



# **CITY OF GALLUP**

## **CANDIDATE INFORMATION PACKET**

**MUNICIPAL OFFICER ELECTION  
TUESDAY, MARCH 3, 2020**

*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](mailto:AAbeita@GallupNM.gov)**

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## Declaration of Candidacy Information

The election of municipal officers for the City of Gallup will be held on **Municipal Officer Election Day on March 3, 2020**. Persons shall be elected to fill the office of Mayor, District #2 Councilor, District #4 Councilor and Municipal Judge. Information for candidates seeking office in the 2020 Municipal Officer Election is contained in this packet. If you have any questions, please call the City Clerk's Office at: 863-1254.

### When do I file for office?

**Tuesday, January 7, 2020**, between the hours of **9:00 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.**

The Declaration of Candidacy form is located on page 19 of this packet and must be used for filing. **To run for office in this election, you must be registered to vote by December 4, 2019.** This is the day the Secretary of State issues the statewide Election Proclamation for all municipalities holding their elections on March 3, 2020. The identical name and identical residential address of the candidate as shown on the Certificate of Registration must be included on the Declaration of Candidacy. Since the candidate's signature is required to be notarized, a notary public will be available at the City Clerk's Office. Once filed, the Declaration of Candidacy shall not be amended.

The following documents (#2 through #4) are required to comply with the City's disclosure of campaign financing provisions of the City Code:

- 2. A completed Campaign Checking Account Registration Form.**

In accordance with the disclosure of campaign financing provisions of the City Code, all candidates shall register their campaign bank account information with the City Clerk upon filing their Declaration of Candidacy. Each candidate or the candidate's treasurer shall establish one and only one 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 provided to the City Clerk. The form on page 27 of this packet may be used to register the campaign bank account with the City Clerk. 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 (§1-10A-4B.1 & 4B.2; City Code).

- 3. A copy of a letter to your financial institution authorizing the release of information concerning your campaign account to the City Clerk.**

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; City Code*).

- 4. Within two (2) days of filing the Declaration of Candidacy, each candidate shall file a notarized statement with the City Clerk, 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; City Code*)**

When the Declaration of Candidacy and associated documents are filed with the City Clerk, the documents become public record.

### **What if I am unable to personally appear to file my Declaration of Candidacy?**

The person seeking to be a candidate may designate another individual to file the Declaration of Candidacy and associated documents on filing day. The candidate may complete the “Written Authorization for Designation” form on page 21 and include it with the documentation to be filed by the candidate’s authorized representative. The form must be signed by the candidate.

### **How does the City Clerk certify my candidacy?**

The City Clerk shall determine if the Certificate of Voter Registration on file with the County Clerk and the Declaration of Candidacy are in proper order. Based on those documents, the City Clerk shall determine if the filer is qualified to be a candidate in the election. By 5:00 P.M. on Friday, January 10, 2020, the City Clerk shall deliver notice to potential candidates regarding their qualification status.

### **How about filing as a write-in candidate?**

**Tuesday, January 14, 2020** between the hours of **9:00 A.M. and 5:00 P.M.** is the only time the City Clerk can accept a Declaration of Candidacy for a write-in candidate. The requirements for those who filed their Declarations of Candidacy on January 7<sup>th</sup> also applies to write-in candidates.

To file as a write-candidate, the following documents must be filed with the City Clerk:

1. **A completed Declaration of Intent to be a Write-In Candidate.**  
This form is located on page 23 of this packet.
2. **A completed Campaign Checking Account Registration Form.**  
For an explanation of this requirement, please refer to #2 on page 3 of this booklet. The registration form is located on page 27 of this packet.
3. **A copy of a letter to your financial institution authorizing the release of information concerning your campaign account to the City Clerk.** For an explanation of this requirement, please refer to #3 on page 4 of this packet.
4. **Within two (2) days of filing the Declaration of Candidacy, each candidate shall file a notarized statement with the City Clerk, signed by the candidate under oath, setting forth any known present business relationship the candidate has or may have with the City.**

The City Clerk follows the same requirements for determining the qualification of write-in candidates for the election that were used in determining the qualification of candidates filing on January 7<sup>th</sup>. By 5:00 P.M. on Friday, January 17, 2020, the City Clerk shall deliver notice to write-in candidates regarding their qualification status.

### **What if I change my mind about being a candidate or a write-in candidate?**

A candidate may withdraw from the election by filing a completed Affidavit of Withdrawal of Candidacy form with the City Clerk **by 5:00 P.M. on Tuesday, January 14, 2020.**

A write-in candidate may withdraw from the election by filing a completed Affidavit of Withdrawal of Candidacy form with the City Clerk **by 5:00 P.M. on Tuesday, January 21, 2020.**

The Affidavit of Withdrawal of Candidacy form is located on page 25 of this booklet.

### **What other information do I need?**

Political district maps may be accessed on the GIS Web Maps page of the City of Gallup website at [www.GallupNM.gov](http://www.GallupNM.gov). 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, need to be addressed and submitted to the City Clerk.

## 2020 Municipal Officer Election Calendar

- Wed. Dec. 4, 2019 Secretary of State issues the election proclamation.
- Tues. Jan. 7, 2020 Candidate Filing Day, between 9:00 A.M. and 5:00 P.M.
- By Thurs. Jan. 9, 2020 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.
- By Fri. Jan. 10, 2020 Deadline for the City Clerk to notify candidates in writing regarding their qualification status to be a candidate in the election.
- Tues. Jan. 14, 2020 Write-In Candidate Filing Day, between 9:00 A.M. and 5:00 P.M.
- By Tues. Jan. 14, 2020 Deadline for withdrawal of candidacy.
- By Thurs. Jan. 16, 2020 Deadline for write-in 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.
- By Fri. Jan. 17, 2020 Deadline for the City Clerk to notify write-in candidates in writing regarding their qualification status to be a candidate in the election.
- By Tues. Jan. 21, 2020 Deadline for withdrawal of write-in candidacy.
- By Tues. Jan. 28, 2020 Any group of three candidates for elected office may appoint watchers for early voting if the candidates provide a written notice to the Secretary of State at least seven days prior to serving as a watcher during early voting and specify the names of the qualified appointees. *(See "Watchers" on page 16 of this packet).*
- By Thurs. Jan. 30, 2020 Secretary of State notifies the Clerk of any appointed watchers for early voting.
- Tues. Feb. 4, 2020 Absentee and early voting begins. A voter may cast an absentee ballot or vote in person on an electronic voting system at Gallup City Hall during regular days and hours of business until Friday, Feb. 28 at 5:00 P.M. Early voting will also be conducted from 10:00 A.M. to 6:00 P.M. on Saturday, Feb. 29, 2020.

Beginning Feb. 4, 2020	Same day voter registration will be offered during early voting at the City Clerk's Office.
Tues. Feb. 18, 2020 By 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 8-15 of this packet).
By Tues. Feb. 25, 2020	Any group of three candidates for elected office may appoint watchers for election day if the candidates provide a written notice to the Secretary of State at least seven days prior to the election date and specify the names of the qualified appointees. (See "Watchers" on page 16 of this packet).
By Thurs. Feb. 27, 2020	Secretary of State notifies the Clerk of any appointed watchers for election day.
Fri. Feb. 28, 2020	Last day to mail absentee ballots from the City Clerk's Office.
Sat. Feb. 29, 2020	Early voting is conducted on this day from 10:00 A.M. to 6:00 P.M. at Gallup City Hall.
Tues. Mar. 3, 2020	Election Day – Polls will be open from 7:00 A.M. to 7:00 P.M.
Between Mon. Mar. 9 and Fri. Mar. 13, 2020	County Canvassing Board meets to certify the canvass of returns.
Between Tues. Mar. 10 and Thurs. Apr. 2, 2020 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.
Tues. Mar. 10, 2020	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.
No sooner than Fri. Mar. 27, 2020	Secretary of State shall issue certificates of election to the winning candidates of the election, unless a top-two runoff election is required for a certain office (see <i>Runoff Elections on page 17 of this packet</i> ).
After Fri. Mar. 27 2020	Candidates to whom a certificate of election has been issued shall take the oath of office before entering the duties of office when their term begins on April 1, 2020.

Tues. Mar. 31, 2020	Runoff Election Day, if needed ( <i>see page 17 of this packet</i> ).
Wed. Apr. 1, 2020	Term of office begins for candidates elected at the March 3 <sup>rd</sup> election.
No sooner than Tues. Apr. 7 and not later than Thurs. Apr. 30, 2020	Secretary of State shall issue certificates of election to the winning candidates of the March 31 <sup>st</sup> runoff election.
Between Tues. Apr. 7 and Thurs. Apr. 30, 2020 at 12:00 P.M.	Candidates involved in the runoff election shall file their second and final "Disclosure of Campaign Financing" statement with the City Clerk.
Fri. May 1, 2020	Term of office begins for candidates elected at the March 31 <sup>st</sup> runoff election. Candidates shall take the oath of office before entering the duties of office.

### **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.) Larry Brian Mitchell Recreation Center, 700 J.M. Montoya Blvd.
- 6.) McKinley County Courthouse Rotunda, 201 West Hill Avenue.

Absentee and early voting will be conducted at Gallup City Hall, 110 West Aztec Avenue.

### **Election Campaign Practices**

In accordance with the City 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:

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

Political signs are considered temporary signs. Section 10-4-F-h of the City of Gallup Land Development Standards pertains to the regulation of temporary signs:

### 10-4-F-h Temporary Sign Standards

1. Any sign constructed and displayed for a limited time is considered a temporary sign. A portable sign is not considered a temporary sign, see *Section 10-4-F-f-iii* for portable sign standards.
2. Temporary signs may be erected without obtaining a sign permit, provided that they comply with the standards in *Table 10-4-18: Temporary Signs Standards*, and shall not count toward any maximum number of signs or maximum sign area allowed on a property.

Topic	Standard
Number of Signs, maximum	4 per premises
Sign Area, maximum	16 square feet per sign in residential districts 32 square feet per sign in nonresidential districts
Height, maximum	8 ft.
Illumination	Prohibited
Prohibited locations	In the public right-of-way In clear sight triangles as defined in 10-4-B-c

3. Temporary signs may be in place no longer than forty-five (45) consecutive days. One (1) extension of forty-five (45) days may be granted to display noncommercial, temporary signs.
4. The Building Inspector and/or Code Compliance Officer may inspect a temporary sign at any time for material defects, including wear and tear, faded background, faded graphic designs, and faded lettering, caused by weather, neglect, or abuse.
5. If it is determined upon inspection that the temporary sign is materially defective, the City shall issue a written order to the owner of the property upon which the subject sign is located. Said order shall require removal or replacement of the temporary sign within five (5) days of the date of the order.

Any questions concerning the City's sign regulations, please contact the City of Gallup Planning and Development Department at 863-1240.

## Watchers

Any group of three candidates for elected office in a statewide election may appoint watchers in a county if the candidates provide a written notice to the Secretary of State at least seven days prior to serving as a watcher during early voting, the election date or the ballot qualification period for mailed ballots in a statewide or special election and specify the names of the qualified appointees. The Secretary of State shall notify the County Clerk of the qualified appointees at least five days before the election. (*§1-2-27B NMSA 1978*)

## **Runoff Elections**

Article VI Section 6 of the City of Gallup 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.

As provided by Resolution No. R2019-43, the Runoff Election, should one be necessary, will be conducted on March 31, 2020.

## **Forms**

Included in this informational packet are various forms required for filing day and the withdrawal of candidacy. The forms are located on pages 19 through 27.

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STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

**2020 MUNICIPAL OFFICER ELECTION**

**DECLARATION OF CANDIDACY - STATEMENT OF INTENT**

I, \_\_\_\_\_, being first duly  
(Candidate's name on certificate of registration)

sworn, say that I am a voter of the county of \_\_\_\_\_, State of New Mexico.

I reside at \_\_\_\_\_, and was registered to vote at that place on the date of the proclamation calling this election;

I reside within and am registered to vote in the area to be represented;

I desire to become a candidate for the office of \_\_\_\_\_ at the municipal election to be held on the date set by law;

I will be eligible and legally qualified to hold this office at the beginning of its term; and

I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a felony punishable under the criminal laws of New Mexico.

\_\_\_\_\_  
(Signature of Declarant)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(Residence Address)

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires: \_\_\_\_\_

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STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

**2020 MUNICIPAL OFFICER ELECTION**

**WRITTEN AUTHORIZATION FOR DESIGNATION**

I desire to become a candidate for the office of \_\_\_\_\_ in the  
Municipal Officer Election to be held on **Tuesday, March 3, 2020.**

I certify that I am not able to personally deliver my Declaration of Candidacy and all other  
associated documents to my Municipal Clerk's office, as applicable, for filing purposes.

Pursuant to NMSA 1978, § 1-22-7(D), I designate the following individual to act solely on my  
behalf for the purpose of filing my Declaration of Candidacy and any other documents required:

\_\_\_\_\_  
Name of Designee (printed)

\_\_\_\_\_  
Address of Designee

Signed and authorized by:

\_\_\_\_\_  
**Candidate Signature**

\_\_\_\_\_  
**Candidate Name**

\_\_\_\_\_  
**Mailing Address**

\_\_\_\_\_  
**Residence Address**

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STATE OF NEW MEXICO  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

2020 MUNICIPAL OFFICER ELECTION

DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

I, \_\_\_\_\_, being first duly  
(Candidate's name on certificate of registration)  
sworn, say that I am a voter of the county of \_\_\_\_\_, State of New Mexico.

I reside at \_\_\_\_\_, and was registered to  
vote at that place on the date of the proclamation calling this election;

I reside within and am registered to vote in the area to be represented;

I desire to become a candidate for the office of \_\_\_\_\_ at the  
municipal election to be held on the date set by law;

I will be eligible and legally qualified to hold this office at the beginning of its term; and

I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a  
felony punishable under the criminal laws of New Mexico.

\_\_\_\_\_  
(Signature of Declarant)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(Residence Address)

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires: \_\_\_\_\_

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STATE OF NEW MEXICO  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

2020 MUNICIPAL OFFICER ELECTION  
AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

State of New Mexico

County of \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that:

I withdraw as a candidate for the office of \_\_\_\_\_ in the election scheduled for **March 3, 2020**; and that I hereby irrevocably revoke my Declaration of Candidacy filed with the Municipal Clerk on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Candidate

Subscribed and sworn to me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Received in the office of the Municipal Clerk at \_\_\_\_\_ A.M./P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Municipal 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 Where Campaign Bank Account is Maintained

\_\_\_\_\_  
Account Number of Campaign Bank Account

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

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 3, 2019 Municipal Officer Election. I affirm that the information provided on this form is true and correct.

\_\_\_\_\_  
Signature of Candidate

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## **Notice to Municipal Judge Candidates**

The Judicial Education Center of the UNM School of Law requested that we provide the information on pages 30 and 31 to Municipal Judge candidates only. Candidates for Municipal Judge need to refer to Supreme Court Rules 21-401 through 21-404 of the Code of Judicial Conduct regarding Political and Campaign activities. For specific questions regarding the letter from the Judicial Education Center and the Supreme Court Rules, please contact:

Laura Bassein, Senior Attorney  
UNM School of Law – Judicial Education Center  
(505) 277-1083  
[bassein@law.unm.edu](mailto:bassein@law.unm.edu)

Fall-Spring 2019-2020

Dear Candidate for Office of Municipal Judge:

The Administrative Office of the Courts (AOC), in cooperation with the New Mexico Judicial Education Center (JEC) and the New Mexico Municipal League, is responsible for certifying to the Supreme Court that all newly elected municipal court judges have satisfied the educational prerequisites to begin their service on the bench. This letter is to advise you of those requirements should you be elected as municipal judge.

**All municipal judges who are elected for the first time** (and also including those who: 1) previously have been municipal judges but have not served within the last 4 years, or 2) were appointed and have not yet attended in-person the New Municipal Judges Orientation), **must attend the next available offering of an initial week-long orientation program to qualify for judicial office.**

JEC is responsible for providing the orientation for new municipal judges and has scheduled the orientation in Albuquerque as follows:

- **Mon., Dec. 9, through Fri., Dec. 13, 2019 (for those elected/appointed prior to Dec. 9)**
- **Mon., Mar. 16, through Fri., Mar. 20, 2020 (for those elected/appointed after Dec. 9, but before Mar. 16)**

As needed, JEC will pay the costs of this program, including mileage, lodging and per diem, for the week of instruction. **Attendance is mandatory.**

If you win the November or March election, you **must contact Laura Bassein at JEC immediately** at [bassein@law.unm.edu](mailto:bassein@law.unm.edu) or 505-277-1083 to register for the new judge orientation program. You also should contact the New Mexico Municipal League, 1-800-432-2036, to confirm your election and be added to their mailing list.

The following legal provisions apply to municipal judge training:

1. Supreme Court Rule 25-102 requires new municipal court judges to initially qualify for office by attending a judicial qualification training course approved by the AOC. The approved course is the one offered by JEC as described above. This rule also requires new municipal court judges to notify AOC of their initial election or appointment. You may fulfill this obligation by calling AOC at 505-827-4800 in Santa Fe.
2. Supreme Court Rule 25-103 requires all municipal court judges to attend an annual continuing judicial education program. JEC is responsible for providing this program. The next annual Municipal Judges Conference is scheduled for **May 6-8, 2020** in Albuquerque. The annual education requirement is available at <http://jec.unm.edu/education/training-requirements-in-nm-1>.
3. Supreme Court Rule 25-104 provides that the Supreme Court may suspend or remove any municipal court judge who fails to attend the initial training or to meet the continuing education requirement.
4. Section 35-14-10 of the New Mexico Statutes requires municipal court judges to annually complete a judicial training program and states that no municipal judge “shall receive any salary until he has successfully completed, or been exempted from, the required judicial training program.”
5. New municipal judges are also assigned a mentor and will have a follow-up educational program in Albuquerque on **September 10-11, 2020**.
6. These four components (November or March Orientation, May Annual Conference, Mentor, and September Follow-up) constitute the 2019/2020 new municipal judge training program.

As a candidate for judicial office, you must adhere to the campaign and fundraising restrictions found in the Code of Judicial Conduct. Please be aware that the Code of Judicial Conduct applies to incumbents and challengers alike. The Code of Judicial Conduct is available from the New Mexico Compilation Commission (<https://www.nmcompcomm.us/>) as described on the following page.

Sincerely,

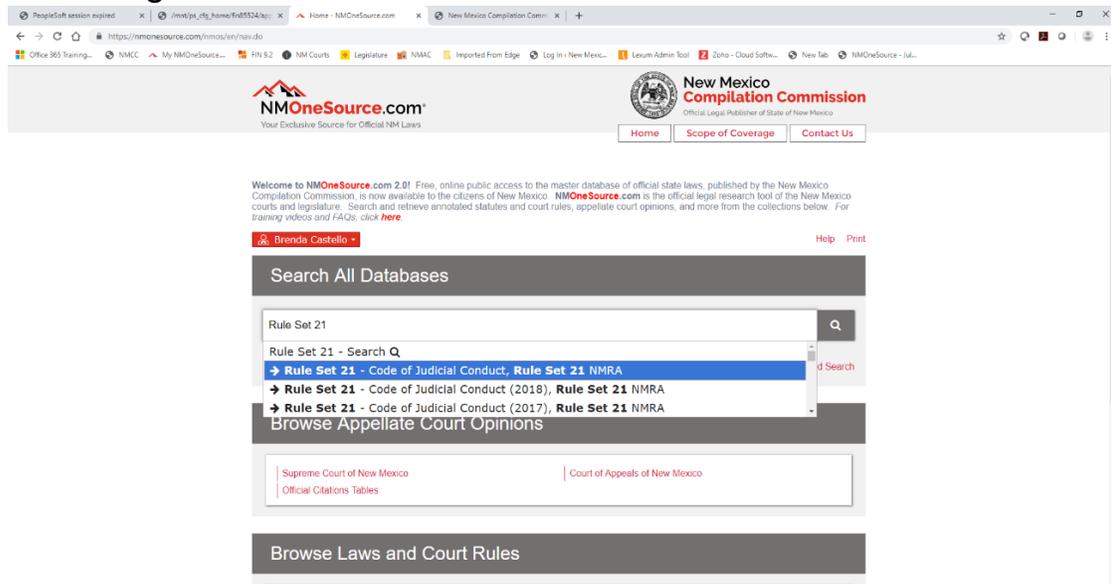


Laura Bassein, New Mexico Judicial Education Senior Attorney  
Email: [bassein@law.unm.edu](mailto:bassein@law.unm.edu) ♦ Phone: 505-277-1083

# New Mexico Code of Judicial Conduct

The Code of Judicial Conduct applies to all municipal judges and all candidates for municipal judge. To locate the Code of Judicial Conduct take the following steps:

1. Go to the NMOneSource website at: <https://nmonesource.com>.
2. Scroll to: “Search All Databases”.
3. Type in: “Rule Set 21”.
4. Do **NOT** press Enter.
5. Choose the first autosuggestion – highlight it and click.
6. See image below:



7. “Rule Set 21 – Code of Judicial Conduct” will open.
8. Read the entire Code of Judicial Conduct from Rule 21-001 through Rule 21-406.

**It is very important for judges and candidates for judicial office to understand the entire Code of Judicial Conduct. Canon 4 (and all associated rules under Canon 4) provides particularly important requirements for election related activity for both sitting judges and candidates for judicial office.**