

CANDIDATE GUIDE

BAY AREA RAPID TRANSIT (BART) BOARD OF DIRECTORS



CONSOLIDATED GENERAL ELECTION NOVEMBER 4, 2014

SAN FRANCISCO DEPARTMENT OF ELECTIONS

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www.sfelections.org

CALENDAR FOR THE OFFICE OF BART BOARD OF DIRECTORS, DISTRICT 8

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| <p style="text-align: center;">July 14–August 8, 5:00 p.m. (E-113 – E-88) CAEC §10220</p> | <p>NOMINATION PERIOD The period for which all candidates may obtain and file nomination documents. All nomination documents and fees must be filed no later than August 8, 2014 at 5:00 p.m. There is no filing fee. Candidates who wish to publish a candidate statement of qualifications in the City’s Voter Information Pamphlet must pay a publication fee of \$750.</p> |
| <p style="text-align: center;">AUGUST 8, 5:00 P.M. (E-88) SF MEC § 250</p> | <p>WITHDRAWAL OF NOMINATORS (SIGNERS) The last day nominators may withdraw their nomination of a candidate by filing a signed and sworn statement of withdrawal with the Department of Elections.</p> |
| <p style="text-align: center;">August 8, 5:00 p.m. (E-88) SF MEC § 401</p> | <p>SUBMISSION OF PROPOSED TRANSLATED OR TRANSLITERATED CHINESE NAME Deadline for candidates for local office to submit a proposed translated or transliterated Chinese name to the Department of Elections. Proposed names should be submitted along with the supporting information and material described in the candidate guide.</p> |
| <p style="text-align: center;">August 8, 5:00 p.m. (E-88) SF MEC § 401</p> | <p>SUBMISSION OF PROPOSED TRANSLATED OR TRANSLITERATED CHINESE NAME Deadline for candidates for local office to submit a proposed translated or transliterated Chinese name to the Department of Elections. Proposed names should be submitted along with the supporting information and material described in the candidate guide.</p> |
| <p style="text-align: center;">August 9, noon – August 19, noon (E-87** – E-77) SF MEC § 590 (a) (1) (2)</p> | <p>PUBLIC INSPECTION PERIOD: CANDIDATE QUALIFICATIONS STATEMENTS & BALLOT DESIGNATIONS Period of public review for candidate qualifications statements for publication in the Voter Information Pamphlet. Period of public review for the ballot designations to be printed on the ballot.</p> |
| <p style="text-align: center;">August 9 – August 13, 5:00 p.m. (E-87** – E- 83) CAEC §§ 10224, 10516, 10604</p> | <p>SPECIAL CIRCUMSTANCE EXTENDED FILING If an eligible incumbent does not file during the regular nominating period, the candidate filing period for that office shall be extended 5 calendar days for candidates other than the incumbent.</p> |
| <p style="text-align: center;">August 14, noon – August 25, noon (E-82 – E-72**)</p> | <p>SPECIAL CIRCUMSTANCE EXTENDED PUBLIC INSPECTION PERIOD FOR CANDIDATE QUALIFICATION STATEMENTS AND BALLOT DESIGNATIONS This special circumstance public inspection period is applicable only if the candidate filing period has been extended per CAEC §§ 10220, 10224, 10225, 10516, 10604 Period of public review for the candidate qualification statements and ballot designations submitted during the special circumstance extended filing period.</p> |
| <p style="text-align: center;">August 14, 11 a.m. (E-82) CAEC §13112 (b) (1) (c) (i)</p> | <p>RANDOMIZED ALPHABET DRAWING The Secretary of State shall conduct the randomized alphabet drawing to determine the order in which the candidate names will appear on the ballot.</p> |

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| <p>August 19, noon – August 29, noon (E-77 – E-67) SF MEC §§ 590 (c), 401 (c)</p> | <p>PUBLIC INSPECTION PERIOD: CHINESE NAMES FOR LOCAL CANDIDATES</p> <p>Public review of Chinese names for all candidates for local office. Deadline for filing a legal challenge to a candidate's Chinese name is August 29, 2014, noon. A candidate may challenge the Chinese name designated for him or her by the Department of Elections. A voter may challenge the Chinese name designated for any candidate.</p> |
| <p>August 29, 5:00 p.m. (E-67) SF MEC §§ 260, 220(e)</p> | <p>WITHDRAWAL OF CANDIDACY OR CANDIDATE STATEMENT</p> <p>This is the last day for local candidates may withdraw their candidacy or candidate statement by filing a signed and sworn statement of withdrawal with the Department of Elections.</p> |
| <p>Sept. 8 – Oct. 21, 5:00 p.m. (E-57 – E-14) CAEC §8601</p> | <p>STATEMENT OF WRITE-IN CANDIDACY & NOMINATION PAPERS</p> <p>During this period, all write-in candidates must file their Statement of Write-In Candidacy and Nomination Papers with the Department of Elections.</p> |
| <p>November 4 (E)</p> | <p>ELECTION DAY Polls open at 7 a.m. and close at 8 p.m.</p> |
| <p>December 2 (E+28) CAEC § 15372 SF Charter § 13.108</p> | <p>LAST DAY TO CERTIFY ELECTION RESULTS</p> <p>The Department of Elections shall prepare a certified statement of results of the election and submit it to the governing body no later than the fourth Friday after the election.</p> |

CAMPAIGN FINANCE DATES

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| <p>JULY 31 Gov't Code § 84200(3)(B)(C)</p> | <p>FIRST SEMI-ANNUAL CAMPAIGN FINANCE STATEMENT- FPPC FORM 460</p> <p>Deadline to file campaign statements for the period January 1, 2014 to June 30, 2014.</p> |
| <p>AUG 6, – NOV. 4 (E-90 – E) (Gov't Code § 84200.7(b)(1))</p> | <p>ELECTION CYCLE REPORTS– FPPC FORM 497</p> <p>During the 90 day period immediately preceding an election, and including election day, all candidates and committees that make an independent expenditure of \$1000 or more must report the expenditure within 24 hours . For more information, contact the Fair Political Practices Commission at 866-275-3772.</p> |
| <p>October 6 Gov't Code § 84200.8(a)</p> | <p>FIRST PRE-ELECTION CAMPAIGN FINANCE STATEMENT – FPPC FORM 460</p> <p>Last day for candidates and committees to file campaign statements covering the period July 1 – September 30, 2014. Local candidates and committees file with the Ethics Commission.</p> |
| <p>October 23 Gov't Code § 84200.8(b)</p> | <p>SECOND PRE-ELECTION CAMPAIGN FINANCE STATEMENT – FPPC FORM 460</p> <p>The last day for candidates and committees to file campaign statements for the period ending Oct. 18, 2014. Candidates being voted upon, their controlled committees, and committees primarily formed to support or oppose a candidate or measure must file with the Ethics Commission electronically.</p> |
| <p>Feb. 2, 2015 Gov't Code § 84200</p> | <p>SECOND SEMI-ANNUAL CAMPAIGN FINANCE STATEMENT – FPPC FORM 460</p> <p>Last day to file campaign statements for the period ending December 31, 2014.</p> |

Code References:

Cal. Gov't Code: California Government Code
SF MEC: San Francisco Municipal Elections Code
CAEC: California Elections Code

INTRODUCTION

This Candidate Guide has been prepared to assist candidates for the **Bay Area Rapid Transit (BART) Board of Directors, District 8** in the upcoming Consolidated General Election on Tuesday, November 4, 2014. This guide summarizes nomination requirements that each candidate must meet in order to qualify to have his or her name appear on the ballot. This guide also includes filing deadlines and references to other government agencies that regulate or assist candidates.

The best advice the Department of Elections can give to candidates is to FILE EARLY! Candidates can qualify to have their names appear on the ballot only if they satisfy all requirements imposed by law; even technical requirements. Many of the filing deadlines, including the deadline for filing nomination papers, are set by law and cannot be extended. If a candidate waits until the end of the filing period to file nomination papers, and if the papers contain errors or omissions, the candidate may fail to qualify to have his or her name appear on the ballot. Candidates who submit their nomination papers early have an opportunity to identify and correct errors.

Please note that this guide is intended to answer the most frequently asked questions about the nomination process and is not intended to be all-inclusive. Furthermore, to the extent there is a conflict between this guide and an applicable law, regulation or rule, the law, regulation or rule applies. Candidates, committees and campaign staff should not, therefore, rely solely on this guide.

There are several important resources available to candidates, and the Department of Elections encourages all candidates to become familiar with and use these resources. The Fair Political Practices Commission (FPPC) and California Secretary of State (SOS) both play a role in administration and enforcement of laws regulating candidates and elections. The FPPC's *Manual 1 for State Candidates* describes in detail many of the disclosure and filing requirements that apply to candidates. The FPPC can be reached at (866) 275-3772 and www.fppc.ca.gov. The SOS can be reached at (916) 653-6224 and www.ss.ca.gov.

The Department of Elections is open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. Candidate issuing and filing during the nomination period is 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. For additional information please call (415) 554-4375.

Please note that although the Department of Elections is required to determine whether a candidate meets the technical requirements to qualify as a candidate, the Department does not judge whether a candidate is qualified to hold office. **The Declaration of Candidacy signed by the candidate states that the candidate meets all statutory and constitutional qualifications for office.**

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I. B.A.R.T. BOARD OF DIRECTORS INFORMATION

| B.A.R.T. Districts | Incumbents | Term Begins | Term Ends | Term Limit | NEXT ELECTION |
|---|-------------------|--------------------|------------------|------------------------|----------------------|
| 7 <i>District Includes:</i> Alameda/Contra Costa/San Francisco | Zakhary Mallett | 12/16/2012 | 12/16/2016 | Unlimited 4-yr Term | 11/08/2016 |
| 8 <i>District Includes:</i> Portion of San Francisco County only | James Fang | 12/1/2010 | 12/1/2014 | Unlimited 4-yr Term | 11/04/2014 |
| 9 <i>District Includes:</i> Portion of San Francisco County only | Tom Radulovich | 12/16/2012 | 12/16/2016 | Unlimited 4-yr Term | 11/06/2016 |

| For this Election | Qualifications | How Elected |
|--------------------------|---|---------------------|
| B.A.R.T. District 8 | Resident and voter of the district and of the geographical area making up the election district. | Elected by District |

| Bay Area Rapid Transit | Words | Cost |
|-----------------------------------|--------------|-------------|
| District 8 | 200 | \$750 |

II. GENERAL INFORMATION

ELIGIBILITY OF CANDIDATES

No person is eligible to be elected to the BART Board of Directors unless that person is a resident of the BART district and registered to vote at the time that nomination papers are issued to the person. (Public Utilities Code, Article 2.2, § 28747.6.)

DISTRICT BOUNDARIES

BART provides detailed maps that indicate the boundaries of the nine districts on their website:

<http://www.bart.gov/about/bod/districts.asp>

NOMINATION DOCUMENTS & ADDITIONAL FILING REQUIREMENTS

Candidates may pick up, complete and return the nomination documents between **July 14, 2014 and August 8, 2014 by 5:00 p.m.** The nomination documents, which are described in greater detail in the following pages, include:

- Declaration of Candidacy & Oath of Office
- Ballot Designation Worksheet
- Declaration of Filing Under Legal Name
- Declaration of Candidate Name in Chinese Characters
- Candidate Qualification Statement & Endorsement Letters
- Code of Fair Campaign Practices
- Statement of Economic Interests (FPPC Form 700)

Candidates should note that, in addition to the nomination requirements and documents described in this guide, candidates may be subject to other filing requirements. Candidates may be subject to other filing requirements before they file or even pick up nomination documents. Documents that a candidate may be required to file prior to filing nomination papers include the following:

- *Candidate Intention Notice Statement-Form 501*- Before a candidate solicits or accepts contributions or loans or uses any personal funds for campaign purposes (excluding filing fees), the candidate must file a *Candidate Intention Statement* (FPPC Form 501). Copies of this form are available from the Fair Political Practices Commission. (California Government Code § 85200.)
- *Campaign Finance Disclosure* - Each candidate who raises or spends \$1,000 or more must file campaign financial disclosure reports. Please contact the Fair Political Practices Commission for more information. (Government Code § 84000 *et seq.*)

BALLOT ORDER

On **August 14, 2014**, at 11a.m., the Secretary of State will conduct a random drawing of the alphabet, to determine the order in which the candidate's names shall appear on the ballot. The Department of Elections places the names of candidates on the ballot in accordance with the random alphabet. (CAEC § 13112 (b)(1)(e).)

III. FILING FEE

There is no filing fee. If a candidate would like to publish a candidate qualification statement in the City's Voter Information Pamphlet, the candidate must pay a publication fee of **\$750** at the time the candidate files his or her Nomination Documents with the Department of Elections (BART Board of Directors Resolution No. 4652.) The publication fee is non-refundable. Candidates may submit a Declaration of Indigency and request that the fee be waived. The Declaration must be supported by a statement of financial worth signed by the candidate under penalty of perjury. The Department of Elections has forms candidates may use to declare indigency and state their financial worth.

IV. NOMINATION DOCUMENTS

July 14, 2014 - August 8, 2014 5:00 PM

CAEC §§ 10510, 10511, 10512

FORM AND FILING OF NOMINATION DOCUMENTS

Nomination documents are used to establish that a candidate has qualified to have his or her name appear on the ballot. The Department of Elections furnishes all official nomination filing forms. Candidates may not use forms supplied by anyone other than the Department of Elections. Candidates must return all nomination documents to the Department of Elections at the same time, no later than 5:00 p.m. on **August 8, 2014**.

PICK UP AND RETURN OF NOMINATION DOCUMENTS

Candidates must personally pick up and return their nomination papers, or designate a representative to do so. The Department of Elections has a letter of authorization form for this purpose, although candidates may prepare their own letter of authorization. The letter should include: the name of the designated representative; the candidate's name, residence address, and daytime telephone number; and the office sought by the candidate. In addition, the letter should refer to the 5:00 p.m. **August 8, 2014** deadline for filing nomination documents, and state that the candidate is aware of and understands the deadline. The candidate must sign the letter and deliver it to the Department of Elections.

As a general rule, candidates must execute their nomination filing paperwork in the Department of Elections. If a candidate submits a letter authorizing another person to pick up and file the candidate's nomination filing paperwork, the candidate must execute the Declaration of Candidacy in the presence of a notary public.

A. DECLARATION OF CANDIDACY & OATH OF OFFICE

Each candidate must file a *Declaration of Candidacy* declaring that the candidate meets the legal qualifications for the office sought and that if nominated the candidate would accept the nomination. The *Declaration of Candidacy* includes an *Oath of Office*. Candidates must execute their *Declaration of Candidacy and Oath of Office* at the Department of Elections.

The *Declaration of Candidacy* also indicates how the candidate's name and occupation should appear on the ballot. For information about the candidate's name, see section C "*Declaration of Filing under Legal Name*," below. For information about the candidate's occupation, see page 10 on "Candidate's Ballot Designation" guidelines.

B. DECLARATION OF FILING UNDER LEGAL NAME

The candidate's name, as provided by the candidate on the *Declaration of Candidacy*, is the name that will appear on the ballot. It CANNOT be changed after the nomination period is closed. The candidate is required to use his or her legal name on the *Declaration of Candidacy*, and to file a *Declaration of Filing under Legal Name*. (CAEC §§13104, 13106-13107.)

A candidate's legal name is the name given at birth or established by marriage, general usage or habit, or by decree of any court of competent jurisdiction. A candidate's legal name may include a nickname, or combination of initials, full names, or individual letters or numerals. The candidate may:

1. Use a nickname, provided the given name or initials are shown.
2. Use only the initials of the given name with the last name.
3. Use a shortened familiar form of the given name (EXAMPLE: Bill for William)
4. Omit the middle name.

A candidate may not use titles such as "Miss", "Mrs.", "Dr.", "Col.", and "Rev."

If a candidate changes his or her name within one year of an election, the candidate may not file a *Declaration of Candidacy* under the new name unless the change was made by marriage or by court order.

C. CANDIDATE QUALIFICATION STATEMENT

Candidates may, but are not required to submit for publication in the Voter Information Pamphlet a statement of their qualifications to hold office. (CAEC §§ 13307, 13312-13313, 18351.) The Department of Elections will translate candidate qualification statements into Spanish and Chinese in the Voter Information Pamphlets.

1. CONTENTS

The *Candidate Qualification Statement* may contain the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate. The occupation stated in the *Candidate Qualification Statement* is not subject to the same restrictions as the ballot designation. The candidate's qualification statement shall not include the party affiliation of the candidate, or membership or activity in partisan political organizations. The statement shall not refer to other candidates.

2. LETTERS OF ENDORSEMENT

If a candidate wishes to include in his or her *Candidate Qualification Statement* the names of endorsers, the names and any identification will be counted toward the 200-word limit. The candidate must file an original signed letter of endorsement from each individual whose name is included.

3. FORMAT

In order to insure uniformity of qualification statements, each candidate must prepare the statement as follows:

1. Type the statement. Handwritten statements invite misinterpretation and errors.
2. Type the statement exactly as it should appear. Statements are printed exactly as submitted.
3. Do NOT use underlining, bold or italicized type, or unusual spacing or capitalization for emphasis.
4. Proofread the statement prior to filing. Check for errors in spelling, punctuation, and grammar. NO corrections are permitted after the filing deadline.
5. Do NOT include any party affiliation.
6. Do NOT include membership or activity in partisan political organizations.
7. Do NOT refer to any other candidates.

If a candidate submits a statement that does not conform to these guidelines, the Department of Elections will instruct the printer to typeset the statements utilizing a uniform format and ignore any special emphasis placed on words or phrases.

4. PUBLIC EXAMINATION PERIOD

August 9, 2014, Noon - August 19, 2014, Noon

SF MEC §§ 590 (a)(1), (2)

Candidate qualification statements are not available for public review until after the close of the nomination period. After the deadline for filing nomination papers, anyone may examine and purchase copies of the candidates' qualification statements.

During the 10-calendar-day period starting the day after the close of nominations, any San Francisco voter may seek a writ of mandate or an injunction requiring that material in a candidate qualification statement be amended or deleted. The voter must demonstrate by clear and convincing evidence that the material is false, misleading or inconsistent with the requirements of the California Elections Code, and that action by the court to correct or remove the material will not substantially interfere with printing or distribution of the Voter Information Pamphlet or Sample Ballot.

Candidates may be subject to liability for false, slanderous or libelous statements submitted for publication in the Voter Information Pamphlet. Any candidate who knowingly makes a false statement of material fact in his or her candidate statement, with the intent to mislead the voters in connection with his or her campaign for nomination or election to office is punishable by a fine of up to \$1,000. (CAEC § 18351)

5. WORD LIMIT & RULES FOR COUNTING WORDS

The candidate qualification statement may not exceed 200 words. The Department of Elections uses the following guidelines for counting words. The decision of the Director of Elections concerning word count is final. (CAEC § 9)

| | <u>Word(s)</u> |
|---|--------------------------|
| 1. The title and signatures are not counted - only the text is counted. | Free |
| 2. Punctuation | Free |
| 3. Dictionary words Examples: "I", "a", "the", "and" | One |
| 4. Abbreviations/Acronyms Examples: SFSU, PTA, U.S.M.C., S.F.P.D. | One |
| 5. Proper Geographical names Examples: San Francisco, City and County of San Francisco | One |
| 6. Numbers/Numerical combinations: Digits (1, 10, 100, etc.) | One |
| Spelled out (one, ten, one hundred, etc.) | One for each word |
| 50%, 1/2, etc. | One |
| 7. Number or letter used to identify a portion of text Examples are: (1), (a) each are counted as one word | One |

- | | | |
|------------|--|------------|
| 8. | Dates: All digits (11/04/14) Words and digits (November 6, 2014) | One |
| Two | | |
| 9. | Characters used in place of a word or number, such as: & or # | One |
| 10. | Hyphenated words Hyphenated words that appear in any generally available dictionary shall be considered as one word. Each part of all other hyphenated words shall be counted as separate words. Example: mother-in-law = One word | One |
| 11. | Phone number, Internet addresses | One |

E. CODE OF FAIR CAMPAIGN PRACTICES

In 1982, the State Legislature created a voluntary "Code of Fair Campaign Practices", to encourage candidates for public office to follow basic principles of honesty and fair play. The Department of Elections provides candidates with the form on which to subscribe to the "Code of Fair Campaign Practices." Subscription to the Code is **voluntary**. Candidates must file the completed form with the Department of Elections when filing all other nomination papers. (CAEC §§ 20400-20444.)

F. STATEMENT OF ECONOMIC INTERESTS - FORM 700

Each candidate must file a *Statement of Economic Interests* (Form 700) with the Department of Elections disclosing: investments, business positions, and income from sources located in or doing business in the jurisdiction; interests in real property located in the jurisdiction; and interests in real property located within a two-mile radius of any property owned or used by BART. The Department of Elections provides Form 700 to candidates in the nomination packet. Candidates with questions regarding the Form 700 should contact the Fair Political Practices Commission toll free at (866) ASK-FPPC. (Gov't Code § 87201.)

V. CANDIDATE'S BALLOT DESIGNATION

Each candidate may request that his or her occupation appear below his or her name on the ballot. If no designation is desired on the ballot under his or her name, the word "none" must be written on the form along with the candidate's signature in the appropriate space. (NOTE: "None" will *not* appear on the ballot.)

1. A candidate who wishes to have a ballot designation appear under his or her name on the ballot may choose ONE of the following:
 - a. Office Title (but not party affiliation):

Words designating the office that the candidate holds at the time of filing nomination papers (federal, state, county, city or district) to which he or she was elected by a vote of the people. EXAMPLE: Member, San Francisco Board of Supervisors

b. Incumbent:

The word "Incumbent" may be used if the candidate is a candidate for the same office, which he or she holds at the time of filing nomination papers, and was elected to that office by a vote of the people. The word "Incumbent" must stand-alone and cannot be used with any other designation.

c. Appointed Incumbent or Appointed + Office Title:

The words "Appointed Incumbent" or the word "Appointed" and the title of the office may be used if the candidate holds an office by appointment, and is filing as a candidate for election to the same office. The appointed officeholder MAY NOT USE the unmodified word Incumbent.

d. Principal Occupation in Three Words:

No more than three words may be used to designate the principal profession, vocation or occupation, which the candidate currently holds or held during the preceding calendar year.

2. The following restrictions apply to occupational designations

- a. NO misleading designations
- b. NO evaluations: such as outstanding, leading, expert, virtuous or eminent
- c. NO abbreviation of the word RETIRED and it must be placed in front of the word it modifies.
- d. NO Prefixes: such as "former" or "ex" which indicates a prior status
- e. NO avocations: such as "taxpayer", "activist", "pro" and "anti" anything, which conveys a philosophy or refers to a status rather than an occupation.
- f. NO proper names. Proper names of companies, institutions or organizations must be replaced with generic terms.
- g. NO reference to a political party
- h. NO reference to unlawful activities
- i. NO reference to a racial, religious or ethnic group

3. Basic test of acceptable designation performed by the Department of Elections staff:

- a. Is it true?
- b. Is it accurate?
- c. If it is true and accurate, does it mislead?
- d. Is it generic? ("computer company executive" is acceptable, but "IBM executive" is not)
- e. Is it neutral? (The designation may not be for or against anything)
- f. Is it how the candidate makes a living?

MULTIPLE OCCUPATIONS

If a candidate has more than one occupation, the candidate may use slashes and dashes to separate the occupations. (EXAMPLE: Legislator/Rancher.)

NOTICE OF UNACCEPTABLE DESIGNATION

If the Director of Elections determines that a ballot designation is not authorized by law, the Director will notify the candidate by registered mail with a return receipt requested. The candidate must provide an alternative designation within three days from the date of receipt of the notice. If the candidate fails to provide an alternative designation within this time, the candidate's name will appear on the ballot without a designation. No candidate designation may be changed after the deadline for filing nomination papers except as described in this section.

NO DESIGNATION MAY BE CHANGED

No candidate may change his or her designation after the deadline for filing nomination documents, except as specifically requested by the elections official as described above.

BALLOT DESIGNATION WORKSHEET

The Ballot Designation Worksheet is a required worksheet designed to help support the candidate's proposed ballot designation and/or alternate ballot designation(s). It is recommended to attach copies of any supporting exhibits or documentation. Pursuant to CAEC § 13107, upon signing the Ballot Designation Worksheet, the candidate acknowledges that the requested ballot designation represents his/her true principal profession, vocation or occupation to which the candidate is entitled.

VI. CAMPAIGN FINANCE & CAMPAIGN DISCLOSURE

The Political Reform Act was adopted by voter initiative in 1974 and has been periodically amended by legislation and initiatives. The ACT requires that campaign disclosure reports provide the public with the identity of contributors and amounts they give; and the amount that officeholders, candidates, and committees spend.

State law requires that candidates for the BART Board of Directors file campaign finance reports disclosing information about campaign finance, including information about contributions received and expenditures made. The Fair Political Practices Commission publishes a guide <http://www.fppc.ca.gov/manuals/manual2local.pdf> that explains these restrictions and requirements.

Filing Obligations

All state and local elected officeholders, candidates, for state and local elective offices, and their controlled committees are required to file campaign statements at specified intervals. See November 4, 2014 Filing Schedule for Candidates and Committees Being Voted on the November 4, 2014 Ballot <http://www.fppc.ca.gov/index.php?id=651>.

Questions regarding filing obligations should be addressed to the Fair Political Practices Commission (FPPC) at 1-866-ASK-FPPC and www.fppc.ca.gov.

A. SUMMARY OF CAMPAIGN FINANCE FORMS

<http://www.fppc.ca.gov/index.php?id=633>

FORM 410: *Statement of Organization & Termination.* Individuals or groups organizing a committee use form 410.

FORM 410 (AMENDED): An amendment of the Statement of Organization must be filed when changes are made to a committee (i.e. if the treasurer changes).

FORM 425: *Semi-Annual Statement of No Activity.* Not to be used by candidate committees.

FORM 450: *Recipient Committee Campaign Statement-Short Form-* used by organizations and unions opposing or supporting measures.

FORM 460: *Consolidated Campaign Disclosure Form.* An amendment box is provided to identify amended filings.

Form 460 is used by state and local recipient committees that have filed a Form 410 and have raised or spent \$1000 or more, including personal funds, in a calendar year.

FORM 461: *Independent Expenditure Committee & Major Donor Committee Campaign Statement.*

FORM 465: *Supplemental Independent Expenditure Report.* Officeholders, candidates, or committees who make independent expenditures totaling \$1,000 or more in a calendar year to

support or oppose a single candidate, a single ballot measure, or the qualification of a single ballot measure file this form.

FORM 470 & SUPPLEMENTAL. *Candidate and Officeholders Campaign Statement – Short Form.* Candidates and officeholders who raise or spend less than \$1000 for the calendar year file the Form 470. If the Form 470 is filed with the declaration of candidacy, or on or before the first pre-election filing deadline, no additional campaign statement needs to be filed in connection with the election as long as total receipts and expenditures remain less than \$1000. Supplemental form is used when candidate and officeholders subsequently receive contributions or make contributions totaling \$1000 or more for a calendar year. Once a Supplemental Form 470 is filed, the candidate or officeholder will be required to file a Form 460.

FORM 495: *Supplemental Pre-election Campaign Statement.* Officeholders, candidates or committees who make contributions total \$10,000 or more in a calendar year file a Form 495.

FORM 496: *Independent Expenditure Report for State Electronic Filers.* Officeholders, candidates, or committees who make independent expenditures totaling \$1000 or more to support or oppose a single candidate or measure during the 16 day period immediately preceding an election, file a Form 496.

FORM 497: *Contribution Report for Non-Electronic Filers.* Used to report contributions from a single source of \$1000 or more not reported on previous Second Pre-Election 460 Report.

FORM 501: *Candidate Intention Statement.* Any candidate for state or local office in California must file this form before soliciting or receiving campaign contributions (including loans and expenditures of any personal funds).

B. IMPORTANT INFORMATION RESOURCE

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| <p>FAIR POLITICAL PRACTICES COMMISSION</p> <p>428 J Street, Suite 620 Sacramento, CA 95814 Toll Free Phone: 866-ASK-FPPC Fax: 1-916- 322-0886 Enforcement Complaints: 800-561-1861 Website: http://www.fppc.ca.gov</p> <p>Provides information on:</p> <ul style="list-style-type: none"> • Proposition 34 • FPPC Commission • Agendas • Candidates and Committees • Campaign Disclosure Forms • Campaign Disclosure Manuals • Lobbyists • Form 700: Statement of Economics • Enforcement • Audit Program • Workshops and Seminars • Legislation • Litigation <p>Interactive forms: Form 410, 450, 460, 465, 470, 495, 501</p> | <p>SECRETARY OF STATE</p> <p>Elections Division 1500 11th Street, 5th Floor Sacramento, CA 95814 Phone: 916-657-2166 Fax: 916-653-3214 TOLL FREE: 1-800-345-VOTE (8683) Questions related to the Elections Code</p> <p>Political Reform Division P.O. Box 1467 1500 11th Street, Room 495 Sacramento, CA 95814 Phone: 916-653-6224 Fax: 916-653-5045 Website: http://www.sos.ca.gov</p> <ul style="list-style-type: none"> • Committee Identification Numbers • Termination of Committee |
| <p>ATTORNEY GENERAL</p> <p>Phone: 800-952-5225 Website: http://www.caag.state.ca.us</p> <ul style="list-style-type: none"> • Brown Act Requirements | <p>STATE FRANCHISE TAX BOARD</p> <p>Phone: 800-338-0505 Website: http://www.ftb.ca.gov</p> <ul style="list-style-type: none"> • Committee Tax Status • Tax Deductible Contributions • Charitable Non-Profit Groups • Any other tax related questions |
| <p>BART BOARD OF DIRECTORS 300 Lakeside Drive, Oakland, CA 94607 (510)464-6095 www.bart.gov</p> | |
| <p>Bart District 7 Shared Counties</p> | |
| <p>ALAMEDA COUNTY REGISTRAR OF VOTERS 1225 Fallon Street, Rm. G-1 Oakland, CA 94612 (510) 272-6933 www.acgov.org</p> | <p>CONTRA COSTA COUNTY REGISTRAR OF VOTERS 555 Escobar Street Martinez, CA 94553 (925) 335-7899 www.cocovote.us</p> |

VII. CAMPAIGN LITERATURE & POLITICAL ADVERTISING

Gov't Code §§ 82041.5, 84305; CAEC § 20008

MASS MAILINGS

A "mass mailing" is two hundred (200) or more identical or nearly identical pieces of mail. When a candidate sends a mass mailing, the candidate must include on the outside of each piece of mail the candidate's name, street address, and City. This information must appear in no less than 6-point type. (Gov't Code § 84305(b).) No mass mailing may be sent at public expense.

PAID POLITICAL ADVERTISEMENTS – NEWSPAPERS

Any paid political advertisement which refers to an election or a candidate for City elective office and which is published in or distributed with a newspaper must include the words "Paid Political Advertisement." These words must appear in type that is at least half as large as the type used in the advertisement or in 10-point roman type, whichever is larger. As used in this section, "Paid Political Advertisement" shall mean published statements paid by advertisers for purposes of supporting or defeating any person who has filed for an elective office. (CAEC § 20008.)

CAMPAIGN LITERATURE CONTAINING POLLING PLACE OF VOTER

If a campaign distributes or mails campaign literature with the location of a voter's polling place the campaign must include a statement indicating that the information is accurate only up to the date it was purchased from the Department of Elections. In addition, the candidate must state that polling place changes can occur up to the last few days before an election. The Department of Elections notifies voters if their polling place changes after mailing of the Voter Information Pamphlet.

VIII. OUTDOOR POLITICAL ADVERTISING

Both State and local law regulate the posting of political signs and distribution of handbills on public property. The Department of Elections gives each candidate a copy of San Francisco's Sign Ordinance (S.F. PWC Art. 5.6, § 184.56-185.68, and Art. 5.7, § 184.69-184.78), and a letter from the California Department of Transportation concerning the California Outdoor Advertising Act. For more information about posting political signs on public property, please contact the San Francisco Department of Public Works (415) 554-5801 or the California Department of Transportation.

The State Outdoor Advertising Act permits the posting of "temporary political signs" in designated areas. The Act does not permit posting such signs within the right of way of any highway or within 660 feet of the edge of and visible from the right of way of a landscaped freeway. Temporary political signs are signs that:

- Encourage a vote for or against a candidate or measure in a scheduled election;
- Are posted no sooner than 90 days prior to the scheduled election and are removed within 10 days after the election;
- Are no larger than 32 square feet; and
- Are posted after the person responsible for removing the signs has filed with the California Department of Transportation a "Statement of Responsibility" certifying his or her responsibility for removing the signs.

Local law requires that a candidate pay a fee or security deposit for the posting in commercial areas of signs larger than 11 inches in height, although this fee may be waived under limited circumstances.

The following is a list of common violations of the laws regulating outdoor political advertising. Candidates are strongly advised to become familiar with these laws to avoid such violations.

- Posting political signs on traffic signals
- Posting overly wide signs on utility poles in non-commercial areas
- Failure to remove signs after Election Day
- Failure to print a posting date on signs
- Failure to comply with specific rules that apply in commercial areas and different, specific rules that apply in non-commercial areas
- Failure to properly attach signs to utility or lamp poles
- Distribution of handbills on private property when a "No Handbills" or similar sign is posted
- Failure to include a registration number on handbills

IX. ELECTION DAY & ELECTION NIGHT

ELECTION DAY

The polls are open from 7:00 a.m. to 8:00 p.m. Campaigning and electioneering are NOT allowed within 100 feet of a polling place during voting hours. Prohibited electioneering includes circulating any petition, soliciting votes, and displaying campaign signs.

ELECTION NIGHT

Although the polls officially close at 8:00 p.m., all voters who are at the polling place waiting to vote at 8:00 p.m. are permitted to do so, even if they cast their ballots after 8:00 p.m. After the voting is over, the poll workers close down the polling place. The Sheriff is responsible for transporting voted ballots and electronic devices used to record votes ("memory packs" from the optical scan system) from the polling place to the counting center at City Hall. The memory packs are loaded into the vote count system at City Hall.

After 8:00 p.m., candidates, members of the media, and the public are invited to observe the vote tabulation from the "Public Viewing Area" at the Department of Elections outside Room 48. Please call (415) 554-4375 to sign up for an observer's tour on election night.

ELECTION RESULTS

Election results are recorded and available by phone to anyone wishing to monitor the returns. If you wish to obtain election results on election night (or the day after), please call (415) 554-4375. Results are also available on the Department of Elections web page at:

www.sfelections.org.

Vote by Mail votes will be reported first, shortly after 8:00 p.m. The precinct results will be reported starting at approximately 9:00 p.m., and continuing throughout the night.

OFFICIAL CANVASS OF THE RETURNS

The Department of Elections office will conduct the official canvass of the returns starting no later than November 4, 2014. The Department will complete the official canvass by December 2, 2014 (E+28), and submit a certified statement of the results to the California Secretary of State and San Francisco Board of Supervisors.