

2018 City of San José  
 Mayoral & Councilmember Primary Election  
 General Information

On Tuesday, June 5, 2018, City of San José voters will vote on the following offices:

Office	District	Incumbent
Mayor	Citywide	Sam Liccardo
Councilmember	1	Charles "Chappie" Jones
Councilmember	3	Raul Peralez
Councilmember	5	Magdalena Carrasco
Councilmember	7	Tam Nguyen
Councilmember	9	No Incumbent*

\*Incumbent is termed out.

**TERM**

The term for all offices is January 1, 2019 through December 31, 2022.<sup>1</sup>

**ELIGIBILITY**

To be eligible for office, a candidate must be a:

- 1) United States citizen by January 1, 2018.<sup>2</sup>
- 2) City of San José resident by February 7, 2018, and, except for Mayoral candidates, a resident of the District in which the candidate is running by February 7, 2018.<sup>3</sup>
- 3) Registered voter of the City of San José by March 9, 2018.<sup>4</sup> If an incumbent does not seek re-election, the deadline for that District is extended by five calendar days.<sup>5</sup>

The City Clerk will determine whether a candidate meets the eligibility requirements when nomination papers are filed.<sup>6</sup>

**RUNOFF ELECTION**

To be elected to office, a candidate must receive a majority of all votes cast for the office being sought.<sup>7</sup> If no candidate receives a majority, the top two candidates will run against each other in a runoff election on November 6, 2018.<sup>8</sup>

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**COUNCIL COMPENSATION**

The Offices of Mayor and Councilmember are full-time, compensated positions.<sup>9</sup> Currently, the annual salary for the Office of Mayor is \$128,750 and \$94,760 for the Office of Councilmember.<sup>10</sup> The Council may also receive a \$500 monthly vehicle allowance and other benefits available to management employees.

**NOMINATION PAPERS**

The filing period for Nomination Papers is:

**Monday, February 12, 2018 through Friday, March 9, 2018 at 12:00 p.m.**<sup>11</sup>

If an incumbent does not seek re-election, the filing deadline for that District is extended five calendar days to March 14, 2018 at 12:00 p.m.<sup>12</sup>

Nomination Papers are issued by the City Clerk and must be filed with the City Clerk. The Office of the City Clerk is located at 200 E. Santa Clara Street, 14th Floor Tower, San José, CA 95113. Nomination Papers will be available in the Office of the City Clerk beginning **Monday, February 12, 2018.**

Although not required, appointments are highly recommended. To schedule an appointment, call the Office of the City Clerk at (408) 535-1260. A representative may pick up nomination papers for the candidate with the candidate's written authorization. However, candidates are encouraged to come in personally so they can receive important election information. Allow at least one hour for the appointment.

All Nomination Papers must be filed at the same time in hard copy form. Nomination Papers include:

1. Nomination Paper (also known as the "petition")
2. Certificate of Residency
3. Ballot Designation Worksheet and Form
4. Statement of Economic Interests ([Form 700](#))
5. *Candidate Statement of Qualifications* Form (A candidate statement is optional; but submittal of the form is required)
6. Code of Fair Campaign Practices (voluntary)<sup>13</sup>
7. Declaration by Candidate or Committee Treasurer (Form 503)
8. Other forms, as required by the Santa Clara County Registrar of Voters (ROV)

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**FEES & ESTIMATED COSTS**

The filing fee is \$25 for all candidates.<sup>14</sup> In addition, if a candidate chooses to submit a *Candidate Statement of Qualifications* for printing in the Santa Clara County Voter's Sample Ballot, the candidate must pay a deposit towards printing as estimated by the ROV. The estimates for the June 5, 2018 Primary Election are:

- \$10,300 for Office of Mayor
- \$2,310 for Council District 1
- \$2,280 for Council District 3
- \$2,180 for Council District 5
- \$2,240 for Council District 7
- \$2,480 for Council District 9

Fees and estimated costs are due when Nomination Papers are filed, and may be paid by cash, check (payable to the "City of San José"), or credit card.

**NOMINATION PETITION<sup>15</sup>**

At least 50 **valid** signatures are required to qualify as a candidate, but no more than 75 signatures will be **accepted or counted**. Persons signing for Councilmember candidates must be registered voters of the Council District in which the member is to be elected. Persons signing for Mayoral candidates must be registered voters of the City of San José and may reside anywhere in San José. One supplemental nomination petition may be issued before the closing date if a candidate fails to gather 50 valid signatures.

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**CANDIDATE STATEMENT OF QUALIFICATIONS<sup>16</sup>**

Each candidate may file a 200-word *Candidate Statement of Qualifications* for inclusion in the Voter's Sample Ballot prepared by the ROV. Candidates who choose to include a statement in the sample ballot must reimburse the City for the actual costs charged by the ROV. The City collects an estimated charge from each candidate who chooses to include a statement. The estimated charge is due at the time the statement is filed. All election materials, including the *Candidate Statement of Qualifications* are translated into Chinese, Spanish, Tagalog and Vietnamese. The candidate is entitled to a refund if the actual cost of printing is less than the deposit. However, the candidate must pay the difference if the actual cost of printing is more than the deposit.

A candidate statement cannot be changed after it is filed, but it may be withdrawn until 5:00 p.m. on Monday, March 12, 2018 (or 5:00 p.m. on Thursday, March 15, 2018 if an incumbent fails to file nomination papers).<sup>17</sup> Candidate statements will be available for public examination after 5:00 p.m. on Friday, March 9, 2018.

**BALLOT DESIGNATION<sup>18</sup>**

A ballot designation may not exceed three words designating either the current principal profession, vocation, or occupation of the candidate or principle profession, vocation or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents. Ballot designations are regulated under the California Elections Code. The [California Secretary of State website](#) also has information on ballot designations.

**STATEMENT OF ECONOMIC INTEREST (Form 700)**

The Political Reform Act<sup>19</sup> requires government officials and designated employees to publicly disclose their personal assets and income, and disqualify themselves from participating in decisions which may affect their personal economic interests. The Fair Political Practices Commission (FPPC) is the state agency responsible for interpreting the Political Reform Act and issues the Form 700.

All candidates must file a hard copy of a Form 700 with the City Clerk when nomination papers are filed. The [FPPC website](#) has more information about the Form 700 and what must be disclosed.

Form 700s are public records available for public review.

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**GENERAL GUIDELINES FOR FUNDRAISING AND CAMPAIGN DISCLOSURE**

- Candidates must comply with both California and the City of San José laws regulating campaign fundraising, expenditures, recordkeeping and campaign disclosure. See *both* the FPPC [Campaign Disclosure Manual 2: Important Information for Local Candidates](#) and [Chapter 12.06 of the San José Municipal Code](#) (SJMC) for campaign information and regulations.
- Candidates must file a *Candidate Intention Statement* ([Form 501](#)) before soliciting contributions. Candidates may also be required to organize a candidate-controlled campaign committee by filing a *Statement of Organization* ([Form 410](#)). Candidate-controlled committees must file periodic campaign finance disclosure statements during the election cycle on dates established by California law and SJMC [Chapter 12.06](#). The City Clerk will provide a schedule of campaign disclosure deadlines.
- The City Clerk is the filing official for the City of San José and prescribes the format for campaign finance reports submitted electronically. All State and Local Forms are available in the Office of the City Clerk, on the [City Clerk's website](#), or on the [FPPC website](#). Contact the City Clerk for more information regarding filing campaign statements electronically.
- The Campaign Contribution Period for the June 2018 election is December 7, 2017 through June 4, 2018.<sup>20</sup> No candidate may solicit, accept, or deposit contributions outside of the Campaign Contribution Period.<sup>21</sup> Any contribution received outside the Campaign Contribution Period must be returned to the contributor or donor within 5 business days.<sup>22</sup>
- Contribution limits for the 2018 elections are \$600 per “person” per election for Councilmember candidates and \$1,200 per “person” per election for Mayoral candidates.<sup>23</sup> “Person” is defined as an individual, business entity, foundation, organization, committee or association, nonprofit corporation, and any other organization or group of people acting in concert.<sup>24</sup>
- Personal funds may be deposited into the campaign bank account, subject to the following limits under SJMC [Section 12.06.295](#). Candidates must disclose the source of all personal funds deposited into their campaign bank account. If the source of the funds is a loan to the candidate, the name and address of the lender and the terms of the loan must also be reported on a form provided by the City Clerk ([Form 502](#)) on or before the date of the next pre-election statement that must be filed after the funds are deposited into the campaign bank account. No candidate may make a loan to his or her campaign or campaign committee where the outstanding total, at any point in time, is more than \$20,000.

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**CAMPAIGN SIGNS**

Signs for the June 5, 2018 election may not be displayed before February 13, 2018. All signs must be removed by June 15, 2018. However, candidates who advance to the runoff election may leave their signs up through November 16, 2018. See SJMC [Section 23.04.760](#) for further information.

*See next page for election resources and contact information.*

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**RESOURCES**

**Office of the City Clerk, City of San José**

200 E. Santa Clara Street, Tower - 14<sup>th</sup> Floor, San José, CA 95113

Ph. (408) 535-1260 Fax: (408) 292-6207

Open Monday-Friday 8:00 a.m. - 5:00 p.m.

Email: [elections@sanjoseca.gov](mailto:elections@sanjoseca.gov)

Website: <http://www.sanjoseca.gov/index.aspx?NID=5694>

**Office of the City Attorney, City of San José**

200 E. Santa Clara Street, Tower - 16<sup>th</sup> Floor, San José, CA 95113

Ph. (408) 535-1900 Fax: (408) 998-3131

Open Monday-Friday 8:00 a.m. - 5:00 p.m.

Email: [SJElections@sanjoseca.gov](mailto:SJElections@sanjoseca.gov)

Website: <http://www.sanjoseca.gov/index.aspx?NID=4796>

**California Fair Political Practices Commission (FPPC)**

FPPC Toll-Free Number [1-866-ASK-FPPC](tel:1-866-ASK-FPPC) (1-866-275-3772)

Open Monday-Thursday, 9:00 a.m. - 11:30 a.m. & 1:30 p.m. - 3:30 p.m.

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

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

**Santa Clara County Registrar of Voters**

1555 Berger Drive, Building 2, San José, CA 95112

Open Monday - Friday 8:00 a.m. - 5:00 p.m.

General: (408) 299-VOTE [8683]

Election Officers: (408) 299-POLL [7655]

Toll Free: (866) 430-VOTE [8683]

Chinese: (408) 282-3086

Spanish/Español: (408) 282-3095

Tagalog: (408) 535-3916

Vietnamese/TiếngViệt: (408) 282-3097

Mailing Addresses:

General: P.O. Box 611360, San José, CA 95161-1360

Voter Registration: P.O. Box 611300, San José, CA 95161-1300

Vote by Mail: P.O. Box 611750, San José, CA 95161-1750

Precinct Operations: P.O. Box 612350, San José, CA 95161-2350

Email: [registrar@rov.sccgov.org](mailto:registrar@rov.sccgov.org)

Website: <https://www.sccgov.org/SITES/ROV/Pages/Registrar-of-Voters.aspx>

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**RESOURCES (continued)**

**California Secretary of State**

Political Reform Division  
 1500 11<sup>th</sup> Street  
 Sacramento, CA 95814  
 Ph. (916) 653-6224  
 Website: <http://www.sos.ca.gov/>

**SouthTech Campaign Disclosure System<sup>25</sup>**

**CampaignDocs HelpDesk** (software-related questions only)  
 Email both: [Natalie.Dominguez@southtechsystems.com](mailto:Natalie.Dominguez@southtechsystems.com) and  
[Dale.Bradford@southtechsystems.com](mailto:Dale.Bradford@southtechsystems.com)  
 Website: <http://campaigndocssupport.southtechsystems.com/>

eCampaign Filer Access:

<https://www.southtechhosting.com/SanJoseCity/eCampaign/>

View Campaign Forms:

<https://www.southtechhosting.com/SanJoseCity/CampaignDocsWebRetrieval/>

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<sup>1</sup> [City Charter](#) § 402.

<sup>2</sup> City Charter § 404(a).

<sup>3</sup> City Charter § 404(b).

<sup>4</sup> City Charter § 404(c).

<sup>5</sup> Elec. Code § [10225](#).

<sup>6</sup> City Charter § 404.

<sup>7</sup> City Charter § 1600(g).

<sup>8</sup> City Charter § 1600(d).

<sup>9</sup> City Charter § 407.

<sup>10</sup> Ordinance No. 29973.

<sup>11</sup> Elec. Code § [10220 et seq.](#)

<sup>12</sup> Elec. Code § [10225](#).

<sup>13</sup> Elec. Code § [20440](#).

<sup>14</sup> Resolution No. 77382

<sup>15</sup> SJMC § [12.05.040](#).

<sup>16</sup> Elec. Code § [13307](#).

<sup>17</sup> Elec. Code § [13307\(a\)\(3\)](#).

<sup>18</sup> Elec. Code § [13107](#).

<sup>19</sup> Gov. Code §§ [81000 et seq.](#)

<sup>20</sup> SJMC § [12.06.290\(B\)](#).

<sup>21</sup> SJMC § [12.06.290\(A\)](#).

<sup>22</sup> SJMC § [12.06.290\(F\)](#).

<sup>23</sup> SJMC § [12.06.210](#); Resolution No. 78371.

<sup>24</sup> SJMC § [12.06.210](#).

<sup>25</sup> City has transitioned from Netfile to SouthTech effective December 6, 2017.

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