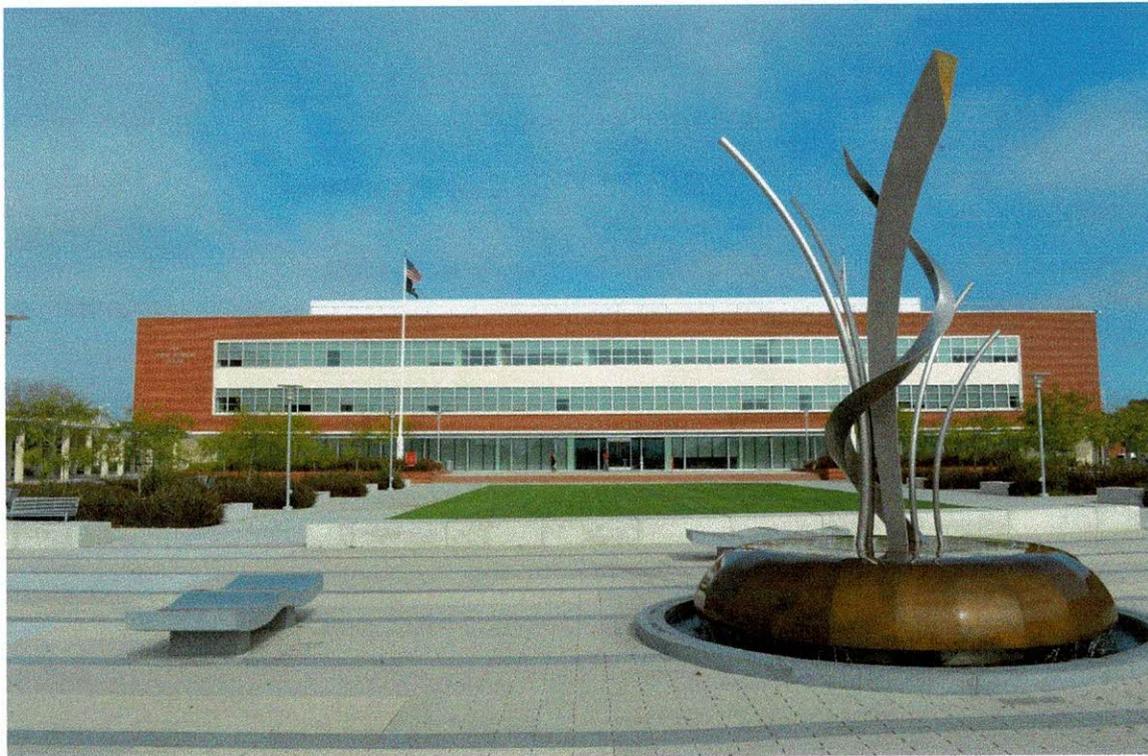




2022 CANDIDATE GUIDE
A Municipal Election Guide for Candidates
General Municipal Election of November 8, 2022

EFFECTIVE JULY 18, 2022



City of Pride and Purpose

Seats up for election:

Mayor

District 2

District 3

District 4

Four-Year Full Terms



OFFICE OF THE CITY CLERK

July 18, 2022

Dear Candidate for Richmond City Council:

Thank you for your interest in becoming a Richmond City Council candidate. The General Municipal Election will be held **November 8, 2022**, to fill the four-year term of mayor and three councilmembers for Districts 2, 3, and 4.

This guide has been revised and updated to assist candidates with the necessary information needed to successfully run for office during the **COVID-19 pandemic**. Whereas this guide is not all encompassing, it does cover all of the essential information that you will need to successfully file the proper paperwork with the City Clerk's Office, the Fair Political Practices Commission (FPPC), and/or the Secretary of State.

The nomination filing period is Monday, July 18, 2022, through Friday, August 12, 2022, 5 p.m. The nomination period extends to Wednesday, August 17, 2022, 5 p.m. if no incumbent files for re-election by Friday, August 12, 2022, 5 p.m. (Elections Code 10225). In order to practice social distancing, **All** candidates will be required to make an appointment to obtain and file nomination papers; **masks are required**.

As a candidate, you are required to file campaign reports. Please note that all campaign reports may be filed **electronically for free using NetFile**; more information about that process is in this guide under the "Campaign Statement Filings" tab. To file **manually**, please obtain official forms from the FPPC website at www.fppc.ca.gov. The deadlines for filing statements may also be found in this guide under the "Campaign Statement Filings" tab. For deadline dates that fall on a Saturday, Sunday or a holiday, use the next regular business day for transactions.

For additional election related information not answered in this booklet, feel free to contact our office with the understanding that our staff cannot provide legal advice or legal interpretations. For your own protection we urge you, for those types of questions, to consult an attorney that specializes in election law. Our office hours are Monday through Friday, 8:30 a.m. – 5:00 p.m.; phone (510) 620-6513, Ext. 9.

A handwritten signature in blue ink that reads "Pamela Christian". The signature is written in a cursive style and is positioned above a horizontal line.

Pamela Christian
Clerk of the City of Richmond

THIS CANDIDATE'S HANDBOOK IS INTENDED TO PROVIDE GENERAL INFORMATION FOR CANDIDATES AND COMMITTEES, AND DOES NOT HAVE THE FORCE AND EFFECT OF LAW, REGULATION OR RULE. IT IS DISTRIBUTED WITH THE UNDERSTANDING THAT THE CITY CLERK OF THE CITY OF RICHMOND IS NOT RENDERING LEGAL ADVICE. THEREFORE, THE HANDBOOK IS NOT A SUBSTITUTE FOR LEGAL COUNSEL FOR THE INDIVIDUAL, ORGANIZATION OR CANDIDATE USING IT. THE CITY CLERK STRONGLY RECOMMENDS THAT ANY PROSPECTIVE CANDIDATE OBTAIN LEGAL ADVICE, TO ASSIST IN COMPLYING WITH APPLICABLE CALIFORNIA LAWS, INCLUDING THE CALIFORNIA ELECTIONS CODE AND CALIFORNIA GOVERNMENT CODE

TABLE OF CONTENT

(See tabs)

**City Information/Contact Information/
Qualifications for Candidates**

**Election Key Dates/Number of Positions to be Elected/
Map of the City of Richmond/District Map 201/Statistics**

Filing as a Candidate (Getting Started/Pulling Papers)

Instruction for Completion of Nomination Packet

**Campaign Statement Filings
*(Electronic Filing System)***

Record Keeping

Campaign Signs

Electioneering at Polling Places

Common Questions/Resources

Write-In Candidates

Appendix A – Resolution and Ordinances

Appendix B – Sample Documents (Word Count Criteria, etc.)

Appendix C – Important Things to Remember – FPPC

CITY INFORMATION/CONTACT INFORMATION

Candidates will be seen by APPOINTMENT ONLY. Mask are required. To schedule an appointment, please send an email or call the Clerk's Office at the number listed below. If sending an email, please include in the subject line: "APPOINTMENT REQUEST"

CONTACT INFORMATION

- City Clerk's Office (510) 620-6513, Ext: 9
E-mail:
 - cityclerkdept@ci.richmond.ca.us
- Fair Political Practice Commission – (866) ASK-FPPC, (866) 275-3772
 - E-mail Advice: advice@fppc.ca.gov
 - FPPC Website: www.fppc.ca.gov
- Secretary of State – Political Reform Division (916) 653-6224

QUALIFICATIONS FOR CANDIDATE

Every candidate shall:

- A. Be a U.S. citizen. (Cal. Const., art. IV, § 2(c)1)
- B. 18 years of age by Election Day
- C. Be a registered voter in the City of Richmond for mayoral seat, or registered voter in the district you wish to run for within the City of Richmond, and otherwise qualified to vote for that office, at the time nomination papers are issued to the person.
- D. Eligible to take the Oath of Office
- E. Not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes. (Elections Code §20)

Election Key Dates

November 8, 2022, General Election

	APPLIES TO	DATES
Last day to file a resolution ordering an election for boards/council members	City and Special Districts	Jul. 6 E-125
	School Districts	Jul. 8 E-123
Candidate Filing Period	All Cities, School and Special Districts	Jul. 18 – Aug. 12 E-113 – 88
Last day to place a measure on the ballot	All Cities, School and Special Districts	Aug. 12 E-88
Extended Filing Period	If no incumbent files nomination papers by August 12, the filing period is extended for non-incumbents	Aug. 13 – 17 E-87 – 83
Public Review of "Ballot Designations" and "Candidate Statements"	All candidates	Aug. 13 – 22 E-87 – 78
	For "Candidate Statements" and "Ballot Designations" filed during the extended period	Aug. 18 – 27 E-82 – 73
Last day to withdraw "Candidate Statement"	All candidates	Aug. 15 E-85
	Candidates who filed during the extended filing period	Aug. 18 E-82
Last day to amend or withdraw a measure	All Cities, School and Special Districts	Aug. 17 E-83
Last day to file a petition forcing a contest on the General Election ballot	Applies only to offices where the number of candidates does not exceed the number of positions	Aug. 17 E-83
Measure letter assignment	Local measures	Aug. 18 E-82
Randomized alphabet drawing for ballot placement	All candidates	Aug. 18 E-82
Impartial Analyses Due	Local measures	Aug. 19 E-81
Last day to file Primary Arguments	Local measures	Aug. 24 E-76
Last day to file Rebuttal Arguments	Local measures	Aug. 29 E-71
Write-in Period	All offices	Sep. 12 – Oct. 25 E-57 – E-14

November 8, 2022, General Election

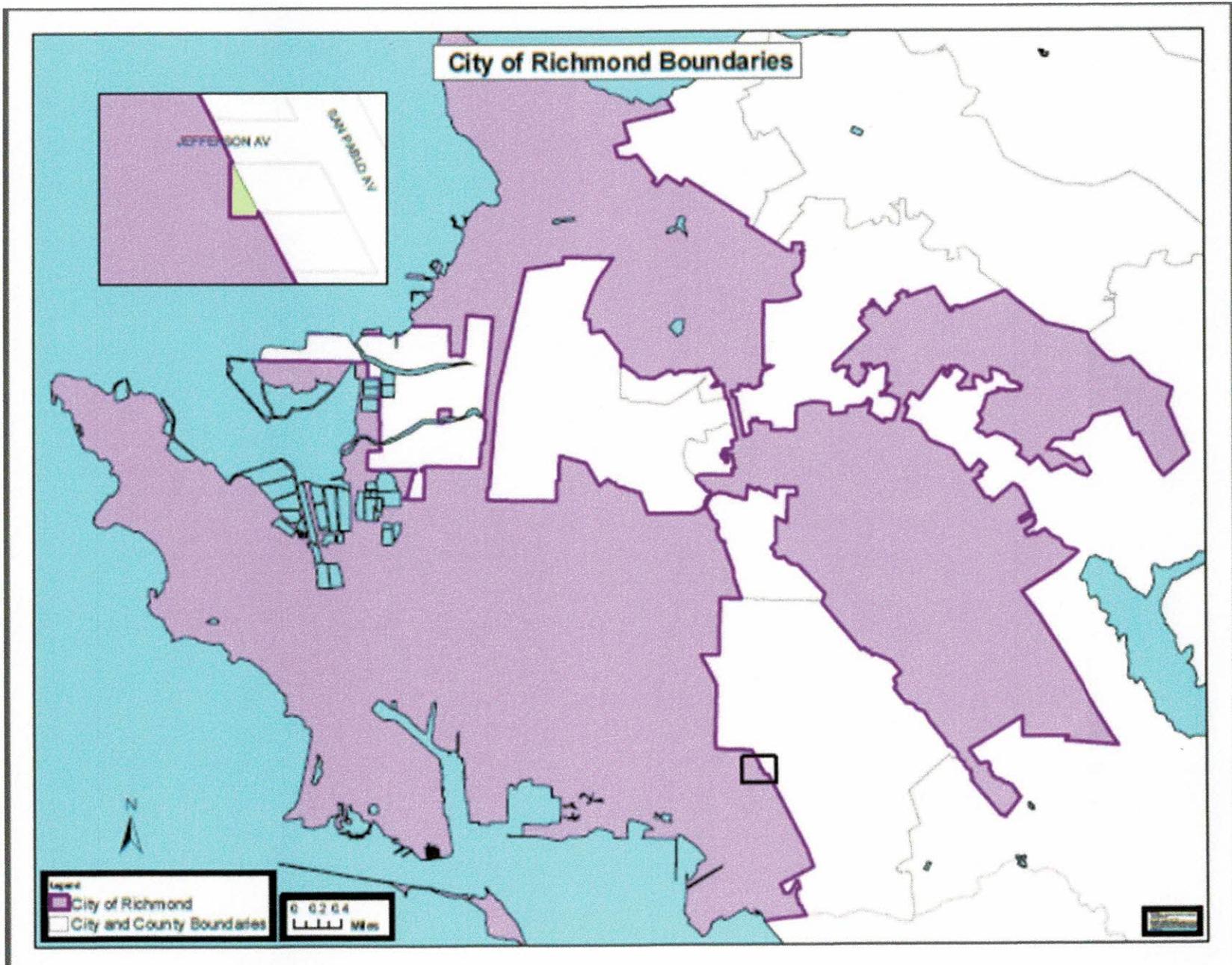
ELECTION KEY DATES

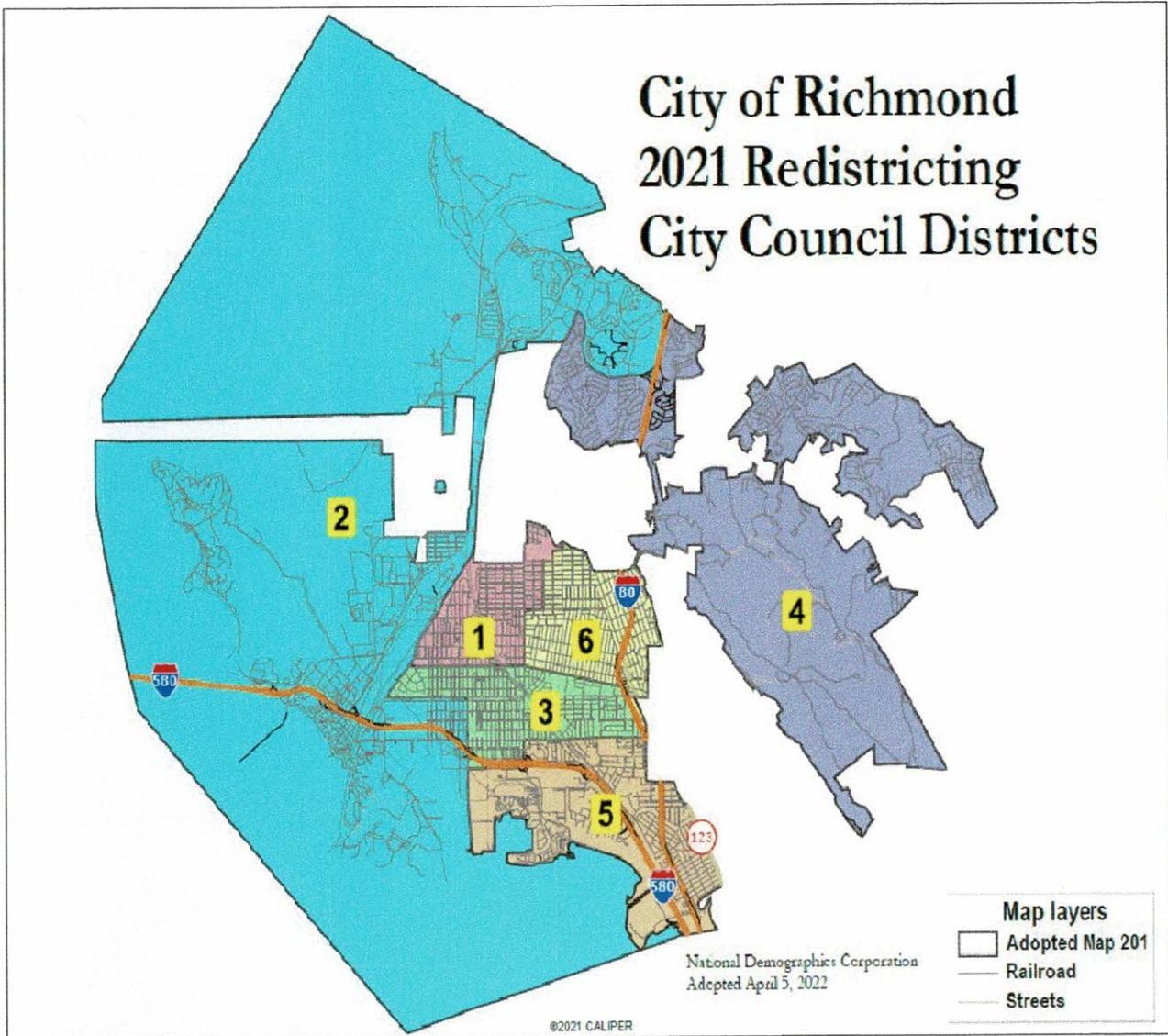
Military and Overseas Voters Ballots Mailed	September 24
Voter Information Guide Mailing	Approx. September 29
Vote by Mail Mailing	October 10
Registration Deadline	October 24
Supplemental Voter Information Guide Mailing	October 22
Last Day to Request a Vote by Mail Ballot	November 1
Last Day to Return or Mail a Vote by Mail Ballot	November 8
Election Day	November 8
Canvass Period	November 9 – December 8
Certification Deadline / Final Results Transmitted	December 8

NUMBER OF POSITIONS TO BE ELECTED

CITIES	NUMBER OF POSITIONS TO BE ELECTED	TERM OF OFFICE	NOMINATION SIGNATURES REQUIRED
Antioch	1 Councilmember, District 1 1 Councilmember, District 4	4 years	20
Brentwood	1 Councilmember, District 2 1 Councilmember, District 4		
Clayton	2 Councilmembers		
Concord	1 Treasurer 1 Councilmember, District 1 1 Councilmember, District 3 1 Councilmember, District 5		
Danville	2 Councilmembers		
El Cerrito	2 Councilmembers		
Hercules	2 Councilmembers		
Lafayette	2 Councilmembers		
Martinez	1 Mayor 1 Councilmember, District 1 1 Councilmember, District 4		
Moraga	2 Councilmembers 1 Councilmembers, Short Term		
Oakley	1 Councilmember, District 2 1 Councilmember, District 4		
Orinda	3 Councilmembers		
Pinole	3 Councilmembers		
Pittsburg	1 City Clerk 1 Treasurer 3 Councilmembers		
Pleasant Hill	2 Councilmembers		
Richmond	1 Mayor 1 Councilmember, District 2 1 Councilmember, District 3 1 Councilmember, District 4		
San Pablo	1 City Clerk 1 Treasurer 2 Councilmembers		
San Ramon	1 Mayor 1 Councilmember, District 2 1 Councilmember, District 4		
Walnut Creek	1 Treasurer 2 Councilmembers		

MAP OF THE CITY OF RICHMOND





City of Richmond - Map 201								
Category	Field	1	2	3	4	5	6	Total
2020 Census	Total Population	19,495	18,741	20,175	19,464	19,675	19,240	116,790
	Population Deviation	30	-724	710	-1	210	-225	1,434
	Pct. Deviation	0.15%	-3.72%	3.65%	-0.01%	1.08%	-1.16%	7.37%
Total Pop.	Hispanic/Latino	73%	37%	61%	24%	24%	47%	45%
	NH White	5%	19%	7%	20%	26%	21%	16%
	NH Black	13%	19%	24%	25%	25%	11%	20%
	NH Asian/Pac Isl	7%	21%	7%	27%	22%	19%	17%
	NH Native Amer.	0%	0%	0%	1%	1%	1%	1%
Citizen Voting Age Pop	Total	7,712	10,628	9,656	13,706	12,152	10,841	64,696
	Hisp	53%	22%	33%	19%	13%	27%	26%
	NH White	9%	32%	11%	28%	31%	33%	25%
	NH Black	23%	27%	43%	24%	36%	20%	29%
	Asian/Pac Isl	15%	17%	10%	28%	19%	19%	19%
	Native Amer.	1%	1%	2%	0%	1%	1%	1%
Voter Registration (Nov 2020)	Total	7,243	8,487	8,909	12,648	11,302	10,152	58,741
	Latino est.	52%	21%	32%	19%	14%	30%	26%
	Spanish-Surnamed	48%	19%	30%	17%	13%	28%	24%
	Asian-Surnamed	3%	9%	2%	11%	9%	7%	8%
	Filipino-Surnamed	1%	3%	1%	3%	2%	2%	2%
	NH White est.	11%	41%	12%	39%	42%	42%	34%
	NH Black	31%	26%	52%	30%	33%	19%	31%
Voter Turnout (Nov 2020)	Total	4,700	6,595	5,823	10,318	8,934	8,066	44,436
	Latino est.	54%	19%	33%	18%	13%	29%	25%
	Spanish-Surnamed	50%	18%	31%	17%	12%	27%	23%
	Asian-Surnamed	3%	9%	2%	11%	9%	7%	8%
	Filipino-Surnamed	1%	3%	1%	3%	2%	2%	2%
	NH White est.	11%	41%	12%	39%	42%	42%	34%
Voter Turnout (Nov 2018)	Total	2,811	4,455	3,709	7,320	6,475	5,709	30,479
	Latino est.	50%	14%	28%	16%	11%	25%	21%
	Spanish-Surnamed	48%	14%	26%	15%	10%	24%	20%
	Asian-Surnamed	2%	7%	2%	9%	8%	6%	6%
	Filipino-Surnamed	2%	2%	1%	3%	2%	1%	2%
	NH White est.	12%	48%	13%	42%	46%	45%	38%
Age	age0-19	31%	24%	29%	20%	22%	22%	25%
	age20-60	58%	59%	55%	54%	58%	58%	57%
	age60plus	11%	17%	16%	26%	20%	19%	18%
Immigration	immigrants	43%	33%	38%	28%	29%	38%	35%
	naturalized	29%	46%	32%	65%	48%	40%	42%
Language spoken at home	english	22%	47%	39%	56%	64%	46%	46%
	spanish	69%	36%	50%	19%	17%	38%	38%
	asian-lang	7%	11%	9%	14%	12%	10%	11%
	other lang	2%	6%	3%	11%	8%	6%	6%
Language Fluency	Speaks Eng. "Less than Very Well"	39%	22%	23%	17%	14%	25%	23%
Education (among those age 25+)	hs-grad	40%	38%	49%	44%	40%	43%	42%
	bachelor	9%	20%	12%	24%	22%	19%	18%
	graduatedegree	3%	12%	3%	11%	16%	10%	10%
Child in Household	child-under18	52%	34%	40%	29%	28%	32%	35%
Pct of Pop. Age 16+	employed	68%	66%	61%	63%	68%	72%	66%
Household Income	income 0-25k	13%	13%	25%	13%	18%	15%	16%
	income 25-50k	31%	19%	23%	17%	20%	14%	20%
	income 50-75k	23%	16%	19%	14%	16%	16%	17%
	income 75-200k	31%	42%	30%	48%	38%	48%	40%
	income 200k-plus	2%	10%	2%	9%	8%	7%	7%
Housing Stat:	single family	71%	54%	63%	77%	55%	82%	67%
	multi-family	29%	46%	37%	23%	45%	18%	33%
	rented	57%	58%	62%	32%	55%	42%	50%
	owned	43%	42%	38%	68%	45%	58%	50%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).

CITY OF RICHMOND VOTING DISTRICTS

On January 21, 2020, the City of Richmond adopted Ordinance No. 40-20 N.S. changing the system for electing members of the City Council from an at-large system to an election by district.

The Mayor is still elected At Large; City Council Members are elected by six districts.

A person is not eligible to hold office as mayor unless he or she resides and is a registered voter in the City of Richmond. A person is not eligible to hold office as a City Council Member unless he or she is a registered voter and resides within the designated district boundary.

Persons signing nomination petitions for a mayor candidate must be a registered voter in the City of Richmond. Persons signing nomination petitions for a City Council Member shall be registered to vote in the district from which the Council Member is to be elected.

Dates of election:

District 1	November 2020
District 2	November 2022
District 3	November 2022
District 4	November 2022
District 5	November 2020
District 6	November 2020

FILING AS A CANDIDATE

“GETTING STARTED”

- Review the Fair Political Practices Commission (“FPPC”) [Campaign Disclosure Manual 2](#), which is available online at www.fppc.ca.gov. This manual provides information on campaign disclosure rules as required under the Political Reform Act. If you have any questions, the FPPC provides advice by phone at 1-800-275-3772 or by e-mail at advice@fppc.ca.gov.
- File [FPPC Form 501 Candidate Intention Statement](#) with the City Clerk before receiving contributions or spending own funds. (Blank forms are available at www.fppc.ca.gov and [Campaign Disclosure Manual 2](#) gives detailed instructions for completing Form 501).
- Keep a record of all expenditures and contributions of \$25 or more (refer to [Campaign Disclosure Manual 2](#) for record keeping guidelines).
- Never accept or spend \$100 or more in *cash*.
- Open a bank account if you plan to receive contributions from others or you plan to expend personal funds totaling \$2,000 or more. All money used for campaign purposes, including the candidate’s personal funds, must be deposited in the campaign bank account prior to the expenditure. The only exception is the filing fee and candidate statement deposit.

File [FPPC Form 410 Statement of Organization](#) with the Secretary of State along with a filing fee of \$50.00, made payable to the Secretary of State, within 10 days of receiving \$2,000 in contributions. File a copy of the form 410 with the city clerk. (Blank forms are available at www.fppc.ca.gov and [Campaign Disclosure Manual 2](#) gives detailed instructions for completing Form 410).

“PULLING PAPERS” **Jul 18 – Aug 12 (5 p.m.*)**

The following papers are included in the nomination packet and must be filed with the City Clerk before the close of the nomination period: (*The filing period extends to 5 p.m. Wednesday, August 17, 2022, if an incumbent does not file by Friday, August 12, 2022, 5 p.m.) FOR NON-INCUMBENTS ONLY

- Nomination Paper (**mandatory**)
- Ballot Designation Worksheet (**mandatory**)
- [FPPC Form 700](#) – Statement of Economic Interest (**mandatory**)
- Candidate’s Statement and filing fee Deposit (**optional** – must be filed w/Nomination Paper)
- Subscription to Code of Fair Campaign Practices (**optional**)
- Statement of Responsibility for Political Signs (**mandatory**)
- Candidate acknowledgement of sign regulation (**mandatory**)
- Declaration of Candidacy (**mandatory** – does not leave office file)
- Filing Fee - \$960.00 (**mandatory** – Mayoral seat); \$336.60 (**mandatory** - Council seat), Pursuant to Article V, Section 2 of the City Charter (please refer to Appendix A, Ordinance No. 6-81 N.S. in this guide).

INSTRUCTIONS FOR COMPLETION OF PAPERS
INCLUDED IN NOMINATION PACKET

“Nomination Papers” (mandatory)

Nomination papers hold 10 signatures per form. You will need not less than 20 nor more than 30 registered voters to sign your Nomination Paper. You will need approximately three nomination papers to gather the required signatures. Each signer for: (1) mayoral seat must be a registered voter residing in the City of Richmond, or for a Council district seat, must be registered in the district of which you are running for within the City of Richmond; (2) must sign his/her name, print his/her name, and print his/her address; and (3) must not sign more than one mayoral candidate nomination paper, or more than one council district nomination paper—otherwise the signature is not counted. Only one person can circulate the Nomination Paper. The circulator **must** reside within the City of Richmond for mayoral seat, or **must** reside within the district you are running for. You may circulate your own paper. Have the circulator complete the Declaration of Circulator. Leave the Affidavit of Nominee blank; this will be completed at the time you file your Nomination Paper with the City Clerk.

“Ballot Designation Worksheet” (mandatory)

The Ballot Designation Worksheet supports the use of the ballot designation and is required to be completed by all candidates. If information requested is not applicable, candidates may write N/A in the space provided. Your ballot designation is your name and occupation as it will appear on the official ballot. Your occupation must be your principal profession, vocation, or occupation and may be no more than three words; however, you may use the full title of the elective office you currently hold.

Ballot designations may be rejected if they do not comply with the rules set by the California Election Code 13107. The candidate will be notified by phone or by registered or certified mail, with a return receipt, addressed to the mailing address appearing on the candidate’s ballot designation worksheet. If an alternative designation is not provided within the time allowed, no designation will appear on the ballot. (EC 13107, 13107.3, 13107.5)

Guidelines for acceptable ballot designations: Is it true? Is it accurate? Is it misleading? Is it generic? Is it neutral? Is it how you make a living?

Public Review Period:

After the close of the filing period, anyone may examine any candidate’s ballot designation. During a 10-calendar-day period commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held may seek a writ of mandate or an injunction challenging a ballot designation. No challenges may be submitted to or will be considered by the Registrar. (EC 13313, 13314)

“Statement of Economic Interest” (mandatory)

Complete the [FPPC Form 700](#)—Statement of Economic Interests. The report should cover the 12-month period prior to filing your Nomination Paper. (Blank forms are

available at www.fppc.ca.gov and [Campaign Disclosure Manual 2](#) gives detailed instructions for completing Form 700.)

“Candidate’s Statement of Qualifications” (optional)

Candidate’s Statement (optional) - This is a 250 word statement which will be printed in the sample ballot and mailed to voters. The “Candidate Statement” is designed to familiarize voters with a candidate’s qualifications and is mailed to registered voters.

NEW CANDIDATE STATEMENT FORMAT – THE FOLLOWING IS NOT ALLOWED: Bullets, stars, or asterisks, underlines, bolding, all caps (except for acronyms or abbreviations), lists, italics, and indentation. The cost of the statement is: Mayor \$1,312.80; District (2) \$323.28; District (3) \$322.32; and District (4) \$398.64 - and is paid by the Candidate. **The Statement shall contain no more than 250 words (see Appendix B for word count chart)** relating to the candidate’s education and qualifications. The statement will be mailed to voters along with the sample ballot and other official election material; the candidate must e-mail the text of the Statement to the City Clerk prior to filing his or her Nomination Petition. Statements must be e-mailed to Statements@ci.richmond.ca.us. **The Statement cannot be changed, but may be withdrawn until 5:00 p.m. on the next working day following the close of the nominating period.**

The statement of each candidate will be printed block form, in type of uniform size and darkness, and with uniform spacing.

Public Review Period:

After the close of the filing period, anyone may examine “Candidate Statements.” During a 10-calendar day period, commencing the day after the close of the filing period, any voter of the jurisdiction in which the election is being held or the county elections official may seek a writ of mandate or an injunction challenging any or all of the material in a “Candidate Statement.” No challenges may be submitted to or will be considered by the Registrar. (EC 13313, 13314)

IMPORTANT POINTS TO REMEMBER – STATEMENT OF QUALIFICATIONS

- Candidate Statements are optional.
- Statement shall not refer to opponents in any manner and may not include party affiliation of the candidate, nor membership or activity in partisan political organization.

Candidate must select one:

- Candidate Statement of Qualifications agreement or
- Do not wish to file a Candidate Statement.

Candidates are encouraged to:

- Carefully review the Candidate Statement Guidelines.
- Thoroughly review and proof the statement before filing. It cannot be changed after it has been officially filed.

“Subscription to Code of Fair Campaign Practices (optional)”

By subscribing to the “Code of Fair Campaign Practices,” a candidate vows to follow the principles of decency, honesty, and fair play.

“Statement of Responsibility for Political Signs” (mandatory)”

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations
Outdoor Advertising Program
P.O. Box 942874, MS-36
Sacramento, CA 94274-0001

Copy to candidate file

This statement will be mailed to the above address by the Filing Official

“Candidate acknowledgement of sign regulation” (mandatory)”

A completed and signed Statement of Acknowledgement must be submitted when filing campaign documents.

“Declaration of Candidacy” (mandatory) EC 8001, 8800, 8801 (completed upon filing papers – remains in office file)

The “Declaration of Candidacy” is filed by a candidate for Federal, State, County, County Central Committee/County Council, **City**, School and Special District offices. The “Declaration of Candidacy” is an official document in which the candidate indicates how his/her name and ballot designation is to appear on the ballot. The candidate declares that he/she meets the statutory and/or constitutional qualifications for the office sought, and that if nominated, the candidate will accept the nomination and not withdraw.

* - A candidate may, in a written statement signed and dated by the candidate, designate a person to receive a declaration of candidacy form from the elections official and deliver it to the candidate. The statement shall include language indicating that the candidate is aware that the declaration of candidacy must be properly executed and delivered to the City Clerk, the elections official, by the 88th day, August 12, 2022, prior to the direct primary election. That statement shall be retained by the elections official.

“Filing Fee” - \$930.00 (mandatory – Mayoral seat) and \$336.60 (mandatory - Council seat); refer to Article V, Section 2 of the City Charter (please refer to Ordinance No. 6-81 N.S. in Appendix A of this guide).

Total fees due when filing candidate papers: Without Candidate’s Statement (Mayoral seat \$930.00) and (Council \$336.60); **With Candidate’s Statement** (Mayoral Seat \$2,242.80), (District (2) - \$659.88; District (3) - \$658.92; and District (4) - \$735.24).

CAMPAIGN STATEMENT FILINGS

If you raise or spend money in connection with your election, you will be required to file Campaign Statements ([FPPC Form 460](#) or [FPPC Form 470](#)). The filing deadlines for the City of Richmond are below; information may be obtained on-line at www.fppc.ca.gov (click onto “learn” then “campaign rules,” then “Where and When to File Campaign Statements,” then “When to File Campaign Statements: State & Local Filing Schedules”). Review the [FPPC Campaign Disclosure Manual 2](#) for instructions on campaign filings. Please be advised that the City of Richmond required three pre-election statements which may be filed electronically for free at <https://www.netfile.com/Filer>

Filing Schedule for Candidates and Controlled Committees for Local Office Who Will be Voted Upon at the November 8, 2022, Election

Deadline	Period	Form	Notes
Aug 1, 2022 <i>Semi-Annual</i>	01/1/22 – 06/30/22	460	<ul style="list-style-type: none"> ▪ Each candidate listed on the ballot must file Form 460
Within 24 Hours <i>Contribution Reports</i>	08/10/22 – 11/8/22	497	<ul style="list-style-type: none"> ▪ File if a contribution of \$1,000 or more in the aggregate is received from a single source. ▪ File if a contribution of \$1,000 or more in the aggregate is made to <i>another</i> candidate or ballot measure being voted on the November 8, 2022. ▪ The recipient of a non-monetary contribution of \$1,000 or more must file a Form 497 within 48 hours from the time the contribution is received. ▪ File by personal delivery, e-mail, guaranteed overnight service, fax or online, if available.
Sep 29, 2022 <i>1st Pre-Election</i>	07/1/22 – 09/24/22	460 or 470	<ul style="list-style-type: none"> ▪ Each candidate listed on the ballot must file either Form 460 or Form 470 (see below).
Oct 27, 2022 <i>2nd Pre-Election</i>	09/25/22 – 10/22/22	460	<ul style="list-style-type: none"> ▪ All committees must file this report. ▪ Paper copies must be filed by personal delivery or guaranteed overnight service only.
Nov 4, 2022 <i>3rd Pre-Election</i>	10/23/22 – 11/03/22	460	<ul style="list-style-type: none"> ▪ City Ordinance No. 4-91 N.S.
Within 24 Hours	11/03/22 – 11/08/20	497	<ul style="list-style-type: none"> ▪ The recipient of monetary contributions of \$250 or more must file a Form 497 within 24 hours from the time the contribution is received.
Jan 31, 2023 <i>Semi-Annual</i>	10/23/22 – 12/31/22	460	<ul style="list-style-type: none"> ▪ All committees must file unless the committee filed termination Forms 410 and 460 before December 31, 2022.

- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to 24-hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure reports (Form 496). 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 statement may not be required if filing electronically

- **Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form 460:** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.
- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2022 and do not have an open committee may file Form 470 on or before September 29, 2022. If, later during the calendar year, the candidate raises or spends \$2,000 or more, a Form 460 Supplement and a Form 410 must be filed.

FILING ELECTRONICALLY – USING NETFILE

ACCESS TO NETFILE

The City Clerk’s Office will create a NetFile account using the information provided on your Form 410. The individual who will be managing the NetFile campaign account must create a user ID and then link it to the campaign account by following the following instructions:

Step 1: Create a User ID

- Go to <https://netfile.com/Filer>
- Click on “Create a New NetFile User”
- Complete the form
- Receive email from NetFile to confirm registration and receive a password

Step 2: Link User ID to Campaign Account

- Go back to <https://netfile.com/Filer>
- Log in using the username and password created in Step 1
- Click on “Link Local Campaign Filer Account”
- Enter committee information

PLEASE NOTE:

1. You are not required to file a paper copy of your campaign statement if you file electronically.
2. The FPPC is very pro-active in monitoring if candidates file campaign statements on time; please file reports by the due date.

RECORD KEEPING

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

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

- Date
- Amount (record the amount of each transaction and also the total cumulative amount)
- Name and Address of Contributor (or Payee)
- Contributor's Occupation and Employer (for contributions of \$100 or more)
- Description

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

CAMPAIGN SIGNS

Display of Signs

ALL CANDIDATES MUST OBTAIN A SIGN PERMIT BEFORE DISPLAYING OR ERECTING POLITICAL SIGNS.

Political signs can be displayed 90 days before the election, **but only after you have been officially qualified to run for office.** You will be contacted by the Filing Official (City Clerk). It is illegal to display or erect signs in state, county, or city rights-of-way or on City property.

Complaints and Removal of Illegally Posted Signs

Complaints about the location of political signs must be reviewed quickly to determine if signs have been posted on public or private property. The City of Richmond does not have authority to remove signs posted on private property, i.e. residence or business.

Candidates who illegally post political signs will receive a letter from the City Clerk informing them that their signs have been posted illegally. The letter will include the location and request that removal be completed within three days. Signs that are not removed with the three-day period will be removed by Code Enforcement and the candidate will be billed for the cost.

Removal of Signs Following The Election

All political signs must be removed within 10 days after the election.

**ELECTIONEERING
AT POLLING PLACES
November 8, 2022, Election**

Pursuant to California Elections Code Section 18541, the following regulations and rules will be enforced for all polling places in the City of Richmond:

- 18541. (a)** No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:
- (1)** Solicit a vote or speak to a voter on the subject of marking his or her ballot.
 - (2)** Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240 (Section 14240 is attached).
 - (3)** Photograph, video record, or otherwise record a voter entering or exiting a polling place.
- (b)** Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.
- (c)** For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Further, a polling place includes a residential garage, church, or school. Signs will be posted at the entrance of each polling site to indicate where the 100 feet restricted area begins.

COMMON QUESTIONS/RESOURCES

Filing Nomination Papers on Behalf of a Candidate

If a candidate is unable to file in person, he/she may designate a person to act on his/her behalf. A written statement, signed and dated by the candidate, authorizing a person to receive the "Declaration of Candidacy" form and all other nomination papers from the Elections Office is required. See Attachment E for a sample of the "Authorization Form". If the candidate will not be filing in person, the "Declaration of Candidacy" must be notarized before filing. Because an original signature is required, nomination documents may not be filed by fax. The candidate's designee may only receive and deliver papers and may not make any changes on the nomination documents. EC 8028

Notification of Qualification or Non-Qualification of Candidate

The County Election Department will notify the City Clerk by letter or email whether or not a candidate has or has not qualified as an official candidate.

Upon receipt of confirmation of the candidate's qualification or non-qualification, the City election official will send a letter or email informing the candidate of the status of their candidacy.

Election Cycle

An election cycle begins January 1 following the last November election for Mayor or Councilmember and ends December 31 of the same year of the following election for the same offices. (Section 10, Appendix A, Ordinance 29-94 N.S., Chapter 2.42.040 (i) of this guide).

Example: Mayor or Councilmembers seeking office in the November 3, 2020, election (successfully elected in November 2018 - served a four-year term)

The election cycle started January 1, 2019, and will end December 31, 2022.

How Names Appear on the Ballot

A randomized alphabet drawing by the Secretary of State is the basis for determining the order of candidates on the ballot. Each candidate will be placed on the ballot in the order that each of the letters of his/her surname was drawn. For example, the placement of candidates with the surnames of Campbell and Carlson will depend on the order in which the letters M and R were drawn.

Six calendar days after the end of the filing period, the Secretary of State conducts a drawing of the letters. In 2022 the drawings will be conducted on:

August 18, 2022 – General Election

Candidates Elected at November General Election

The candidate(s) for a school district, special district or city office that receive(s) the highest number of votes from all the ballots cast in his/her district for that office shall be elected to that office.

Election Night Results

Election results are available on the County website at www.cocovote.us beginning at 8:00 p.m. on Election Night. Results will be updated periodically, until all Election Day ballots are counted.

Candidates and/or members of their campaigns are welcome to observe the Election Night processes.

Observer guidelines will be issued upon arrival.

Final Official Results

Beginning the day after the election, a complete audit of all returns is performed. Any uncounted Vote-by-Mail ballots are processed and counted.

Additionally, provisional ballots are processed and counted and votes cast for qualified write-in candidates are counted.

Election code requires the canvass to be completed by 30 days following the election.

What is the deadline to register to vote in the November 8, 2022, election

October 24, 2022, is the deadline to register to vote in the November 8, 2022, election. Vote by mail ballots are obtained from the County Election Office, 555 Escobar Street, Martinez, CA, or if requested in writing, P.O. Box 271, Martinez, CA 94553. Vote by mail ballots will be mailed October 10, 2022. Applications will be included with the sample ballots and may also be obtained from the County Elections Office. For information regarding voting by mail, call the County Elections Office at (925) 335-7800.

Are there procedures for filing in-lieu petition for indigent candidates?

The City Council has adopted procedures for filing in-lieu petitions for indigent candidates who are unable to pay the filing fee. (See Section 10, Appendix A, Ordinance No. 6-81 N.S. of this guide).

WRITE-IN CANDIDATES

A person who did not file during the regular filing period may file for office as a write-in candidate. There is no fee or charge required of a write-in candidate, except in the case of some city offices.

Any person who desires to be a write-in candidate and have votes cast for him/her counted shall file a "Statement of Write-In Candidacy".

Forms are available at the City Clerk's Office between the following dates:

General Election: September 12 - October 25, 2022

Election Code 8600, 8601

Some offices require nomination signatures to be collected for a valid write-in candidacy. Signers of nomination papers for write-in candidates shall be registered voters in the City of Richmond for mayoral seat, or registered in the district in which the candidate is to be voted on. The required number of nomination signatures is 20, no more than 30.

The same forms required of other candidates who have filed during the regular filing period, must also be filed by write-in candidates. Write-in candidates may not submit a "Candidate Statement". Forms include the following: Candidate Guide, Write-in Nominations Papers, Code of Fair Campaign Practices, and Fair Political Practices Commission Packet.

Election Code 8605, 8606

Votes cast for official write-in candidates will be reported at the time of certification.

APPENDIX A - CITY GUIDELINES, RESOLUTION, AND ORDINANCES

Resolution:

- **Resolution No. 79-22** - **Resolution calling for the November 8, 2022, Election Including Regulations for Candidates**

Ordinances:

- **Ordinance No. 6-81 N.S.** - **Filing Fee**
- **Ordinance No. 3-85 N.S.** - **Candidate's Statement**
- **Ordinance No. 4-91 N.S.** - **Campaign Disclosure**
- **RMC 15.04.609.160** - **Permits for Multiple Temporary Signs**
- **Ordinance No. 29-94 N.S.** - **Fair Elections**
- **Ordinance No. 13-10 N.S.** - **Enforcement of Fair Elections Ordinance and Penalties for Violating Fair Elections Ordinance**

RESOLUTION NO. 79-22

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER OF SAID CITY; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA TO CONSOLIDATE THE MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2022, AND ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS, COSTS OF CANDIDATES' STATEMENTS AND OTHER FEES, WORD LIMIT FOR CANDIDATES' STATEMENTS, AND ACTION TO BE TAKEN IN CASE OF A TIE VOTE

WHEREAS, the Council of the City of Richmond California, has ordered as follows:

1. Pursuant to the requirements of the Charter of the City of Richmond, there is called and ordered to be held in the City of Richmond, California, on Tuesday, November 8, 2022, a Municipal Election for the purpose of electing a mayor for the full term of four years, and three members of the City Council for Districts 2, 3, and 4 for the full term of four years.

2. That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed.

3. That the notice of the time and place of holding the election is given, and the City Clerk is authorized, instructed, and directed to sign and publish said Notice of Election, in time, form, and manner as required by law in the EAST BAY TIMES, a newspaper of general circulation circulated within the City of Richmond, in accordance with the provisions of Sections 12101 of the Elections Code of the State of California.

4. The City Council directs the City Clerk to file a certified copy of this Resolution with the Registrar of Voters; and.

WHEREAS, it is desirable that the Municipal Election be consolidated with the Statewide General Election and other elections which may be held in whole or in part of the territory of the City, as provided in Section 10400 of the Elections Code of the State of California and that within the City, the precincts, polling places, and election officers be the same.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Richmond does resolve, declare, determine and order as follows:

1. Pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Contra Costa is hereby requested to consent and agree to the consolidation of a Municipal Election with the Statewide General Election and other elections held whole or in part of the territory of the City on Tuesday, November 8, 2022, for the purpose of electing a mayor for the full term of four years, and three members of the City Council for Districts 2, 3, and 4 for the full term of four years.
2. That the County Election Department is authorized to canvass the returns of the Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.
3. That the City of Richmond recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

4. That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Election Department of the County of Contra Costa.
5. That the boundaries of the City of Richmond have not changed since the November 2020 General Municipal Election.

IT IS FURTHER RESOLVED AND ORDERED THAT, pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at the November 8, 2022, Municipal Election may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age, and occupation of the candidate and a brief description of no more than 250 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the Office of the City Clerk at the time the candidate's nomination papers are filed. 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. Additionally, the following terms and conditions shall apply:

1. **FILING PERIOD:** The filing period for all candidates for elective office to the City Council will open Monday, July 18, 2022, at 8:30 a.m. and close on Friday, August 12, 2022, at 5:00 p.m. If an incumbent does not file his or her nomination papers by 5:00 p.m. on Friday, August 12, 2022, the nomination period will extend to Wednesday, August 17, 2022, 5:00 p.m., for non-incumbents only.
2. **PAYMENT OF FILING FEES:** Each candidate shall submit the following at the time of filing nomination papers:
 - (a) Candidates for City Council shall pay at the time he or she files nomination papers a fee in the amount of: For mayor: \$930.00 (2%) of the mayor's annual salary, and for Council district seat: \$336.60, which is equal to two percent (2%) of the annual Councilmember's salary as required in Section 2 of Article V of the Charter of the City of Richmond. Additional fees for will be required for the printing, handling, translating, and mailing of the optional candidate's statement – to be determined by the Contra Costa County Elections Division.
 - (b) Any candidate who is financially unable to pay the filing fee may submit a petition containing signatures of registered voters in lieu of the filing fee. The City Clerk shall furnish an in-lieu petition for securing signatures to any indigent candidate upon request; provided that such candidate completes an affidavit, supplied by the City Clerk, certifying under penalty of perjury that he or she is financially unable to pay the filing fee. The substitution of signatures for filing fees shall be subject to the following provisions:
 - (1) The in-lieu petition shall contain four signatures of registered voters for each dollar of filing fee (a total of 3,720 valid signatures required for mayor; a total of 1,346 valid signatures required for council).
 - (2) Registered voters signing an in-lieu petition must live in the district of the candidate running for office and must be eligible to vote for the candidate.
 - (3) A registered voter may sign both a candidate's nomination papers and his/her in-lieu petition, but the signature appearing on the candidate's in-lieu petition shall not count toward the number of signatures required to be submitted on the nomination papers.
 - (4) In-lieu petitions shall be filed with the City Clerk

15 days prior to the close of the nomination period. After the signatures on an in-lieu petition have been verified, the City Clerk shall immediately notify the candidate of any deficiency. The candidate may submit a supplemental petition with the necessary number of valid signatures at any time prior to the close of the nomination period.

- (5) A candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures, but the validity of a greater number of signatures than that required by subsection 1, above, shall not be determined.

IT IS FURTHER RESOLVED AND ORDERED THAT, if two or more candidates for mayor or in a district receive an equal and the highest number of votes, the City Clerk shall summon the candidates receiving the tie vote to appear before her, at the time designated by the City Clerk, in the Council Chamber. The City Clerk shall place the name of each candidate in a sealed unmarked envelope and the tie vote shall be broken by lot.

IT IS FURTHER RESOLVED AND ORDERED THAT the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the original Resolutions.

IT IS FURTHER RESOLVED AND ORDERED THAT the City Clerk shall provide each candidate a copy of this Resolution at the time nominating petitions are issued.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF RICHMOND

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held June 21, 2022, by the following vote:

AYES: Councilmembers Bates, Jimenez, Johnson III, McLaughlin,
Willis, Vice Mayor Martinez, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

THOMAS K. BUTT
Mayor

Approved as to form:

DAVE ALESHIRE
Interim City Attorney



State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 79-22**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 21, 2022.

Pamela Christian
Pamela Christian, Clerk of the City of Richmond

ORDINANCE NO. 5-81 N.S. ✓AN ORDINANCE PERTAINING TO THE FILING FEE TO BE PAID BY
CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMAN

The Council of the City of Richmond do ordain as follows:

Section 1. Every candidate for the office of Mayor or City Councilman shall, at the time of filing his petition for nomination, pay to the City Clerk the filing fee specified in the City Charter.

Section 2. Notwithstanding the provisions of Section 1, any candidate who is financially unable to pay the filing fee may submit a petition containing signatures of registered voters in lieu of the filing fee. The City Clerk shall furnish an in-lieu petition for securing signatures to any indigent candidate upon request; provided, that such candidate completes an affidavit, supplied by the City Clerk, certifying under penalty of perjury that he is financially unable to pay the filing fee. The substitution of signatures for fees shall be subject to the following provisions:

- (1) The in-lieu petition shall contain four (4) signatures of registered voters for each dollar of filing fee.
- (2) Any registered voter who is eligible to vote for a candidate for Mayor or City Councilman may sign an in-lieu petition.
- (3) A registered voter may sign both a candidate's nomination papers and his in-lieu petition, but the signatures appearing on the candidate's in-lieu petition shall not count toward the number of signatures required to be submitted on the nomination papers.
- (4) If a voter signs more candidates' in-lieu petitions than there are offices to be filled, the voter's

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signatures shall be valid only on those petitions which, taken in the order they were filed, do not exceed the number of offices to be filled.

- (5) In-lieu petitions shall be filed with the City Clerk at the same time the nomination papers are filed. After the signatures on an in-lieu petition have been verified, the City Clerk shall immediately notify the candidate of any deficiency. The candidate may submit a supplemental petition with the necessary number of valid signatures at any time prior to the close of the nomination period.
- (6) A candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures, but the validity of a greater number of signatures than that required by subsection (1), above, shall not be determined.

Section 3. This ordinance shall take effect and be in force on and after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond held January 26, 1981, and finally passed and adopted at a regular meeting thereof held February 2, 1981, by the following vote:

Ayes: Councilmen Corcoran, Silva, Greco, Bates, Allen, Wagerman, Livingston and Washington.

Noes: None.

Absent: None. (One vacancy)

HARLAN J. HEYDON
Clerk of the City of Richmond

Approved:

(SEAL)

LONNIE C. WASHINGTON, JR.
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

I certify that the foregoing is a true copy of Ordinance No. 6-81,N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting held February 2, 1981, and published in accordance with law.

Harlan J. Heydon
Clerk of the City of Richmond

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND AMENDING SECTION 2.16.080 TO THE MUNICIPAL CODE OF SAID CITY PERTAINING TO A CANDIDATE'S STATEMENT

The Council of the City of Richmond do ordain as follows:

Section 1. Section 2.16.080 is hereby added to the Municipal Code of the City of Richmond, California, to read as follows:

"2.16.080 Candidate's Statement. (a) Each candidate for elective office may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statement may include the name, age, and occupation of the candidate and a brief statement of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate, a 2-1/2 inch by 3-1/2 inch photograph (black and white of passport quality) of the candidate taken within the past year, and signature line. Such statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. on the next working day after the close of the nomination period.

(b) The City Clerk shall send to each voter with the sample ballot a voter's pamphlet which contains the statement of each candidate in English. Those candidates who have requested that their statements be translated into Spanish shall also have the Spanish translation of their statements sent to each voter.

(c) The City Clerk shall estimate the total cost of printing, handling, translating and mailing candidate's statements. Each candidate filing a candidate's statement shall deposit with the City Clerk at the time of filing the nomination papers his or her pro rata share of said estimated cost of printing, handling, translating and mailing the candidate's statements. After the period for filing nomination papers has expired, the City Clerk shall determine the actual cost of printing, handling, translating and mailing the candidate's statements. In the event of an overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of election. In the event of an underpayment, the City Clerk shall prorate the deficit amount among the candidates and bill the candidates for said amount. Payment shall be made by the candidate within ten (10) days after demand for such payment by the City Clerk."

Section 2. If any section, subsection, subdivision, paragraph sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality

or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 3. This ordinance becomes effective after its final passage and adoption.

First read at a regular meeting of the Council of the City of Richmond, California, held January 14, 1985, and finally passed and adopted at a regular meeting thereof held January 21, 1985, by the following vote:

AYES: Councilmembers Washington, Niccolls, Greco, Livingston, Silva, McMillan, MacDiarmid, Zieshenne and Mayor Corcoran.

NOES: None.

ABSENT: None.

HARLAN J. HEYDON
Clerk of the City of Richmond

(SEAL)

Approved:

THOMAS J. CORCORAN
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

State of California)
County of Contra Costa : ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 3-85 N.S. finally passed and adopted by the Council of the City of Richmond at a regular meeting held January 21, 1985, and published in accordance with law.

Harlan J. Heydon
Clerk of the City of Richmond

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ORDINANCE NO. 4-91 N.S.

AN ORDINANCE OF THE CITY OF RICHMOND, CALIFORNIA, SUPPLEMENTING THE CAMPAIGN DISCLOSURE REQUIREMENTS OF THE POLITICAL REFORM ACT OF 1974

The Council of the City of Richmond do ordain as follows:

Section 1. Chapter 2.38 is hereby added to the Municipal Code of the City of Richmond to read as follows:

"Chapter 2.38

Campaign Disclosure

2.38.010 Purpose. The purpose of this Chapter is to provide to the electorate additional campaign information by supplementing the campaign disclosure requirements of the Political Reform Act of 1974.

2.38.020 Definitions. The words and phrases where used in this Chapter shall have the following meanings:

(a) "City election" means any municipal election in the City of Richmond, including elections to fill public offices and elections on measures, initiatives, referendum and recall.

(b) "Political Reform Act" means the Political Reform Act of 1974 and all amendments thereto.

(c) All other words and phrases shall have the meanings set forth in the Political Reform Act.

2.38.030 Additional Campaign Statements and Reports. In addition to the campaign statements and reports which every candidate, elected officer and committee involved in a City election is required to file under the Political Reform Act, the following campaign statement and report shall be filed with the City Clerk as set forth below:

(a) A campaign statement covering the period between the closing date of the last campaign statement filed under the Political Reform Act and last Thursday before the City election. This campaign statement shall include the same information required by the Political Reform Act and shall be filed with the City Clerk no later than by 5:00 p.m. on the last Friday before the City election.

(b) A late contributions report which reports all contributions of \$250.00 or more received or made from the end of the reporting period set forth in subsection (a) above and the date of the City election. The late contributions report filing required by this section shall be made within twenty-four (24) hours of the receipt or making of such contribution and in the manner required by Government Code Section 84203.

2.38.040 Violation. Any person who violates any provision of this Chapter shall be guilty of a misdemeanor."

Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed each section, subsection,

subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 3. Effective Date. This ordinance becomes effective after its final passage and adoption.

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First read at a regular meeting of the Council of the City of Richmond, California, held February 4, 1991, and finally passed and adopted at a regular meeting thereof held February 11, 1991, by the following vote:

AYES: Councilmembers Washington, Niccolls, Corbin, Marquez, Ziesenhenne, McMillan, MacDiarmid, Griffin and Mayor Livingston

NOES: None

ABSENT: None

EULA M. BARNES
Clerk of the City of Richmond

Approved:

(SEAL)

GEORGE L. LIVINGSTON
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

State of California)
County of Contra Costa : ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 4-91 N.S. finally passed and adopted by the Council of the City of Richmond at a regular meeting held February 11, 1991, and published in accordance with law.

Eula M. Barnes
Clerk of the City of Richmond

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15.04.609.160 Permits for Multiple Temporary Signs

- A. Any person seeking to erect on one or more sites or to distribute 25 or more temporary signs at one time, either personally or by supervising others, must provide:
 - 1. The name and address of the person(s) responsible for erecting or distributing, maintaining and removing the multiple temporary signs;
 - 2. A description of the method of installation and support for each sign (if signs are to be freestanding and supported by a method other than wire no greater than 3 millimeters in diameter, the applicant must include a scaled drawing of the supporting structure);
 - 3. A copy, drawing, or photograph of the proposed temporary sign; and
 - 4. The fee specified in the master fee schedule adopted by the City Council.
- B. One day after submittal of all of the items required in subparagraph (A), the Zoning Administrator shall issue or deny a permit for multiple temporary signs, subject to the following terms and conditions:
 - 1. The Zoning Administrator shall assign an identification number (ID#) to the sign plan, and such number shall be referred to in the permit;
 - 2. The permittee shall provide the Zoning Administrator with a prototype of the sign marked with the ID#.
 - 3. All temporary signs and structures are to be removed within 90 days from the date the permit is issued.
 - 4. Any denial of a permit for multiple temporary signs shall be accompanied by written findings stating the reasons for the denial and may be appealed to the Design Review Board.
- C. No temporary sign shall be posted in a City right-of-way, landscaped area, parkland or any road median before the Superintendent of Parks has confirmed that a permit has been issued and that the proposed posting will not interfere with the ordinary use and enjoyment of the area, underground irrigation or utilities, or line of sight for motor vehicle, bicycle and pedestrian traffic. Placement of signs shall not harm landscape plantings or structures. The Superintendent may require the sign permittee to call for a USA marking confirmation of utilities prior to posting.

15.04.609.170 Master Sign Program

- A. **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a project with the overall design of the development to achieve a more unified appearance. Master Sign Programs may also be used for subdivision projects with a phased development and/or sales plan. Minor variations in dimensional standards and other limitations of this Section may be approved, provided they achieve a result that is superior to what would otherwise be allowed. The Sign Program must demonstrate how it:

CAMPAIGN SIGNS

Display of Signs

ALL CANDIDATES MUST OBTAIN A SIGN PERMIT BEFORE DISPLAYING OR ERECTING POLITICAL SIGNS.

Political signs can be displayed 90 days before the election, **but only after you have been officially qualified to run for office.** You will be contacted by the Filing Official (City Clerk). It is illegal to display or erect signs in state, county, or city rights-of-way or on City property.

Complaints and Removal of Illegally Posted Signs

Complaints about the location of political signs must be reviewed quickly to determine if signs have been posted on public or private property. The City of Richmond does not have authority to remove signs posted on private property, i.e. residence or business.

Candidates who illegally post political signs will receive a letter from the City Clerk informing them that their signs have been posted illegally. The letter will include the location and request that removal be completed within three days. Signs that are not removed with the three-day period will be removed by Code Enforcement and the candidate will be billed for the cost.

Removal of Signs Following The Election

All political signs must be removed within 10 days after the election.

ORDINANCE NO. 29-94 N.S.

AN ORDINANCE OF THE CITY OF RICHMOND ADDING CHAPTER 2.42, FAIR ELECTIONS, TO THE MUNICIPAL CODE OF THE CITY OF RICHMOND

The Council of the City of Richmond do ordain as follows:

Section I. Chapter 2.42 of the Municipal Code of the City of Richmond is hereby amended to delete Section 2.42.050(c) in its entirety and to make certain other deletions and additions as follows:

"CHAPTER 2.42

Fair Elections

- 2.42.010 **Title.**
- 2.42.020 **Finding and Declarations.**
- 2.42.030 **Purpose of the Ordinance.**
- 2.42.040 **Definitions.**
- 2.42.050 **Campaign Contribution Limitations.**
- 2.42.060 **Limitations on Transfers from Candidate-Controlled Committees**
- 2.42.070 **Disclosure.**
- 2.42.080 **Enforcement.**
- 2.42.090 **Distribution of ordinance to Candidates.**
- 2.42.100 **Applicability of Other Laws.**

2.42.010 **Title.** This ordinance shall be known and may be cited as the "City of Richmond Fair Elections Ordinance."

2.42.020 **Finding and Declarations.**

a. Monetary contributions to political campaigns are a legitimate form of participation in the American political process; however, the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence upon the election of candidates.

b. The increasing costs of political campaigns compel many candidates to raise larger percentages of money from interested groups with a specific financial stake in matters which may come before the City Council. This has caused a public perception that votes may be improperly influenced by monetary contributions.

c. The tendency for campaign contributions to be dominated by a small number of very large contributors undermines the integrity of the governmental process, the competitiveness of campaigns, and the public confidence in local officials and local agencies.

d. High campaign costs are forcing officeholders to spend more time on fund raising and less time on the public's business. The constant pressure to raise contributions is distracting officeholders from urgent governmental matters.

2.42.030 **Purpose of the Ordinance.** The City Council enacts this ordinance to accomplish the following purposes.

a. To improve methods of financing campaigns in order to ensure the public's right-to-know, combat corruption and undue influence, enable candidates to compete more equitably for public office, and promote citizen participation in the political process.

b. To prevent parties with a specific financial interest in the City's decision from exerting undue influence over those decisions by means of large campaign contributions.

c. To allow candidates and officeholders to spend a lesser proportion of their time on fund raising and greater proportion of their time dealing with issues of importance to the City and its residents.

d. To improve the disclosure of contribution sources in reasonable and effective ways.

e. To restore public trust in governmental electoral institutions.

2.42.040 Definitions.

a. Unless otherwise specifically provided in this Ordinance or required by the context, the words and phrases in this ordinance shall have the same meanings as in the California Elections Code and the Political Reform Act of 1974 (Government Code Section 8100, et seq.) and regulations adopted thereunder.

b. "Campaign Statement" means any itemized report of campaign contributions and/or expenditures which a candidate or any person is required to file under the California Elections Code, the Political Reform Act of 1974 (California Government Code Sections 81000, et seq.), the Richmond Municipal Code, and any regulations adopted under the foregoing legislation.

c. "Candidate" means a candidate for election to the Richmond City Council or to the office Mayor of the City of Richmond; and if the candidate is elected, means the officeholder.

d. "Candidate-Controlled Committee" means a committee which is controlled by a candidate, or which acts jointly with a candidate in connection with the making of expenditures. A candidate controls a committee if the candidate, his or her agent, or any other committee which he or she controls has a significant influence on the actions or the decisions of the committee.

e. "Candidate's Designated Committee" means the controlled committee designated by the candidate to receive contributions or make expenditures for his or her campaign, as declared in a signed statement filed with the City Clerk pursuant to Section 2.42.070.b of this ordinance.

f. "City" means the City of Richmond.

g. "City Council" means the City Council of the City of Richmond.

h. "Contribution":

1. "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, except to the extent that full and adequate consideration is received unless it is clear from the surrounding circumstances that it is not made for :

political purposes. An expenditure made at the behest of a candidate, committee or elected officer is a contribution to the candidate, committee or elected officer unless full and adequate consideration is received for making the expenditure.

2. The term "contribution" includes the candidate's own money or property used on behalf of his or her candidacy; the granting of discounts or rebates not extended to the public generally, or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if such services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration; a loan or extension of credit to the candidate on terms not generally available to the public, not made in the ordinary course of business of the contributor, and made without payment of full and adequate consideration.

3. The term "contribution" further includes any transfer of anything of value received by a committee for another committee, unless full and adequate consideration is received.

4. The term "contribution" does not include amounts received pursuant to an enforceable promise to the extent such amounts have been previously reported as a contribution. However, the fact that such amounts have been received shall be indicated in the appropriate campaign statement.

5. The term "contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are \$500 or less.

6. Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by any individual for his or her own travel expenses if such payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid to him or her.

7. A contribution to the candidate's designated committee is deemed a contribution to the candidate.

i. "Election Cycle" means the period starting on the effective date of this ordinance and ending on December 31, 1993, for candidates seeking office in the November, 1993, City election, and shall mean the period starting on the effective date of this ordinance and ending on December 31, 1995, for candidates seeking office in the November, 1995, City election; and thereafter, the "Election Cycle" shall mean the period starting on the first day of January following the last November election for the office of Mayor or for a City Council seat and ending on the 31st day of December following the next election for the Office of Mayor or the same City Council seat.

j. "Independent Expenditure Committee" means any person who makes independent expenditures supporting or opposing a candidate for City Council or Mayor in the City of Richmond only and the expenditure is not made to or at the behest of the affected candidate.

k. "Mayor" means the Mayor of the City of Richmond.

1. "Non-Monetary Contribution" shall be valued as a contribution at the true or estimated fair market value of the goods, services, or facilities contributed to the campaign. A fair market value is the price that a person would be required to pay to acquire the same goods or services in the open market place.

m. "Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, candidate-controlled committee, broad based political committee, political committee, and any other organization or group of persons acting in concert.

2.42.050 Campaign Contribution Limitations.

a. Limitations on Contributions.

1. No person shall make to any candidate or independent expenditure committee and no candidate or independent expenditure committee shall solicit or accept any contribution which would cause the total amount contributed by that person to that candidate or independent expenditure committee to exceed \$2,500 in each election cycle.

2. No person shall make an anonymous contribution or contributions to a candidate, and no candidate shall accept or solicit an anonymous contribution, totaling one hundred dollars (\$100) or more in an election cycle.

3. A candidate shall maintain a written record of the name and address of each person from whom contributions of one hundred dollars (\$100) or more are received in an election cycle.

4. The limitation on contributions provisions of Section 2.42.050.a.1 shall not apply to a candidate's contribution or loan of his or her own personal funds to his or her own designated committee.

b. Return of Excess Contributions. A contribution need not be reported, nor shall it be deemed accepted, if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported.

2.42.060 Limitations on Transfers from Candidate-Controlled Committees.

a. Contributions received by a candidate-controlled committee after the effective date of this ordinance shall be subject to the contribution limitations set forth in this ordinance when such contributions are transferred to the candidate's designated committee.

b. The following method shall be utilized to calculate the amount that is in compliance with the contribution limitations.

1. The candidate shall review the contributions which have been received by the candidate-controlled committee after the effective date of this ordinance, beginning with the last contribution

received and working back in time until the total amount of cash and cash equivalents held by the candidate-controlled committee is reached.

2. Should the review indicate that the aggregate amount of contributions from a contributor in the candidate-controlled committee account and in the designated committee account exceeds any applicable limitation, the total amount that may be transferred shall be reduced by the amount in excess of the applicable contribution limitation.

2.42.070

a. Disclosure.

1. The information required to be recorded by a candidate under Section 2.42.050 shall be disclosed in a written report to the City Clerk as of and at the required filing date of any campaign statement. If the information required to be disclosed has been compiled in another document which the candidate is required to prepare, that document may be filed with the City Clerk in lieu of the statement required herein.

2. In addition to the statements required to be filed under the California Political Reform Act of 1974 or the Richmond Municipal Code, each candidate shall file with the City Clerk a statement disclosing the name and address of any contributor of a loan or extension of credit made to the candidate on terms not generally available to the public, not made in the ordinary course of business of the contributor, and made without payment of full and adequate consideration. If the information required to be disclosed has been compiled in another document which the candidate is required to prepare, that document may be filed with the City Clerk in lieu of the statement required herein.

b. Designated Committee Statement.

1. Each candidate shall file a statement with the City Clerk naming one committee as the candidate's designated committee for the duration of the election cycle. The designated committee may not be changed during the election cycle. All other committees controlled by the candidate are prohibited from receiving contributions for expenditure in the candidate's campaign for the election for which the designated committee was selected, and from making expenditures on behalf of the candidate's campaign for the election for which the designated committee was selected, except as transfers of funds from other candidate-controlled committees to the designated committee are permitted within the limits set by this ordinance, and within any limits set by the California Political Reform Act of 1974.

2. The statement required by Section 2.42.070.b.1 of this ordinance shall be in the following form:

"I, [name of candidate], declare that [name of designated committee and ID number, if available] is the only candidate-controlled committee I shall allow to receive contributions for, or make expenditures on behalf of, my campaign for the election of [date of election]."

3. The statement required by Section 2.42.070.b.1 of this ordinance shall be signed and dated by the candidate, and shall be filed with the City Clerk before any expenditures are made in the election campaign or any contributions are solicited or accepted for the election campaign; except that the statement shall not be required to be filed until 14 days after the passage of this ordinance.

c. **Ownership of Non-Individual Contributors.** Each candidate shall ascertain and disclose, on the campaign statement or in a separate statement filed with the City Clerk attached to each campaign statement covering the period partly or wholly within the election cycle, the name and address of each person who holds at least 50 percent ownership or equity interest in a non-individual contributor of contributions totaling one hundred dollars (\$100) or more. A non-individual contributor shall provide to the candidate the name and address of each person required by this section to be disclosed at the time the contribution is made, and in no event later than the closing date of the campaign reporting period in which the contribution is made. The candidate shall inform each non-individual contributor of contributions of one hundred dollars (\$100) or more of its obligation to provide the information required by this section. No candidate designated committee, or designated committee's treasurer shall be liable for failure to make the disclosure required by this section if the name and address information has not been timely provided by the non-individual contributor, unless the candidate, designated committee, or designated committee's treasurer knew or had reason to know the facts requiring disclosure.

d. **Press disclosure.** The City Clerk shall, three (3) working days after any filing or payment deadline, disclose to the public by press release the name of any candidate who has failed to file any statements required under this ordinance in the current election or who has failed to pay to the City in a timely manner any fees owed from or resulting from fees imposed by the City for the campaign and/or in previous elections.

e. **Filing of Non-Richmond Committee Reports.** Any committee, as defined under Government Code Section 82013, domiciled outside of the City of Richmond which makes contributions or independent expenditures for or against any candidate for City Council or Mayor or for or against any local ballot measure which is being voted upon only in the City of Richmond shall file with the City Clerk a copy of all campaign statements required to be filed under the California Political Reform Act of 1974. The deadline for filing such campaign statements with the City Clerk shall be the same deadline for filing campaign statements with the California Secretary of State or any county clerk as set forth in the California Political Reform Act of 1974.

2.42.080 **Enforcement.**

a. **Campaign Statement Review.**

1. The City Clerk shall monitor all campaign statements and shall notify the candidate or committee of any of the following apparent violations of this ordinance:

(a) Whether the required statements have been timely filed.

(b) Whether the statements conform on their face with the requirements of this ordinance.

(c) Whether any reported contributions exceed the allowable maximums established under this ordinance.

2. The candidate or committee shall be allowed to correct any reports within five (5) days after receipt of notice of an apparent violation sent by the City Clerk.

b. Violations.

1. In the event that a candidate or committee fails to correct any reports within five (5) business days after receiving a notice of apparent violation under Section 2.42.080.a.2 of this ordinance, the City may bring a civil action against the candidate or committee for injunctive relief to enjoin violations or to compel compliance with the provisions of this ordinance.

2. Any person residing in the City of Richmond may bring a civil action against any candidate or committee who intentionally or negligently violates any of the reporting requirements of this ordinance. Such civil action may be for:

(a) Injunctive relief to enjoin violations or to compel compliance with the provisions of this ordinance; and

(b) Damages in an amount which is the greater of:

(i) Five hundred dollars (\$500); or

(ii) Three times the amount or value of the unlawful contribution.

3. In any legal action brought under Section 2.42.080.b.2 for injunctive relief or civil liability, the court may award to a plaintiff or defendant who prevails his or her costs of litigation, including reasonable attorney's fees.

4. A civil action may be brought under Section 2.42.080.b.2 only if the City has not brought a civil action under Section 2.42.080.b.1 for the same violation within thirty (30) days of the deadline for filing the campaign statements which form the basis for the alleged violation.

c. Enforcement. Nothing in Section 2.42.080 of this ordinance shall be construed as limiting the authority of any law enforcement agency, prosecuting attorney or other person to enforce the provision of this ordinance, under any circumstances where such law enforcement agency, prosecuting attorney or other person has lawful authority to do so.

2.42.090 Distribution of ordinance to Candidates. The City Clerk shall distribute a complete copy and a summary of this ordinance to all potential candidates for City Council and Mayor at the time the potential candidate requests and receives a nomination petition.

2.42.100 Applicability of Other Laws. Nothing in this ordinance shall exempt any person or committee from applicable provisions of any other laws of this State."

Section II. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph sentence, clause or phrase.

Section III. Emergency Ordinance. The City Council hereby finds that Richmond Municipal Code Section 2.42.050(c) is vague and ambiguous and may be of questionable Constitutionality. In order to avoid any confusion regarding the legitimacy of any contributions which have been received and must be reported by July 31, 1994, and in order to provide immediate and necessary guidance to the City Clerk with regard to the enforcement of said provisions, the City Council hereby declares that this is an emergency ordinance and that it shall take effect and be in force from and after its first reading.

Section IV. It is the intent of the Council of the City of Richmond that this amendment, to the extent that it repeals former Section 2.42.050(c), shall be effective retroactive to the original effective date of Chapter 2.42 of the Richmond Municipal Code and that this repeal by amendment shall be a bar to any prosecution or action seeking injunctive relief or the imposition of liability on a candidate or any other person in connection with an alleged violation of said former Section 2.42.050(c).

- - - - -

First read, passed and adopted at a special meeting of the Council of the City of Richmond held July 25, 1994, by the following vote:

Ayes: Councilmembers Washington, Niccolls,
Rogers, Marquez, Anderson, McMillan,
Powers, Griffin and Mayor Corbin

Noes: None

Abstentions: None

Absent: None

EULA M. BARNES
Clerk of the City of Richmond

(Seal)

Approved:

ROSEMARY M. CORBIN
Mayor

Approved as to form:

MALCOLM HUNTER
City Attorney

C:\SS\JAT\FAIRELCT.94R 07/22/94

State of California)
County of Contra Costa ; ss.
City of Richmond)

I certify that the foregoing is a true copy of Ordinance No. 29-94 N.S. finally passed and adopted by the Council of the City of Richmond at a regular meeting held July 25, 1994, and published in accordance with law.

(d)(5)

Clerk of the City of Richmond

ORDINANCE NO. 13-10 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND REPEALING SECTION 2.42.080 (ENFORCEMENT OF FAIR ELECTIONS ORDINANCE) AND ADDING A NEW SECTION 2.42.080 TO ESTABLISH THE PENALTIES FOR VIOLATION OF THE FAIR ELECTIONS ORDINANCE AND THE PROCESS FOR ENFORCING THE ORDINANCE

The City Council of the City of Richmond does ordain as follows:

SECTION 1: Richmond Municipal Code Section 2.42.080 is hereby repealed.

SECTION 2: The Richmond Municipal Code is hereby amended by adding a new Section 2.42.080 as follows:

2.42.80. Penalties and Enforcement

(a) Penalties.

- (1) Criminal. Any person who knowingly or willfully violates any provision of Section 2.42.050 or 2.42.060 of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County jail for a period of not more than six months or by a fine of \$5,000 for each violation, or three times the amount or value of the unlawful contribution, whichever is greater, or by both such fine and imprisonment. Any person who knowingly or willfully violates any provision of Section 2.42.070 shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County jail for a period of not more than six months or by a fine of \$5,000 for each violation, or three times the amount not properly reported, whichever is greater, or by both such fine and imprisonment. Any person who knowingly or willfully violates any provision of Section 2.42.075 of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the County jail for a period of not more than six months or by a fine of \$5,000 for each violation, or three times the cost of the mailing made in violation of this Chapter, whichever is greater, or by both such fine and imprisonment.
- (2) Civil. Any person who intentionally or negligently violates Section 2.42.050 or 2.42.060 of this Chapter shall be liable in a civil action for an amount up to \$5,000 for each violation or three times the amount or value of the unlawful contribution, whichever is greater. Any person who intentionally or negligently violates Section 2.42.070 of this Chapter shall be liable in a civil action for an amount up to \$5,000 for each violation or three times the amount not properly reported, whichever is greater. Any person who intentionally or negligently violates Section 2.42.075 of this Chapter shall be liable in a civil action for an amount up to \$5,000 for each violation or three times the cost of the mailing made in violation of this Chapter, whichever is greater. The City Attorney is authorized to institute and prosecute any civil action pursuant to this section. Any civil penalties recovered under this Section shall be deposited in the Richmond City Treasury.
- (3) Personal Liability. Candidates and treasurers are responsible for complying with this Chapter and may be held personally liable for violations by their committees. Nothing in this Chapter shall operate to limit the candidate's liability for, nor the candidate's ability to pay, any fines or other payments imposed pursuant to administrative or judicial proceedings.
- (4) Joint and Several Liability. If two or more persons are responsible for any violation of this Chapter, they shall be jointly and severally liable.

(b) Enforcement

(1) Campaign Statement Review.

- i. The City Clerk shall monitor all campaign statements and shall notify the candidate or committee of any of the following apparent violations of this chapter:
 - A. Whether the required statements have been timely filed.
 - B. Whether the statements conform on their face with the requirements of this chapter.
 - C. Whether any reported contributions exceed the allowable maximums established under this ordinance.
- ii. The candidate or committee shall be allowed to correct any reports within five (5) days after receipt of notice of an apparent violation sent by the City Clerk.

(2) Civil Actions. The City Attorney, or any resident, may bring a civil action to enjoin violations of, or compel compliance with, the provisions of this Chapter, or for civil penalties under Subsection (a)(2) of this Section, or both. No resident may commence an action under this Subsection without first providing written notice to the City Attorney of the intent to commence an action. The notice shall include a statement of the grounds for believing a cause of action exists. The resident shall deliver the notice to the City Attorney at least 60 days in advance of filing an action for an alleged violation of Section 2.42.050, 2.42.060 or 2.42.070, or at least 10 days for an alleged violation of Section 2.42.075. No resident may commence an action under this Subsection if the City Attorney or District Attorney has commenced a civil or criminal action against the defendant, or if another resident has filed a civil action against the defendant under this Subsection. A court may award reasonable attorney's fees and costs to any party who obtains civil penalties or equitable relief under this Subsection. If the Court finds that an action brought by a party under this Subsection is frivolous, the Court may award the defendant reasonable attorney's fees and costs.

(3) Issuance of Subpoenas. The City Attorney may issue subpoenas in furtherance of his or her duties under this Chapter.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such invalidity shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared unconstitutional on their face or as applied.

SECTION 4. This ordinance shall be effective 30 days after passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held on March 16, 2010, and finally passed and adopted at a regular meeting held on April 6, 2010, by the following vote:

AYES: Councilmembers Butt, Rogers, Vice Mayor Ritterman, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: Councilmembers Bates, Lopez, and Viramontes

ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

I certify that the foregoing is a true copy of Ordinance No. 13-10 N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting on April 6, 2010.

APPENDIX B - SAMPLE DOCUMENTS

- **Word Count Criteria**
- **Candidate Statement of Qualification Guidelines**
- **Sample Candidate Statements**

WORD COUNT CRITERIA

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

Acronyms Examples: UCLA, PTA, U.S.M.C	one word
Geographical names Examples: Contra Costa County Walnut Creek City of Pittsburg Bay Area	one word
Districts with an Elected Board Examples: Contra Costa Community College District Antioch Unified School District East Bay Regional Park District San Francisco Bay Area Rapid Transit District	one word
Numbers/Numerical Combinations Digits (1, 10, or 100, etc.) 1990-1991, 100%, etc. Spelled out (one, ten, or one hundred)	one word one word one for each word
Dates All digits (11/5/96) Word and digits (June 2, 1998)	one word one word
Hyphenated words Regularly hyphenated words that appear in the Merriam-Webster Dictionary online.	one word
Punctuation	not counted
Telephone numbers	one word
Email / Website addresses	one word

Candidate Statement of Qualifications
For the General Election to be held November 8, 2022

(Elections Code 13307, 13309, and 13311)

Instructions to Candidate: Your statement will be printed exactly as submitted. Carefully check for content, spelling, punctuation and grammar before submission. No changes are allowed once the statement is filed.

This form must be filed along with the candidate statement.

In addition to filing a hardcopy, you will need to submit your final candidate statement in an editable text format to the following email address: statements@ci.richmond.ca.us

Hard copy must bear signature.

Office Name: _____ Contest ID: _____ Candidate ID: _____

Word Limit: 250 • Cost: \$ _____ • Paid By: Candidate District

Mayor (\$1,312.80); District 2 (\$323.28); District 3 (\$322.32); District 4 (\$398.64)

Candidate Name: _____

I have reviewed the attached statement and I understand that no corrections or changes are allowed after it has been filed (pursuant to EC 13307). I understand that Contra Costa County is mandated under the Voting Rights Act to provide voting materials and information in English, Spanish, and Chinese.

I do not wish to file a Candidate Statement.

Candidate Signature: _____ Date: _____

SAMPLE CANDIDATE STATEMENT LAYOUT

Below are samples of 250-word candidate statements, as they would appear in the “Voter Information Guide.” Statements will appear in the same order as the candidates appear on the ballot.

NAME OF DISTRICT	
<p>NAME Ballot Designation</p> <p>I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district.</p> <p>I own and operate my own business, so I am well aware of resources and educational materials I am convinced we can offer quality education to all students within the district. I fully understand the value of a public education. As your next school board member, I will work to small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board.</p> <p>I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of resources and educational materials I am convinced we can offer quality education to all students within the district. As your next school board member, I will work to small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals.</p>	<p>NAME Ballot Designation</p> <p>I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of resources and educational materials I am convinced we can offer quality education to all students within the district. I fully understand the value of a public education. As your next school board member, I will work to small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of resources and educational materials I am convinced we can offer quality education to all students within the district. I fully understand the value of a public education. As your next school board member, I will work to small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. Vote for me! Thank you!</p>
<p>NAME Ballot Designation</p> <p>I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board. I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district.</p> <p>I own and operate my own business, so I am well aware of resources and educational materials I am convinced we can offer quality education to all students within the district.</p> <p>I fully understand the value of a public education. As your next school board member, I will work to small class sizes and better learning environments for our students. I will also ensure that we create a safer learning environment to achieve these goals. I am running for the governing board of the Washington Unified School District because I feel I can bring a balance to the board.</p> <p>I attended local schools, graduating from Washington High School in 1985. I am married and currently have two children attending school in the district. I own and operate my own business, so I am well aware of resources and educational materials I am convinced we can offer quality education to all students within the district. I fully understand the value of a public education. As your next school board member, I will work to small class sizes and better learning environments for our students.</p> <p>Thank you!</p>	<p>Each candidate statement is formatted into a box measuring approximately 3.5" x 4.25" using Arial Narrow 10 size font.</p> <p>Do not use:</p> <ul style="list-style-type: none">• Bullets, stars, or asterisks• Bolding• Italics• All capital letters (except for acronyms or abbreviations)• Underlining• Lists• Indentation

APPENDIX C - IMPORTANT THINGS TO REMEMBER

FPPC

Contact the Fair Political Practices Commission (FPPC) with any questions you have regarding campaign expenditures or contributions at (866) 275-3772 or by e-mail at advice@fppc.ca.gov. The FPPC website: www.fppc.ca.gov offers overviews of the Political Reform Act and FPPC regulations, FPPC forms are available through the website.

When visiting www.fppc.ca.gov, you will see that the FPPC covers many topics. You will focus on Campaign Rules, Campaign Forms, and Campaign Disclosure Manuals. Here are some terms to know:

Understanding FPPC Terminology:

Local Election:	City of Richmond Election
Local Candidate:	City Council Candidate
Candidate for Local Office:	City Council Candidate
Agency (or Local Agency):	City of Richmond
Jurisdiction:	City of Richmond
Local Filing Officer:	City Clerk of the City of Richmond
Recipient Committee:	City Council Candidates who raise or spend more than \$2,000.
Candidate Controlled Committee:	City Council Candidates who raise or spend more than \$2,000.
Election Committee:	City Council Candidates who raise or spend more than \$2,000.

Type of Committee (City Council Candidates who raise or spend more than \$2,000.)

Recipient Committee

- a. Controlled Committee
 - i. Candidate Election Committee

(Hint: You are not a Primarily Formed Committee—those are for non-candidates.)

- **Keep Records**

Maintain details on contributions and expenditures of \$25 or more.

- **Itemize Contributors**

For contributions of \$100 or more, including in-kind contributions, you must disclose the contributor's name, address, occupation and employer.

- **\$100**

Never accept or spend \$100 or more in *cash*.

- **Political Advertising Disclaimers**

Candidates and political committees must put disclaimers on campaign advertisements that identify the person or entity who paid for or authorized the communication. The disclaimer

is required on all campaign material, including mailers of 200 pieces or more, radio and television ads, telephone calls, and electronic media ads. “Paid for by [committee name]” is the basic disclaimer required on most campaign communications. Please review the [FPPC’s Political Advertising Disclaimer worksheet](#) for specific details.

For those who have an active committee from a previous election . . .

- **Complete a Form 501 (this must be done before receiving any contributions for the November 2020 election).**
 - Mark the “Initial” box
 - Complete the entire form
 - Sign and date the form
 - File with City Clerk.

- **Complete a Form 410 (this must be done before receiving \$2,000 in contributions for the November 2020 election).**
 - Mark the “Amendment” box and list your ID#
 - Only complete the information that will change
 - Your committee name must include your last name, the word “council”, and “2020”.
 - Complete the “Type of Committee” and list the year of election as November 2020.
 - Both the Treasurer and Candidate need to sign (a candidate may also be the treasurer)
 - Mail the original and one copy to the Secretary of State and give a copy to the City Clerk

Note: You may keep your same bank account – you can change the name of the account with the bank if desired.

After the election, if defeated . . .

- **Form 470 Filers:**

If contributions/expenditures in connection with the election cease before December 31, then no further forms need be filed.

If contributions/expenditures in connection with the election continue beyond December 31, then file a Form 470 when activity ceases or before July 31, 2021.

- **Form 460 Filers (who wish to terminate their committees):**

If contributions/expenditures in connection with the election cease before December 31 and there are no campaign funds, then file the normal Form 460 which is due on January 31, 2021, and check the "Termination Statement" box. Also file a Form 410 and check the "Termination" box. (File the original and one copy of Form 410 with the Secretary of State, file one copy of Form 410 with the City Clerk, and file the original of Form 460 with the City Clerk).

If contributions/expenditures in connection with the election continue beyond December 31, then file the normal Form 460 which is due on January 31, 2021. Then, when activity ceases and there are no campaign funds, file another Form 460 and check the "Termination Statement" box. Also file a Form 410 and check the "Termination" box. (File the original and one copy of Form 410 with the Secretary of State, file one copy of Form 410 with the City Clerk, and file the original of Form 460 with the City Clerk).

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