Elections 101: Congratulations!
You’re the Elections Official. Now What?
Agenda

Who’s in the room
Responsibilities
Relationships
YOU are the Election Official
Q & A
Speakers

Holly M. Charléty, MMC
City Clerk

David Carnahan, MMC
City Clerk

Michael MacDonald, CMC
City Clerk
Who is in the room?

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Enter the code 1414 0012
Responsibilities
General Election Responsibilities

- CALL/CONSOLIDATE ELECTION
  - Communicate with County Registrar
  - Author staff reports
  - Publish notices (as applicable)
- CANDIDATES
  - Create resources/guides
  - Nomination Process
  - Campaign Reporting
- MEASURES
  - Argument/Rebuttal Process
- INITIATIVE/REFERENDUM/RECALL
  - Petition process

- COMMUNICATIONS
  - Candidates
  - Website
  - Community newsletters
  - Press Release
  - Staff
    - Action Calendar
    - FAQ on Do’s and Don’t
  - Voters
    - Social media
    - Website
    - Community newsletters
**General Timeline - Candidates**

**Plan:** Start building your action calendar, updating materials and drafting language.

- **E-190 to E-175**: Deadline to adopt Candidate Statement Fee (EC 13307(F))
- **E-113 to E-88**: Candidate nomination Period (EC 10407)
- **E-88**: Last day to call, consolidate, and request election services. Determination of Insufficient Nominees (EC 10229)
- **E-83**: Secretary of State Random Draw ballot order (EC 13112(c)(1))
- **E-82**: Election Day!
- **E+28/30**: County Canvass complete (28 days for Presidential Election)
- **1st Reg. Meeting**: Certify Election Results, Swear in Officers

**NEW LAW AND ELECTION SEMINAR – ELECTIONS 101 2023**

**E-# = Days prior to Election day**
**EC = Election Code**
**GC = Government Code**
**CCR = CA Code of Regulations**
Candidate Nomination Responsibilities

**Nomination Petition**
- Nomination Paper/Petition (EC 10220)
  - Not less than 20, not more than 30
- Affidavit of circulator – only one Circulator (EC 10222)
- Candidate Statement of Acceptance (EC 10223)

**Nomination Documents**
- Statement of Economic Interests
  - Form 700 (GC 87201)
- Candidate Statement of Qualifications (EC 13107)
- Ballot Designation (CCR 20711)
- Campaign Statement Forms
  - 501 (GC 85200)
  - 470 if applicable (GC 84206)

**Campaign Reporting**
- Semi-Annual and Pre-election statements
- 460 (GC 84200)
- Campaign finance and contribution limits
- Check local rules
- AB571 (GC 85300 et al)

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General Timeline - Measures

**Plan:** Start building your action calendar, updating materials and creating templates

- **E-120**
  - Last day to **call** a measure to the ballot.

- **E-88**
  - Last day to **withdraw** a measure from the ballot.

- **E-83**
  - County Assign Measure Letters

- **E-82**
  - Due Date for Impartial Analysis and Primary Arguments (EC 9280 & 9286)

- **E-81**
  - Due date for Rebuttal Arguments (EC 9285)

- **E-76**
  - County Canvass (28 days for Presidential elections)

- **E+28/30**
  - **1st Regular Meeting**

- **E**
  - Certify Election Results

* **Best practice:** Align with County Deadline
** **Best practice:** Align with County Deadline (no more than 10 days after Primary Deadline)

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Measure Responsibilities

**IMPARTIAL ANALYSIS**
- Authored by the Agency Attorney
- No more than 500 words
- 10-day public review period (physical and online posting)

**PRIMARY ARGUMENTS**
- Deadlines set by Agency resolution*
- No more than 300 words, max five authors
- Determine priority (if more than one submitted)
- 10-day public review period (physical and online posting)

**REBUTTALS**
- Deadline set by Agency resolution (not more than 10 days from the primary argument deadline)**
- No more than 250 words
- Authorization if change to authors from primary argument
- 10-day public review period (physical and online posting)

* Best practice: Align with County Deadline
** Best practice: Align with County Deadline (no more than 10 days after Primary Deadline)
Other Responsibilities

INITIATIVES

- EC 9200 – 9226
- Measures submitted by the public
  - Notice of Intent
  - Circulation (180 days)
  - Signature Review
- Qualification - Call election
- Insufficient - No action

REFERENDUM

- EC 9235 – 9247
- A petition protesting adoption of an ordinance/resolution
  - No Notice required
  - Within 30 days of attestation
  - Signature review
- Qualification - Repeal or call election
- Insufficient - No action

RECALL

- EC 11000 – 11386
- A petition to remove an elected officer from their position
  - Notice of Intent
  - Response by Officer
  - Petition Format Approval
  - Circulation (40 – 160 days depending on population)
  - Signature Review
- Qualification - Call election
- Insufficient - No action
Resources

• Online California Legislation
  • Elections Code
  • Government Code
• CA Code of Regulations
• Fair Political Practices Commission
  • Campaign Reporting
  • Statement of Economic Interests (Form 700)
• CA Municipal Law Handbook
  • All municipal Law, authored by City Attorney Dept. of Cal Cities
• Municipal Clerks Handbook
  • Accessible to members by logging in to CCAC account
• Election Consultants/Resources
  • MCA Direct
  • Municipal Resource Group (MRG)
  • City Gate Associates (CGA)
  • Regional Government Services (RGS)
• Cal Cities List Serve
  • Ask your peers!
Relationships

THEY MATTER!
Registrar of Voters

YOUR PARTNER IN DEMOCRACY

MANAGES BALLOTS, POLLS, ETC.

- Consolidates elections held on same date in a county
- Prepares, prints, mails ballots
- Finds, trainings poll workers
- Receives, reviews, counts (and recounts) ballots
City Attorney

PROVIDES GUIDANCE

- **Advises** you in your role as the Election Official
- Represents you in court if legal challenges arise
- May hire outside counsel to assist with complex matters
- "A phone call away" (hopefully)
- Attorneys advise and guide; Clerks decide

YOUR BEST FRIEND IN ELECTIONS
City Manager

YOUR PARTNER IN THE ORGANIZATION

PROVIDES RESOURCES

- If you are appointed by the City Manager, they provide direction for non-Election Officer duties
- Manages overall staffing, budgeting and physical resources
- May provide suggestions regarding elections but does not oversee your Election Officer role
Other Clerks

PROVIDE SUGGESTIONS & SUPPORT

• Offer best practices
• Share experiences
• Serve as a sounding board
• Provide a shoulder to lean on
• Build support system with clerks in your county

YOUR FRIENDS IN THE TRENCHES
Candidates and Officeholders

YOUR CONNECTION TO THE COMMUNITY

LOOK TO YOU AS A SUBJECT MATTER EXPERT

• Want to help their community
• May want to "fix" one issue or delve into all governance concerns
• Often unaware of the numerous steps to run
• Seek information and guidance from you
Voters/Members of the Public

DETERMINE ELECTION OUTCOME

• Seek answers including:
  • Election process
  • Candidates
  • Voting locations
• Can spread information or discord

WHY YOU DO WHAT YOU DO

Q & A
YOU are the Election Official
Verifying Candidate Eligibility

ELIGIBILITY CRITERIA

• Residency Requirements
• Citizenship Verification
• Verification of Voter Registration
• Submission of Required Documents

ACCURACY OF INFORMATION

• Nomination Petitions
  • Name
  • Address
• Petition Signature Verification
  • Number of Signatures
  • Authenticity and Eligibility of Signatures
Upholding Compliance - Local & State Law

KNOWLEDGE OF ELECTION LAWS

- CA Elections Code
- CA Political Reform Act
- Fair Political Practices Commission (FPPC)
- CA Constitution & Government Code
- City Charter
- Continuous Professional Development

PROVIDE RESOURCES

- Candidate Handbook
- Establish Procedures and Deadlines
- Maintain Records
- Candidate Workshops and Orientations
- Do NOT provide legal advice!

*The Political Reform Act passed in 1974, and overnight California became a leader in requiring disclosure of financial and other interests from those serving the public.*
Public Trust and Confidence

FAIRNESS/IMPARTIALITY

• Consistent Application of the Rules
• Transparent Communication
• Education and Outreach
• Equal Access to Information
• Impartial Decision-Making
• Open Door Policy

BUILD CONFIDENCE

• Use multiple Communication Channels
• Public Engagement
• Community Collaboration
• Accessible Technology
• Seek Feedback
Campaign Filing Officer

DUTIES

• Campaign Finance Disclosures
• Fair Political Practices Commission Compliance
• Public Access to Records (reproductions charges set by CA Law)
• Candidate Rosters and Statement of Qualifications
• Update your Webpage!

ENFORCEMENT

• Prompt Notification of Issues
• Corrective Measures
• Referral to Enforcement Agencies
• Public Notifications
• Documentation of Enforcement Actions
• Adopt a Fining Policy!
Ballot Designations

ELIGIBILITY/ACCURACY

- Principal Profession, Vocation, or Occupation
- Reviewing, Approving, or Rejecting Designations
- Verify the Accuracy and Eligibility of the Designation
- Communication of Decisions regarding Designations

LIMITATIONS

- Three-word Limitation
- Avocations, Pro Forma Professions, Statuses
- Commercial Identification Information (trademark, company, etc.)
- Evaluation of candidate's qualifications (honesty, integrity, etc.)

REJECTING A BALLOT DESIGNATION

- The Elections Official shall reject as unacceptable any designation which fails to comply with EC 13107
- Substantial likelihood that a reasonably prudent voter would be misled
- Requests for Supporting Documentation
Remember...

**YOU** are the Elections Official!

**LEGAL CHALLENGES**

- Eligibility of Candidates
- Ballot Designation Disputes
- Conduct of Election Process
- Campaign Finance Violations
- Ethical Violations

**COURT PROCEEDINGS**

- YOU will be called into court to defend your determinations
- Legal Counsel
Live Q&A

Go to www.menti.com

Enter the code 1414 0012
Thank you

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Please reach out with your questions or election challenges