

**CITY OF VISALIA  
OFFICE OF THE CITY CLERK  
220 N. SANTA FE STREET  
VISALIA, CA 93292  
(559) 713-4512**

**2022 ELECTION GUIDE**

This booklet has been prepared to assist candidates in preparing for the General Municipal Election on November 8, 2022. This guide is not all encompassing; it merely summarizes the major provisions related to candidates running for office in the City of Visalia.

The City Clerk's office is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. For further information or more detailed explanations, please feel free to contact the City Clerk's office.

**FUNCTIONS OF THE CITY CLERK  
AND  
COUNTY ELECTIONS DEPARTMENT**

As in the past, the City of Visalia has requested the Tulare County Elections Department to conduct the City of Visalia elections in conjunction with other local elections to be held November 8, 2022.

The County Elections Department is responsible for the issuance and acceptance of nomination papers, the petitions, translation of all election materials into Spanish as required by the Voting Rights Act, printing and mailing of all necessary voter information, and locating and staffing of all polling places. Additionally, the County Elections Department is responsible for all Election Day activities, including the counting of the votes cast, and post-election activities such as the canvass of the returns and certification of election results.

The City Clerk's office is responsible for the FPPC (Fair Political Practices Commission) filings--statements of economic interest and campaign disclosure statements.

**DATA AVAILABLE FROM THE CITY CLERK'S OFFICE**

1. Records of Interest to Candidates

- City Council Meeting digital recordings and action agendas. The audio recordings for recent Council meetings are available on the City's website at [www.visalia.city](http://www.visalia.city) and are linked to the City Council Action Agendas.

- Campaign Disclosure Records
- Conflict of Interest Statements
- Past Election Records
- General City Information

(There is a photocopying charge of 20 cents per page for information requested)

### **OFFICES TO BE ELECTED**

3 Council Members, full terms of office for Districts 3, 4, and 5.

1 Council Member, unexpired term of office for District 1. Successful candidate will serve until next election in 2024.

### **QUALIFICATIONS FOR MEMBER, VISALIA CITY COUNCIL**

All candidates for Visalia City Council must be an elector of the City of Visalia and a registered voter of the City of Visalia at the time nomination papers are issued. (Gov. Code 36502)

### **NOMINATION PROCEDURES**

#### **NOMINATION PAPERS FOR CITY COUNCIL**

The nomination period for the November 8, 2022 election is July 18, 2022 through August 12, 2022. During this time period, candidates may pick-up and file Declaration of Candidacy papers (Election Code Sec. 10220) from the County of Tulare Elections Division, 5951 S. Mooney Boulevard, Visalia, CA 93277. The Elections Division office is open Monday through Thursday 7:30 a.m. to 5:30 p.m. and on Fridays from 8:00 a.m. to noon. To make an appointment, use the new Nomination Portal on the Tulare County Registrar of Voters website: ([www.tularecoelections.org](http://www.tularecoelections.org)) or call the Elections Division Office (559) 624-7300 to make an appointment.

August 12, 2022 is the last date to withdraw a Declaration of Candidacy. (Election Code 10224)

Extended Nomination Period: If an incumbent has not filed by August 12, 2022, the nomination period will be extended for 5 more days until 5:00 p.m., Wednesday, August 17, 2022. An incumbent may not file Nomination Papers during this period (Election Code 10225). If this provision is in effect, then candidates also have until 5:00 pm. on this date to withdraw their filing papers.

Circulators of nomination papers shall be voters of the City of Visalia and may obtain signatures only from registered voters residing within the City of Visalia. A candidate may circulate his/her own nomination papers, or he/she may appoint a circulator.

Each candidate shall be proposed by at least 20, but not more than 30 voters--only one candidate may be named in any one nomination paper. No voter may sign more than one nomination paper for the same office, and in the event a person signs more than one nomination paper, the signature shall count only on the first nomination paper filed which contains the signature. Nomination papers subsequently filed and containing the signature shall be considered as though the signature does not appear. Each seat on the governing body is a separate office. (Election Code 10220)

### **FILING NOMINATION PAPERS**

Each City Council candidate is required to file a Statement of Economic Interests Statement (FPPC Form 700) containing financial disclosure at the time nomination papers are filed.

### **CANDIDATE STATEMENTS**

If a candidate wishes to file a Candidate's Statement, the statement is due at the time nomination papers are filed. (Election Code Section 13307 and 13311 -- see the Tulare County Candidate Guide for rules on filing a Candidate Statement for associated costs).

### **CAMPAIGN DISCLOSURE STATEMENTS**

Campaign disclosure statements are required for the City Council. These forms are filed with the City Clerk's office.

All candidates for public office are required to file campaign disclosure statements. Additionally, any committees formed to support or oppose a candidate or ballot measure is required to file campaign disclosure statements as required by the Fair Political Practices Act of 1974.

The Fair Political Practices Commission (FPPC), on an annual basis, issues a booklet entitled, [Campaign Disclosure Manual 2](#). This booklet is an instructional guide and provides information on who must file, when campaign statements must be filed, where statements are to be filed, etc. This booklet also contains information for the treasurers of each candidate. A copy of the manual is available directly from the FPPC [www.fppc.ca.gov](http://www.fppc.ca.gov).

## CAMPAIGN DISCLOSURE FORMS

1. File Form 501 original with City Clerk & Election Office prior to receiving or expending funds.
2. Form 460 is filed within 10 days of receiving \$1,000 file with the City Clerk. The Form 460 is filed by recipient committees to report expenditures and contributions. The Form 460 can be used to file a prelection statement, semi-annual statement, quarterly statement, termination statement, special odd-year report, or an amendment to a previously filed statement.
3. Form 470 filed if you do not intend on receiving/spending \$1,000 file with the City Clerk. The Form 470 is filed by officeholders and candidates who do not have a controlled committee, do not receive contributions totaling \$2,000 or more during the calendar year, and do not spend \$2,000 or more during the calendar year.
4. (Optional) Candidate Statement 200 words or less to be printed in sample ballot, if one will be filed, must be done prior to filing Declaration of Candidacy (Cost will be determined upon the completion of the Election Candidate's Guide based upon Tulare County Registration – last election \$1,300).
5. Declaration of Candidacy available from the Election Office on July 18, 2022, must be filed by August 12, 2022 (extension 8/13 - 8/12 if incumbents don't file)
6. Once filed you must file a Form 700 with the City Clerk & a copy to the Election Office.

ALL FPPC FORMS: <https://www.fppc.ca.gov/forms.html>

FPPC FORM 700: <https://www.fppc.ca.gov/Form700.html>

The following is a partial listing of the most commonly used FPPC campaign disclosure forms and a brief explanation of the appropriate usage:

### **Candidates and Officeholders**

Form 501--Candidate Intention Statement - For use by all candidates prior to solicitation or receipt of any contribution or expenditure of any personal funds.

Form 410--Statement of Organization (Recipient Committee) - For use by all "Candidate & Recipient Committees" which receive \$1,000 or more during a calendar year.

#### **Campaign recipient committee initial and annual fee**

All recipient committees that file a Statement of Organization (**Form 410**) must pay a \$50 fee, pursuant to Government Code Section 84101.5, subject to the following conditions:

- Recipient committees that exist year-to-year are required to pay the fee annually by January 15, until the committee terminates.
- Recipient committees that are created and pay the initial \$50 fee in the last three months of a calendar year are not subject to the annual fee in the subsequent year.

Any committee that does not pay the fee is subject to a penalty of \$150.

Form 470-Officeholder & Candidate Campaign Statement - Short Form: For use by those candidates and elected officeholders who have neither raised nor spent \$1,000 or more, or in whose behalf not more than \$1,000 has been raised or spent or will be raised or spent. This form can be filed at the onset of campaign if plans are not to collect or spend \$1,000. No further forms need to be filed.

Officeholders and candidates who do not have a controlled committee and who anticipate receiving less than \$1,000 and spending less than \$1,000 during the entire calendar year may reduce their filing obligations by filing a Form 470, Candidate & Officeholder campaign Statement-short form. If the Form 470 is filed with a declaration of candidacy or on or before the filing deadline for the first report required to be filed covering activities which occurred during the current calendar year, no additional campaign statements need to be filed for the remainder of the year so long as total receipts remain less than \$1,000 and total expenditures remain less than \$1,000.

If, after filing a form 470, the candidate or officeholder's total contributions or total expenditures for the calendar year reach \$1,000. Form 470 supplement must be filed within 48 hours.

Form 460--Candidate & Recipient Committee Campaign Statement - Long Form: For use by all candidates and elected officeholders not eligible to use the short Form 470, who will raise or spend \$1,000 or more during a calendar year.

Officeholders or candidates who plan to make or receive contributions or make expenditures of \$1,000 or more will have to file up to three statements.

Use the Form 460 to file any of the following:

- Pre-Election Statement
- Semi-Annual Statement
- Quarterly Statement
- Special Odd- Year Report
- Supplemental Pre-Election Statement
- Termination Statement
- Amendment to a previous filed Statement

### **OTHER FORMS:**

Form 465--Supplemental Independent Expenditure Report: For use by candidate or committee which makes independent expenditures totaling \$1000 or more in a calendar year to support or oppose a specific candidate, a specific measure, or the qualification of a specific measure.

Form 495-Supplemental Pre-Election Campaign Statement: For use by a recipient committee that makes contributions totaling \$10,000 or more in connection with an election for which the committee is not required to file regular pre-election reports. It is filed as an attachment to campaign disclosure statement (Form 450 or 460). On the Form 450 or 460 the committee will report all contributions received and expenditures made since its last report.

Form 496 -Late Independent Expenditure Report: For use to report a late independent expenditure totaling \$1000 or more to support or oppose a single candidate during the 16 days immediately preceding the election. This form must be filed with 24 hours of making the expenditure and filed by fax, telegram, guaranteed overnight delivery, or personal delivery. **Regular mail may not be used.**

The original and one copy of all campaign disclosure forms, and statement of economic interests are to be filed with the City Clerk's office. The filing schedule is required of all candidates who have expended or collected over \$1,000 during the election.

### **FILING IS THE RESPONSIBILITY OF CANDIDATE AND/OR COMMITTEE**

It is the responsibility of candidates and/or committees to be aware of and to file the required campaign disclosure statements in a timely manner. As a courtesy, the office of the City Clerk reminds candidates who, based on nomination documents, appear to have a campaign disclosure filing requirement. With the inception of threshold filing

periods/requirements, however, only the candidate or committee can ascertain whether they do or do not have a threshold filing requirement.

### **ANONYMOUS CONTRIBUTIONS**

Section 84304 of the Government Code provides:

"No person shall make an anonymous contribution or contributions to a candidate, committee or any other person totaling one hundred dollars (\$100) or more in a calendar year. An anonymous contribution of one hundred dollars (\$100) or more shall not be kept by the intended recipient but instead shall be promptly paid to the Secretary of State for deposit in the General Fund of the State."

### **MASS MAILINGS**

Section 89001 of the Government Code provides:

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

Fair Political Practices Commission

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 Semi-Annual	* – 6/30/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> </ul>
Within 24 Hours Contribution Reports	8/10/22 – 11/8/22	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to or in connection with another candidate or measure being voted upon November 8, 2022.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.</li> </ul>
Sep 29, 2022 1 <sup>st</sup> Pre-Election	7/1/22 – 9/24/22	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
Oct 27, 2022 2 <sup>nd</sup> Pre-Election	9/25/22 – 10/22/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> <li>File by personal delivery or guaranteed overnight service. The committee may also file online, if available.</li> </ul>
Jan 31, 2023 Semi-Annual	10/23/22 – 12/31/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before December 31, 2022.</li> </ul>

**Additional Notes:**

- \*Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- Local Ordinance:** Always check on whether additional local rules apply.
- Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 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 Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- Form 501:** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- 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.

[www.fppc.ca.gov](http://www.fppc.ca.gov)

Email Advice:  
[advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

Phone Advice:  
1-866-ASK-FPPC

Campaign Filing Schedule

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### Fair Political Practices Commission

- **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 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - **Form 496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
  - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days. Once the California Access Replacement System (CARS) system is live, this report will be eliminated, and the information captured on other reports.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements and reports are public documents.
- **Resources:** Campaign manuals and other instructional materials are available on the [Campaign Rules](#) page. Or, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) > Learn > Campaign Rules.

## ELECTION NIGHT ACTIVITIES

The polls are officially closed at 8:00 p.m. on election night (November 8, 2022). Election activity then changes from what was primarily voter participation at the polls to precinct officials completing necessary procedures and forms and delivering voter ballots and supplies to the Ballot Receiving Center. The votes are tallied at the County Civic Center building. Election information will be available via the Internet.

As currently planned, the Vote by Mail ballots will be reported first, at approximately 8:30 p.m.

Election results are available online to candidates who wish to monitor the results, with information from the first precinct(s) available starting at approximately 9:30 p.m. The web site is [www.tularecoelections.org](http://www.tularecoelections.org).

## QUESTIONS FREQUENTLY ASKED BY CANDIDATES

- Is there a filing fee involved in my candidacy?

*A filing fee for municipal office is at the discretion of the governing body. The Visalia City Council has not set a filing fee.*

- Is your office open during the lunch hour?

*Yes. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.*

- What if I change my mind about being a candidate after filing nomination papers?

*You may withdraw as a candidate at any time prior to the close of the nomination period, which is August 12 (or August 17 if an incumbent does not file.) You are not permitted to officially withdraw after that date, and your name will appear on the ballot.*

- What happens if some of the signatures I obtain on my nomination papers for an office are not registered voters, or do not live within the jurisdiction I seek to represent?

*File your nomination papers early to avoid the consequences of a problem of this type. The Registrar of Voters must certify the signatures on nomination papers. If you wait until the last day to file and your sponsor's signatures, for any reason, are insufficient; you will not have qualified to be a candidate. If you file early, there will be time to check the signatures and notify you of any insufficiencies, and you may have an opportunity to submit supplemental signatures on your nomination papers.*

- How soon will a list of qualified candidates be available after the close of the nomination period?

*The nomination period ends, August 12, 2022, and if an incumbent does not file, the nomination period is extended until August 17, 2022. A list of candidates will be prepared the next day and should be available for distribution by noon. You may come into the office and pick up a copy of the list of candidates.*

- May I change or correct the wording/spelling on any candidate's statement after submission?

*No, you may not. Check your candidate's statement carefully before submitting.*

- If I submit a voluntary candidate's statement and I change my mind, may I withdraw the statement?

*The candidate's 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.*

- Why is there so much paperwork involved in being a candidate, particularly when the compensation for attending meetings is minimal?

*Election law specifies documents required, as well as format, filing dates, etc. and filing requirements are not at the City's discretion.*

## **REGISTRATION AND ELECTION DATA**

The California Administrative Code, Title 2, Division 7, Article 1, Section 19003, specifies permissible uses for any data obtained from voter registration files. Permissible usage includes direct election campaigning, surveys in conjunction with an election campaign and distribution of information of a political nature. Data obtained from voter registration or election files may not be sold, leased, loaned, reproduced, or possession thereof relinquished without receiving written authorization to do so from the Secretary of State or Registrar of Voters. Prohibited usage includes commercial purposes and solicitation of contributions or services for any purpose other than on behalf of a candidate or political party, or in support of opposition of a ballot measure.

## **DATA AVAILABLE FROM THE DEPARTMENT OF VOTER REGISTRATION AND ELECTIONS**

The Tulare County Elections Office offers a variety of documents and services to the candidates. Files and information are subject to change. Fees vary according to the type of document or data requested. You can check their web page for a list of what information, data or services are available, costs and instructions on how to make requests. If you have any questions, or do not see the data listed that you need, please feel free to contact the Elections Office at (559) 624-7300.

## **OTHER DATA PERTAINING TO THE 2022 MUNICIPAL ELECTION**

### **REGISTRATION DEADLINE**

October 24, 2022 is the last day to register to vote in the November 8, 2022 election.

### **ELECTION DAY**

On November 8, 2022, the polls will be open from 7 a.m. to 8 p.m.

Absent voter ballots may also be received at any polling place in the city by the close of the polls on Election Day. Those absent voter ballots received at the polls are counted during the official canvass because the voters' signature has to be verified before counting. (Election Code 1013)

### **OFFICIAL CANVASS OF RETURNS**

The Registrar of Voters shall prepare a certified statement of the results and submit it to the City Clerk's office by December 8, 2022.

## **City of Visalia Policy for Assessing Fines for Late FPPC filings**

### **ASSESS OR WAIVE LATE FINES**

When considering whether to waive or partially waive a fine, the City Clerk will take into consideration any prior late filings by the candidate, officeholder or committee. Those who repeatedly file late greatly increase their chances of being fined.

Liability need not be enforced by the City Clerk if, on an impartial basis, he or she determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the Political Reform Act. In addition, the filer must provide a reason for the late filing in writing. No liability may be waived if a statement or report is not filed within 10 days, or five days in the case of a second pre-election statement, after the filing officer has sent specific written notice of the filing requirement.

## **"Good Cause" Reasons For Waiving Late Filing Fees**

The City Clerk will consider a request to waive the payment of a fee for filing a campaign statement late if the request is based on "good cause." Requests to waive fines must be submitted in writing to the City Clerk.

There are two categories of "good cause" for waiving late filing fees. These causes must relate to the person required to file the report or statement.

### **First Category of Good Cause**

#### **1. Incapacitation for Medical Reasons**

Adequate documentation consists of a doctor's, psychologist's, therapist's, chiropractor's, or other medical provider's statement giving the nature of the incapacitation, the date(s) thereof, and the individual's name.

#### **2. Hospitalization**

Adequate documentation consists of a copy of the hospital bill or doctor's statement showing the patient's name and the date(s) of the hospitalization.

#### **3. Accident Involvement**

If medical attention is provided and results in the late filing, a copy of the hospital bill, emergency room service, or doctor's statement, showing the patient's name and date(s) and time(s) of medical attention, is adequate documentation. If the accident involvement results in delay or vehicle disablement which causes the late filing, adequate documentation consists of a police report showing the individual's name, the date and time of the accident, and, if applicable, whether or not the vehicle was disabled.

#### **4. Death**

Adequate documentation consists of a copy of the death certificate or an obituary notice.

### **Second Category of Good Cause**

The second category is defined as other unique, unintentional factors beyond the filer's control not stemming from a negligent act or non-action. The factors are:

#### **1. Loss or Unavailability of Records**

The loss or unavailability of records due to a fire, flood, theft or similar reason. Adequate documentation shall consist of a police, fire or insurance report, containing the date of the occurrence and the extent of the loss or damage.

#### **2. Unique Reasons**

Other unique reasons. These include compelling reasons beyond the filer's control.

## PROCESSING LATE FILINGS

Any person who files a campaign statement or report after the deadline imposed by the Political Reform Act is liable for a late fine pursuant to Government Code Section 91013.

There are no provisions for granting extensions of the filing deadlines.

Late filing penalties may be assessed only when a report or statement is filed *late*. *Failure* to file required reports or statements can result in civil and criminal penalties. If the filing officer has notified a non-filer of the obligation to file a statement and the candidate, officeholder or committee does not file the required statement, the matter should be referred to the FPPC Enforcement Division using the referral form.

### **Original Statements or Reports:**

In the case of an *original* statement or report which is filed late, the fine is \$10 per day, starting the day after the filing deadline until the statement or report was filed; however, no liability shall exceed the cumulative amount of reported contributions or expenditures stated in the late statement or report, or \$100, whichever is greater.

### **Copies of Statements or Reports:**

In the case of a *copy* of a statement or report which is filed late, the fine is \$10 per day, starting 10 days, or five days in the case of a second pre-election campaign statement, *after the filing officer has sent specific written notice* of the filing requirement, until the statement or report was filed; however, no liability shall exceed the cumulative amount statement in the late statement or report, or \$100, whichever is greater.

***The filing officer receiving the late fines may deposit the funds into the general fund of the jurisdiction of which he or she is an officer.***

## ASSESSING FINES FORMULA

The Political Reform Act provides a formula for assessing late fines of original campaign statements filed with the local filing officer. The fine is \$10 per day, starting the day after the filing deadline, until the statement is filed; however, no liability may exceed the cumulative amount of reported contributions or expenditures, or \$100, whichever is greater.

Determine these factors:

1. Multiply the number of days late by \$10 - not to exceed the number of days late.
2. Determine the cumulative amount of contributions.  
(Summary Page, Column A, Line 5)
3. Determine the cumulative amount of expenditures;  
(Summary Page, Column A, Line 11)
4. Is \$100 greater than the amounts in steps 2 or 3?

Examples:

15 days late @ \$10	\$150
Cumulative Contributions	125
Cumulative Expenditures	<u>80</u>
Maximum Fine:	125

15 days late @ \$10	\$ 150
Cumulative Contributions:	500
Cumulative Expenditures	<u>300</u>
Maximum Fine:	150

15 days late @ \$10	\$150
Cumulative Contributions	80
Cumulative Expenditures	<u>80</u>
Maximum Fine:	100

100 days late @ \$10	\$1000
Cumulative Contributions:	500
Cumulative Expenditure	<u>250</u>
Maximum Fine:	500

10 days late @ \$10	\$100
Cumulative Contributions	1000
Cumulative Expenditures	<u>800</u>
Maximum Fine:	100

**COLLECTION OF UNPAID FINES**

Filing officers may bring a civil action and obtain a judgment in small claims, municipal, or superior court, depending on the jurisdictional amount.