



CITY OF GALLUP

CANDIDATE INFORMATION PACKET

**REGULAR MUNICIPAL ELECTION
TUESDAY, MARCH 10, 2015**

Elective Offices to be Filled:

*Mayor
Councilor (District #2)
Councilor (District #4)
Municipal Judge*

All Elective Offices will be for a four-year term

Any questions regarding the content of this packet, please contact:

**Alfred Abeita II, City Clerk
Telephone: (505) 863-1254
E-mail: aabeita@GallupNM.gov**

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2015 Regular Municipal Election Calendar

Dec. 9, 2014	Adoption of Election Resolution
Jan. 13, 2015	Candidate Filing Day
Jan. 14, 2015	Certification of candidates
Jan. 15, 2015	Candidates draw for ballot position
Jan. 15, 2015	Deadline for candidates to file a notarized statement with the City Clerk setting forth any known present business relationship the candidate has or may have with the City
Jan. 20, 2015	Deadline for Withdrawal of Candidacy
Jan. 20, 2015	Write-In Candidate Filing Day
Jan. 21, 2015	Certification of Write-In Candidates
Feb. 3, 2015	Deadline for Withdrawal of Write-In Candidacy
Feb. 3, 2015	Absentee voting begins (paper ballots are mailed to voters/paper ballots are marked in person and sealed in official envelopes)
Feb. 10, 2015	Voter registration books are closed by the County Clerk at 5:00 P.M.
Feb. 18, 2015	Early voting begins (paper ballots are marked in person and processed by electronic vote tabulators)
Feb. 24, 2015 12:00 P.M.	First "Disclosure of Campaign Financing" statement is due. Candidates who either receives contributions or expends funds in an amount that exceeds \$1,000 shall file their first statement, signed under oath, with the City Clerk. (See "Election Campaign Practices", pages 10-17 of this packet)
Mar. 6, 2015	Last day to vote early or to vote absentee. Last day to mail absentee ballots from the City Clerk's Office. After 5:00 P.M. unused absentee ballots are destroyed.
Mar. 6, 2015	Deadline for candidates to file a petition for the appointment of challengers, watchers and alternates
Mar. 10, 2015	Election Day – Polls will be open from 7:00 A.M. to 7:00 P.M.

By Mar. 13, 2015 12:00 P.M.	Deadline for the City Clerk to begin a canvass of the election returns (date and time – TBD)
By Mar. 16, 2015 7:00 P.M.	Deadline for each elected candidate to be administered the oath of office.
Between Mar. 17, 2015 and Apr. 9, 2015 at 12:00 P.M.	Second and final “Disclosure of Campaign Financing” statement must be filed with the City Clerk during this time, unless the candidate is involved in a runoff election.
Mar. 17, 2015	Deadline for candidates spending \$1,000 or less on their entire campaign to file an affidavit with the City Clerk that their spending did not exceed \$1,000.

Declaration of Candidacy Information

If you are interested in becoming a candidate for Mayor, District #2 City Councilor, District #4 City Councilor or Municipal Judge, Election Day is Tuesday, March 10, 2015. Information concerning the 2015 Regular Municipal Election is contained in this booklet. If you have any questions, please call the City Clerk at: 863-1254.

When do I file for office?

Tuesday, January 13, 2015, between the hours of **8:00 A.M. and 5:00 P.M.** is the only time the City Clerk can accept a Declaration of Candidacy for a candidate.

All candidates must file the following documents:

1. A completed Declaration of Candidacy form; **and**
2. A certified copy of the candidate’s current affidavit of voter registration on file with the McKinley County Clerk which has been certified on a date not earlier than adoption of the Election Resolution (December 9, 2014).

The Declaration of Candidacy forms are provided with this information packet and must be used for filing. Only the forms provided in this packet will be accepted. Please read through the form and understand the requirements of the information that needs to be provided. Since your signature is required to be notarized, a notary public will be available at the City Clerk’s Office if you need one.

The certified copy of the candidate's voter registration must show the address as a street address, not a post office box. Certifications of voter registration may be obtained from the McKinley County Clerk's Office, McKinley County Courthouse, 201 West Hill Avenue, Gallup, New Mexico.

In accordance with the disclosure of campaign financing provisions of the Gallup Municipal Code (see pages 12-13 of this booklet):

3. All candidates shall register their campaign bank account information with the City Clerk upon filing their Declaration of Candidacy. All parties having signature authorization for the checking account, the checking account number and the bank name shall be provided to the City Clerk (§1-10A-4B.1). The form on page 37 of this information packet may be used to register the campaign bank account with the City Clerk.
4. Each candidate shall file with the bank at which the campaign checking account has been established a letter authorizing the release of information concerning that account to the City Clerk and shall submit a copy of the letter of authorization to the City Clerk (§1-10A-4B.3).
5. Each candidate shall also file with the City Clerk, within two (2) days of filing their Declaration of Candidacy, a notarized statement, signed by the candidate under oath, setting forth any known present business relationship the candidate has or may have with the City (§1-10A-3).

In accordance with the political sign requirements of the Gallup Municipal Code (see page 17 of this packet):

6. Each candidate must read and acknowledge by their signature a "Political and Campaign Signs Acknowledgement" form at the time he/she files their Declaration of Candidacy. Please use the form on page 39 in this information packet.

If you are unable to personally appear on January 13, 2015 to file your Declaration of Candidacy, an Affidavit Authorizing the Filing of Declaration of Candidacy is also available. The Affidavit provides for an authorized representative to file your Declaration of Candidacy for you on filing day. The form must be signed by the candidate and must be notarized.

When the Declaration of Candidacy is filed in the City Clerk's Office, it becomes public record.

How does the City Clerk certify my candidacy?

From the information provided on the Declaration of Candidacy form, the City Clerk and the City Attorney determines if the individual is a qualified elector and if the individual resides in the proper district.

On Thursday, January 15, 2015 by 9:00 A.M., the City Clerk shall post a list of certified candidates along with a list of individuals that have not been certified as candidates and the reasons for non-certification. The candidate or authorized representative shall contact the City Clerk's Office to ascertain whether their declaration has been certified as valid.

In the presence of the certified candidates or their representatives, at 5:01 P.M., Thursday, January 15, 2015, the City Clerk will conduct a drawing by lot for positions on the ballot. Either you or your authorized representative should be present to draw for your position. If a candidate or their authorized representative fails to appear, then the City Clerk will draw for the absent candidate.

What other information do I need?

Political district maps will be made available upon request. Voter registration lists may be obtained from the McKinley County Clerk's Office at the Court House. Public records requests, in accordance with the New Mexico Inspection of Public Records Act should be addressed to the City Clerk.

Election Timetable for Certified Candidates

1. After the Election Resolution is adopted by the Gallup City Council it will be published twice in the Gallup Independent. The Resolution will provide notice to the public concerning pertinent information on the upcoming election.
2. The City Clerk will order ballots by January 16, 2015. The candidate's name will appear on the ballot as shown on their voter registration. The candidate's position will appear on the ballot as drawn on January 15th.
3. The Gallup City Council will appoint the precinct officials for each polling place by February 3, 2015. A relative of any candidate may not serve on a precinct board.
4. Absentee voting begins on Tuesday, February 3, 2015 at 8:00 A.M. (Paper ballots are mailed to voters/paper ballots are marked in person and sealed in envelopes).

5. The McKinley County Clerk will close the voter registration books for the Municipal Election on Tuesday, February 10, 2015 at 5:00 P.M. If a person registers to vote after this date, they will not be permitted to vote during the March 10th Election.
6. Between February 10, 2015 and March 8, 2015, the City Clerk is required to publish twice the names of the candidates for each office to be filled, the order their names will appear on the ballot, polling locations and addresses, precinct board members and their assigned precincts. Both publications will appear in the Gallup Independent.
7. Certification of the voting tabulators to be used for early voting will be conducted by February 11, 2015. All candidates will be notified of the date, time and place of the inspection and certification of the machines. All candidates and interested parties are welcomed to witness and observe the process.
8. Early voting begins on Wednesday, February 18, 2015 at 8:00 A.M. (Paper ballots are marked in person and processed by electronic vote tabulators).
9. First "Disclosure of Campaign Financing" statement is due on Tuesday, February 24, 2015 at 12:00 P.M. Candidates who either receives contributions or expends funds in an amount that exceeds \$1,000 shall file their first statement, signed under oath, with the City Clerk. (See "Election Campaign Practices", pages 10-17 of this packet).
10. Certification of the voting tabulators to be used on Election Day will be completed by March 1, 2015. As with the certification of the machines used for Early Voting, all candidates will be notified of the date, time and place of the inspection and certification of the machines.
11. Election training for all precinct officials will be conducted on March 4, 2015 at 6:30 P.M. in the Council Chambers at City Hall.
12. March 6, 2015 at 5:00 P.M. is the last day to vote early in person. It is also the last day to mail absentee ballots from the City Clerk's Office.
13. March 6, 2015 is the deadline for candidates to file a petition for the appointment of challengers, watchers and alternates for each polling place. These appointees are qualified by the City Clerk.
14. Election Day is March 10, 2015. Polls will be opened from 7:00 A.M. to 7:00 P.M. The Presiding Judges and precinct officials will be in charge of the election process at their respective polling locations. Candidates may not interfere in anyway with the process of the election. There shall be no

campaigning within 100 feet of the building of the polling site. There shall be no campaign literature, signs or related material within 100 feet of the building of the polling site.

15. After the polls close, candidates or their authorized representatives may be present to observe the tally of the votes at the polling place. All election results along with the ballot boxes and election materials will be returned to the City Clerk after the precinct officials complete their procedures. The City Clerk will provide the unofficial results from each polling place on a tally board in the Council Chambers at City Hall.
16. By Friday, March 13, 2015 at 12:00 P.M. (date, time and location – TBD) a canvass of the election returns will be conducted. The completed election canvass will be the official results of the election.
17. The Oath of Office will be administered to the elected candidates by Monday, March 16, 2015 (date, time and location - TBD).
18. Between March 17, 2015 and April 9, 2015 at 12:00 P.M. candidates shall file their second and final “Disclosure of Campaign Financing” statement with the City Clerk. Candidates that are affected by a runoff election shall file their final statement seven to thirty days after the runoff election.
19. By March 17, 2015, any candidate spending \$1,000 or less on their entire campaign shall file an affidavit with the City Clerk that the candidate did not spend funds exceeding \$1,000 on their campaign.

Voting Convenience Centers

Voters will not be assigned to a specific polling place and as a convenience, may vote at any one of the following six Voting Convenience Centers on Election Day:

- 1.) Southside Fire Station #1, 1800 South Second Street.
- 2.) Northside Fire Station #2, 911 West Lincoln Avenue.
- 3.) Eastside Fire Station #3, 3700 Church Rock Street.
- 4.) Westside Fire Station #4, 707 Rico Street.
- 5.) Harold Runnels Athletic Complex, 820 East Wilson Avenue.
- 6.) McKinley County Courthouse Rotunda, 201 West Hill Avenue.

Absentee voting (February 3rd through March 6th) and early voting (February 18th through March 6th) will be conducted at Gallup City Hall, 110 West Aztec Avenue.

Absentee and Early Voting

Absentee Ballot Applications

The City Clerk shall furnish the absentee ballot applications. The voter may request an application for an absentee ballot by contacting the City Clerk’s

Office. State law does not allow the City Clerk to automatically send out applications to the elderly or disabled.

Upon receipt of a properly completed and delivered application for an absentee ballot, the City Clerk shall verify if the applicant is a qualified elector of the municipality.

An application for an absentee ballot may be rejected if:

- 1.) The application is not made on the form provided by the City Clerk;
- 2.) The application does not set forth the applicant's full name and address;
- 3.) The application does not set forth the applicant's date of birth;
- 4.) The application is not signed by the applicant; or
- 5.) The applicant:
 - a. Has no valid affidavit of registration on file with the County Clerk and is not a federal qualified elector or overseas voter;
 - b. Has a valid affidavit of registration on file with the County Clerk, but is not a resident of the City; or
 - c. Is a federal qualified elector or overseas voter, but is not entitled to vote in the municipal election.

If the application is accepted, the City Clerk shall:

- 1.) Mark the application "accepted";
- 2.) Enter the required information in the absentee ballot register; and
- 3.) Issue to the applicant an absentee ballot.

Absentee Voting

Beginning Tuesday, February 3, 2015, the City Clerk shall mail an absentee ballot to any qualified elector, federal qualified elector or overseas voter whose application for an absentee ballot was received by mail and has been accepted. The last day for the City Clerk to mail absentee ballots to voters is Friday, March 6, 2015 at 5:00 P.M. The City Clerk shall accept completed absentee ballots delivered by mail, in person by the voter casting the absentee ballot, by a member of the voter's immediate family, or by the caregiver to the voter until 7:00 P.M. on Election Day.

If the application for an absentee ballot is delivered in person to the City Clerk during regular hours and days of business and is accepted, the City Clerk shall issue the voter the absentee ballot and it shall be marked by the applicant in a voting booth in the City Clerk's Office, sealed in the proper envelopes and otherwise properly executed and returned to the City Clerk or the City Clerk's authorized representative before the applicant leaves the City Clerk's Office. Absentee ballots may be marked in person (sealed in official envelopes as previously described) in the City Clerk's Office during regular business hours

beginning at 8:00 A.M. on Tuesday, February 3, 2015 until 5:00 P.M. on Friday, March 6, 2015.

Early Voting

Absentee ballots may be marked in person and processed by electronic vote tabulators beginning Wednesday, February 18, 2015 at 8:00 A.M. until Friday, March 6, 2015 at 5:00 P.M. Early voting will be conducted during regular hours (8:00 A.M. to 5:00 P.M.) and days of business (Monday thru Friday) at a location to be specified within City Hall.

During the absentee voting and early voting process, it is unlawful to solicit votes or display or otherwise make accessible any posters, signs or other forms of campaign literature whatsoever in the City Clerk's Office. Under the State Election Code, the City Clerk's Office is defined as the Office of the City Clerk or any other room used in the process of absentee voting, counting and tallying of absentee ballots or canvassing the election results within the confines of the building (City Hall) where the City Clerk's Office is located.

Election Campaign Practices

In accordance with the Gallup Municipal Code (Sections 1-10A-1 through 1-10A-7), all candidates shall adhere to the following regulations concerning campaign financing:

Section 1-10A-1: DECLARATION OF POLICY: Public disclosure and regulation of certain campaign practices will serve to increase public confidence in the integrity of government by informing the public of the qualifications of a candidate for elective office and of the possible sources of influence upon that candidate and of the financing of a campaign to influence the passage or defeat of a measure. The principle that the candidate assumes ultimate and complete responsibility for the conduct of the campaign is therefore incorporated into the ordinances of the City of Gallup.

Section 1-10A-2: DEFINITIONS:

“Anonymous Contribution” means a contribution received by a candidate for the office of Mayor, Councilor or Municipal Judge for which the contributor cannot be identified when the amount of the contribution exceeds \$100.00.

“Campaign Materials” means any published, printed or broadly distributed campaign advertising or communications such as newspaper advertisements, handbills, petitions, circulars, letters, radio or TV broadcasts, cable distributions or similar written material used in a campaign by a candidate.

“Candidate” means any individual who has filed a Declaration of Candidacy with the City Clerk for the office of Mayor, Councilor, or Municipal Judge.

“Candidate Finance Committee” consists of the candidate, the candidate’s treasurer, and any person authorized either expressly or by implication by the candidate to participate in the solicitation, receipt, expenditure, or employment of contributions on behalf of the candidate. “Member of the Candidate Committee” means any such person.

“Candidate’s Treasurer” means the person who is appointed by a candidate to receive, keep and disburse all money which may be collected, received or disbursed by the candidate, the Candidate Finance Committee, or any of its members.

“Contributions” means:

A. Monies, loans, debts incurred, obligations incurred, property in-kind, including the use thereof, or commercial or professional services:

1. Incurred or received by a candidate, the candidate’s treasurer, the Candidate Finance Committee, or a member thereof, on behalf of the candidate. For the purposes of this definition, a debt or obligation shall be considered incurred at the time authorization is given or contract made for the debt or obligation.

2. Not received by a person or entity named in subsection A1 of this definition, but expended or employed on behalf of a candidate or measure, where such monies, loans, debts incurred, obligations incurred, property in-kind, or commercial or professional services have been solicited or otherwise consented to by such committee or have been expended or employed in a manner or amount directed, authorized, either expressly, by implication, or consented to by such committee.

B. Contributions of property, including the use thereof, and contributions of commercial or professional services shall be attributed a cash value equal to their fair market value.

C. Notwithstanding the foregoing, none of the following shall be considered a contribution: a candidate’s own services and property, other than cash; the use of a dwelling unit and residential premises incidental thereto for any campaign purpose and the provision of refreshments and entertainment in connection with such use; the services of the person who is performing the duties of the candidate’s treasurer; and the use of vehicles for any campaign purpose other than in connection with the performance of a commercial or professional service.

“Election” means any City of Gallup municipal election.

“Person” means any individual, cooperative association, club, corporation, company, firm, partnership, joint venture syndicate, profit or nonprofit organization, or other entity.

Section 1-10A-3: DISCLOSURE WITH DECLARATION OF CANDIDACY: Each candidate shall file with the City Clerk, within two (2) days of filing the Declaration of Candidacy, a notarized statement, signed by the candidate under oath, setting forth any known present business relationship the candidate has or may have with the City. Any candidate seeking to qualify to be on the ballot for the office of Mayor, Councilor, or Municipal Judge, or whose name appears on the ballot, who either received contributions or expends funds in an amount that exceeds \$1,000.00 shall be subject to the reporting provisions of this Article.

Section 1-10A-4: CAMPAIGN FINANCING:

A. One Candidate Finance Committee: Each candidate may appoint a treasurer who shall not be the candidate and may establish no more than one Candidate Finance Committee.

B. One Bank Account Filing Requirements.

1. Each candidate or the candidate's treasurer shall establish one and only one campaign bank checking account for each election. All parties having signature authorization for the checking account, the checking account number and the bank name shall be registered with the City Clerk upon filing a Declaration of Candidacy.

2. All contributions of monies received for the benefit of the candidate's campaign shall be deposited in that account, and all disbursements shall be made from that account.

3. Each candidate shall file with the bank at which the campaign checking account has been established a letter authorizing the release of information concerning that account to the City Clerk and shall submit a copy of the letter of authorization to the City Clerk. Upon the request of the City Clerk, each candidate or the candidate's treasurer shall provide to the City Clerk all bank records, cancelled checks, and any other financial information relating to the campaign as may be requested by the City Clerk.

C. Disclosure of Campaign Financing.

1. Each candidate seeking to qualify to be on the ballot for the office of Mayor, Councilor or Municipal Judge who either receives contributions or expends funds in an amount that exceeds \$1,000.00 shall file with the City Clerk two (2) statements, each of which shall be cumulative, signed

under oath by the candidate or the candidate's treasurer, setting forth the following information up to 5:00 p.m. of the day preceding the filing of each statement.

a. The total of all contributions, which shall include all contributions received, regardless of whether the contribution has been deposited in the Candidate's campaign bank checking account.

b. The name and address of each contributor, together with total cumulative cash value contributed by the contributor, when that amount exceeds \$100.00.

c. All expenditures made on behalf of the campaign, including any reimbursements and the nature thereof, and the name and address of the person or business to which payment was made.

2. The two (2) statements required by this subsection shall be filed as follows: The first statement on the Tuesday two (2) weeks preceding the election; and the second and final statement not earlier than the seventh day nor later than the thirtieth day after the election. Each statement shall be filed with the City Clerk no later than twelve o'clock (12:00) noon on the specified day.

3. Those candidates who spend \$1,000.00 or less on the entire campaign must file an affidavit with the City Clerk no later than seven (7) days after the election is held that their spending did not exceed \$1,000.00.

D. Unexpended Contributions. Any contributions not expended on the campaign shall be disposed of, at the option of the candidate, by one of the following methods:

1. Retained in the campaign bank checking account for a possible runoff election for that office, or to conclude the campaign committee's activities;

2. Returned to the person who made the contribution;

3. Placed in the City's General Fund; or

4. Given to a charity identified by the candidate.

The second (final) campaign financing statement shall reflect the final disposition of such contributions.

E. Anonymous Contributions:

1. All anonymous contributions shall be disposed of by a candidate by placing the contribution in the City's General Fund or by giving the contribution to a charity.

2. An anonymous contribution shall not be considered to be a contribution to or expenditure of the campaign; however, a record of all anonymous contributions shall be kept by the candidate or the candidate's treasurer and the receipt and disposition of every anonymous contribution shall be reported to the City Clerk, in writing, at the time the campaign financing disclosure statements required by subsection C of this section are filed. Such report must disclose the goods, services, monies, or other contributions received; their value, the date of receipt and the date and method of disposition.

F. Inclusive: For the purposes of this section, contributions and expenditures include those contributions received and expenditures made by or on behalf of an individual at any time prior to the individual filing a Declaration of Candidacy for the office of Mayor, City Councilor or Municipal Judge through the time the final campaign financing disclosure statement is due.

G. Campaign Finance Records.

1. Inspection and/or Audit: All campaign finance records and statements shall be open to inspection and/or audit by the City Clerk, his/her designated representative, or the City of Gallup's auditor. Statements shall be presented to the City Clerk for inspection or audit, or both. The City Clerk shall create an electronic data base for all campaign reporting required in this Article and place that information on the City's website.

2. Campaign Financial Records.

a. Each candidate or the candidate's treasurer shall keep financial records of the campaign for a period of one (1) year following the date of the election, to assure their availability in the event of complaint or inquiry by the City Clerk. Such campaign financial records shall include records of all contributions, regardless of amount, expenditures, cancelled checks, invoices, receipts, bank statements, bills of sale, statements of accounts, leases, rental agreements, and all other financial records pertinent to the campaign.

b. In preparing and maintaining financial records, ledgers, journals or otherwise, and in recording contributions and

expenditures on the statements required by subsection (c) of this section, each candidate or the candidate's treasurer shall:

- (1) Record in-kind contributions as both contributions and expenditures equal to the fair market value of the goods or services received;
- (2) Record campaign loans and contributions, with subsequent repayment of loans credited against contributions;
- (3) Record returned contributions as credits against contributions;
- (4) Record names of contributors on the bank deposit slips.

H. Fund-Raising Activity.

1. The gross receipts of a fund-raising activity on behalf of a candidate are considered to be campaign contributions, and all expenditures associated with a fund-raising activity are considered to be campaign expenditures. As used in this subsection, the term "gross receipts" includes all monies and donations of any kind which are received as part of the fund-raising activity.

2. The host of a fund-raising activity on behalf of a candidate or Committee shall be responsible for reporting the contributions resulting from the activity unless contributors are identified in the required manner on the Disclosure of Campaign Financing Statement, and the limits to contributions specified in subsection (E) of this section shall apply as if the total contributions at the fund-raising activity, not otherwise reported, were made by the host.

I. Runoff Elections *(for Runoff Election provisions of the City Charter, please refer to pg. 19)*

1. If the result of an election requires a run-off election, the provisions and requirements of this Article also apply to any run-off election.

Section 1-10A-5: CAMPAIGN MATERIALS: Each candidate shall ensure that all campaign materials specify the name of the sponsor who authorized the printing or distribution of such material and the name and address of the establishment that printed or otherwise created the campaign materials; provided that the name and address of the printing establishment is not required to be specified in a newspaper advertisement.

Section 1-10A-6: ENFORCEMENT:

A. Charges of Violations.

1. Any charge or charges that a candidate or any other group has committed a violation of this Article shall be made in writing, notarized and brought before the City Clerk.

2. Each charge of any alleged violation shall specify the specific provision alleged to have been violated or a clear and concise statement of why the complainant believes a violation has occurred, and shall include documentation as to time, place, facts, and the names of any witnesses to the alleged violation. No charge shall be accepted unless the complaint is signed and unless the documentation referred to above, the statement of the provision alleged to have been violated, or the reason for the complaint, is presented at the same time the complaint is filed.

3. Except as provided in subsection (d) of this section, the City Clerk shall give written notice of such charge or charges to the candidate before taking further action.

B. Review: The City Clerk shall review the complaint for completeness, and proceed with the complaint or reject the complaint and give written notice to the complainant of the reasons for the rejection.

C. Investigation; Hearing; Report: Upon referral of any complaint by the City Clerk, the City Clerk shall investigate the charge or charges, hold a hearing and issue a report.

D. Initiation of Charge or Charges by Clerk; Written Notice Not Required: Notwithstanding any other provision in this section, the City Clerk may, on his/her own initiative, initiate a charge or charges that a candidate has committed a violation of this Article. In the event that inspection and/or audit of the candidate's campaign financial records results in a charge or charges against a candidate, written notice to the candidate of the charge or charges shall not be required before the City Clerk takes further action.

E. Public Reprimand: Should the City Clerk find, after due hearing, that a violation of this Article has occurred, he/she may, for each violation, issue a public reprimand.

F. Removal From Office: In addition to the public reprimand, or as an alternative thereto, if the violator be a successful candidate in the election, the City Clerk may recommend to the City Council that the violator be removed from office.

G. Suspension or Removal by Vote of City Council: The City Council may, upon the recommendation of the City Clerk and after due hearing of the charge, order the suspension or removal of the successful candidate, provided, however, that no official shall be removed or suspended except upon the concurrence of two-thirds (2/3) of the City Council members qualified to vote thereon.

H. Declare Ineligible to Run: The City Council may, upon the recommendation of the City Clerk, and after due hearing of the charge, and upon a two-thirds vote of the City Council members qualified to vote thereon, declare an unsuccessful candidate ineligible to run for City office for the next four-year period.

I. Appeal: An appeal may be taken from any findings and action of the City Clerk, pursuant to subsections (e) and (f) of this section and from any order of the City Council pursuant to subsection (h) of this Section to the District Court of the Eleventh Judicial District, by filing a Notice of Appeal in the said District Court within five (5) days of the date of the action or order appealed from, any by filing with said District Court within thirty (30) days a true transcript and record of the proceedings upon which said action or order is based. The hearing in District Court shall be held on said transcript and record only, and new testimony shall not be taken.

Section 1-10A-7: NON-WAIVER OF PENALTIES: Nothing herein set forth shall be construed to affect or otherwise diminish any penalties otherwise provided by law for violation of this Election Code, nor shall prevent the City Clerk from bringing to the attention of the proper authority any alleged violation coming to his/her attention which may be subject to other penalties.

Political Sign Requirements

Section 10-4J-3(C3) of the Gallup Municipal Code states:

Political signs: No permit is required under this title for a sign erected solely for and related to public election for a period commencing ninety (90) days prior to and for five (5) days following such public election; however:

- a. Such sign shall be located only on private property;
- b. Such sign shall be constructed of lightweight material, shall not exceed sixteen (16) feet in size and shall not exceed an overall height of eight feet (8') from finished grade of surrounding ground;
- c. Such sign shall not be placed within any clear sight triangle; and
- d. All political candidates must read and acknowledge by their signature a "Political and Campaign Signs Acknowledgement" form at the time he/she files their Declaration of Candidacy. The form can be found on page 39 of this booklet.

Challengers, Watchers and Observers

Upon petition filed with the City Clerk by an unopposed candidate or by both candidates for an office, if only two candidates are running for the office, or by a majority of the candidates for an office, if more than two candidates are running for the office, the candidates may:

- 1.) Appoint one person as a challenger and one alternate for each polling place in the municipal election; and
- 2.) Appoint one person as a watcher and one alternate for each polling place in the municipal election.

The petition appointing a challenger and watcher and alternates shall be filed not later than 5:00 p.m. on Friday, March 6, 2015.

Challengers and watchers, qualified by the City Clerk, shall function only at a polling place that serves the precinct within which such challenger, watcher or alternate resides. Challengers, watchers, observers and alternates shall wear official identification badges provided by the City Clerk while they are present at the polling place.

A challenger or alternate challenger, for the purposes of interposing challenges pursuant to Section 3-8-43 NMSA 1978, shall be permitted to:

- 1.) Inspect the voter registration list;
- 2.) Inspect the signature rosters or absentee voter lists to determine whether entries are being made in accordance with law;
- 3.) Examine each voting machine before the polls are opened to compare the number on the metal seal and the numbers on the counters with the numbers on the key envelope, to see that all ballot labels are in their proper places and to see that the voting machine is ready for voting at the opening of the polls;
- 4.) Make written memoranda of any action or omission on the part of any member of the precinct board and preserve such memoranda for future use; and
- 5.) Witness the counting and tallying of the ballots.

A watcher or alternate watcher shall be permitted to:

- 1.) Observe the election to assure that it is conducted in accordance with law;
- 2.) Examine any voting machine used at the polling place in the same manner that challengers may examine voting machines;
- 3.) Make written memoranda of any action or omission on the part of any member of the precinct board and preserve such memoranda for future use; and
- 4.) Witness the counting and tallying of ballots.

Challengers, watchers and alternates shall not:

- 1.) Be permitted to perform any duty of a precinct board member;
- 2.) Handle the ballots, signature rosters, absentee voter lists or voting machines;
- 3.) Take any part in the tallying or counting of the ballots; or
- 4.) Interfere with the orderly conduct of the election.

The governing body may appoint one qualified elector for each polling place to serve as an observer of the election. The governing body shall make such appointment no later than 3:00 P.M. on the day before the election and shall notify the City Clerk of such appointment. An observer shall have no powers other than to observe the conduct of the election and observe the counting and tallying and report to the governing body.

Runoff Elections

Article VI Section 6 of the Gallup City Charter states:

- A. If no candidate receives forty percent (40%) of the votes, plus one (1) vote, cast for a particular office, a runoff election shall be held within thirty (30) days after certification of the results of the election. The two (2) qualified candidates who receive the highest number of votes cast for the office shall automatically become the candidates in a runoff election without filing a declaration of candidacy.
- B. The Council shall, by resolution, fix the date of the runoff election and specify the offices to be filled and the names of the candidates therefore. The resolution shall be published once, at least seven (7) days before the runoff election date. No other publications are required in connection with runoff elections. Eligibility to vote in a runoff election shall be the same as in the original election for the particular office and only such voting precincts and procedures will be reactivated as are necessary to accommodate any runoff race.

Forms and Requirements

Included in this informational packet are various forms you will need to file throughout the election process. The forms should be considered original documents. Feel free to make copies of the forms and use them, if needed.

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Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public

My Commission Expires:

RECEIVED in the Office of the City Clerk at _____ (AM/PM) on the 13th
day of January, 2015.

City Clerk

**CITY OF GALLUP
DECLARATION OF CANDIDACY
FOR THE OFFICE OF COUNCILOR (DISTRICT #2)**

STATE OF NEW MEXICO)
)ss.
COUNTY OF MCKINLEY)

I, _____, being first duly sworn upon my oath, do hereby state for my Affidavit that:

I, hereby declare that I am a candidate for the office of **Councilor (District #2)** for a four-year term to be elected at the Regular Municipal Election to be held on March 10, 2015.

I affirm that I currently reside at _____, Gallup, New Mexico.

I affirm that my name and resident address as stated in this Declaration of Candidacy are identical to my name and resident address as stated in my Affidavit of Registration on file with the County Clerk of McKinley County, New Mexico.

I affirm that I am eligible and legally qualified to hold the office for which I have declared my candidacy.

I affirm that I have not been convicted of a felony.

-OR-

I affirm that I have been convicted of a felony, that my elective franchise has been restored, and I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, shall contact the City Clerk's Office during normal business hours on January 15, 2015 to ascertain whether the City Clerk has certified my declaration of candidacy as valid.

I affirm that I, or my authorized representative, can be reached at the following for purposes receiving notice: _____ or _____.

I affirm that this Declaration of Candidacy is an Affidavit under oath and that any false statement knowingly made herein constitutes a fourth degree felony under the laws of New Mexico.

Signature of Candidate

Subscribed and sworn to before me this ____ day of _____, 20__.

Notary Public

My Commission Expires:

RECEIVED in the Office of the City Clerk at _____(AM/PM) on the 13th
day of January, 2015.

City Clerk

**CITY OF GALLUP
DECLARATION OF CANDIDACY
FOR THE OFFICE OF COUNCILOR (DISTRICT #4)**

STATE OF NEW MEXICO)
)ss.
COUNTY OF MCKINLEY)

I, _____, being first duly sworn upon my oath, do hereby state for my Affidavit that:

I, hereby declare that I am a candidate for the office of **Councilor (District #4)** for a four-year term to be elected at the Regular Municipal Election to be held on March 10, 2015.

I affirm that I currently reside at _____, Gallup, New Mexico.

I affirm that my name and resident address as stated in this Declaration of Candidacy are identical to my name and resident address as stated in my Affidavit of Registration on file with the County Clerk of McKinley County, New Mexico.

I affirm that I am eligible and legally qualified to hold the office for which I have declared my candidacy.

I affirm that I have not been convicted of a felony.

-OR-

I affirm that I have been convicted of a felony, my elective franchise has been restored, and I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, shall contact the City Clerk's Office during normal business hours on January 15, 2015 to ascertain whether the City Clerk has certified my declaration of candidacy as valid.

I affirm that I, or my authorized representative, can be reached at the following for purposes receiving notice: _____ or _____.

I affirm that this Declaration of Candidacy is an Affidavit under oath and that any false statement knowingly made herein constitutes a fourth degree felony under the laws of New Mexico.

Signature of Candidate

Subscribed and sworn to before me this ____ day of _____, 20__.

Notary Public

My Commission Expires:

RECEIVED in the Office of the City Clerk at _____(AM/PM) on the 13th
day of January, 2015.

City Clerk

**CITY OF GALLUP
DECLARATION OF CANDIDACY
FOR THE OFFICE OF MUNICIPAL JUDGE**

STATE OF NEW MEXICO)
)ss.
COUNTY OF MCKINLEY)

I, _____, being first duly sworn upon my oath, do hereby state for my Affidavit that:

I, hereby declare that I am a candidate for the office of **Municipal Judge** for a four-year term to be elected at the Regular Municipal Election to be held on March 10, 2015.

I affirm that I currently reside at _____, Gallup, New Mexico.

I affirm that my name and resident address as stated in this Declaration of Candidacy are identical to my name and resident address as stated in my Affidavit of Registration on file with the County Clerk of McKinley County, New Mexico.

I affirm that I am eligible and legally qualified to hold the office for which I have declared my candidacy.

I affirm that I have not been convicted of a felony.

-OR-

I affirm that I have been convicted of a felony, that my elective franchise has been restored, and I have been granted a pardon or a certificate by the Governor restoring my full rights of citizenship.

I affirm that I, or my authorized representative, shall contact the City Clerk's Office during normal business hours on January 15, 2015 to ascertain whether the City Clerk has certified my declaration of candidacy as valid.

I affirm that I, or my authorized representative, can be reached at the following for purposes receiving notice: _____ or _____.

I affirm that this Declaration of Candidacy is an Affidavit under oath and that any false statement knowingly made herein constitutes a fourth degree felony under the laws of New Mexico.

Signature of Candidate

Subscribed and sworn to before me this ____ day of _____, 20__.

Notary Public

My Commission Expires:

RECEIVED in the Office of the City Clerk at _____(AM/PM) on the 13th
day of January, 2015.

City Clerk

Subscribed and sworn to before me this ____ day of _____, 20__.

Notary Public

My Commission Expires:

RECEIVED in the Office of the City Clerk at _____(AM/PM) on the 20th day of
January, 2015.

City Clerk

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**CITY OF GALLUP
CAMPAIGN CHECKING ACCOUNT
REGISTRATION FORM**

Name of Candidate

Name of Candidate's Treasurer (if applicable)

Financial Institution

Account Number

The following parties have signature authorization to the above referenced checking account:

Name of Signatory #1

Signature of Signatory #1

Name of Signatory #2

Signature of Signatory #2

Name of Signatory #3

Signature of Signatory #3

Name of Signatory #4

Signature of Signatory #4

In accordance with §1-10A-4B.1 of the Gallup Municipal Code, I and/or my campaign treasurer have established one and only one campaign bank account for the March 10, 2015 Regular Municipal Election. I affirm that the information provided on this form is true and correct.

Signature of Candidate

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POLITICAL AND CAMPAIGN SIGNS ACKNOWLEDGEMENT

This acknowledgement is for any individual who is a political candidate for an office that will include campaigning within the corporate limits of Gallup, New Mexico.

Political Sign Requirements:

Section 10-4J-3(C3) of the Gallup Municipal Code states:

Political signs: No permit is required under this title for a sign erected solely for and related to public election for a period commencing ninety (90) days prior to and for five (5) days following such public election; however:

- a. Such sign shall be located only on private property;
- b. Such sign shall be constructed of lightweight material, shall not exceed sixteen (16) feet in size and shall not exceed an overall height of eight feet (8') from finished grade of surrounding ground;
- c. Such sign shall not be placed within any clear sight triangle; and
- d. All political candidates must read and acknowledge by their signature a "Political and Campaign Signs Acknowledgement" form at the time he/she files their Declaration of Candidacy.

Any violation reported to or discovered by a Code Enforcement Officer shall result in the sign being removed by City personnel at the time that the violation is verified. Any signs picked up will be taken to the Code Enforcement Section of the Planning and Zoning Department. All violations will be reported to the City Clerk. Candidates may pick up any of their signs removed for said violations from the Code Enforcement Officers up to five (5) days after the subject election, at which time any remaining signs will be disposed of.

Electioneering too close to the polling place:

Section 3-8-77 NMSA 1978 states:

Electioneering too close to the polling place consists of any form of campaigning on election day within one hundred feet of the building in which the polling place is located and includes but is not limited to the display of signs, bumper stickers or distribution of campaign literature.

It is the candidate's responsibility to insure his/her campaign workers follow these regulations. I have read this Acknowledgement concerning cited sections of the Gallup Municipal Code and New Mexico State Statute which have been provided to me by the City Clerk's Office.

SIGNATURE OF CANDIDATE

DATE