their complete mailing address and telephone number.
  - (2) The name of the person authorizing or requesting the applicant to obtain the voter registration information.
- (d) The elections official shall request the applicant to display his or her identification for purposes of verifying that identifying numbers of the identification document match those written by the applicant on the application form.
- (e) The applicant shall certify to the truth and correctness of the content of the application, under penalty of perjury, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. The applicant shall state the date and place of execution of the declaration.
- (f) Completed applications for voter registration information shall be retained by the elections official for five years from the date of application.
- (g) This section shall not apply to requests for information by elections officials for election purposes or by other public agencies for governmental purposes.
- (h) The Secretary of State may prescribe additional information to be included in the application for voter registration information.

**2188.5.**

- (a) A person who requests voter information pursuant to Section 2188 or who obtains signatures or other information collected for an initiative, referendum, or recall petition shall not send that information outside of the United States or make it available in any way electronically to persons outside the United States, including, but not limited to, access over the Internet.
- (b) For purposes of this section, "United States" includes each of the several states of the United States, the District of Columbia, and the territories and possessions of the United States.



## VOTER REGISTRATION INFORMATION

The deadline for citizens to register in order to be eligible to vote in the April 12, 2016 Primary Nominating Election is **March 28, 2016**.

To be eligible to register to vote, a person must be:

- A United States citizen;
- A resident of California;
- At least 18 years of age at the time of the election; and
- Not in prison or on parole for the conviction of a felony.

A voter who has moved or changed their name since they last registered must re-register on or before March 28, 2016. (Elections Code § § 2115, 2116)

Should you wish to encourage voter registration before the election, you may obtain up to fifty (50) voter registration forms from the Office of the City Clerk. If you would like a larger supply of forms, please contact the Los Angeles County Registrar/Recorder, 12400 Imperial Highway, Norwalk, CA 90650, (562) 462-2748.

The following data regarding City voter registration is provided for your information:

City Council District	Registered Voters as of 12/15/2015
District 2	27,858
District 4	25,824
District 6	20,990
District 8	26,869

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# **SECTION 7**

## **Campaign Funding and Disclosure**

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## CAMPAIGN FUNDING INFORMATION

Campaign funding for candidates in Long Beach is governed by the provisions of both the Long Beach Campaign Reform Act and the State Political Reform Act of 1974. Enacted by the voters of the City of Long Beach in 1994, the Long Beach Campaign Reform Act is the governing legislation on most issues; however, certain provisions of the Political Reform Act also apply. This sheet summarizes the major provisions of these laws as they pertain to your candidacy. If you have any questions regarding fund raising and expenditures please contact the Office of the City Clerk at (562) 570-6101 or the Fair Political Practices Commission (FPPC) at (916) 322-5660 or toll free (866) ASK-FPPC (866-275-0886).

A copy of the Long Beach Campaign Reform Act (LBMC Chapter 2.01) printed in its entirety is included in Document 10-1.

### Contribution Limitations

Effective January 1, 2015  
April 12, 2016 - Primary Nominating Election

Office	June 1995 CPI Base (154.8)	2014 Average Annual CPI Change 0.5652	Primary Election Adjusted Contribution Limit	Rounded to Nearest \$50 pursuant to L.B.M.C. 2.01.810
Councilmember	\$250	\$141.29	\$391.29	\$400

### Committee Treasurer

Every committee shall have a treasurer. The committee is precluded from accepting contributions or making expenditure during a period of vacancy in the office of treasurer. Only the treasurer may authorize committee expenditures. The candidate and treasurer have the duty of keeping detailed records in conjunction with the campaign statement filing requirements.

- A. A candidate may be his/her own treasurer.
- B. Assistant treasurer – A candidate’s recipient committee is permitted to designate an assistant treasurer on Form 410 (new regulation Gov. Code §18426.1)
- C. In the case of incumbents, persons you appoint to a board or commission may not be your committee treasurer.

## **Bank Account Rules**

- A. Deposit all contributions (including candidate's funds) into a campaign bank account.
- B. Do not deposit checks of \$100 or more until contributor information for the following is recorded:
  - Name
  - Street Address (including zip code – new regulation Gov. Code § 18421.2)
  - Occupation
  - Employer
- C. All campaign expenditures must be made from the campaign bank account, except personal funds for:
  - Filing Fee
  - Candidate Statement Fee

## **Loans**

You may loan money to your own campaign but you must complete a loan note to your campaign from yourself and file it with the Office of the City Clerk. (LBMC Section 2.01.340)

## **Personal Expenditures**

There is no limit to the amount of money you may spend of your own funds. You can spend your own money at any time. There is no blackout period regarding personal expenditures. A loan is distinguished from personal expenditures in that a loan may be repaid out of campaign contributions to your campaign. Personal expenditures may NOT be repaid from the campaign account.

## **Requirement to Form a Committee**

If you have raised or expended, or intend to raise or expend \$1,000 or more on your campaign, you must form a campaign committee. California Form 410 (Statement of Organization Recipient Committee) and California Form 501 (Candidate Intention Statement) are both required to form your committee.

If you do not intend to raise or spend \$1,000 or more on your campaign, you must file Form 501 (Candidate Intention Statement) before you solicit or receive any contributions or before you make expenditures from personal funds on behalf of your candidacy.

## **Reporting of Contributions and Expenditures**

If you raise or expend less than \$1,000 you will be required to file California Form 470 (Officeholder & Candidate Campaign Statement Short Form). Candidates who exceed \$1,000 will be required to file California Form 460 (Recipient Committee Campaign Statement). See the filing schedule on Document 7-4 for filing periods and due dates.

## **Time Period for Fundraising**

Fundraising is restricted to the time period commencing with January 1 of an odd-numbered year and ending twelve months following the primary or general election, whichever applies. The election cycle for the Primary Nominating Election is on April 12, 2016. If there is a General Municipal Election, then the election cycle is extended to June 7, 2017. The time period for fundraising is January 1, 2015 through April 12, 2017, or extended to June 7, 2017 if there is a General Municipal Election (LBMC Section 2.01.210 (B)).

All election related expenses must be incurred by April 12, 2017, or June 7, 2017 if there is a General Municipal Election; and all expenses paid by December 31, 2017. The remaining funds become surplus funds. For more detailed information on campaign fundraising, please refer to LBMC Chapter 2.01, the Long Beach Campaign Reform Act, also found in Document 10–1 of this Handbook.

## **Disposal of Surplus Funds**

Except as provided in LBMC Section 2.01.1020, which allows the transmittal of such funds to officeholder account for elected officials, Surplus Funds shall be disposed of in the following order and priority:

- A. Surplus Funds shall first be used to reimburse the Campaign Reform Account of the City of Long Beach up to the full amount of matching funds, if any, received by the candidate.
- B. Any funds remaining after such reimbursement, if any, may be expended exclusively as provided in Section 89515 of the California Government Code and must be expended no later than sixty (60) days after the end of the Election Cycle.
- C. Any funds not expended pursuant to Subsections 2.01.1030(A) or 2.01.1030(B) by December 31 next following the end of the Election Cycle (or, in the case of a special election, one hundred twenty (120) days after the end of the Election Cycle) shall be paid immediately into the campaign reform account of the City of Long Beach.

## **Termination of Candidate and Committee Filing Requirements**

If no funds are left in the campaign account and the candidate will not raise additional funds, the account and campaign committee should be closed. Form 460 must be filed indicating a zero cash balance and Form 410 (Statement of Organization Recipient Committee) to terminate a committee.

Campaign statement filing obligations will continue until the termination requirements are met (see part 5 of Form 410) and the Form 410 has been filed.

If the committee is terminated before the end of a calendar year, the candidate must continue to file the Form 460 for the remainder of that calendar year. However, the Form 460 may be filed as both a termination statement and a semi-annual statement.

- File an original and one copy of the Form 410 (checked as Termination) with the Secretary of State; and
- File a copy of the Form 410, along with an original and one copy of Form 460 (checked as Termination) with the Office of the City Clerk.

## GUIDELINES FOR STARTING A CAMPAIGN COMMITTEE

This fact sheet is intended to provide an introduction to some of the most common campaign disclosure forms filed by candidates, and the order in which they are usually filed. It should be used as a supplement to, and not a replacement for, the Campaign Disclosure Information Manual 2\*. The forms identified below are required by the Political Reform Act.

*STEP 1:*     **Form 501** Candidate Intention Statement\*

*WHEN:*     Form 501 must be filed prior to the solicitation or receipt of any campaign funds, or use of any personal funds for campaign purposes (excluding filing fees).

*WHERE:*     File original with the Office of the City Clerk.

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*STEP 2:*     **Form 410** Statement of Organization Recipient Committee\*  
(Campaign committee ID # and bank account information)

*WHEN:*     Must be filed within 10 days of receiving \$1,000 or more. (May be filed earlier.) After Form 410 is filed, the Secretary of State will issue the identification number for your campaign committee.

*WHERE:*     File the original and one copy with the Secretary of State's Political Reform Division, and one copy with the Office of the City Clerk. Provide campaign committee ID number to the Office of the City Clerk once issued by the California Secretary of State.

*NOTE:*     This form is also used to terminate your committee.

**-OR-**

*STEP 2A:*   **Form 470** Officeholder and Candidate Campaign Statement - short form\*

*WHAT:*     Used when a candidate does not have a controlled committee and does not anticipate raising or spending \$1,000 or more in a calendar year.

*WHEN:*     Must be filed no later than the deadline for the first required campaign disclosure statement.

*WHERE:*     File the original and one copy with the Office of the City Clerk.

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**STEP 2B:** **Form 470 Supplement** Officeholder and Candidate Campaign Statement Form 470 Supplement

**WHAT:** Used when a candidate who filed Form 470, but have subsequently raised or spent \$1,000 or more for their campaign.

**WHEN:** Must be filed within 48 hours of raising or spending \$1,000.

**WHERE:** File the original and one copy with the Office of the City Clerk, the California Secretary of State, and each candidate seeking the same office by fax, guaranteed overnight delivery service, or personal delivery. Regular mail may not be used.

**NOTE:** Must also file Form 410 to California Secretary of State and copy to the Office of the City Clerk.

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### **STEPS**

**3 – 7:** **Form 460** Recipient Committee Campaign Statement\*

**WHAT:** This form is used by candidates and their controlled committees to disclose itemized receipts and expenditures.

**WHEN:** Must be filed according to applicable filing schedule. See “Campaign Statement Filing Schedule” in this Section. As a courtesy, the Office of the City Clerk will email you a reminder at least two weeks prior to each filing deadline for the Form 460.

**WHERE:** File the original and one copy with the Office of the City Clerk.

**NOTE:** An unsigned campaign statement is not considered filed.

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### **Termination (must file both forms)**

**STEP 8:** **Form 410** **AND** **Form 460**

**WHAT:** Committees formed via Form 410 and committee must have a “zero balance”.

**WHEN:** At the discretion of the treasurer. Committees do not expire.

**WHERE:** File the original Form 410 and one copy with the Secretary of State’s Political Reform Division, and one copy with the Office of the City Clerk.  
File the original Form 460 and one copy with the Office of the City Clerk.

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## GUIDELINES FOR NON-CANDIDATE CONTROLLED COMMITTEES

### **Form 497** Late Contribution Report\*

- WHAT:* Late contributions received or made.
- WHEN:* Must be filed to report a contribution of \$1,000 or more during the period of January 13, 2016 through April 11, 2016. A Late Contribution Report must be filed within 24 hours of receiving or making a late contribution.
- WHERE:* File with the Office of the City Clerk by fax, guaranteed overnight delivery service, or personal delivery. Regular mail may not be used.
- 

### **Form 496** Late Independent Expenditure Report\*

- WHAT:* An expenditure made in connection with a communication that expressly advocates the nomination, election, or defeat of a clearly identified candidate or the qualification, passage or defeat of a clearly identified measure.
- WHEN & WHERE:* Any person who makes independent expenditures of more than \$250 in support of or in opposition to any candidate shall notify the Office of the City Clerk and all candidates running for the same seat by facsimile or any other electronic means approved by the Office of the City Clerk each time such expenditure is made. (LBMC Section 2.01.630)
- NOTE:* A Late Independent Expenditure Report must be filed within 24 hours of making the independent expenditure, during the period of January 13, 2016 through April 11, 2016. File with the Office of the City Clerk by fax, guaranteed overnight delivery service, or personal delivery. Regular mail may not be used.

Candidates, Committees, and Treasurers refer to Manual 2\* for reporting instructions and examples.

\*These forms are available in an interactive format on the Fair Political Practices Commission website at [www.fppc.ca.gov](http://www.fppc.ca.gov)

# CAMPAIGN FILING TIMELINE

Step 1  
  
Candidate  
Intention  
**Form 501**  
  
Before receiving  
contributions

Step 2  Committee ID # Bank Acct. Info <b>Form 410</b>  Within 10 days of receiving \$1,000	<b>-OR-</b>	Step 2A/2B  Candidate & Committee Info  <b>Form 470</b>  No intention of spending or raising over \$1,000
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Step 3  
  
Semi-Annual  
**Form 460**  
due  
**February 1, 2016**

Step 4  
  
First  
Pre-election  
**Form 460**  
due  
**March 3, 2016**

Step 5  
  
Second  
Pre-election  
**Form 460**  
due  
**March 31, 2016**

Step 6  
  
Third  
Pre-election  
**Form 460**  
due  
**April 8, 2016**

Step 7  
  
Semi-Annual  
**Form 460**  
due  
**August 1, 2016**

Step 8  
  
Termination  
**Form 460**  
**Form 410**  
  
Both forms required  
to terminate a  
committee\*

Guidelines for Non-Candidate Controlled  
Committees

**Form 497**  
Late Contribution Report  
**Form 496**  
Late Independent Expenditure Report

**January 13, 2016**  
through  
**April 11, 2016**

Within 24 hours

\* See Section 7 – 1 regarding termination information

**Fair Political Practices Commission**  
**Filing Schedule for**  
**City of Long Beach**  
**Candidates and Controlled Committees for Local Office**  
**Being Voted on April 12, 2016**

<b>Deadline</b>	<b>Period</b>	<b>Form</b>	<b>Notes</b>
<b>Within 24 Hours</b> <i>Contribution Reports</i>	1/13/16 – 4/11/16	<a href="#">497</a>	<ul style="list-style-type: none"> <li>▪ File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>▪ File if a contribution of \$1,000 or more in the aggregate is made to <i>another</i> candidate being voted upon April 12, 2016.</li> <li>▪ 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.</li> <li>▪ File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.</li> </ul>
<b>Feb 1, 2016</b> <i>Semi-Annual</i>	* – 12/31/15	<a href="#">460</a> <a href="#">470</a>	<ul style="list-style-type: none"> <li>▪ Form 460: All committees must file Form 460.</li> <li>▪ Form 470: If a candidate has raised or spent less than \$1,000 during 2015, file Form 470.</li> <li>▪ The January 31 deadline falls on Sunday, so the deadline is extended to the next business day.</li> </ul>
<b>Mar 3, 2016</b> <i>Pre-Election</i>	1/1/16 – 2/27/16	<a href="#">460</a> <a href="#">470</a>	<ul style="list-style-type: none"> <li>▪ Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
<b>Mar 31, 2016</b> <i>Pre-Election</i>	2/28/16 – 3/26/16	<a href="#">460</a>	<ul style="list-style-type: none"> <li>▪ All committees must file Form 460.</li> <li>▪ File by personal delivery, guaranteed overnight service or online, if available.</li> </ul>
<b>Apr 8, 2016</b> <i>Pre-Election</i>	3/27/16 – 4/6/16	<a href="#">460</a>	<ul style="list-style-type: none"> <li>▪ All committees must file Form 460.</li> <li>▪ Per Long Beach Municipal Code 2.01.720</li> </ul>
<b>Aug 1, 2016</b> <i>Semi-Annual</i>	4/7/16 – 6/30/16	<a href="#">460</a>	<ul style="list-style-type: none"> <li>▪ All committees must file unless the committee filed termination Forms 410 and 460 before June 30, 2016.</li> <li>▪ The July 31 deadline falls on a Sunday, so the deadline extended to the next business day.</li> </ul>

**Document**  
**7 - 4**

- **\*Period Covered:** 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.
- **Filing Deadlines:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to the deadline for the Form 497 that is due the weekend before the election. Such reports must be filed within 24 hours regardless of the day of the week. Statements filed after the deadline are subject to a \$10 per day late fine.
- **Method of Delivery:** All paper filings are filed by personal delivery or first class mail unless otherwise noted. A paper copy of a report may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.

## Fair Political Practices Commission

- **Form 460:** Candidates who have raised/spent \$1,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$1,000 or more has been raised/spent.
- **Form 470:** Candidates who do not have an open committee and do not raise or spend \$1,000 may file Form 470.
- **Candidates:** After an election, reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open.
- **Form 497 – 24-Hour Contribution Report:** File if a contribution of \$1,000 or more is **made** in connection with a candidate or measure being voted upon in another city, county or state election, or **made to a political party committee** 90 days before a state election in 2016.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Public Documents:** All forms are public documents. Campaign manuals and instructional materials are available at [www.fppc.ca.gov](http://www.fppc.ca.gov).
- Candidates listed on the April 12, 2016 ballot who make expenditures other than those for their own campaign should contact the FPPC for additional filing requirements.
- Learn more about candidate and treasurer responsibilities by logging on to our informational [webinar!](#)

### Committees Making Independent Expenditures:

- Committees making independent expenditures to support or oppose candidates on the April 12, 2016 ballot should contact the FPPC for filing requirements.

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# **SECTION 8**

## **Vote-By-Mail**

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# VOTE-BY-MAIL VOTER INFORMATION



## **Dates and Deadlines**

March 14 through April 5, 2016.....Voters may request a vote-by-mail ballot

April 6 through April 12, 2016.....Emergency vote-by-mail voting period

Applications for vote-by-mail ballots received prior to March 14 will be held until the beginning of the vote-by-mail voting period. No ballots will be mailed prior to March 14, pursuant to state law. No reports on applicants will be available prior to March 14. Permanent vote-by-mail voter reports are available anytime. Applications for vote-by-mail ballots must be received no later than April 5, 2016 by 4:30 p.m.

## **Candidate-generated Application Forms**

Candidates who wish to distribute vote-by-mail ballot applications must conform their printed applications to the sample in this packet (8.5" x 11"). To avoid re-printing of applications, please submit application to the Office of the City Clerk prior to distribution to voters. The Office of the City Clerk will promptly review application forms submitted for approval.

## **Bar Coding**

The Elections Division uses an automated vote-by-mail ballot tracking system that includes the use of bar coding. Bar coding enables us to process both applications and returned ballots more quickly and with more cost-efficiency. The Office of the City Clerk now **requires** the Voter ID number in bar code format on all applications for vote-by-mail ballots that are pre-printed with the name and/or residence address of the voter.

## **Reports**

Computerized reports listing voters who have applied for vote-by-mail ballots will be available Tuesday and Friday of each week after 3:00 p.m. during the vote-by-mail voting period. Candidates who wish to receive reports must file an "Application to View Voter Registration Information" with the Office of the City Clerk and can be found on Document 6-2 in this Handbook. These reports will be sent electronically via an ftp site.

Contact Daisy Gomez at (562) 570-6503 or [Daisy.Gomez@longbeach.gov](mailto:Daisy.Gomez@longbeach.gov) to request voter information.

## **Law Regarding Vote-by-mail Ballot Applications**

Any individual, group, or organization that distributes applications for vote-by-mail voter ballots and receives completed application forms shall submit the completed forms to the Office of the City Clerk within 72 hours of receiving the forms, or before the application deadline whichever is sooner. The California Elections Code specifies that anyone who does not conform to the requirements regarding vote-by-mail voting is guilty of a misdemeanor. Prohibitions include, but are not limited to, knowingly interfering with the prompt delivery to the appropriate elections official of a completed application for a vote-by-mail ballot; retaining a completed application for more than 72 hours (or less, if near the application deadline); or denying an applicant the right to return his or her completed application to the local elections official. (Elections Code § 3008)

## VOTE-BY-MAIL VOTER INFORMATION PRICE AND AVAILABILITY

The Office of the City Clerk will make available Vote-By-Mail Voter information to qualified candidates and their committees:

Data Format	Available Format
Current Database <i>Available Tuesday and Friday of each week after 3:00 P.M.</i>	Text dBase 5.0

These reports will be sent electronically via an ftp site without any cost to qualified candidates and their committees.

Access to voter records is confidential. To receive this information, all candidates or their appointed representatives are required to complete a state mandated request form found on Document 6-2 in this Handbook. (Elections Code § 2188)

Contact Daisy Gomez at (562) 570-6503 or [daisy.gomez@longbeach.gov](mailto:daisy.gomez@longbeach.gov) to request voter information.



**Elections Code Section – 18576**  
**WILLFUL INTERFERENCE WITH RETURN**  
**OF VOTE-BY-MAIL BALLOT APPLICATION**

Any person who willfully (a) interferes with the prompt delivery of a completed vote-by-mail ballot application, (b) retains a completed vote-by-mail ballot application, without the voter's authorization, for more than three days excluding weekends and state holidays, or by the deadline for return of vote-by-mail ballot applications, whichever is earlier, or (c) denies an applicant the right to return his or her own completed vote-by-mail ballot application to the local elections official having jurisdiction over the election, is guilty of a misdemeanor.

**Elections Code Section – 18577**  
**WILLFUL INTERFERENCE WITH RETURN**  
**OF VOTE-BY-MAIL BALLOT**

Any person having charge of a completed vote-by-mail ballot who willfully interferes or causes interference with its return to the local elections official having jurisdiction over the election is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding ten thousand dollars (\$10,000), or by both the fine and imprisonment.

**Elections Code Section – 3008**  
**TIME PERIOD FOR ORGANIZATIONS TO RETURN**  
**VOTE-BY-MAIL BALLOT APPLICATION – APPLICATIONS SHALL**  
**BE NONFORWARDABLE**

(a) Any individual, organization, or group that distributes applications for vote-by-mail voter ballots and receives completed application forms shall return the forms to the appropriate elections official within 72 hours of receiving the completed forms, or before the deadline for application, whichever is sooner. The name, address, and telephone number of any organization that authorizes the distribution of the applications shall be included on the application.

(b) Any application for a vote-by-mail voter's ballot that is sent by an individual, group, or organization to a voter shall be nonforwardable. Any vote-by-mail voter's ballot that is returned to an elections official as undeliverable shall not be forwarded by the elections official.

(c) A person may not submit a vote-by-mail ballot application electronically for another registered voter.

**Elections Code Section – 3020**  
**VOTE-BY-MAIL RECEIVED AFTER ELECTION DAY**

(a) All vote-by-mail ballots cast under this division shall be received by the elections official from whom they were obtained or by the precinct board no later than the close of the polls on election day.

(b) Notwithstanding subdivision (a), any vote-by-mail ballot cast under this division shall be timely cast if it is received by the voter's elections official via the United States Postal Service or a bona fide private mail delivery company no later than three days after election day and either of the following is satisfied:

(1) The ballot is postmarked on or before election day or is time stamped or date stamped by a bona fide private mail delivery company on or before election day.

(2) If the ballot has no postmark, a postmark with no date, or an illegible postmark, the vote-by-mail ballot identification envelope is date stamped by the elections official upon receipt of the vote-by-mail ballot from the United States Postal Service or a bona fide private mail delivery company, and is signed and dated pursuant to Section 3011 on or before election day.

**Elections Code Section – 18317**  
**ELECTIONEERING DURING VOTE-BY-MAIL VOTING**

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

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

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

Please see Document 5-5 for a complete definition of electioneering.

**APPLICATION FOR  
VOTE-BY-MAIL BALLOT**

**SOLICITUD PARA UNA BOLETA  
VOTAR POR CORREO**

**City of Long Beach  
Primary Nominating Election  
April 12, 2016**

(print bar code of voter identification number in this area)

To obtain a vote-by-mail ballot, complete the information on this form.  
*Para obtener una boleta de votar por correo, llene la información en este formulario.*

This application **MUST BE RECEIVED** by the elections official by: **April 5, 2016**  
*Esta solicitud DEBE SER RECIBIDA por el funcionario de elecciones antes del: 5 de abril de 2016*

**NOTICE / AVISO**  
You have the legal right to mail or deliver this application directly to the local elections official where you reside.  
*Usted tiene el derecho legal de enviar esta solicitud por correo, o entregla directamente al funcionario de elecciones donde usted reside.*  
To / A:  
**Office of the City Clerk  
333 W Ocean Blvd  
Long Beach CA 90802  
562/570-6101  
FAX 562/570-6789**

Returning this application to anyone other than your elections official may cause a delay that could interfere with your right or ability to vote. The address provided is the only appropriate destination for this application. [Elections Code 3006 (b)(4)]

*El devolver esta solicitud a alguna otra persona que no sea su funcionario de elecciones, podría causar retrasos que obstaculizarían su derecho o capacidad a votar. La dirección provista es el único destino adecuado para esta solicitud. [Código Electoral 3006 (b)(4)]*

Print Name / *Escriba Nombre con letra de Imprenta* Date of Birth (mo/day/yr) / *Fecha de Nacimiento:* \_\_\_\_\_

First / *Nombre* Middle / *Segundo Nombre* Last / *Apellido*

Residence Address in the City (**PO Box, Rural Route not acceptable**)  
*Domicilio donde reside en la ciudad (no acepta Apartado Postal o Zona Rural)*

City and Zip / *Ciudad y código postal* Telephone Number / *Numero de Teléfono*

**THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT THE  
PROPER SIGNATURE OF THE APPLICANT**

***ESTA SOLICITUD NO SERA ACEPTADA SIN LA DEBIDA  
FIRMA DEL SOLICITANTE***

I have not applied, nor do I intend to apply for, a vote-by-mail ballot for this election by any other means. I certify under **penalty of perjury** under the laws of the State of California that the name and residence address and information I have provided on this application are true and correct.

*No he solicitado, ni tengo el propósito de solicitar, una boleta de votar por correo por algún otro medio. Hago constar bajo pena de perjurio conforme a las leyes del Estado de California que el Nombre, el domicilio donde resido, y la información que he proporcionado en esta solicitud son correctos y verdaderos.*

**X** \_\_\_\_\_ DATE / *FECHA* \_\_\_\_\_

**SIGNATURE OF APPLICANT / *FIRMA DEL SOLICITANTE***

WARNING: Perjury is punishable by imprisonment in state prison for two, three or four years. (Section 126 of the California Penal Code.)

*ADVERTENCIA: El falso testimonio se castiga con encarcelamiento de dos, tres o cuatro años en la prisión estatal. (Sección 126 del Código Penal de California.)*

**THIS FORM IS PROVIDED BY / *ESTE FORMULARIO ES PROPORCIONADO POR***

Important: Organizations providing this form must enter their name, address & telephone number.  
*IMPORTANTE: Las organizaciones que distribuyan este formulario deben poner su nombre, dirección y número de teléfono.*

The format used on this application **MUST** be used by ALL individuals, organizations, and groups who distribute vote-by-mail ballot applications. CA Elections Code 3007.

Failure to conform to this format may result in criminal prosecution. CA Elections Code 18402.

*El formato utilizado en esta solicitud DEBE ser usado por TODAS las personas, organizaciones, y grupos que distribuyan las solicitudes de boleta para electores ausentes. Sección 3007 del Código de Elecciones de California.*

*El no acatar con este formato podría resultar en que la persona sea procesada penalmente. Sección 18402 del Código de Elecciones de California.*

Any voter may apply as a PERMANENT VOTE-BY-MAIL VOTER. Contact your local COUNTY ELECTIONS OFFICIAL for further information.

*Cualquier elector podrá solicitar ser ELECTOR VOTAR POR CORREO PERMANENTE. Póngase en contacto con su FUNCIONARIO DE ELECCIONES DEL CONDADO para más información.*

NOTE: Upon request an electronic copy of the vote-by-mail application is available in Khmer, Tagalog, Korean and Vietnamese.

**SAMPLE  
SEE MANILA ENVELOPE  
FOR ORIGINAL**

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# **SECTION 9**

## **Matching Funds**

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CITY OF LONG BEACH  
PRIMARY NOMINATING ELECTION  
APRIL 12, 2016

STATEMENT OF ACCEPTANCE OR REJECTION  
OF EXPENDITURE LIMITATIONS

The Long Beach Campaign Reform Act, Long Beach Municipal Code Section 2.01.510(A) Each candidate for office, at the time of filing his or her nomination papers, shall file a statement accepting or rejecting the expenditure ceilings in Division IV.

\_\_\_\_\_  
Candidate Name

\_\_\_\_\_  
Office Sought

\_\_\_\_\_  
Council District (if applicable)

**FILED COPY WILL BE PROVIDED  
TO CANDIDATE**

In accordance with Section 2.01.510 of the Long Beach Campaign Reform Act, I hereby agree to

\_\_\_\_\_ ACCEPT                      \_\_\_\_\_ REJECT

Campaign Expenditure Limitations. I understand that for the office I am seeking, the expenditure limitations are:

\$ \_\_\_\_\_ for the Primary Nominating Election and;

I further understand that neither acceptance nor rejection of campaign expenditure limitations waives the campaign contribution limitations of the Act.

I further understand that acceptance of expenditure limitations may not be rescinded unless an opposing candidate for the same elected municipal office files a statement of rejection.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

**SEE MANILA ENVELOPE  
FOR ORIGINAL**



CITY OF LONG BEACH  
GENERAL MUNICIPAL ELECTION  
JUNE 7, 2016

STATEMENT OF ACCEPTANCE OR REJECTION  
OF EXPENDITURE LIMITATIONS

The Long Beach Campaign Reform Act, Long Beach Municipal Code Section 2.01.510(A) Each candidate for office, at the time of filing his or her nomination papers, shall file a statement accepting or rejecting the expenditure ceilings in Division IV.

\_\_\_\_\_  
Candidate Name

\_\_\_\_\_  
Office Sought

\_\_\_\_\_  
Council District (if applicable)

**FILED COPY WILL BE PROVIDED  
TO CANDIDATE**

In accordance with Section 2.01.510 of the Long Beach Campaign Reform Act, I hereby agree to

\_\_\_\_\_ACCEPT                      \_\_\_\_\_REJECT

Campaign Expenditure Limitations. I understand that for the office I am seeking, the expenditure limitations are:

\$ \_\_\_\_\_ for the General Municipal Election and;

I further understand that neither acceptance nor rejection of campaign expenditure limitations waives the campaign contribution limitations of the Act.

I further understand that acceptance of expenditure limitations may not be rescinded unless an opposing candidate for the same elected municipal office files a statement of rejection.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

**SEE MANILA ENVELOPE  
FOR ORIGINAL**

**CITY OF LONG BEACH  
 PRIMARY NOMINATING ELECTION  
 APRIL 12, 2016  
 APPLICATION FOR MATCHING FUNDS  
 PURSUANT TO THE LONG BEACH CAMPAIGN REFORM ACT  
 (Chapter 2.01 of the Long Beach Municipal Code)**

Candidate Name	Street Address
Committee Name	City State Zip
Office Sought	Phone
Election Date	Committee ID

As of \_\_\_\_\_, I have raised a total of \$\_\_\_\_\_ in contributions.  
 Date

These contributions were raised between the dates of \_\_\_\_\_ and \_\_\_\_\_.

I hereby submit my Application for Matching Funds for the above referenced election. Attached is the Matching Funds Table to provide the contributor list with qualified totals. I understand that all documents pertaining to matching funds (e.g., bank statements, copies of checks and deposit slips, invoices, etc.) will be retained by me for four years from the date of the election. All available documents will be submitted to the Office of the City Clerk for review and audit purposes upon request.

\_\_\_\_\_  
 Date Candidate's Signature

**CITY CLERK USE ONLY:**

This application is being REJECTED because the candidate:

- \_\_\_\_ has NOT filed a Statement of Acceptance of Expenditure Limits,
- \_\_\_\_ has EXCEEDED the accepted expenditure limits,
- \_\_\_\_ has NOT raised the qualifying minimum in contributions and, or
- \_\_\_\_ is NOT opposed by a candidate who has qualified for Matching Funds or has raised the contribution minimum for this office.

\_\_\_\_\_  
 Date City Clerk of the City of Long Beach

I, Maria de la Luz Garcia, City Clerk of the City of Long Beach, County of Los Angeles, State of California, have verified the qualifications for Matching Funds for the above referenced candidate and do hereby ACCEPT and APPROVE this application for same.

\_\_\_\_\_  
 Date City Clerk of the City of Long Beach

**Please contact the Office of the City Clerk for determination of adjusted expenditure limitations in specific elections (see LBMC § 2.01.410 for reference).**

**CITY OF LONG BEACH  
GENERAL MUNICIPAL ELECTION  
JUNE 7, 2016  
APPLICATION FOR MATCHING FUNDS  
PURSUANT TO THE LONG BEACH CAMPAIGN REFORM ACT  
(Chapter 2.01 of the Long Beach Municipal Code)**

_____ Candidate Name	_____ Street Address		
_____ Committee Name	_____ City	_____ State	_____ Zip
_____ Office Sought	_____ Phone		
_____ Election Date	_____ Committee ID		

As of \_\_\_\_\_, I have raised a total of \$\_\_\_\_\_ in contributions.  
Date

These contributions were raised between the dates of \_\_\_\_\_ and \_\_\_\_\_.

I hereby submit my Application for Matching Funds for the above referenced election. Attached is the Matching Funds Table to provide the contributor list with qualified totals. I understand that all documents pertaining to matching funds (e.g., bank statements, copies of checks and deposit slips, invoices, etc.) will be retained by me for four years from the date of the election. All available documents will be submitted to the Office of the City Clerk for review and audit purposes upon request.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Candidate's Signature

**CITY CLERK USE ONLY:**

This application is being REJECTED because the candidate:

- \_\_\_\_ has NOT filed a Statement of Acceptance of Expenditure Limits,
- \_\_\_\_ has EXCEEDED the accepted expenditure limits,
- \_\_\_\_ has NOT raised the qualifying minimum in contributions and, or
- \_\_\_\_ is NOT opposed by a candidate who has qualified for Matching Funds or has raised the contribution minimum for this office.

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk of the City of Long Beach

I, Maria de la Luz Garcia, City Clerk of the City of Long Beach, County of Los Angeles, State of California, have verified the qualifications for Matching Funds for the above referenced candidate and do hereby ACCEPT and APPROVE this application for same.

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk of the City of Long Beach

**Please contact the Office of the City Clerk for determination of adjusted expenditure limitations in specific elections (see L BMC § 2.01.410 for reference).**

# APPLICATION FOR MATCHING FUNDS INSTRUCTIONS

Candidates who qualify for and apply for matching funds in the primary nominating election shall receive \$1 in matching funds for every \$2 raised through contributions (\$1 to \$1 for runoff election). All candidates applying for matching funds must adhere to the expenditure limitations of the Long Beach Campaign Reform Act.

1. In order to apply for matching funds, a candidate must meet the following qualifications, depending upon office sought:

**City Council:**

- (a) May not exceed expenditure limits (Depends upon Council District).
  - (b) Must raise at least \$5,000\*\* in contributions of \$400\* or less within the Election Cycle. Only up to the first \$100\* of each contribution may be counted toward achieving the qualifying total of \$5,000\*\*.
  - (c) Must be opposed by a candidate who has qualified for matching funds, or who has raised at least \$10,000\*\*.
  - (d) Maximum funds a candidate can receive depend upon the Council District.
2. If you have met the eligibility requirements, complete the attached form, and submit it to the Office of the City Clerk, who will review your application. If your application is approved, a request for the issuance of a check will be submitted to the Financial Management Department, who will process the request.
  3. On the application, include the dates between which the qualifying contributions were raised, and the total amount of qualifying contributions.
  4. On the attached schedule, you must list the date each contribution was received, the name and address of the contributor, the occupation and employer of each contributor (if applicable), the total amount received, and the total qualifying amount.
  5. Make as many photocopies of the attached schedule as is necessary to complete your application.
  6. You may submit an application no more frequently than every 10 working days.

\* Amount reflects January 2015 CPI adjustment.

\*\* Amount only pertains to City Council candidates (per example).

## **Expenditure Limitations**

The City has enacted a voluntary campaign expenditure limit under the Long Beach Campaign Reform Act. As a result, prior to the end of the nomination period, candidates are required to file a Statement of Acceptance or Rejection of Expenditure Limitations. You MUST either accept or reject expenditure ceilings as follows: (LBMC § 2.01.410 and § 2.01.810)

OFFICE	PRIMARY
District 2	\$ 64,000
District 4	\$ 63,000
District 6	\$ 63,000
District 8	\$ 63,000

*Expenditure limits will be adjusted following the close of the nomination period in accordance with LBMC Sections § 2.01.410(A)(4), § 2.01.810 and § 2.01.1210.*

**CITY OF LONG BEACH  
TEMPLATE INSTRUCTIONS FOR MATCHING FUNDS  
JANUARY 1, 2016 – APRIL 12, 2017**

- Refer to template titled “MATCHING FUNDS TABLE PERIOD: 1/01/16 – 2/27/16”:

**Note:** *The sample template is assumed to be that used for the candidate’s first application for matching funds. This template would be used to track and review contributions received in one particular application period.*

Instructions:

1. List each contribution received, including contributor name, address, occupation, and employer (business name if self-employed).  
**Any contribution that lacks any of the above information will not be included in determining the qualifying amount for matching funds.**
2. Verify that contribution date is within the application period.
3. Check contribution per “person” limitation in determining qualification for matching funds.

Example: The candidate running for City Council must raise \$5,000 in contributions, of which only up to the first \$100\* of contribution(s) per “person” is counted towards the qualifying \$5,000.

4. Check contribution per “person” limitation in determining qualified amount of matching funds.

Example: Once the candidate has qualified for matching funds, he/she shall receive \$1.00 for every \$2.00 of contributions raised. In determining the amount of matching funds, only up to the first \$400\* of contribution(s) per “person” is counted.

- Refer to template titled “MATCHING FUNDS ROLLING SCHEDULE PERIOD: 1/01/16 – 6/12/17”:

**Note:** *The sample template assumes that the candidate has already qualified for matching funds. This template would be used to track contributions from all applications that have been submitted for matching funds, including the latest application being submitted.*

Instructions:

1. Combine contributions listings from all previous applications submitted for matching funds into one list, including the current application being submitted.
2. Check contribution per “person” limitation in determining qualified amount to-date of matching funds (subject to limit of \$400\* per “person”).

**Suggestion:** Use Excel spreadsheets to track contributions. For ease of checking for limitations on contributions per “person”, sort data by contributor name (in alphabetical order) and then by contribution date. This will help highlight multiple contributions received from one “person”.

---

\* Amount reflects on January 2015 CPI adjustment.

**Candidate X - for City Council District #  
MATCHING FUNDS TABLE PERIOD: 1/01/16 - 2/27/16**

**CHECKLIST:**

- A** Contribution date is within application period
- B** Contribution limit per "person" for matching amount: Councilmember \$400 (adjusted for January 2015 CPI)
- C** Contribution limit per "person" for matching qualification: \$100 towards qualifying amount of \$5,000
- D** \* Required information: contributor name, occupation, employer, and contribution date is disclosed. Any missing required information will disqualify contribution from being included in consideration of qualification for matching funds.

**SAMPLE  
SEE MANILA ENVELOPE  
FOR ORIGINAL**

**Note:** For presentation purpose, contributor last name and address are not shown here; however, candidates should include all required information on their lists.

Contribution Date	Contributor Name / Address *	Occupation *	Employer / Business Name *	Contribution Received (FMV if Non-Monetary)	Non-Monetary Contribution Description	Contribution Allowed per Person (Refer to Checklist B)	Notes	Qualifying Amount (limit \$100)	CHECKLIST			
									A	B	C	D
06/30/2016	Elsie	Retired	n/a	100.00		100.00		100.00	X	X	X	X
07/19/2016	Susy	Retired	n/a	50.00		50.00		50.00	X	X	X	X
09/27/2016	James	Retired	n/a	25.00		25.00		2	X	X	2	2
09/27/2016	Raymond (missing address)	Retired	n/a	10.00		10.00		4	X	X	4	X
12/22/2015	Paul	Attorney	Law Offices of A, B & C	100.00		100.00		100.00	X	X	X	X
01/27/2016	Duane	Retired	n/a	50.00		50.00		3	3	3	3	3
01/27/2016	Pamela	Medical Doctor	United Medical	50.00		50.00		50.00	X	X	X	X
02/06/2016	Elsie	Retired	n/a	50.00		50.00		1	X	X	1	X
02/06/2016	Robert	Consultant	Strikeway Enterprises	50.00		50.00		50.00	X	X	X	X
02/06/2016	Paul	Retired	n/a	35.00		35.00		35.00	X	X	X	X
02/14/2016	Linda J.	***	***	100.00		100.00		4	X	X	4	X
02/22/2016	Eric	Manager	XYZ, Inc.	35.00		35.00		35.00	X	X	X	X

Total	655.00	-	655.00	420.00
			50.00%	Qualifying amount is below
	<b>Matching this period</b>	<b>\$ 327.50</b>	<b>Y</b>	<b>\$5,000. Not qualified for matching funds this application period</b>

**Explanatory Notes:**

- X** Contribution is within guideline
- Y** This is the hypothetical amount of matching from this application had candidate qualified for matching funds
- \*\*\* Required information missing
- 1** Qualifying amount not counted or is reduced because qualifying contribution per person limit has been reached with prior contribution(s).
- 2** Name on contribution list is "James" but signature on check is "Mrs. James". Need Mrs. James' occupation and employer in order to count towards qualifying amount.
- 3** Missing supporting documentation to substantiate contribution - contribution is excluded from qualifying amount.
- 4** Qualifying amount not counted due to missing required information.

9 - 5  
Document

**Candidate X - for City Council District #  
MATCHING FUNDS ROLLING SCHEDULE FOR PERIOD: 1/01/16 - 4/12/17**

**SAMPLE  
SEE MANILA ENVELOPE  
FOR ORIGINAL**

**CHECKLIST:**

- A Contribution date is within application period
- B Contribution limit per "person" for matching amount: Councilmember \$400 (adjusted for January 2015 CPI)
- C Contribution limit per "person" for matching qualification: \$100 towards qualifying amount of \$5,000
- D \* Required information: contributor name, occupation, employer, and contribution date is disclosed. Any missing

Note: For presentation purpose, contributor last name and address are not shown here; however, candidates should include all required information on their lists.

**ALPHABETICAL LIST (1/01/16 - 4/12/17):**

	Contribution Date	Contributor Name/ Address*	Occupation	Employer/ Business Name *	Contribution Received (FMV if Non-Monetary)	Non-Monetary Contribution Description	Contribution Allowed Per Person (Limit \$350)	Notes	Checklist			
									A	B	C	D
1	03/13/16	Ann	Retired		50.00		50.00		X	X	N/A	X
2	07/21/16	Ann	Retired		50.00		50.00	2 <sup>nd</sup> cont – okay	X	X	N/A	X
3	03/28/16	Carolyn	Homemaker		40.00		40.00		X	X	N/A	X
4	03/09/16	Dennis	Attorney	Master Legal LLP	100.00		100.00		X	X	N/A	X
5	01/27/16	Duane	Retired		50.00		50.00		3	3	N/A	3
6	07/21/16	Duane	Retired		100.00		100.00	2 <sup>nd</sup> cont – okay	X	X	N/A	X
7	06/30/16	Elsie	Retired		100.00		100.00		X	X	N/A	X
8	01/27/16	Elsie	Retired		50.00		50.00	2 <sup>nd</sup> cont - okay	X	X	N/A	X
9	02/22/16	Eric	Manager	XYZ Inc.	35.00		35.00		X	X	N/A	X
10	03/21/16	Gillis	Retired		40.00		40.00		X	X	N/A	X
11	09/27/16	James	Retired		25.00		25.00		X	X	N/A	X
12	09/27/16	Jewell	Retired		100.00		100.00		X	X	N/A	X
13	03/25/16	Joan	Retired		50.00		50.00		X	X	N/A	X
14	03/09/16	Joan	Retired		100.00		100.00		X	X	N/A	X
15	02/16/16	Linda J.	***	***	100.00		100.00		X	X	N/A	X
16	07/26/16	Long Beach MWD	ID #12345		350.00		350.00		X	X	N/A	X
17	01/27/16	Pamela	Medical Doctor	United Medical	50.00		50.00		X	X	N/A	X
18	12/22/13	Paul	Attorney	Law Offices of A, A & C	100.00		100.00		X	X	N/A	X
19	08/31/16	Paul	Attorney	Law Offices of A, A & C	250.00		250.00		X	X	N/A	X
20	02/06/16	Paul	Retired		35.00		35.00		X	X	N/A	X
21	09/27/13	Raymond (**Missing Adrs)	Retired		10.00		10.00		X	X	N/A	X
22	02/06/16	Robert	Consultant	Strikeway Enterprises	50.00		50.00		X	X	N/A	X
23	03/13/16	Robert	Attorney	Law Offices of A, A & C	50.00		50.00		X	X	N/A	X
24	07/21/16	Sharon	Retired		250.00		250.00	2 <sup>nd</sup> cont - okay	X	X	N/A	X
25	04/22/16	Susan	Retired		100.00		100.00		X	X	N/A	X
26	07/19/16	Susy	Retired		50.00		50.00		X	X	N/A	X
27	03/21/16	Virginia	Retired		20.00		20.00		X	X	N/A	X
28	07/21/16	Vonnie	Retired		20.00		20.00		X	X	N/A	X

Total through 8/31/16	<u>2,325.00</u>	<u>2,325.00</u>
		50.00%

**Matching through 8/31/16 1,162.50 Y**

**Explanatory Notes:**

- X Contribution is within guideline
- Y This is the hypothetical amount of matching from this application had candidate qualified for matching funds
- \*\*\* Required information missing
- N/A Already qualified for matching funds; determination of qualifying amount is unnecessary.
- 2 Name on contribution list is "James" but signature on check is "Mrs. James." Need Mrs. James' occupation and employer in order to count towards qualifying amount
- 3 Missing supporting documentation to substantiate contribution – contribution is excluded from qualifying amount.

9 - 5  
Document

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# **SECTION 10**

**Chapter 2.01 of the Long  
Beach Municipal Code**

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Chapter 2.01 of the Long Beach Municipal Code

## **"The Long Beach Campaign Reform Act"**

(Proposition "M" voted into law by the City of Long Beach electorate on  
June 7, 1994)

## CHAPTER 2.01 - THE LONG BEACH CAMPAIGN REFORM ACT

### DIVISION I. - TITLE, FINDINGS AND PURPOSE

#### 2.01.110 - Title.

This Chapter 2.01 may be cited as the Long Beach Campaign Reform Act.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### 2.01.120 - Findings and declarations.

In enacting this Chapter 2.01, the following findings and declarations are adopted:

- A. Monetary contributions to political campaigns are a legitimate form of participation in the political process, but the financial strength of certain individuals or organizations should not permit the exercise of a disproportionate or controlling influence on the election of candidates.
- B. The rapidly increasing costs of political campaigns have forced many candidates to raise larger and larger amounts of money from individuals and interest groups with a specific financial stake in matters before the City Council. This has caused a public perception that votes are being improperly influenced by monetary contributions. This perception is undermining the credibility and integrity of the governmental process.
- C. Candidates are raising less money in small contributions and more money in large individual and organizational contributions. This has created the public impression that the small contributor has an insignificant role to play in political campaigns.
- D. High campaign costs are forcing officeholders to spend more time on fundraising and less time on the public's business. The constant pressure to raise contributions is distracting officeholders from urgent governmental matters.
- E. Officeholders are responding to high campaign costs by raising large amounts of money in off-election years. This fundraising distracts them from important public matters, encourages contributions which may have a corrupting influence and gives incumbents an overwhelming and patently unfair fundraising advantage over potential challengers.
- F. The integrity of the governmental process, the competitiveness of campaigns and public confidence in local officials are all diminishing.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### 2.01.130 - Purpose.

It is the purpose of this Chapter 2.01:

- A. To insure that individuals and interest groups in Long Beach have a fair and equal opportunity to participate in municipal elective and governmental processes.
- B. To reduce the influence of large contributors with a specific financial stake in matters before the City Council, thus countering the perception that decisions are influenced more by the size of contributions than the best interests of the people of the City.
- C. To assist serious candidates in raising enough money to communicate their views and positions adequately to the public without excessive expenditures or contributions, thereby promoting public discussion of the important issues involved in political campaigns.

- D. To limit overall expenditures in campaigns, thereby reducing the pressure on candidates to raise large campaign war chests for defensive purposes, beyond the amount necessary to communicate reasonably with voters.
- E. To provide a neutral source of campaign financing in the form of limited public matching funds.
- F. To increase the value to candidates of smaller contributions.
- G. To eliminate fundraising except during an election cycle.
- H. To reduce the excessive fundraising advantage of incumbents and thus encourage competition for elective office.
- I. To allow candidates and officeholders to spend a lesser proportion of their time on fundraising and a greater proportion of their time dealing with issues of importance to their constituents.
- J. To improve the disclosure of contribution sources in reasonable and effective ways.
- K. To help restore public trust in local governmental and electoral institutions.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

## DIVISION II. - DEFINITIONS

### 2.01.210 - Definitions.

For purpose of this Chapter 2.01, the following words and phrases shall have the meanings set forth as follows unless the contrary is stated or clearly appears from the content:

- A. "Qualified campaign expenditure" means any of the following:
  - 1. Any expenditure made by a candidate for City office, or by a committee controlled by such a candidate, for the purpose of influencing or attempting to influence the actions of the voters for or against the election of any City candidate.
  - 2. A nonmonetary contribution provided at the request of or with the approval of the candidate, officeholder or committee controlled by the candidate or officeholder.
  - 3. That portion of the total cost of a slate mailing or mailing of other campaign literature produced or authorized by more than one (1) candidate which is the greater of the cost actually paid or incurred by the committee or controlled committee of the candidate or the proportionate share of the total cost attributable to each such candidate. The number of candidates sharing costs and the emphasis on or space devoted to each such candidate shall be considered in determining the cost attributable to each such candidate.
  - 4. "Qualified campaign expenditure" does not include any payment if it is clear from the surrounding circumstances that it was not made in any part for political purposes.
- B. "Election Cycle" means that period commencing with January 1 of an odd-numbered year and ending twelve (12) months after the regular general election. If there is no general election in that election year, then the Election Cycle shall end twelve (12) months after the primary election. For a special election, the "Election Cycle" commences with the declaration of a vacancy in an elective office and ends twelve (12) months after the special election date.
- C. "Campaign reform account" means the account of the general fund created by Section 2.01.910.
- D. "Person" means any individual, organization or political action committee whose contributions or expenditure activities are financed, maintained or controlled by any corporation, labor organization, association, political party or any other person or committee, including any parent,

subsidiary, branch, division, department or local unit of the corporation, labor organization, association, political party or any other person, or by any group of such persons.

Two (2) or more entities shall be deemed one (1) person when any of the following circumstances apply:

The entities share the majority of members of their Boards of Directors; or

The entities share two (2) or more officers; or

The entities are owned or controlled by the same majority shareholder or shareholders; or

The entities are in a parent-subsidiary relationship.

An individual and any general partnership in which the individual is a general partner, or an individual and any corporation in which the individual owns a controlling interest, shall be deemed one (1) person.

([ORD-14-0020](#), § 1, 2014; Ord. C-7661 § 1, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

#### 2.01.220 - Interpretation.

Unless a term is specifically defined in this Chapter 2.01 or the contrary is stated or clearly appears from the context, the definitions set forth in California Government Code, Section 82000 et seq., shall govern the interpretation of this Chapter 2.01.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

### DIVISION III. - CONTRIBUTION LIMITATIONS

#### 2.01.310 - Limitations on contributions from persons.

- A. For primary and general elections, no person shall make to any candidate for office or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from any such person, a contribution or contributions totaling more than two hundred fifty dollars (\$250.00) for the primary election and two hundred fifty dollars (\$250.00) for the runoff election if the candidate is on the runoff ballot or is a write-in candidate for the office of City Councilmember, three hundred fifty dollars (\$350.00) for the primary election and three hundred fifty dollars (\$350.00) for the runoff election if the candidate is on the runoff ballot or is a write-in candidate for City Attorney, City Auditor or City Prosecutor or five hundred dollars (\$500.00) for the primary election and five hundred dollars (\$500.00) for the runoff election if the candidate is on the runoff ballot or is a write-in candidate for Mayor.
- B. For primary and general elections, no person shall make to any committee which supports or opposes any candidate and no such committee shall accept from each such person a contribution or contributions totaling more than two hundred fifty dollars (\$250.00) for the primary election and two hundred fifty dollars (\$250.00) for the runoff election for City Councilmembers, three hundred fifty dollars (\$350.00) for the primary election and three hundred fifty dollars (\$350.00) for the runoff election for City Attorney, City Auditor or City Prosecutor, or five hundred dollars (\$500.00) for the primary election and five hundred dollars (\$500.00) for the runoff election for Mayor.
- C. For special elections, no person shall make to any candidate for office or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from any such person, a contribution or contributions totaling more than one thousand dollars (\$1,000.00); and no political committee (as defined in California Government Code Section 82013) shall make to

any candidate for office or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from any such political committee, a contribution or contributions totaling more than two thousand five hundred dollars (\$2,500.00).

(Ord. C-7720 § 1, 2001; Ord. C-7661 § 2, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

2.01.320 - Prohibition on nonelection cycle contributions.

No candidate or officeholder or the controlled committee of such a person shall accept any contribution except during an election cycle in which the candidate or officeholder intends to run for or be a write-in candidate for the office for which the contribution is made.

(Ord. C-7283 § 2, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

2.01.330 - Reserved.

**Editor's note**— [ORD-14-0020](#), § 12, adopted Nov. 18, 2014, repealed § 2.01.330 entitled "Return of contributions", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

2.01.340 - Loans.

- A. A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this Chapter.
- B. Every loan to a candidate's controlled committee shall be by written agreement.
- C. The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business and on the same terms available to members of the public and which is secured or guaranteed shall not be subject to the contribution limitations of this Chapter.
- D. Extensions of credit, other than loans pursuant to Subsection 2.01.340.C, for a period of more than thirty (30) days are subject to the contribution limitations of this Chapter.
- E. Notwithstanding any other provision of this Section 2.01.340: (1) a candidate for City Council shall not loan or otherwise transfer to his or her campaign, funds, or other thing of value, in excess of ten thousand dollars (\$10,000.00) in a primary election and ten thousand dollars (\$10,000.00) in a runoff election; (2) a candidate for City Attorney, City Auditor or City Prosecutor shall not loan or otherwise transfer to his or her campaign, funds, or other thing of value, in excess of fifteen thousand dollars (\$15,000.00) in a primary election and fifteen thousand dollars (\$15,000.00) in a runoff election; and, (3) a candidate for Mayor shall not loan or otherwise transfer to his or her campaign, funds, or other thing of value, in excess of twenty-five thousand dollars (\$25,000.00) in a primary election and twenty-five thousand dollars (\$25,000.00) in a runoff election. Nothing herein shall be construed to restrict a candidate from contributing his or her own funds or assets to his or her campaign.

([ORD-14-0020](#), § 2, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

2.01.350 - Reserved.

**Editor's note**— [ORD-14-0020](#), § 12, adopted Nov. 18, 2014, repealed § 2.01.350 entitled "Family contributions", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

2.01.360 - Treatment of money received as contributions, income or gifts.

Any funds received by any elected official or candidate running in the jurisdiction or any committee controlled by such an official or candidate shall be considered either a campaign contribution, income or a gift. All campaign contributions received by such persons shall be subject to the provisions of this act unless such campaign contributions are used exclusively for elections held outside the jurisdiction. All income and gifts shall be subject to the disqualification provisions of the Political Reform Act, Government Code, Section 87100 et seq.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

2.01.370 - One campaign committee and one checking account per candidate.

Except as may be otherwise provided by State law, a candidate shall have no more than one (1) campaign committee and one (1) checking account per election out of which all expenditures shall be made. This Section shall not prohibit the establishment of savings accounts, but no qualified campaign expenditures shall be made out of these savings accounts. This Section shall not prohibit the transfer of funds or "carry over" in excess of net debt from the primary election for use in the general election for the same candidate.

([ORD-14-0020](#), § 3, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

2.01.380 - Contributions for officeholder expense fund.

- A. Notwithstanding any other provisions of this Chapter, upon taking office each elected City officeholder may establish an officeholder expense fund and may solicit and accept contributions for said officeholder expense fund not to exceed a total amount of thirty thousand dollars (\$30,000.00) per calendar year for City Councilmembers and seventy-five thousand dollars (\$75,000.00) per calendar year for the City Attorney, City Auditor, City Prosecutor and Mayor. No person shall make and no elected City officeholder or officeholder expense fund shall solicit or accept from any person, a contribution or contributions to the officeholder expense fund totaling more than seven hundred fifty dollars (\$750.00) per calendar year for City Councilmembers and one thousand dollars (\$1,000.00) per calendar year for City Attorney, City Auditor, City Prosecutor and Mayor. The money in such fund shall be expended and used only for the purpose of officeholder expenses associated with holding office, in accordance with and authorized by the applicable provisions of Sections 89512 through 89519 of the California Government Code, except for Subsection 89513(e) and that part of Subsection 89513(g) relating to loans to candidates, political parties or committees. None of such officeholder expense funds may be used or expended in connection with a future election for an elective City office or for any expenditures that would violate the provisions of Government Code Sections 89506 or 89512 through 89519.
- B. Each such officeholder expense fund shall be considered a subaccount of the officeholder's controlled committee. All solicitations made and contributions received for an officeholder expense fund shall be clearly designated as being made or received for such uses and purposes.
- C. The officeholder or his or her treasurer shall retain all receipts, invoices, written agreements and other documents relating to expenditures from such officeholder expense fund.

([ORD-15-0004](#) § 1, 2015; [ORD-10-0028](#), § 1, 2010; [ORD-07-0037](#) § 1, 2007; Ord. C-7314 § 1, 1995)

2.01.390 - Transfer of funds.

Officeholder funds may not be used as a transfer, loan or contribution to any other candidate for local, State or federal elective office.

([ORD-14-0020](#), § 4, 2014; Ord. C-7661 § 8, 1999)

#### 2.01.395 - IntraCandidate transfers

A candidate for local elective office in Long Beach shall not transfer campaign funds from a controlled non-City campaign account into a local Long Beach campaign account except as specified below:

Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, last out" accounting method, and their attributed contributions when aggregated with all other contributions from the same contributor may not exceed the limits set forth in Section 2.01.310.

([ORD-14-0020](#), § 11, 2014)

### DIVISION IV. - EXPENDITURE CEILINGS AND MATCHING FUNDS

#### 2.01.410 - Expenditure ceilings.

No candidate for office who files a statement of acceptance of expenditure ceilings nor any controlled committee of such a candidate shall make qualified campaign expenditures above the following amounts and subject to the following restrictions:

- A.
  1. Except as otherwise provided herein, a candidate for City Council may not spend more than forty thousand dollars (\$40,000.00) in the primary or more than twenty thousand dollars (\$20,000.00) in the runoff election to be eligible for matching funds.
  2. In order to qualify for matching funds, a City Council candidate: (a) must raise at least five thousand dollars (\$5,000.00) in contributions of two hundred fifty dollars (\$250.00) or less within the election cycle, of which only up to the first one hundred dollars (\$100.00) of each contribution may be counted for purposes of achieving the qualifying total of five thousand dollars (\$5,000.00); and (b) must be opposed by a candidate who has qualified for matching funds or who has raised ten thousand dollars (\$10,000.00).
  3. The maximum available matching funds shall be an amount not to exceed thirty-three percent (33%) of the maximum amount permitted for expenditure in the primary and fifty percent (50%) of the maximum amount permitted for expenditure in the runoff election.
  4. During each election cycle, the City Clerk shall, immediately following the final day for filing nominating petitions for the office of City Councilmember, ascertain: (a) the number of registered voters in each councilmanic district as of the final day for filing; and (b) the mean number of voters in all such districts. Thereafter, and for the ensuing election cycle, in each district where the number of registered voters exceeds the mean, the expenditure limitations of forty thousand dollars (\$40,000.00) and twenty thousand dollars (\$20,000.00) shall be increased two dollars (\$2.00) and one dollar (\$1.00), respectively, for each registered voter in excess of the mean.
- B. A candidate for City Attorney, City Auditor or City Prosecutor may not spend more than one hundred thousand dollars (\$100,000.00) in the primary or more than fifty thousand dollars (\$50,000.00) in the runoff election. In order to qualify for matching funds, such a candidate:
  1. Must raise at least ten thousand dollars (\$10,000.00) in contributions of three hundred fifty dollars (\$350.00) or less within the election cycle, of which such contributions, only up to the

first one hundred fifty dollars (\$150.00) each, may be counted for purposes of achieving the qualifying total of ten thousand dollars (\$10,000.00); and

2. Must be opposed by a candidate who has qualified for matching funds or who has raised twenty thousand dollars (\$20,000.00). The maximum available matching funds shall be an amount not to exceed thirty-three percent (33%) of the maximum amount permitted for expenditure in the primary and fifty percent (50%) of the maximum amount permitted for expenditure in the runoff election.
- C. A candidate for Mayor may not spend more than two hundred thousand dollars (\$200,000.00) in the primary or more than one hundred thousand dollars (\$100,000.00) in the runoff election to be eligible for matching funds. In order to qualify for matching funds, such a candidate:
1. Must raise at least twenty thousand dollars (\$20,000.00) in contributions of five hundred dollars (\$500.00) or less within the election cycle, of which such contributions, only up to the first two hundred dollars (\$200.00) of each may be counted for the purpose of achieving the qualifying total of twenty thousand dollars (\$20,000.00); and
  2. Must be opposed by a candidate who has qualified for matching funds or who has raised forty thousand dollars (\$40,000.00). The maximum available matching funds shall be an amount not to exceed thirty-three percent (33%) of the maximum amount permitted for expenditure in the primary and fifty percent (50%) of the maximum amount permitted for expenditure in the runoff election.
- D. It is the intent of Subsections 2.01.410.A, 2.01.410.B and 2.01.410.C of this Section that candidates who qualify for matching funds in primary elections shall receive one dollar (\$1.00) in matching funds for every two dollars (\$2.00) raised through contributions and that candidates who qualify for matching funds in runoff elections shall receive one dollar (\$1.00) in matching funds for every one dollar (\$1.00) raised through contributions.
- E. Any candidate who has filed a statement of acceptance of the expenditure ceilings and desires to apply for matching funds may submit such application to the City Clerk on any normal business day between January 1 of an odd-numbered year through December 31 of the following year.
- F. Any candidate applying for matching funds must be current in his or her campaign statement filings with the City Clerk.
- G. A candidate wishing to apply for matching funds may submit such application with the City Clerk no more frequently than every ten (10) business days.
- H. The expenditure limits set forth in this Section shall not apply to candidates for office in any special election, nor shall such candidates be eligible for matching funds.

(Ord. C-7661 § 3, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### 2.01.420 - Time periods for expenditures.

For purposes of the expenditure ceilings, qualified campaign expenditures made at any time up to the date of the primary election shall be considered an expenditure for that election, and qualified campaign expenditures made after the date of the primary election shall be considered expenditures for the runoff (general) election. However, in the event that payments are made but the goods or services are not used during the period purchased, the payments shall be considered qualified campaign expenditures for the time period in which they are used. Payments for goods and services used in both periods shall be prorated.

([ORD-14-0020](#), § 5, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### DIVISION V. - ACCEPTANCE OF EXPENDITURE CEILINGS

2.01.510 - Candidate acceptance or rejection of expenditure ceilings.

- A. Each candidate for office, at the time of filing his or her nomination papers, shall file a statement accepting or rejecting the expenditure ceilings in Division IV.
- B. If a candidate declines to accept the expenditure ceilings in Section 2.01.410, the candidate shall be nonetheless subject to the contribution limitations in Section 2.01.310.
- C. A candidate who agrees to accept the expenditure ceilings in Section 2.01.410 may not change that decision, except that if an opposing candidate files a statement of rejection, then the candidate may rescind his or her acceptance within ten (10) calendar days of the last date for filing nomination papers provided that the candidate has not accepted any contributions in amounts greater than the limitations set forth in Section 2.01.310.
- D. If a primary candidate advances to the general municipal election, such candidate shall file a statement accepting or rejecting the expenditure ceilings with the City Clerk no later than five (5) working days after the primary nominating election results are officially declared by the City Council.

(Ord. C-7661 § 4, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

DIVISION VI. - INDEPENDENT EXPENDITURES

2.01.610 - Reserved.

**Editor's note**— [ORD-14-0020](#), § 12, adopted Nov. 18, 2014, repealed § 2.01.610 entitled "Contribution limitations", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

2.01.620 - Reserved.

**Editor's note**— [ORD-14-0020](#), § 12, adopted Nov. 18, 2014, repealed § 2.01.620 entitled "Reproduction of materials", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

2.01.630 - Notice of independent expenditures.

Any person who makes independent expenditures of more than two hundred fifty dollars (\$250.00) in support of or in opposition to any candidate shall notify the City Clerk and all candidates running for the same seat by telegram, facsimile or any other electronic means approved by the City Clerk each time such an expenditure is made.

(Ord. C-7661 § 5, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

DIVISION VII. - ADDITIONAL DISCLOSURE REQUIREMENTS

2.01.710 - Reserved.

2.01.720 - Additional pre-election campaign statement.

In addition to the campaign statement required to be filed pursuant to the Political Reform Act, commencing with Government Code Section 81000, candidates, their controlled committees and independent committees primarily formed to support or oppose candidates in Long Beach subject to this Act shall file a pre-election statement on the Friday before each election. This statement shall have a closing date of the Wednesday immediately preceding the election date.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

2.01.730 - Reserved.

**Editor's note**— [ORD-14-0020](#), § 12, adopted Nov. 18, 2014, repealed § 2.01.730 entitled "Disclosure of occupation and employer", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

#### DIVISION VIII. - AGENCY RESPONSIBILITY

2.01.810 - Duties of the City Clerk.

The City Clerk shall also:

- A. Adjust the expenditure ceilings, contribution limitations and public financing provisions in January of odd numbered years to reflect any increase or decrease in the Consumer Price Index as provided in Section 2.01.1210. Such adjustments shall be rounded off to the nearest one hundred dollars (\$100.00) for contributions and the nearest one thousand dollars (\$1,000.00) for expenditures and matching funds.
- B. Prescribe all necessary forms for filing statements and information.
- C. Prepare and release studies on the impact of this Act. These studies may include recommendations which further the purpose of this Chapter 2.01.

([ORD-14-0020](#), § 6, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### DIVISION IX. - CAMPAIGN ACCOUNT DESIGNATION

2.01.910 - Campaign account created.

There is hereby created a campaign account in the general fund of the City of Long Beach to which the City Council shall, from time to time, appropriate funds for expenditures pursuant to the purposes and provisions of this Chapter 2.01.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### DIVISION X. - DISPOSAL OF SURPLUS FUNDS

2.01.1010 - Surplus funds—Defined.

Any funds remaining to a candidate, or any controlled committee of such candidate, at the end of the Election Cycle, during which such funds have been raised, shall be defined as "surplus funds" and shall be disposed of only as provided in this Division X. Funds retained by a candidate and specifically earmarked for payment of campaign expenses lawfully incurred during the Election Cycle need not be included in surplus funds provided that, such expense payment is made no later than sixty (60) days after the end of the Election Cycle.

([ORD-14-0020](#), § 7, 2014; Ord. C-7661 § 6, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

2.01.1020 - Retention of twenty-five thousand dollars by officeholders.

Any person holding office as a result of a successful campaign resulting in surplus funds may retain and transfer up to twenty-five thousand dollars (\$25,000.00) of such surplus funds into his or her officeholder expense fund for expenditures associated with holding such office in accordance with the provisions of Sections 89512 and 89513 of the California Government Code. Any such transfer in accordance with this Section shall be counted toward the calendar year fund limit established by Subsection 2.01.380.A of this Code.

([ORD-15-0004](#) § 2, 2015; [ORD-10-0028](#), § 2, 2010; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

2.01.1030 - Disposal of surplus funds.

Except as provided in Section 2.01.1020, surplus funds shall be disposed of in the following order and priority:

- A. Surplus funds shall first be used to reimburse the campaign reform account of the City of Long Beach up to the full amount of matching funds, if any, received by the candidate.
- B. Any funds remaining after such reimbursement, if any, may be expended exclusively as provided in Section 89515 of the California Government Code and must be expended no later than sixty (60) days after the end of the Election Cycle.
- C. Any funds not expended pursuant to Subsections 2.01.1030.A or 2.01.1030.B by December 31 next following the end of the Election Cycle (or, in the case of a special election, one hundred twenty (120) days after the end of the Election Cycle) shall be paid immediately into the campaign reform account of the City of Long Beach.

([ORD-14-0020](#), § 8, 2014; Ord. C-7661 § 7, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

DIVISION XI. - ENFORCEMENT

2.01.1110 - Criminal actions.

- A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Act shall be guilty of a misdemeanor. Any person convicted of such a misdemeanor, unless provision is otherwise made herein, shall be punishable by a fine of not more than five hundred dollars

(\$500.00), or by imprisonment in the City or County jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

- B. As an alternative to the penalty provided in Subsection 2.01.1110.A, violation of or failure to comply with any provision of or condition lawfully imposed under this Act may be deemed to constitute an infraction as provided in Section 17 of the California Penal Code, and penalties for such infractions shall be as set forth in Subdivision 19e of the Penal Code.
- C. Any person who causes any other person to violate any provision of this Act, or who aids and abets any other person in the violation of any provision of this Act, shall be equally subject to the provisions of this Section.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-94)

#### 2.01.1120 - Civil action.

- A. Any person who violates any provision of this act shall be liable in a civil action brought by the City Attorney or, in the case of a conflict of interest on the part of the City Attorney, an attorney retained by the City on the City Attorney's recommendation, or by or on behalf of a person residing within the jurisdiction, for an amount not more than three (3) times the amount of the unlawful contribution or expenditure.
- B. If two (2) or more persons are responsible for any violation, they shall be jointly and severally liable.
- C. Any person, before filing a civil action pursuant to this Section, shall first file with the City Attorney a written request for the City Attorney to commence the action. The request shall contain a statement of the grounds for believing the cause of action exists. The City Attorney shall respond within forty (40) days after receipt of the request indicating whether he or she intends to file a civil action. (In the case of a conflict of interest on the part of the City Attorney, independent counsel shall be retained to formulate this response.) If the City Attorney or, when applicable, independent counsel indicates in the affirmative and files a suit within forty (40) days thereafter, no other action may be brought unless the action brought by the City Attorney or independent counsel is dismissed without prejudice.
- D. In determining the amount of liability, the court may take into account the seriousness of the violation and the degree of culpability of the defendant. If a judgment is entered against the defendant or defendants in an action, the entire amount shall be paid into the campaign reform account of the general fund of the City.
- E. No civil action alleging a violation of any provision of this act shall be filed more than four (4) years after the date the violation occurred.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

#### 2.01.1130 - Injunctive relief.

Any person residing in the jurisdiction, including the City Attorney, may sue for injunctive relief to enjoin violations or to compel compliance with the provisions of this act.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

#### 2.01.1140 - Cost of litigation.

The court may award to a plaintiff, or a defendant other than an agency, who prevails in any action authorized by this act, his or her costs of litigation, including reasonable attorney fees.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

2.01.1150 - Disqualification.

In addition to any other penalties prescribed by law, if an official receives a contribution violative of Sections 2.01.310 or 2.01.320, the official shall not be permitted to make, participate in making or in any way attempt to use his or her official position to influence any governmental decision in which the contributor has a financial interest. The provisions of Government Code Section 87100 et seq., and the regulations of the Fair Political Practices Commission shall apply to interpretations of this Section.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

DIVISION XII. - MISCELLANEOUS PROVISIONS

2.01.1210 - Inflation/deflation.

- A. Any amount subject to a limitation or ceiling, or established pursuant to formula set forth in Section 2.01.310 or Subsections 2.01.410.A.1 and 2.01.410.A.4 of this Chapter shall be automatically adjusted on January 1, 2015, and on January 1 of each odd numbered year thereafter, upward or downward, equivalent to the most recent change in the annual average of the Consumer Price Index as published by the United States Department of Labor for the Los Angeles-Long Beach-Anaheim Metropolitan area.
- B. For purposes of calculating the annual inflator/deflator factor under this Section, the base year shall be that year ending with the quarter ending June 30, 1995. Rates shall be adjusted on January 1, 2015, and every two (2) years thereafter, based on the annually calculated change from the base year. The adjustment shall be rounded to the nearest one hundred dollars (\$100.00).
- C. The adjusted amount as determined by this Section on January 1, of each odd numbered year shall remain the same amount for the entire Election Cycle as defined in Section 2.01.210 beginning January 1 of the same odd numbered year.

([ORD-14-0020](#), § 9, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

2.01.1220 - Applicability of other laws.

Nothing in this act shall exempt any person from applicable provisions of any other law.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

2.01.1230 - Severability.

If any section, subsection, subdivision, sentence, sum, percentage, clause or phrase of this act is for any reason held to be unconstitutional, invalid or void, such decision shall not affect the validity of the remaining portions of this act. The City Council hereby declares that it would have passed this act, and every section, subsection, subdivision, sentence, sum, percentage, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, sums, percentages, clauses or phrases thereof is declared unconstitutional, invalid or void.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)

2.01.1240 - Amendments.

- A. This Chapter may be amended from time to time by ordinance adopted by a two-thirds (2/3) vote of the members of the City Council upon a finding by the Council that such amendment is consistent with and in furtherance of the purposes of this Chapter.
- B. This Chapter may be amended or repealed at any time by an ordinance approved by the electors of the City of Long Beach.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-1994, eff. 6-24-1994)