

CITY OF CLOVIS

**2022 MUNICIPAL OFFICER ELECTION
CANDIDATE'S PACKET
COMMISSIONER
AND
MUNICIPAL JUDGE**

**ELECTION DAY
TUESDAY MARCH 1, 2022**

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STATE OF NEW MEXICO

CERTIFICATE

I, MAGGIE TOULOUSE OLIVER, SECRETARY OF STATE FOR NEW MEXICO, DO
HEREBY CERTIFY

that

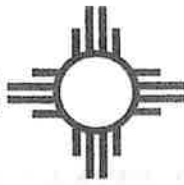
the attached is a true and correct reproduction of The Office of the New Mexico Secretary of State's 2021 Municipal Officer Election Proclamation in English and Spanish, as filed in the Office of the Secretary of State, on December 1, 2021.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE
OF NEW MEXICO, IN THE CITY OF SANTA FE, THE CAPITAL,
ON THIS 1st DAY OF December, 2021.



Maggie Toulouse Oliver

SECRETARY OF STATE



OFFICE OF THE NEW MEXICO SECRETARY OF STATE

Proclamation

MUNICIPAL OFFICER ELECTION

I, Maggie Toulouse Oliver, New Mexico Secretary of State, by virtue of the authority vested in me, do hereby issue the following proclamation:

That a Municipal Officer Election is called to be held in applicable municipalities throughout the State of New Mexico and precincts thereof on March 1, 2022; and

That a Municipal Officer Election shall be a nonpartisan election, and the names of all candidates shall be listed on the ballot with no party or slate designation; and

That all municipalities, where applicable, shall conduct the runoff election pursuant to Section 1-22-16 NMSA 1978; if a top-two runoff election is necessary, it will be held on April 12, 2022; and

That the following municipalities shall conduct a top-two runoff election following the Municipal Officer Election, should one be necessary: the City of Gallup, the City of Las Vegas, and the City of Rio Rancho; and

That a Municipal Officer Election shall be held to elect municipal officers for the following offices:

MUNICIPALITIES

CITY OF ARTESIA – ONE MAYOR AND FOUR CITY COUNCILORS

Mayor
District 1 City Councilor
District 2 City Councilor
District 3 City Councilor
District 4 City Councilor

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF CLOVIS – FIVE CITY COMMISSIONERS AND ONE MUNICIPAL JUDGE

District 1 City Commissioner

District 1 City Commissioner
District 2 City Commissioner
District 3 City Commissioner
District 4 City Commissioner
Municipal Judge

FOR A TERM EXPIRING IN
TWO YEARS
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF ESPAÑOLA – ONE MAYOR, FOUR CITY COUNCILORS AND ONE MUNICIPAL JUDGE

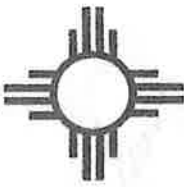
Mayor
District 1 City Councilor
District 2 City Councilor
District 3 City Councilor
District 4 City Councilor
Municipal Judge

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF GALLUP – TWO CITY COUNCILORS

District 1 City Councilor
District 3 City Councilor

FOUR-YEAR TERM
FOUR-YEAR TERM



CITY OF GRANTS – ONE MAYOR AND TWO CITY COUNCILORS

Mayor
District 2 City Councilor
District 4 City Councilor

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF HOBBS – FOUR CITY COMMISSIONERS AND ONE MUNICIPAL JUDGE

District 1 City Commissioner

District 4 City Commissioner
District 5 City Commissioner
District 6 City Commissioner
Municipal Judge

FOR A TERM EXPIRING IN
TWO YEARS
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF LAS VEGAS – THREE CITY COUNCILORS AND ONE MUNICIPAL JUDGE

Ward 1 City Councilor
Ward 3 City Councilor

FOUR-YEAR TERM
FOR A TERM EXPIRING IN
TWO YEARS
FOUR-YEAR TERM
FOUR-YEAR TERM

Ward 4 City Councilor
Municipal Judge

CITY OF LOVINGTON – TWO CITY COMMISSIONERS AND ONE MUNICIPAL JUDGE

District 3 City Commissioner
District 5 City Commissioner
Municipal Judge

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF PORTALES – ONE MAYOR, FOUR CITY COUNCILORS AND ONE MUNICIPAL JUDGE

Mayor
Ward A City Councilor
Ward B City Councilor
Ward C City Councilor
Ward D City Councilor
Municipal Judge

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF RIO RANCHO – ONE MAYOR, THREE CITY COUNCILORS AND ONE MUNICIPAL JUDGE

Mayor
District 2 City Councilor
District 3 City Councilor
District 5 City Councilor
Municipal Judge

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF ROSWELL – ONE MAYOR AND FIVE CITY COUNCILORS

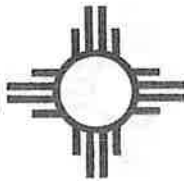
Mayor
Ward 1 Councilor
Ward 2 Councilor
Ward 3 Councilor
Ward 4 Councilor
Ward 5 Councilor

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM

CITY OF SANTA ROSA – ONE MAYOR, TWO CITY COUNCILORS AND ONE MUNICIPAL JUDGE

Mayor
Position 1 Councilor
Position 2 Councilor
Municipal Judge

FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM



**CITY OF TEXICO – ONE MAYOR, TWO CITY COUNCILORS
AND ONE MUNICIPAL JUDGE**

Mayor
Position 1 City Councilor
Position 2 City Councilor
Municipal Judge

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**TOWN OF BERNALILLO – ONE MAYOR AND TWO TOWN
COUNCILORS**

Mayor
Position 1 Councilor
Position 2 Councilor

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**TOWN OF ELIDA – ONE MAYOR AND TWO TOWN
TRUSTEES**

Mayor
Position 1 Trustee
Position 2 Trustee

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**TOWN OF TAOS – ONE MAYOR, TWO TOWN COUNCILORS
AND ONE MUNICIPAL JUDGE**

Mayor
Position 1 Councilor
Position 2 Councilor
Municipal Judge

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**VILLAGE OF BOSQUE FARMS – TWO VILLAGE
COUNCILORS**

Position 1 Councilor
Position 2 Councilor

**FOUR-YEAR TERM
FOUR-YEAR TERM**

**VILLAGE OF CHAMA – ONE MAYOR, TWO COUNCILORS
AND ONE MUNICIPAL JUDGE**

Mayor
Position 1 Village Councilor
Position 2 Village Councilor
Municipal Judge

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**VILLAGE OF CORRALES – ONE MAYOR AND THREE
VILLAGE COUNCILORS**

Mayor
District 1 Village Councilor
District 3 Village Councilor
District 4 Village Councilor

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**VILLAGE OF CUBA – ONE MAYOR, TWO VILLAGE
COUNCILORS AND ONE MUNICIPAL JUDGE**

Mayor
Position 1 Councilor
Position 2 Councilor
Municipal Judge

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

**VILLAGE OF JEMEZ SPRINGS – THREE VILLAGE
TRUSTEES AND ONE MUNICIPAL JUDGE**

Position 1 Trustee

Position 2 Trustee

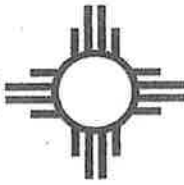
Position 1 Trustee
Municipal Judge

**FOR A TERM EXPIRING IN
TWO YEARS
FOR A TERM EXPIRING IN
TWO YEARS
FOUR-YEAR TERM
FOUR-YEAR TERM**

**VILLAGE OF MILAN – ONE MAYOR AND TWO VILLAGE
TRUSTEES**

Mayor
Position 1 Trustee
Position 2 Trustee

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**



VILLAGE OF QUESTA – ONE MAYOR AND TWO VILLAGE COUNCILORS

Mayor
Position 1 Councilor
Position 2 Councilor

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

VILLAGE OF RUIDOSO – ONE MAYOR, THREE VILLAGE COUNCILORS AND ONE MUNICIPAL JUDGE

Mayor
Position 1 Councilor
Position 2 Councilor
Position 3 Councilor
Municipal Judge

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM
FOR A TERM EXPIRING IN
TWO YEARS**

VILLAGE OF SAN YSIDRO – ONE MAYOR AND TWO VILLAGE TRUSTEES

Mayor
Position 1 Trustee
Position 2 Trustee

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

VILLAGE OF TAOS SKI VALLEY – ONE MAYOR AND TWO VILLAGE COUNCILORS

Mayor
Position 1 Councilor
Position 2 Councilor

**FOUR-YEAR TERM
FOUR-YEAR TERM
FOUR-YEAR TERM**

Declarations of Candidacy for the Municipal Officer Election shall be filed between 9:00 a.m. and 5:00 p.m. on Tuesday January 4, 2022.

Declarations of Intent to be a Write-in Candidate for the Municipal Officer Election shall be filed between 9:00 a.m. and 5:00 p.m. on Tuesday, January 11, 2022.

Last day to file a Statement of Withdrawal from the Municipal Officer Election shall be Tuesday, January 11, 2022.

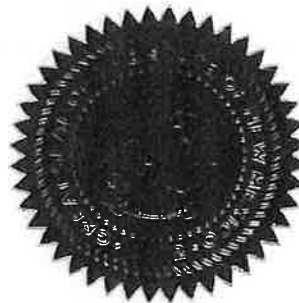
DONE AT THE OFFICE OF THE NEW MEXICO SECRETARY OF STATE THIS 1st DAY OF DECEMBER 2021.

ATTEST:

**WITNESS MY HAND AND THE GREAT SEAL OF
THE STATE OF NEW MEXICO**

**SHARON L. PINO
DEPUTY SECRETARY OF STATE**

**MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE**



STATE OF NEW MEXICO

CERTIFICATE

I, MAGGIE TOULOUSE OLIVER, SECRETARY OF STATE FOR NEW MEXICO, DO
HEREBY CERTIFY

that

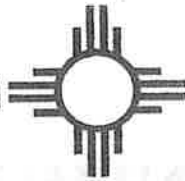
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GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE
OF NEW MEXICO, IN THE CITY OF SANTA FE, THE CAPITAL,
ON THIS 1st DAY OF December, 2021.



Maggie Toulouse Oliver

SECRETARY OF STATE



LA OFICINA DE LA SECRETARIA DE ESTADO DE NUEVO MÉXICO

Proclamación

ELECCIÓN DE FUNCIONARIOS MUNICIPALES

Yo, Maggie Toulouse Oliver, Secretaria de Estado, Estado de Nuevo México, en virtud de la autoridad otorgada a mí, por la presente emito la siguiente proclamación:

Que se convoque la Elección de Funcionarios Municipales en los municipios correspondientes en todo el Estado de Nuevo México y sus recintos el 1 de marzo de 2022; y

Que la Elección de Funcionarios Municipales será una elección no partidista, y los nombres de los candidatos serán listados en las boletas sin designación de partido; y

Que todos los municipios, cuando corresponda, realizaran una elección de desempate según la Sección 1-22-16 NMSA 1978; si una elección de desempate de los dos primeros es necesario, se llevará a cabo el 12 de abril del 2022; y

Que los siguientes municipios llevaran a cabo una elección de desempate de los dos primeros después de la Elección de funcionarios Municipales, en caso de que sea necesario: la Ciudad de Gallup, la Ciudad de Las Vegas y la Ciudad de Río Rancho; y

Que la Elección de Funcionarios Municipales se llevará a cabo para elegir funcionarios municipales para los siguientes cargos:

MUNICIPIOS

CIUDAD DE ARTESIA – UN ALCALDE Y CUATRO CONSEJALES DE LA CIUDAD

Alcade
Distrito 1 Consejal de la Ciudad
Distrito 2 Consejal de la Ciudad
Distrito 3 Consejal de la Ciudad
Distrito 4 Consejal de la Ciudad

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE CLOVIS – CINCO COMISIONADOS DE LA CIUDAD Y UN JUEZ MUNICIPAL

Distrito 1 Comisionado de la Ciudad

Distrito 2 Comisionado de la Ciudad
Distrito 3 Comisionado de la Ciudad
Distrito 4 Comisionado de la Ciudad
Juez Municipal

PARA UN PERIODO QUE SE
VENCE EN DOS AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE ESPAÑOLA – UN ALCALDE, CUATRO CONSEJALES DE LA CIUDAD Y UN JUEZ MUNICIPAL

Alcade
Distrito 1 Consejal de la Ciudad
Distrito 2 Consejal de la Ciudad
Distrito 3 Consejal de la Ciudad
Distrito 4 Consejal de la Ciudad
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE GALLUP – DOS CONSEJALES DE LA CIUDAD

Distrito 1 Consejal de la Ciudad
Distrito 3 Consejal de la Ciudad

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS



CIUDAD DE GRANTS – UN ALCALDE Y DOS CONSEJALES DE LA CIUDAD

Alcalde
Distrito 2 Consejal de la Ciudad
Distrito 4 Consejal de la Ciudad

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE HOBBS – CUATRO COMISIONADOS DE LA CIUDAD Y UN JUEZ MUNICIPAL

Distrito 1 Comisionado de la Ciudad

Distrito 4 Comisionado de la Ciudad
Distrito 5 Comisionado de la Ciudad
Distrito 6 Comisionado de la Ciudad
Juez Municipal

PARA UN PERIODO QUE SE
VENCE EN DOS AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE LAS VEGAS – TRES CONSEJALES DE LA CIUDAD Y UN JUEZ MUNICIPAL

Distrito 1 Consejal de la Ciudad
Distrito 3 Consejal de la Ciudad

Distrito 4 Consejal de la Ciudad
Juez Municipal

PERIODO DE CUATRO AÑOS
PARA UN PERIODO QUE SE
VENCE EN DOS AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE LOVINGTON – DOS COMISIONADOS DE LA CIUDAD Y UN JUEZ MUNICIPAL

Distrito 3 Comisionado de la Ciudad
Distrito 5 Comisionado de la Ciudad
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE PORTALES – UN ALCALDE, CUATRO CONSEJALES DE LA CIUDAD Y UN JUEZ MUNICIPAL

Alcalde
Distrito A Consejal de la Ciudad
Distrito B Consejal de la Ciudad
Distrito C Consejal de la Ciudad
Distrito D Consejal de la Ciudad
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE RIO RANCHO – UN ALCALDE, TRES CONSEJALES DE LA CIUDAD Y UN JUEZ MUNICIPAL

Alcalde
Distrito 2 Consejal de la Ciudad
Distrito 3 Consejal de la Ciudad
Distrito 5 Consejal de la Ciudad
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE ROSWELL – UN ALCALDE Y CINCO CONSEJALES DE LA CIUDAD

Alcalde
Distrito 1 Consejal
Distrito 2 Consejal
Distrito 3 Consejal
Distrito 4 Consejal
Distrito 5 Consejal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

CIUDAD DE SANTA ROSA – UN ALCALDE, DOS CONSEJALES DE LA CIUDAD Y UN JUEZ MUNICIPAL

Alcalde
Posición 1 Consejal

Posición 2 Consejal
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS



CIUDAD DE TEXICO – UN ALCADE, DOS CONSEJALES DE LA CIUDAD Y UN JUEZ MUNICIPAL

Alcade
Posición 1 Consejal de la Ciudad
Posición 2 Consejal de la Ciudad
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

POBLADO DE BERNALILLO – UN ALCADE Y DOS CONSEJALES DEL POBLADO

Alcade
Posición 1 Consejal
Posición 2 Consejal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

POBLADO DE ELIDA – UN ALCADE Y DOS FIDEICOMISARIOS DEL POBLADO

Alcade
Posición 1 Fideicomisario
Posición 2 Fideicomisario

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

POBLADO DE TAOS – UN ALCADE, DOS CONSEJALES DEL POBLADO Y UN JUEZ MUNICIPAL

Alcade
Posición 1 Consejal
Posición 2 Consejal
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE BOSQUE FARMS – DOS CONSEJALES DE LA ALDEA

Posición 1 Consejal
Posición 2 Consejal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE CHAMA - UN ALCADE, DOS CONSEJALES Y UN JUEZ MUNICIPAL

Alcade
Posición 1 Consejal de la Aldea
Posición 2 Consejal de la Aldea
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE CORRALES – UN ALCADE Y TRES CONSEJALES DE LA ALDEA

Alcade
Distrito 1 Consejal de la Aldea
Distrito 3 Consejal de la Aldea
Distrito 4 Consejal de la Aldea

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE CUBA – UN ALCADE, DOS CONSEJALES DE LA ALDEA Y UN JUEZ MUNICIPAL

Alcade
Posición 1 Consejal
Posición 2 Consejal
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE JEMEZ SPRINGS - TRES FIDEICOMISARIOS DE LA ALDEA Y UN JUEZ MUNICIPAL

Posición 1 Fideicomisario

Posición 1 Fideicomisario
Juez Municipal

PARA UN PERIODO QUE SE
VENCE EN DOS AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE MILAN – UN ALCADE Y DOS FIDEICOMISARIOS DE LA ALDEA

Alcade
Posición 1 Fideicomisario
Posición 2 Fideicomisario

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS



ALDEA DE QUESTA – UN ALCALDE Y DOS CONSEJALES DE LA ALDEA

Alcalde
Posición 1 Consejal
Posición 2 Consejal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

ALDEA DE RUIDOSO – UN ALCALDE, TRES CONSEJALES DE LA ALDEA Y UN JUEZ MUNICIPAL

Alcalde
Posición 1 Consejal
Posición 2 Consejal
Posición 3 Consejal
Juez Municipal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PARA UN PERIODO QUE SE
VENCE EN DOS AÑOS

ALDEA DE SAN YSIDRO – UN ALCALDE Y DOS FIDEICOMISARIOS DE LA ALDEA

Alcalde

Posición 1 Fideicomisario

Posición 2 Fideicomisario

PERIODO DE CUATRO AÑOS

PERIODO DE CUATRO AÑOS

PERIODO DE CUATRO AÑOS

ALDEA DE TAOS SKI VALLEY – UN ALCALDE Y DOS CONSEJALES DE LA ALDEA

Alcalde
Posición 1 Consejal
Posición 2 Consejal

PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS
PERIODO DE CUATRO AÑOS

Declaraciones de Candidatura para la Elección de Funcionarios Municipales se presentarán entre las 9:00 de la mañana y las 5:00 de la tarde el martes, 4 de enero de 2022.

Declaraciones de Intención para ser un Candidato por Escrito para la Elección de Funcionarios Municipales se presentarán entre las 9:00 de la mañana y las 5:00 de la tarde el martes 11 de enero de 2022.

El último día para presentar una Declaración de Retiro de la Elección de Funcionarios Municipales será el martes 11 de enero de 2022.

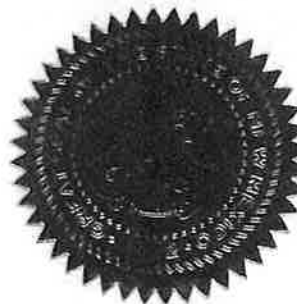
EXPEDIDA EN LA OFICINA DE LA SECRETARIA DE ESTADO ESTE DÍA 1 DE DICIEMBRE DEL 2022

DOY FE:

**EN TESTIMONIO DE LO CUAL PONGO FIRMA
Y EL GRAN SELLO DEL ESTADO DE
NUEVO MÉXICO**

**SHARON L. PINO
SUBSECRETARIA DE ESTADO**

**MAGGIE TOULOUSE OLIVER
SECRETARIA DE ESTADO**



**RESOLUTION 3093-2021
CITY OF CLOVIS, NEW MEXICO**

ELECTION RESOLUTION

FOR THE PROCLAMATION CALLING THE REGULAR MUNICIPAL OFFICER ELECTION TO BE HELD ON TUESDAY, MARCH 1st, 2022; PURSUANT TO NMSA 1978 §1-22-4(C).

Be it resolved by the governing body of the City of Clovis that:

1. The Regular Municipal Officer Election will be held on March 1, 2022;
2. The following local governing body positions; and judicial position shall be included in the Secretary of State's Proclamation to fill the elective offices:
 - A. District # 1 – ONE Commissioner for a two (2) year term
District # 1 – ONE Commissioner for a four (4) year term
District #2 – ONE Commissioner for a four (4) year term
District #3 – ONE Commissioner for a four (4) year term
District #4 – ONE Commissioner for a four (4) year term
 - B. ONE Municipal Judge, elected at large, for a four (4) year term
3. The following question(s) shall be submitted at the regular municipal election:

Shall the City Charter be amended to remove Section 3-2: Term limits in its entirety as the New Mexico Supreme Court has declared the imposition of term limits on municipal elected officials violates the New Mexico Constitution?

Shall the City Charter be amended to change the percentage of voters required to recall an elected official from twenty percent (20%) to thirty-three and one third percent (33.33%)?

Shall the City Charter be amended to add the requirement that any recall petition contain a clear and concise statement citing the grounds for recall of an elected official?

Shall the City Charter be amended so that it reads gender neutral?
4. Declarations of Candidacy are to be filed on January 4th, 2022 from 9:00 a.m. to 5:00 p.m. in the office of the Municipal Clerk.
5. Declarations of Candidacy for Write-In Candidates are to be filed on January 11th, 2022 from 9:00 a.m. to 5:00 p.m. in the office of the Municipal Clerk.
6. Term of office shall begin April 1, 2022.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLOVIS, NEW MEXICO:

- A. Precincts 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 35 and 37 are consolidated for the Municipal Officer Election.

B. The following locations are designated as polling places/voting convenience centers for the conduct of the Municipal Officer Election:

1. Voters in Consolidated Precincts 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 35 and 37 shall vote at
Colonial Golf Course, 1300 Colonial Parkway
Youth Recreation Building, 1504 E 7th
Roy Walker Community Center, 316 W 2nd
Trinity United Methodist Church, 1320 W 21st Street
City of Clovis Fire Substation #5, 220 W Brady
2. Early and Absentee Voters will vote in the office of the Municipal Clerk at 321 Connelly, Clovis, New Mexico between February 1, 2022 and February 25, 2022 from 8:00 am to 5:00 pm and on February 26, 2022 from 10:00 am to 6:00 pm.
3. Early Voting will also be available at the North Plains Mall, Police Substation, 2908 N. Prince, Clovis, New Mexico from 10:00 am to 6:00 pm, Tuesday through Saturday, from February 12, 2022 to February 26, 2022.

C. February 1, 2022 is the last day to register to vote.

C. The Municipal Clerk shall conduct the Municipal Officer Election for the City of Clovis, New Mexico utilizing the appropriate statutes and Election Code.
Pursuant to §1-22-3.1(D.2) for a municipal officer election, when the Local Election Act or the Election Code references a process or procedure to be conducted by the county clerk in the administration of a regular local election, the process or procedure shall instead be fulfilled and administered by the municipal clerk.

PASSED, APPROVED and ADOPTED THIS 7th DAY of OCTOBER, 2022.


Mayor

(SEAL)

ATTEST:


Municipal Clerk

*To be distributed to the Secretary of State between October 2, and November 1, 2021
(120-150 days prior to the election)*

INTRODUCTION

Thank you for your interest in serving as an elected official for the City of Clovis. This packet serves to answer questions and guide you through the process of declaring your candidacy and running your campaign. **Please note, this guide is intended merely as reference, not as a legal authority.** This packet does not supersede federal or state laws of rules, and it does not have the force of law. Please always consult the City of Clovis' specific governing statute, charter or ordinance for the specific requirements to hold elected office.

Municipal Officer Elections are administered through the Office of the Municipal Clerk and our staff is available to answer any questions not covered by this packet. The Municipal Clerk's office is located in the Bert Cabiness building at 321 Connelly, Clovis, NM. Contact for the Municipal Clerk's office: Phone 575-763-9632 or email lamelancon@cityofclovis.org. You may also contact the Secretary of State's Bureau of Elections at 1-800-477-3632 or 1-505-827-3600, or email sos.elections@state.nm.us for regarding elections in general.

The City of Clovis is a home-rule municipality, which is governed by a Charter adopted by the voters. The City operates under the Commission-Manager form of government. There are three classifications of elected officials including: Mayor (elected at large), Commissioners (8 members elected by district for staggered terms), and a Municipal Judge (elected at large).

Please review all pages of this packet, paying particular attention to the requirements for declaring your candidacy and running your campaign.

WHAT IS A COMMISSION-MANAGER FORM OF GOVERNMENT?

Commission-manager government combines the strong political leadership of elected officials with the strong managerial experience of an appointed manager. All power and authority to set policy rests with the elected governing body. The governing body in turn hires a nonpartisan manager who has a very broad authority to run the municipality.

WHAT ARE THE POWERS AND DUTIES OF THE MUNICIPAL JUDGE?

Section 2.16 of the Clovis City Charter states:

The Judge:

Shall, at the time of his election and during the holding of his office, be a resident and qualified elector of the city, and before entering upon the discharge of his duties he shall take and subscribe to the same oath provided and prescribed for the city attorney. He shall also give bond to the city in the sum of five thousand dollars to be approved by the city commission, conditioned that he will faithfully and truly account for and turn over to the city treasurer all moneys that may come into his office in his hands by reason of his office, and that he shall in all

other respects faithfully discharge the duties of his office. Such bond shall be made by some reliable surety company and paid for by the city.

WHAT ARE THE POWERS AND DUTIES OF A CITY COMMISSIONER?

Section 4-7 of the Clovis City Charter states:

The Commission is the governing body of the City of Clovis and may exercise all legislative powers not expressly denied by general law:

The Commission shall:

- Pass all ordinances and other measures conducive to the health, safety and welfare of the City;
- Carry out the provisions of the City Charter;
- Perform all acts required for the general welfare of the City;
- Create all offices and departments necessary for proper carrying on of the work of the City; and
- Appoint a City Manager and hold him responsible for the proper and efficient administration of City government.

DOES THE CITY HAVE A NEPOTISM POLICY?

As stated in City Policy:

ARTICLE II, RECRUITMENT AND SELECTION

Section 206. Nepotism: The City is committed to policy of employment and advancement based on qualifications and merit and is not in favor of or in opposition to the employment of relatives.

Employment of a relative of the Mayor, a City Commission member, or City Manager No new employee or current city employee shall be hired or transferred to a position where they:

1. Would be working directly for or supervising a relative or roommate;
 2. Would occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to a relative or roommate, including: hiring, retention, transfer, training, promotion, wage decisions or leave requests.
 3. Are a relative of the Mayor, a City Commission member of the City Manager.
- No relative of the Mayor, any City Commission member, or the City Manager will be eligible for promotion during the term the relative holds office or position.

1. Relatives include: Spouse or significant other, child, step-child, parent, step-parent, brother, sister, son-in-law, daughter-in-law, parent-in-law, brother-in-law, sister-in-law, grandparent, grandchild, uncles, aunts, nephews, nieces or first cousins in any capacity if related by blood or marriage.

GENERAL ELIGIBILITY REQUIREMENTS FOR MUNICIPAL OFFICER ELECTION OFFICES

To become a candidate for any office on the Municipal Officer Election ballot, a person must be a registered voter and possess the qualifications specified by law.

Voter Registration Requirements: New Mexico law outlines certain requirements for candidates to have their name printed on a ballot based upon the candidate's voter registration information. Specifically, the candidate's voter registration must show:

1. For offices with city residency requirements, eligibility of determined by reviewing the candidate's voter registration address as of the date of the election proclamation. NMSA 1978 1-22-8 and 1-22-10
2. Residency is determined by the place shown on the certificate of voter registration as the candidate's permanent address, provided that the candidate resides on the premises. 1-1-7.1
3. The candidate's name will appear on the ballot to match the voter registration record on file. If a candidate's voter registration includes the middle name or initial it will be included on the ballot. 1-10-6
4. The candidate shall provide the Municipal Clerk with the same name as registered when they file for office. Any changes to voter registration must be effective on or before the date of the Election Proclamation. Attempted changes to ballot name appearance at the time of candidate filing is NOT allowed.

Candidates may review their current voter registration information by looking up their voter registration record on sos.elections@state.nm.us or by contacting the Curry County Clerk's office for a copy of their voter registration certificate.

Felony Convictions: A person who has been convicted of a felony shall not be permitted to hold an office of public trust for the municipality unless the person has presented the governor with a certificate verifying the completion of the sentence and was granted a pardon or certificate by the governor restoring the person's full rights of citizenship. 31-13-1 (E).

Pursuant to Section 1-22-3(B), Municipal Officer Elections are nonpartisan. Candidate names will appear on the ballot with no party or state designation.

CITY OF CLOVIS REGULAR ELECTION

MARCH 1, 2022

2022 REGULAR MUNICIPAL ELECTION CALENDAR

On	12-01-21	Secretary of State issues Proclamation calling for election
By	12-16-21	Publish relevant section & add to website
By	12-28-21	Municipal Clerk shall publish a notice once in the newspaper to the effect that election boards are to be appointed for the specified number of precincts, stating the number of persons composing each board and that applicants for the standby list will be accepted at the Municipal Clerk's office. (1-2-9A,B)
On	01-04-22	Candidate Filing Day 9:00 am to 5:00 pm Municipal Clerk's Office, 321 Connelly. (1-22-7)
On	01-07-22	The Municipal Clerk determines if the candidate is qualified (1-22-3. 1 E 3), and notifies each candidate in writing and shall deliver the notice to the person no later than 5:00 pm on the Friday following the filing date.
By	01-11-22	Last day to withdraw (1-22-3.1 (E))
On	01-11-22	Write-In Candidate Filing Day 9:00 am to 5:00 pm Municipal Clerk's Office. 1-22-8.1 (BC)
On	01-14-22	The Municipal Clerk determines if the write-in candidate is qualified (1-22-3. 1 E 3), and notifies each candidate in writing and shall deliver the notice to the person no later than 5:00 pm on the Friday following the filing date.
By	01-18-22	Municipal Clerk appoints Election Boards and Translators for each polling place 1-2-6. Municipal Clerk appoints the Absent Voter Election Board 1-2-14.
By	01-21-22	Last day for Municipal Clerk to confirm with printer position and names to appear on the ballot
By	01-19-22	Immediate notification to Election Board Members sent in writing 1-2-14. Response required with 14 days after notice is sent 1-2-14. Failure to respond will require immediate replacement (1-2-14 (B))

By	01-18-22	Withdrawal of Write-In Candidacy. 1-10-6 (C)
By	01-18-22	Municipal Clerk must send a copy of the certified ballot to the printer and the SOS (1-22-3.1E (6).
Beginning	01-18-22	County Clerk may begin to prepare, inspect and seal the voting machine. Scheduled for January 26, 2022. Candidates are invited to observe and a notice of date and time will be emailed.
On	01-25-22	Deadline for transmitting a ballot and ballot materials to all federal qualified electors who by that date, submit a valid military-overseas ballot application. Eligible electors verified with County Clerk (1-22-3.1D (6).
By	01-18-22	The Municipal Clerk shall certify to the Secretary of State the type and serial number of each voting machine to be used. (1-11.5).
Beginning	02-01-22	Absentee ballots may be mailed to eligible voters upon receipt of approved absentee application.
Beginning	02-01-22	Early voting in person begins at 8:00 am in the Municipal Clerk's office. The Clerk's office will be open 8:00 am to 6:00 Monday through Friday beginning February 01 to February 26, 2022 except for February 19, 2022 which is holiday. The Clerk's office will be open February 26, 2022 from 10:00 am to 6:00 pm (1-6-5 F).
On	02-01-22	Voter registration books and same day voter registration closed by County Clerk at 5:00 pm 1-4-8A
On	02-12-22	Early voting begins at the alternate site – Police Substation in the North Plains Mall at 10:00 am. The site will be open Tuesday through Saturday from 10:00 am to 6:00 pm. The final day for early voting at this site will be Saturday, February 26, 2022. (1-6-5.7 B 1.)
Between	02-08-22 - 02-22-22	Notice of election shall be published in English & Spanish in a legal newspaper & posted in the Clerk's office (1-11-3).
Beginning	02-14-22	Inspection and certification of voting machines to be used on election day at the polling places. Held at County Clerk's office, 411 Gidding. Scheduled for February 16, 2022. Candidates are invited to observe and a notice of date and time will be emailed.
By	02-26-22	Conduct election school at City Hall, 321 Connelly. Mandatory attendance for all workers. Scheduled for February 22, 2022 at

1:00 pm. Candidates are invited to attend and notice will be emailed.

On	02-25-22	Last day to mail absentee ballots from Municipal Clerk's office. No ballots shall be mailed after 5:00 pm.
On	02-26-22	Early voting ends at 6:00 pm at Municipal Clerk's Office and Alternate site at North Plains Mall.
By	02-25-22	Voting machines will be delivered to polling places
	03-01-22	ELECTION DAY 7:00 am to 7:00 pm
By noon	03-08-22	Canvass of election results approved at Curry County Commission meeting (1-13-13A).
By	03-28-22	Secretary of State shall issue to those candidates entitled by law the appropriate certificate of elections. 1-13-13 A
On	04-01-22	Swearing in and Term of office shall begin. 1-22-3.1
On	04-07-22	Regular commission meeting scheduled for 5:15 pm
On	03-16-22	Last day to request a recount or recheck

When can I file for office?

January 4, 2022 between the hours of 9:00 am and 5:00 pm. This is the only time the Municipal Clerk can accept a declaration of candidacy from a candidate for their name to appear on the ballot.

All candidates must file the following documents:

1. A Declaration of Candidacy form.
The form must include the candidate's actual physical address and the name on the form should match the name on the voter registration as recorded on the date of the Proclamation which is December 4, 2019.
2. Municipal Judge candidates must also acknowledge they will attend the mandatory training to be held March 14-18, 2022 and September 8-9, 2022 in Albuquerque. The City will pay for lodging and meals.

The Declaration of Candidacy form is provided with this information packet and must be used for filing. Only this form will be accepted. Please read through the form and understand the requirements of the information you need to provide.

If you are unable to personally appear on January 4, 2022 an Affidavit Authorizing Filing of Declaration of Candidacy is also available. This provides an authorized representative for you during the election process who acts for the official candidate in any part of the election process that requires or permits a candidate to appear. This form is required to be notarized. You, as the candidate, must sign your Declaration of Candidacy. The representative may not.

When the Declaration of Candidacy is filed in the office of the Municipal Clerk, it becomes a public record.

Forms can be found on Pages 30 to 33.

When does the term of office begin?

The term of office of a candidate elected in a Municipal Officer Election shall begin on April 1, 2022 following the candidate's election, and the candidate to whom a certificate of election has been issued shall take the oath of office before entering upon the duties of office.

Is there a fee to file for an elected office?

There is no fee to file for Mayor, Commissioner or Municipal Judge.

How does the Municipal Clerk certify my candidacy?

From the information provided on the Declaration of Candidacy form, the Municipal Clerk determines if the individual is a qualified elector, if the individual resides in the City limits, if the individual resides in the property district for Commission positions.

By January 7, 2022 the Municipal Clerk determines if the candidate is qualified (1-22-3.1 E 3, and notifies each candidate in writing and shall deliver the notice to the person no later than 5:00 pm on the Friday following the filing date. This will be done by email.

Candidate Challenges

Pursuant to Section 1-22-10, any voter may challenge the candidacy of any person seeking election at the Municipal Officer Election for the reason that the person does not meet the requirements for the office sought by filing a petition in the district court within seven days after the day for filing a declaration of candidacy. The district court shall hear and render a decision on the matter within ten days after the filing of the petition. The decision of the district court may be appealed to the Supreme Court within five days after the decision is rendered. The Supreme Court shall hear and render a decision on the appeal forthwith.

How is each candidate's position determined on the ballot?

The order of candidates for the same office in a municipal officer election shall follow the randomization method established by rule by the Secretary of State for the regular local election.

The order of the ballot shall be:

- Mayoral candidates (if year of election)
- Commissioner candidates – listed in District Order
- Municipal Judge candidates (if year of election)
- Any question to be placed on the ballot by the governing body
- Any question to be placed on the ballot from petition

Can I still run for office if I don't file on January 4th?

If you decide to run for office after the January 4th filing day, you may still choose to run as a write-in candidate.

January 11, 2022, between the hours of 9:00 am and 5:00 pm is the only time the Municipal Clerk can accept a declaration of candidacy for a write-in candidate.

All candidates must file the following documents:

1. A Declaration of Candidacy form.
The form must include the candidate's actual physical address and the name on the form should match the name on the voter registration as recorded on the date of the Proclamation which is December 1, 2021.
2. Municipal Judge candidates must also make acknowledgement of mandatory training to be held March 14-18, 2022 and September 8-9, 2022 in Albuquerque. The City will pay for lodging and meals.

The Write-in Declaration of Candidacy form is provided with this information packet and must be used for filing. Only this form will be accepted. Please read through the form and understand the requirements of the information you need to provide.

If you are unable to personally appear on January 11, 2022, an Affidavit Authorizing Filing of Declaration of Write-in Candidacy is also available. This provides an authorized representative for you during the election process who acts for the official candidate in any part of the election process that requires or permits a candidate to appear. This form is required to be notarized. You, as the candidate, must sign your Declaration of Candidacy, the representative may not.

A declaration of candidacy shall not be amended after it has been filed. Section 1-22-7(C).

Can a person file for multiple offices?

The Municipal Clerk shall not accept a filing from any one individual for more than one declaration of candidacy. Section 1-22-7 (D)

When the Declaration of Candidacy is filed in the office of the Municipal Clerk, it becomes a public record.

Forms can be found on Pages 31-33

What happens if I change my mind about running for office?

For candidates that file on January 4, 2022 – the deadline to withdraw their candidacy is January 11, 2022. This will remove the candidate's name from the ballot. If you, the candidate, withdraw after this date, your name will still appear on the ballot. The form to withdraw the candidacy is included in this packet on Page 33.

For write-in candidates that files on January 11, 2022 – the deadline to withdraw the candidacy is January 18, 2022 . The line for the write-in will still be on the ballot, but any votes for the write-in will not be counted. The form to withdraw the candidacy is included in this packet on Page 33.

Is this a paid position?

The compensation for City Commissioner is \$7,000.00 annually. The compensation for Municipal Judge is set at 85% of the New Mexico Judicial Branch Pay Schedule for Magistrate Judge which is currently \$98,637.35 annually. Salary for the Municipal Judge will be \$83,841.75 annually.

All elected officials are eligible for City benefits.

When does the Commission meet?

Commission meetings are held the 1st and 3rd Thursday of the month at 5:15 pm.

What are the hours for the Municipal Court?

The Municipal Court is open Monday through Thursday from 7:00 am to 5:30 pm. They are closed from 12:00 to 1:00 for lunch.

Will there be any questions on the ballot?

There are 4 Charter questions on the March 1, 2022 Ballot. (See Resolution)

Where are the polling places for this election?

The City has implemented Voter Convenience Centers. The Election Resolution approved five (5) polling places conveniently located around the City. A registered voter within the City limits will be allowed to vote at any of the centers.

The locations the City will be using for this election are:

1. Colonial Golf Course, 1300 Colonial Parkway
2. Youth Recreation Building, 1504 E 7th
3. Roy Walker Community Center, 316 W 2nd
4. Trinity United Methodist Church, 1320 W 21st Street
5. Clovis Fire Station #5, 220 E Brady

Absentee: Municipal Clerk's Office, 321 Connelly

Early: Municipal Clerk's Office, 321 Connelly – closed February 19th

Alternate Absentee: Police Substation at the North Plains Mall.

How does someone register to vote?

1. Forms available at the Curry County Clerk's office – 411 Gidding
2. Forms are available at the Municipal Clerk's office – 321 Connelly
3. Forms are available on the New Mexico Secretary of State's website:
<https://portal.sos.state.nm.us/OVR/WebPages/InstructionsStep1.aspx>

When is the last day to register to vote?

The County Clerk will close voter registration at 5:00 PM on February 1, 2022. Any registrations received after that time and date will not be eligible to vote in the Municipal election on March 1, 2022.

Same day voter registration during Early voting.

House Bill 470 allows for same day voter registration during the period of Early Voting. Same day voter registration will be conducted at the Municipal Clerk's office between February 1, 2022 and February 26, 2022.

Does the City of Clovis require voter authentication by photo identification in all municipal elections?

At the March 1, 2016 regular municipal election, the voters passed an amendment to the home rule charter requiring the City Commission to adopt an ordinance implementing voter authentication by photo identification for all future municipal elections.

Voter authentication by photo identification cards shall be issued by the Municipal Clerk without charge to any voter who presents any two of the following identification documents that show the name and address of the voter and confirmation with the County Clerk that such person is registered to vote:

- a. State-issued identification card
- b. Social Security card
- c. Student identification card
- d. Library card
- e. Insurance card
- f. Selective service card
- g. Union card
- h. Professional association card
- i. Utility card
- j. Bank statement
- k. Government check or a paycheck

If the individual is unable to present any two of these documents to the Municipal Clerk, then the voter shall swear or affirm in writing under penalty of perjury that she or he is the registered voter and shall be issued a voter photo identification card upon confirmation with the County Clerk that such person is registered to vote.

The Municipal Clerk issued photo identification card shall state on its face that it shall not be valid for identification other than for the purposes of voting in City of Clovis municipal elections and shall not be valid if the voter is subsequently purged from the voter rolls.

A copy of the Ordinance is included in this packet. Pages 105-106.

How does the Public Records Request Act impact candidates?

A citizen has a fundamental right to have access to public records. The citizen's right to know is the rule and secrecy is the exception. Where there is no contrary statute, the right to inspect public records must be freely allowed.

Online discussion board posts and social media postings and messages on official City and non-official online/social media sites by Candidates when pertaining to public business are public records subject to the Inspection of Public Records Act and records retention policies. Online discussion board posts and social media postings shall be treated the same as e-mails and text/instant messages in relation to the Inspection of Public Records Act and records retention policies.

Should you as a candidate or any citizen of Clovis have any requests for public records of the City, please contact the Municipal Clerk or complete the request form found on the City of Clovis website.

A copy of the City of Clovis Public Records Request policy is included with this packet. Pages 147-149.

What other information do I need?

Included in this information packet is a complete election calendar of events. If you have any questions on any of the events or any citywide question, call the Municipal Clerk's office at 763-9632 or email lamelancon@cityofclovis.org and we will answer your question or direct you to the appropriate department.

If you need information on Budget, contact the Finance Director at (575) 763-9632 or lamelancon@cityofclovis.org.

If you need information on personnel issues, contact the Human Resources Department at (575) 763-9652 or cwentworth@cityofclovis.org.

If you need information on sign placement, contact the Building Safety Director at (575) 763-9609 or rroach@cityofclovis.org

If you have questions concerning voter lists, contact the Curry County Clerk's office at (575) 763-5591 ahogland@currycounty.org

Certified Candidate Information – Dates to Remember

1. After the Secretary of State issues the Proclamation on December 1, 2021, it will be posted on the City's website and in the Eastern New Mexico News. This will notify the public that an election will be occurring and what will be on the ballot.
2. The Municipal Clerk will submit the names of candidates and the order they will appear on the ballot by January 21, 2022 to provide the correct spelling and position on the ballot. The candidate's name will appear on the ballot exactly as shown on their voter registration as of December 1, 2021.
3. The Municipal Clerk will appoint the Precinct Board for all locations and publish the list in the Eastern New Mexico News and in the clerk's office. **No relatives of any candidate shall serve on a precinct board.**
4. All election supplies must be received in the office of the Municipal Clerk by January 31, 2022. Requests for an application for an absentee ballot may be made any time after the issuance of the Proclamation. The actual absentee ballots cannot be mailed to any person who has submitted and had an application accepted by the Municipal Clerk until February 1, 2022.
5. The Curry County Clerk shall close the voter's registration books for the municipal officer election at 5:00 pm on February 1, 2022. Any voter registration received by the County Clerk after this time and date may not be eligible to vote in the current municipal election.
6. House Bill 470 allows for same day voter registration during the period of Early Voting. Same day voter registration will be conducted at the Municipal Clerk's office between February 1, 2022 and February 26, 2022.
7. Certification of the voting machines will be completed by January 28, 2022 for the absentee and early voting machines. Certification of the voting machines for the regular election will be completed by February 23, 2022. All machine certifications will be done in the office of the County Clerk at 411 Gidding. As a candidate, you will be notified of the time and place of the certification and are welcome to observe.

Early and absentee machines are scheduled for testing on January 26, 2022.
Election day machines are scheduled for testing on February 16, 2022.

Candidates will be notified by email of the time and place.

8. Election school for all precinct workers will be held on February 23, 2022 at City Hall at 1:00 pm. As a candidate you will be notified by email and are welcome to attend.
9. February 25, 2022 is the last day to mail absentee ballots from the Municipal Clerk's office. After 5:00 pm no absentee ballots may be mailed.
10. February 26, 2022 at 6:00 pm will be last day of Early voting at the Municipal Clerk's office and the Police Substation at North Plains Mall.
11. **Election Day is March 1, 2022. Voting times are between the hours of 7:00 am and 7:00 pm.**

Election Day Information

1. The Presiding Judge and election workers at the polling place have control of the election process during this time. You, as a candidate, may not interfere in any way with the election process.
2. There is no campaigning within **100 feet of the building** where the poll is located. There will be no campaign literature within **100 feet of the building**.
3. All **unofficial** election results will be returned to City Hall after each Voting Convenience Center has completed their procedures. The election returns will be given to the Municipal Clerk, who will provide **UNOFFICIAL** results from the polling place. All candidates or their authorized representatives and the general public are welcome to gather in the Assembly Room at City Hall to wait for the posting of the results.

Post Election Day Information

1. By March 10, 2022 at the Municipal Clerk's office the Clerk's appointed board will convene to begin the canvassing of the election results. These will be the **OFFICIAL** results of the election. The Canvassing will be approved by the Curry County Commission at a meeting held on March 8, 2022.
2. The Secretary of State will issue the Certificate of Election to each elected official by March 25, 2022.
3. Certified candidates will begin their term of office on April 1, 2022. A ceremony to administer the oath of office for newly elected officials will be conducted after receipt of election certificates and before the first regular commission meeting in April 2022.

4. The City Commission shall hold an organizational meeting on April 7, 2022 which will be the first regularly scheduled meeting in April 2022.

ABSENTEE VOTING

Absentee Application

The Municipal Clerk shall furnish an absentee ballot application at any time after the approval of the Election Proclamation. A voter may request an application for an absentee ballot in person, by telephone or by mail. The Municipal Clerk cannot by law automatically send applications to any qualified elector.

When a completed application is received in the office of the Municipal Clerk, the voter will be verified on the Voter Register List as a qualified elector of the City.

The application may be rejected if:

1. The application is not made on the form provided by the Municipal 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 applicant has already voted absentee.
5. The applicant:
 - a. Has no valid affidavit of registration on file with the County Clerk and is not a federal qualified elector or federal 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 voter but is not entitled to vote in the municipal election.

If the application is accepted, the Municipal 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 beginning February 1, 2022.

Absentee ballots shall be returned to the office of the Municipal Clerk by mail or in person. **If returned in person, only the voter, a member of their immediate family or a caregiver may return the ballot. The individual returning the absentee ballot must sign the envelope.**

Any Federal qualified voter who has an application for absentee ballot on file with the County Clerk will be sent an electronic ballot on February 1, 2022. The ballot may be returned electronically. A waiver must accompany the ballot and will be printed and placed in an absentee envelope by the Municipal Clerk or her designee.

Early Voting

February 1, 2022 to February 26, 2022 are the dates for early voting.

Early voting will be conducted in the Municipal Clerks office February 1, 2022 through February 26, 2022 Monday to Friday between 8:00 am and 5:00 pm and February 26, 2022 between 10:00 am and 6:00 pm.

Early voting will also be conducted at the Clovis Police Substation at the North Plains Mall beginning February 12, 2022. The site will be open Tuesday through Saturday from 10:00 am to 6:00 pm. February 26, 2022 from 10:00 am to 6:00 pm will be the final date for the site.

City offices are closed February 21, 2022 in observance of President's Day.

When a completed application is received, the voter will be verified as a qualified elector of the City.

The application may be rejected if:

1. The application is not made on the form provided by the Municipal 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 applicant has already voted absentee.
5. The applicant:
 - a. Has no valid affidavit of registration on file with the County Clerk and is not a federal qualified elector or federal 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 voter but is not entitled to vote in the municipal election.

If the application is accepted:

1. It shall be marked as accepted.
2. The applicant shall be issued a ballot.
3. The voter shall be allowed to vote in private.
4. The voted ballot shall be placed in the counter by the voter.

Forms and Requirements

Included in this information package are various forms you will need to file throughout the election process. They should be considered original documents. You should make copies of the forms for your use during the campaign.

Forms

1. Affidavit Authorizing Filing of Declaration of Candidacy (to be completed if you request an individual to file on your behalf)
2. Declaration of Candidacy
3. Affidavit of Withdrawal of Candidacy
4. Declaration of Write-In Candidacy

Other Information

1. Election Proclamation
2. Election Resolution
3. Election Calendar
4. City of Clovis District and Precinct Maps
5. Previous Municipal Election Results
6. Campaigning Information
 - a. Sponsorship of campaign material must appear
 - b. Political Signs
 - c. Campaigning near polling sites
7. City of Clovis Organizational Chart
8. City of Clovis Charter
9. Ordinance No. 2073-2016 Voter Authentication by Photo ID
10. State Statute Article 16 – Governmental Conduct
11. 2021-2022 Fiscal Budget Summary
12. Summary of Employee Benefits
13. Mandatory training information for Municipal Judge
14. Ordinance No. 2096-2017 Setting the salary of the Municipal Judge
15. New Mexico Code of Judicial Conduct for election related activity
16. City of Clovis Inspection of Public Records Act policy



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

**2022 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 1st, 2022.**

I certify that I am not able to personally deliver my Declaration of Candidacy and all other
associated documents to my local 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 associated
documents required:

Name of Designee (printed)

Address of Designee

Signed and authorized by:

Candidate Signature

Candidate Name

Mailing Address

Residence Address



STATE OF NEW MEXICO
MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

2022 MUNICIPAL OFFICER ELECTION
DECLARATION OF CANDIDACY – STATEMENT OF INTENT

I, _____, being first duly sworn, say that
(candidate's name on certificate of registration)

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
(physical address)

date of the proclamation calling this election;

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

I desire to become a candidate for the office of _____ at the
municipal officer election to be held in March of the year this declaration is filed;

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

Email Address

Phone Number

State of: _____

County of: _____

Signed and sworn (or affirmed) before me on the _____ day of _____, 2022,
by _____.

Signature of notarial officer

Title and Rank

My Commission Expires: _____



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

2022 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 officer 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

Email Address

Phone Number

State of: _____

County of: _____

Signed and sworn (or affirmed) before me on the _____ day of _____, 2022,
by _____.

Signature of notarial officer

Title and Rank

My Commission Expires: _____



STATE OF NEW MEXICO

MAGGIE TOULOUSE OLIVER

SECRETARY OF STATE

2022 MUNICIPAL OFFICER ELECTION
AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

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 1st, 2022; and that I hereby permanently revoke my Declaration of Candidacy filed with my proper filing officer on _____, 2022.

Signature of Candidate

State of: _____

County of: _____

Signed and sworn (or affirmed) before me on the _____ day of _____, 2022, by

_____.

Signature of notarial officer

Title and Rank

My Commission Expires: _____

Received in the office of the Municipal Clerk at _____ A.M./P.M. on the _____ day of _____ 2022.

Proper Filing Officer

Fall-Spring 2021-2022

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 person in Albuquerque (so long as conditions allow in person judicial education programs) as follows:

- **Mon., Dec. 6, through Fri., Dec. 10, 2021 (for those elected/appointed prior to Dec. 6)**
- **Mon., Mar. 14, through Fri., Mar. 18, 2022 (for those elected/appointed after Dec. 6, but before Mar. 14)**

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 after the election at bassein@law.unm.edu 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 10-12, 2022**, in Ruidoso. 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 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 8-9, 2022**.
6. These four components (November or March Orientation, May Annual Conference, Mentor, and September Follow-up) constitute the 2021/2022 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,

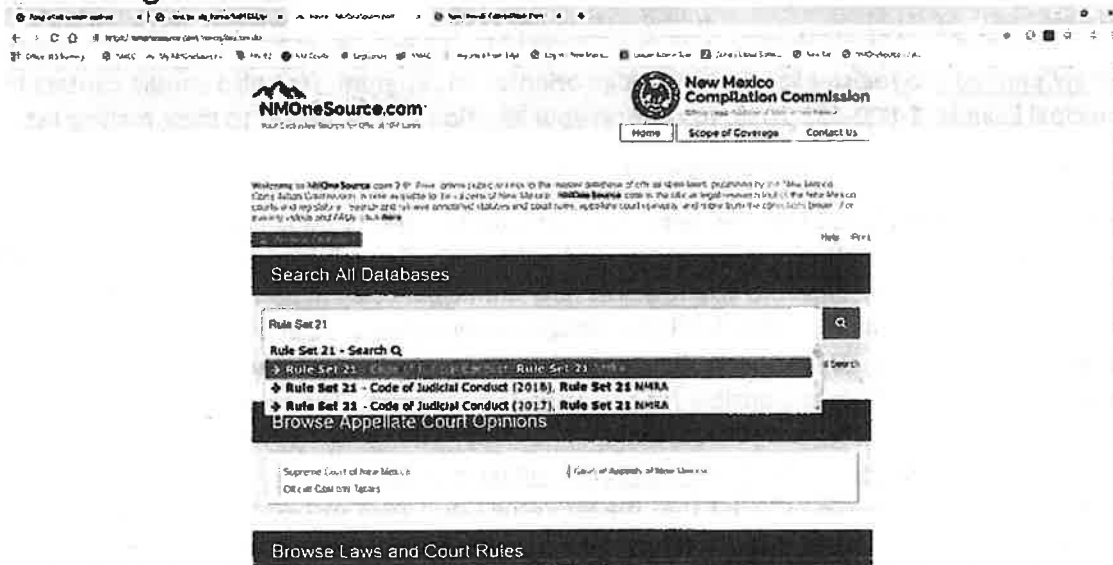


Laura Bassein, New Mexico Judicial Education Center Senior Attorney
Email: bassein@law.unm.edu ♦ Phone: 505-277-1083

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.

ORDINANCE No. 2096-2017

ESTABLISHING THE COMPENSATION OF THE MUNICIPAL JUDGE,
AND AMENDING EXISTING CODE SECTIONS

BE IT ORDAINED by the governing body, that is, the City Commission of the City of Clovis,
New Mexico:

SECTION ONE. RECITALS. State law requires that the City Commission establish the compensation of the municipal judge by ordinance. The existing ordinance, Section 2.16.020, fixes the compensation of the municipal judge at \$67,675.00 per year. It is proposed that the current code section be amended to establish the rate of compensation at 85% of the compensation of a magistrate judge. The amendment will avoid the necessity of amending the code and adopting an ordinance every time the municipal judge's salary is reviewed and considered.

SECTION TWO. AMENDMENT OF SECTION 2.16.020. Section 2.16.020 is hereby amended to read as follows:

2.16.020 Compensation—Employment benefits.

The salary for the municipal judge for each term of office shall be 85% of that authorized by law to be paid to a state magistrate judge upon the date of the election of the municipal judge to that position. The municipal judge shall be provided benefits and accrue leave on the same basis as a regular full-time city employee.

PASSED, APPROVED AND ADOPTED this 2nd day of November, 2017.

CITY OF CLOVIS, NEW MEXICO

By: David M. Lansford
David Lansford, Mayor

(SEAL)

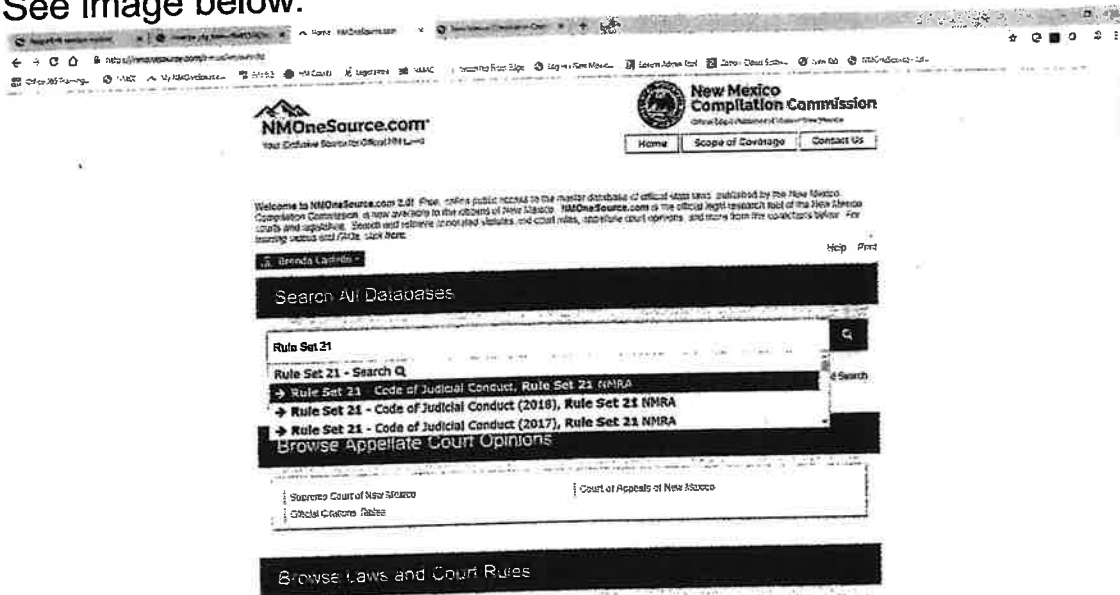
ATTEST:

Regina M. Luna
City Clerk

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.

(Appointments to fiduciary positions) and 21-311 (Financial or business activities) NMRA apply shall comply with those rules as soon as reasonably possible, but in no event later than one year after the Code becomes applicable to the judge.

[Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-013, effective December 31, 2015; as amended by Supreme Court Order No. 17-8300-021, effective December 31, 2017.]

Committee commentary. —

Applicability of this Code

[1] The rules in this Code have been formulated to address the ethical obligations of any person who serves a judicial function and are premised on the supposition that, to the extent possible, a uniform system of ethical principles should apply to all those authorized to perform judicial functions.

[2] In recent years many jurisdictions have created what are often called “problem solving” courts, in which judges are authorized by court rules to act in nontraditional ways. For example, judges presiding in drug courts and monitoring the progress of participants in those courts’ programs may be authorized and even encouraged to communicate directly with social workers, probation officers, and others outside the context of their usual judicial role as independent decision makers on issues of fact and law. When local rules specifically authorize conduct not otherwise permitted under these rules, they take precedence over the provisions set forth in the Code. Nevertheless, judges serving on “problem solving” courts shall comply with this Code except to the extent local rules provide and permit otherwise.

Part-time Judge

[3] The exceptions for part-time judges from the reporting requirements of Rule 21-315 NMRA do not apply to extrajudicial activities that are related to the judge’s judicial duties. The Committee believes reporting is required for activities that are related to the judge’s general duties as a judge as well as activities that concern the same subject matter as those addressed by the judge in the course of the judge’s judicial duties. For example, if a part-time judge receives payment, reimbursement, or a waiver of fees for presenting at or attending a conference on improving the judiciary, this payment, reimbursement, or waiver is required to be reported under the rules (unless the reimbursement or waiver is provided by a governmental entity or entity funded by state or federal funds in connection with judicial education and training). Likewise, if a part-time judge who handles DWI cases receives payment, reimbursement, or a waiver of fees for presenting at or attending a DWI conference, this payment, reimbursement, or waiver is required to be reported under the rules. But a part-time judge who, for example, is a realtor and sells real estate for compensation, or presents at or attends a real estate conference and receives payment, reimbursement, or a waiver of fees, would not be required to report that payment, reimbursement, or waiver. The Committee notes that although there may be an overlap of subject matter in some circumstances, compensation from the judge’s outside employment will not need to be reported in most instances. For example, extrajudicial compensation received from a judge’s representation of clients in the course of the judge’s law practice is not contemplated by the Committee to be subject to the reporting requirements of the rules.

[4] When a person who has been a part-time judge is no longer a part-time judge, that person may act as a lawyer in a proceeding in which the person has served as a judge or in any other proceeding related thereto only with the informed written consent of all parties and approval of the court, and under any applicable rules of professional conduct.

Hearing Officers and Special Commissioners

[5] Application of the Code to certain types of hearing officers and special commissioners as a condition of employment is required by statute. *See* NMSA 1978, § 40-4B-4 (child support hearing officers); NMSA 1978, § 40-13-9 (domestic violence special commissioners).

Time for Compliance

[6] If serving as a fiduciary when selected as a judge, a new judge may, notwithstanding the prohibitions in Rule 21-308 NMRA, continue to serve as fiduciary, but only for that period of time necessary to avoid serious adverse consequences to the beneficiaries of the fiduciary relationship and in no event longer than one year. Similarly, if engaged at the time of judicial selection in a business activity, a new judge may, notwithstanding the prohibitions in Rule 21-311 NMRA, continue in that activity for a reasonable period, but in no event longer than one year.

[Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-013, effective December 31, 2015; as amended by Supreme Court Order No. 17-8300-021, effective December 31, 2017.]

Code of Judicial Conduct

Rule

21-001 Preamble.

21-002 Scope.

21-003 Terminology.

21-004 Application.

21-100 Canon 1.

21-101 Compliance with the law.

21-102 Promoting confidence in the judiciary.

21-103 Avoiding abuse of the prestige of judicial office.

21-200 Canon 2.

21-201 Giving precedence to the duties of judicial office.

21-202 Impartiality and fairness.

21-203 Bias, prejudice, and harassment.

21-204 External influences on judicial conduct.

21-205 Competence, diligence, and cooperation.

21-206 Ensuring the right to be heard.

21-207 Responsibility to hear and decide.

21-208 Decorum, demeanor, and communication with jurors.

21-209 Ex parte communications.

21-210 Judicial statements on pending and impending cases.

21-211 Disqualification.

21-212 Supervisory duties.

21-213 Administrative appointments.

21-214 Disability and impairment.

21-215 Responding to judicial and lawyer misconduct.

21-216 Cooperation with disciplinary authorities.

21-300 Canon 3.

21-301 Extrajudicial activities in general.

21-302 Appearance before governmental bodies and consultation with government officials.

21-303 Testifying as a character witness.

21-304 Appointments to governmental positions.

21-305 Use of nonpublic information.

21-306 Affiliation with discriminatory organizations.

21-307 Participation in educational, religious, charitable, fraternal, or civic organizations and activities.

21-308 Appointments to fiduciary positions.

21-309 Service as arbitrator or mediator.

21-310 Practice of law.

21-311 Financial or business activities.

21-312 Compensation for extrajudicial activities.

21-313 Acceptance of gifts, loans, bequests, benefits, or other things of value.

21-314 Reimbursement of expenses and waivers of fees and charges.

21-315 Extrajudicial compensation, expense reimbursement, and reporting.

21-400 Canon 4.

21-401 Political activity and elections for judges generally, and who are not currently running in either a partisan, non-partisan, or retention election, non-partisan, or retention election.

21-402 Political and campaign activities of judicial candidates in public elections.

21-403 Activities of candidates for appointive judicial office.

21-404 Campaign committees.

21-405 Activities of judges who become candidates for nonjudicial office.

21-406 Violations.

Table of Corresponding Rules

21-004. Application.

A. **Applicability of this Code.** Unless a particular rule provides otherwise, the provisions of this Code apply in their entirety to full-time judges, including justices of the Supreme Court and judges of the Court of Appeals, district courts, metropolitan courts, magistrate courts, municipal courts, and probate courts. The provisions of this Code also apply to elected part-time judges of probate and municipal courts and judges serving by contract or appointment on a part-time basis, except as specifically provided in this rule or another particular rule. Where stated, the Code also applies to judicial candidates.

B. Exceptions for part-time judges.

(1) An elected part-time probate or municipal judge, or a judge appointed to a vacant seat on a part-time probate or municipal court,

(a) is not required to comply with Rules 21-304 (Appointments to governmental positions), 21-308(A) (Appointments to fiduciary positions), 21-309 (Service as arbitrator or mediator), 21-310 (Practice of law), and 21-311(B) (Financial or business activities) NMRA;

(b) is not required to comply with Rule 21-315 NMRA (Reporting requirements), unless the extrajudicial compensation, expense reimbursement, or waiver of fees or charges to be reported relates to the judge's judicial duties; and

(c) shall not practice law in the court on which the judge serves, and shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

(2) Other judges serving by contract or appointment on a part-time basis

(a) are not required to comply at any time with Rules 21-304 (Appointments to governmental positions), 21-308(A) (Appointments to fiduciary positions), 21-309 (Service as arbitrator or mediator), 21-310 (Practice of law), and 21-311(B) (Financial or business activities) NMRA;

(b) are not required to comply with Rule 21-315 NMRA (Reporting requirements), unless the extrajudicial compensation, expense reimbursement, or waiver of fees or charges to be reported relates to the judge's judicial duties;

(c) are not required to comply, except while serving as a judge, with Rules 21-302 (Appearances before governmental bodies and consultation with government officials) and 21-401(C)(1) through (4) (Political activity and election for judges generally, and who are not currently running in either a partisan, non-partisan, or retention election) NMRA; and

(d) shall not practice law in the court on which the judge serves, and shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

C. **Hearing officers and special commissioners.** A child support hearing officer, domestic violence special commissioner, domestic relations hearing officer, children's court hearing officer, mental health commissioner, or any other hearing officer or commissioner employed by the judicial branch shall comply, as a condition of the person's employment, with Rules 21-100 to 21-215, 21-300 to 21-311, 21-313, 21-400 to 21-401, 21-403, and 21-405 NMRA.

D. **Time for compliance.** A person to whom this Code becomes applicable shall comply immediately with its provisions, except that those judges to whom Rules 21-308

21-400. Canon 4.

A judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

[Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012.]

Committee commentary. —

[1] The public's perception of a fair and impartial judiciary may be greatly affected by the manner in which judges or candidates for judicial office comport themselves. This Canon imposes narrowly tailored restrictions upon the political and campaign activities of all judges and judicial candidates, taking into account the various methods of selecting judges. Campaigns for judicial office must be conducted differently from campaigns for other offices. The narrowly drafted restrictions upon political and campaign activities of judicial candidates provided in Canon 4 allow candidates to conduct campaigns that provide voters with sufficient information to permit them to distinguish between candidates and make informed electoral choices.

[2] Even when subject to public election, a judge plays a role different from that of other elected officials. Rather than making decisions based upon the expressed views or preferences of the electorate, a judge makes decisions based upon the law and the facts of every case. Therefore, in furtherance of this interest, judges and judicial candidates must, to the greatest extent possible, be free from political influence and political pressure. So too, the public's perception of a fair and impartial judiciary may be greatly affected by the manner in which judges or candidates for judicial office comport themselves. This canon imposes narrowly tailored restrictions upon the political and campaign activities of all judges and judicial candidates, taking into account the various methods of selecting judges.

[3] When a person becomes a judicial candidate, this Canon becomes applicable to his or her conduct.

[4] Rule 21-401 NMRA addresses the limitations on the political activities of judges generally, and who are not currently running for judicial office. Rule 21-402 NMRA establishes the boundaries for political and campaign activities that circumscribe the conduct of judges and non-judges who are judicial candidates engaged in a partisan, non-partisan, or retention election. Rule 21-403 NMRA addresses the limitations on activities of candidates seeking appointment to judicial office. Rule 21-404 NMRA requires that candidates for judicial office create campaign committees and establishes the rules for those campaign committees. Rule 21-405 NMRA addresses the activities of judges who either become candidates for or seek appointment to a non-judicial office. Finally, Rule 21-406 NMRA creates the mechanism for investigating and resolving violations of the Code, including challenges for violations of the Code in election campaigns.

[Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-013, effective December 31, 2015.]

21-402. Political and campaign activities of judicial candidates in public elections.

A. Candidates for election to judicial office. A judicial candidate in a partisan, non-partisan, or retention election,

- (1) shall
 - (a) act at all times in a manner consistent with the independence, integrity, and impartiality of the judiciary;
 - (b) comply with all applicable election, election campaign, and election campaign fundraising laws and regulations;
 - (c) review and approve the content of all non-financial campaign statements and materials produced by the candidate or his or her campaign committee, as authorized by Rule 21-404 NMRA, before their dissemination;
 - (d) take reasonable measures to ensure that other persons do not undertake on behalf of the candidate activities, other than those described in Rule 21-404 NMRA, that the candidate is prohibited from doing under these rules; and
 - (e) if intending to accept funds from others or expend funds in excess of one thousand dollars (\$1,000), establish a campaign committee pursuant to the provisions of Rule 21-404 NMRA;

- (2) shall not
 - (a) seek to discover who has contributed to the campaign of either the judge or the judge's opponent;
 - (b) engage in behaviors or activities prohibited by Rule 21-401(C)(1), (C)(2), (C)(3), (C)(5), (C)(6), and (C)(7) NMRA;
 - (c) solicit funds for a candidate or a political organization, or make a contribution to a candidate, except as permitted by Subparagraphs (A)(3)(b) and (c) below; or
 - (d) misrepresent the candidate's or the candidate's opponent's identity, qualifications, present position or other material fact;

- (3) may
 - (a) speak on behalf of his or her candidacy through any medium, including, but not limited to, advertisements, websites, or other campaign literature;
 - (b) attend or purchase tickets for dinners or other events sponsored by a political organization or a candidate for public office;
 - (c) contribute to a political organization;
 - (d) use advertising that does not contain any misleading contents, and does not, in nonpartisan elections, contain any reference to the candidate's affiliation with a political party; and
 - (e) respond to personal attacks or attacks on the candidate's record as long as the response does not violate Rule 21-401(C)(6) NMRA.

B. Contributions creating appearance of impropriety. Candidates for judicial office in partisan, non-partisan, and retention elections shall refrain from campaign fundraising activity which has the appearance of impropriety, and shall not accept any contribution that creates an appearance of impropriety.

C. Solicitation for other campaigns and candidates. Candidates in partisan, non-partisan, and retention elections for judicial office shall not solicit funds for any other political campaign, or for any other candidate for any other office. Judicial candidates may, however, run for election as part of a slate of judicial candidates and may participate in joint fundraising events with

other judicial candidates.

D. **Unopposed candidates in partisan and non-partisan elections.** Candidates in partisan and non-partisan elections for judicial office who have a campaign fund, but who are unopposed or become unopposed in the campaign, shall return all unused and uncommitted campaign funds pro rata to the contributors of the funds, or donate the funds to a charitable organization, or to the State of New Mexico, as the candidate may choose, with disbursement of such funds to occur within thirty (30) days after the absence of opposition becomes known. This paragraph does not apply to retention elections.

E. **Contributions by attorneys and litigants.** If a case is pending before any candidate for the judicial office being contested, restrictions of this paragraph apply to all candidates for that office. Contributions from attorneys and litigants shall be made only to a campaign committee, and are subject to all the requirements of this rule. Campaign committees may solicit contributions from attorneys. Campaign committees shall not knowingly solicit a contribution from a litigant whose case is then pending before the candidate. Campaign committees shall not disclose to the judge or candidate the identity or source of any funds raised by the committee.

F. **A judicial candidate in a partisan public election.** A judicial candidate in a partisan election may

(1) identify himself or herself as a candidate of a partisan political organization;

and

(2) seek, accept, and use endorsements from a partisan political organization.

G. **A judicial candidate in a retention or non-partisan election.** A judicial candidate in a retention or non-partisan election may

(1) identify himself or herself as a candidate but shall not identify himself or herself with any specific partisan political organization; and

(2) seek, accept, and use endorsements from a partisan political organization.

[Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-003, effective November 1, 2015.]

Committee commentary. —

[1] This rule restricts contributions for campaigns for judicial office to sources and amounts that do not create an appearance of impropriety. Under Rule 21-404 NMRA, candidates for judicial office shall not personally solicit or personally accept campaign contributions. Seed money under NMSA 1978, Sections 1-19A-2(K) and 1-19A-5, and qualifying contributions under NMSA 1978, Sections 1-19A-2(H) and 1-19A-4, are considered campaign contributions for the purposes of these rules. A judicial candidate is prohibited from personally soliciting or personally accepting such contributions. Candidates for election to judicial office are required to create campaign committees to solicit and accept contributions, to solicit public support, and to receive, manage, and disburse all campaign contributions. Each candidate must instruct the campaign committee to solicit or accept only those contributions that are reasonable under the circumstances, and that meet the requirements of this rule.

[2] Attorneys and litigants have the right as citizens to participate in the electoral process of public officers, including judges, and have the right to support and make contributions to candidates for judicial office. Therefore, campaign contributions by attorneys and litigants are permitted, within the restrictions of this rule. However, campaign contributions from litigants with cases pending before any candidate for the judicial office being contested may not be knowingly solicited or accepted by any candidate for that office or that candidate's campaign committee. Once

a campaign committee determines it has received a contribution from a litigant with a case pending before the judicial candidate, the contribution must be returned.

[3] Although Paragraph E does not forbid a judicial candidate's campaign from accepting a contribution from a lawyer in a firm that has a pending case, a judicial candidate's campaign committee should not accept the contribution if accepting such a contribution creates an appearance of impropriety. For example, a large contribution from a law firm with many lawyers may create the appearance of impropriety as might a smaller contribution from a firm with only two or three lawyers. These examples serve only to illustrate the point that campaign committees should exercise particular vigilance when accepting contributions from lawyers whose firm has a pending case.

[4] Campaign committees established under this rule should attempt to manage campaign finances responsibly, avoiding deficits that may necessitate post-election fundraising.

[5] Subparagraphs (A)(3)(a) through (e) of this rule permit judicial candidates in public elections to engage in some political and campaign activities otherwise prohibited by Rule 21-401 NMRA. A candidate may begin to engage in activities permitted under Rule 21-401 NMRA before the next applicable electoral event, such as a primary election, or as soon as the candidate makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes, or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office.

[6] Despite Subparagraphs (A)(3)(a) through (e) of this rule, judicial candidates for public election remain subject to many of the same provisions as are contained in Rule 21-401 NMRA. For example, a candidate continues to be prohibited from soliciting funds for a political organization, knowingly making false or misleading statements during a campaign, or making certain promises, pledges, or commitments related to future adjudicative duties. *See* Subparagraph (A)(2)(b) of this rule.

[7] In partisan public elections for judicial office, a candidate may be nominated by, affiliated with, or otherwise publicly identified or associated with a political organization, including a political party. This relationship may be maintained throughout the period of the public campaign, and may include use of political party or similar designations on campaign literature and on the ballot. A candidate for judicial office does not publicly endorse another candidate for public office by having that candidate's name on the same ticket, or by participating in joint fundraising with other judicial candidates, or by running for election as part of a slate of judicial candidates.

[8] Judicial candidates are permitted to attend or purchase tickets for dinners and other events sponsored by political organizations.

[9] Although judicial candidates in nonpartisan public elections are prohibited from running on a ticket or slate associated with a political organization, they may group themselves into slates or other alliances to conduct their campaigns more effectively.

[10] A judicial candidate may make campaign promises related to judicial organization, administration, and court management, such as a promise to dispose of a backlog of cases, start court sessions on time, or avoid favoritism in appointments and hiring. A candidate may also pledge to take action outside the courtroom, such as working toward an improved jury selection system, or advocating for more funds to improve the physical plant and amenities of the courthouse.

[11] Judicial candidates may receive questionnaires or requests for interviews from the media and from issue advocacy or other community organizations that seek to learn their views on disputed or controversial legal or political issues. Rule 21-401 (C)(7) NMRA (prohibiting the making of pledges or promises in connection with matters likely to come before the court that are

inconsistent with the impartial performance of judicial duties) does not specifically address judicial responses to such inquiries. Depending upon the wording and format of such questionnaires, candidates' responses might be viewed as pledges, promises, or commitments to perform the adjudicative duties of office other than in an impartial way. To avoid violating Subparagraph (A)(2)(b) of this rule and Rule 21-401(C)(7), therefore, candidates who respond to media and other inquiries should also give assurances that they will keep an open mind and will carry out their adjudicative duties faithfully and impartially if elected. Candidates who do not respond may state their reasons for not responding, such as the danger that answering might be perceived by a reasonable person as undermining a successful candidate's independence or impartiality, or that it might lead to frequent disqualification. *See* Rule 21-211 NMRA.

[12] Judicial candidates must be scrupulously fair and accurate in all statements made by them and by their campaign committees. Judges and judicial candidates and their committees must refrain from making statements that are false or misleading, or that omit facts necessary to make the communication considered as a whole not materially misleading. *See* Subparagraph (A)(2)(b) of this rule and Rule 21-401(C)(5) NMRA.

[13] Judicial candidates are sometimes the subject of false, misleading, or unfair allegations made by opposing candidates, third parties, or the media. For example, false or misleading statements might be made regarding the identity, present position, experience, qualifications, or judicial rulings of a candidate. In other situations, false or misleading allegations may be made that bear upon a candidate's integrity or fitness for judicial office. As long as the candidate does not violate Subparagraph (A)(2)(b) of this rule as pertains to Subparagraphs (C)(3) (prohibiting speeches on behalf of a political organization), (C)(6) (prohibiting any statement that would reasonably be expected to affect the outcome or impair the fairness of a matter impending or pending in any court), or (C)(7) (prohibiting the making of pledges or promises in connection with matters likely to come before the court that are inconsistent with the impartial performance of judicial duties) of Rule 21-401 NMRA, the candidate may respond directly and make a factually accurate public response. When a violation of the Code of Judicial Conduct may have occurred, a judicial candidate may proceed under Rule 21-406 NMRA of this Code.

[14] In addition, if a judge knows that an independent third party has made unwarranted attacks on a candidate's opponent, the candidate should disavow the attacks and request the third party to cease and desist. When false information concerning a judicial candidate is made public, a judge or another judicial candidate having knowledge of the facts is not prohibited from making the facts public. Subject to Subparagraph (C)(6) of Rule 21-401 NMRA (prohibiting any statement that would reasonably be expected to affect the outcome or impair the fairness of a matter impending or pending in any court), as made applicable by Subparagraph (A)(2)(b) of this rule, a judicial candidate is permitted to respond directly to false, misleading, or unfair allegations made against him or her during a campaign. It is, however, preferable for someone else to respond if the allegations relate to a pending case.

[15] A candidate for elective judicial office is not prohibited from retaining during candidacy a public office such as district attorney, which is not an office in a "political organization."

[16] Candidates for judicial office should consider setting a limit on any individual contribution for purposes of determining whether contribution above that limit creates an appearance of impropriety or would otherwise undermine the public's confidence in the integrity and independence of the judiciary. Judicial candidates may be informed about the total amounts contributed to the campaign in order to make informed budgeting decisions relating to the campaign.

Under most circumstances, however, judicial candidates should not be informed about the specific details of individual contributions.

[17] Candidates for judicial offices may, through a campaign committee, solicit endorsements of support, including endorsements from attorneys. The judicial candidate may not solicit endorsements and should not be informed about the identity of individual attorney supporters. [Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-003, effective November 1, 2015.]

21-404. Campaign committees.

A. **Campaign committees.** Candidates in [both] partisan, non-partisan, and retention elections shall establish committees of one or more responsible persons to conduct campaigns for the candidate using media advertisements, brochures, mailings, candidate forums and other means not prohibited by law or these rules. Campaign committees may solicit and accept reasonable campaign contributions, and obtain public statements of support on behalf of the candidate, subject to the restrictions of these rules including, but not limited to, Rule 21-402 NMRA. Candidates shall not personally solicit or personally accept contributions for their own campaigns. Nor shall candidates solicit personally, or through campaign committees, contributions for the campaigns of other candidates or offices. All campaign contributions shall be paid or turned over to the campaign committee, and shall be managed and disbursed by the committee. A candidate shall not use or permit the use of campaign contributions for the private benefit of the candidate or others. The candidate shall take reasonable steps to ensure that his or her campaign committee complies with applicable provisions of this Code and other applicable law.

B. **Unused campaign funds.** A candidate for judicial office in either a partisan, non-partisan, or retention election who has unused campaign funds remaining after election, and after all expenses of the campaign and election have been paid, shall refund the remaining funds pro rata to the campaign contributors, or donate the funds to a charitable organization, or to the State of New Mexico, as the candidate may choose, within thirty (30) days after the date the election results are certified.

[Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-003, effective November 1, 2015.]

Committee commentary. —

[1] Judicial candidates are prohibited from personally soliciting campaign contributions or personally accepting campaign contributions. This rule recognizes that judicial candidates must raise campaign funds to support their candidacies, and permits candidates, other than candidates for appointive judicial office, to establish campaign committees to solicit and accept reasonable financial contributions or in-kind contributions.

[2] Campaign committees may solicit and accept campaign contributions, manage the expenditure of campaign funds, and generally conduct campaigns. Candidates are responsible for compliance with the requirements of election law and other applicable law, and for the activities of their campaign committees.

[3] At the start of a campaign, the candidate must instruct the campaign committee to solicit or accept only such contributions as are reasonable in amount, appropriate under the circumstances, and in conformity with applicable law. Although lawyers and others who might appear before a successful candidate for judicial office are permitted to make campaign contributions, the candidate should instruct his or her campaign committee to be especially cautious in connection with such contributions, so they do not create grounds for disqualification if the candidate is elected to judicial office. *See* Rule 21-211 NMRA.

[4] Contributions for campaigns are limited to sources and amounts that do not create an appearance of impropriety. Candidates for election to judicial office are required to create campaign committees, *see* Rule 21-402(A)(1)(e) NMRA, to solicit and accept contributions, to solicit public support, and to receive, manage, and disburse all campaign contributions. Each candidate must instruct the campaign committee to solicit or accept only those contributions that are reasonable under the circumstances and that meet the requirements of this rule.

[5] Campaign committees established under this rule should attempt to manage campaign finances responsibly, avoiding deficits that may necessitate post-election fundraising.

[6] Judicial candidates for statewide judicial elective office may elect to participate in public financing that imposes restrictions on fundraising. *See* NMSA 1978, §§ 1-19A-1 to -17. The restrictions governing campaign finances and requirements for campaign committees apply to publicly financed campaigns. A judicial candidate who seeks or has been certified for public financing must comply with Rule 21-404 NMRA. Seed money under NMSA 1978, Sections 1-19A-2(K) and 1-19A-5, and qualifying contributions under NMSA 1978, Sections 1-19A-2(H) and 1-19A-4, are considered campaign contributions for the purposes of these rules. Unused campaign funds for a publicly financed judicial candidate must, by law, be returned to the public election fund. [Adopted by Supreme Court Order No. 11-8300-045, effective January 1, 2012; as amended by Supreme Court Order No. 15-8300-003, effective November 1, 2015.]

Plan A



SUMMARY OF MUNICIPAL ELECTION

3/3/2020

VCC

	1	2	3	4	5	Absentee by Mail	Early in Person	Early in Person	TOTAL	TOTAL	TOTAL	% of
	Colonial Golf	Aquatic Center	Roy Walker	Trinity ited Metho	Fire St #5	City Hall	Mall	City Hall	VOTES CAST		REGIST VOTERS 18379	REGIST VOTERS
MAYOR										4499	18379	24.48%
Raymond Mondragon	115	96	223	164	11	7	148	179	943	20.96%		
Michael A Morris	283	160	101	208	26	18	449	265	1510	33.56%		
Stephen B North	245	160	62	126	12	14	326	187	1132	25.16%		
R L Rube Render	80	54	32	49	2	12	114	99	442	9.82%		
Sandra Taylor Sawyer	71	56	97	69	8	2	94	67	464	10.31%		
Under/Over/Non Votes	3	2		1			2		8	0.18%		
Totals	797	528	515	617	59	53	1133	797	4499	100.00%	18379	24.48%
COMMISSIONER												
District I										1724	5,623	30.66%
George Talmadge Jones	32	17	4	3	0	0	30	19	105	6.09%		
Kenneth R Lindsey	29	7	4	2	0	1	19	13	75	4.35%		
Leo Lovett	187	34	9	16	0	4	162	77	489	28.36%		
Marcus Alan Smith	84	39	6	16	0	3	93	65	306	17.75%		
James Matthew Whittington	113	33	7	9	1	8	101	60	332	19.26%		
Rhonda Payne Bargman	115	40	12	12	4	6	73	43	305	17.69%		
Eric A Collings	19	8	2	7	1	0	13	11	61	3.54%		
Under/Over/Non Votes	17	6	1	3			18	6	51	2.96%		
District II										778	3,737	20.82%
Lauren D Rowley	28	148	49	46	11	3	141	100	526	67.61%		
Jamaal R Williams	12	57	64	20	2	0	36	44	235	30.21%		
Under/Over/Non Votes		5	2	1			7	2	17	2.19%		
District III										574	3,566	16.10%
David W Bryant	5	9	64	40	17	1	21	36	193	33.62%		
Helen Casaus	1	9	174	63	6	6	46	64	369	64.29%		
Under/Over/Non Votes			1	5	1		1	4	12	2.09%		
District IV										1,423	5,453	26.10%
Rodney Mike Lusk	35	34	20	79	3	1	70	40	282	19.82%		
Chris Bryant	113	80	92	274	10	19	290	206	1084	76.18%		
Under/Over/Non Votes	7	2	4	21	3	1	12	7	57	4.01%		
Totals	797	528	515	617	59	53	1133	797	4499	100.00%	18,379	24.48%
MUNICIPAL JUDGE												
										4,499	18,379	24.48%
Vicki D Kelley	598	379	357	459	50	42	871	624	3380	75.13%		
Paul A Nelson	146	133	144	135	6	10	220	145	939	20.87%		
Under/Over/NonVotes	53	16	14	23	3	1	42	28	180	4.00%		
Totals	797	528	515	617	59	53	1133	797	4499	100.00%	18,379	24.48%

2 Provisional - 1 rejected/1 accepted
Hand tally adjustment to Precinct 13

SUMMARY OF MUNICIPAL ELECTION

3/1/2016

VCC	1	2	3	4	5	Absentee by Mail	Early in Person	TOTAL	TOTAL	TOTAL	% of
	Colonial Golf	Youth Rec Building	Roy Walker	Trinity ited Metho	Fire St #5	City Hall	City Hall	VOTES CAST		REGIST VOTERS 15105	REGIST VOTERS
MAYOR									2801	15,105	18.54%
David M. Lansford	614	480	200	481	67	60	434	2336	83.40%		
Under/Over/Non Votes	127	98	41	67	7	12	113	465	16.60%		
COMMISSIONER									1162	4,332	26.82%
District I											
Ladona K. Clayton	278	73	18	18	1	12	77	477	41.05%		
Rodney S. Muffley	27	9	0	4	0	5	22	67	5.77%		
Dhawal 'Danny' Jariwala	12	4	0	0	0	0	6	22	1.89%		
Constance C. Belcher	66	28	6	3	1	1	40	145	12.48%		
George Talmadge Jones IV	20	5	1	2	0	1	4	33	2.84%		
Kyle D. Snider	203	66	9	25	3	11	83	400	34.42%		
Under/Over/Non Votes	6	5		1	2	1	3	18	1.55%		
District II									563	3,207	17.56%
Gayla D. Brumfield	8	84	23	17	15	1	57	205	36.41%		
Sandra Taylor-Sawyer	13	150	25	51	13	13	85	350	62.17%		
Under/Over/Non Votes		1	1	6				8	1.42%		
District III									288	3,079	9.35%
Robert O. Sandoval	3	17	88	67	27	1	30	233	80.90%		
Under/Over/Non Votes	1	6	23	11	3	2	9	55	19.10%		
District IV									788	4,487	17.56%
Chris Bryant	77	112	32	285	9	21	115	651	82.61%		
Under/Over/Non Votes	27	18	15	58		3	16	137	17.39%		
Totals	741	578	241	548	74	72	547	2801	100.00%	15,105	18.54%
QUESTION - Charter Amendment for Voter Authentication									2801	15,105	18.54%
For	576	438	130	408	58	46	381	2037	72.72%		
Against	136	124	102	128	14	21	142	667	23.81%		
Under/Over/Non Votes	29	16	9	12	2	5	24	97	3.46%		
TOTALS	741	578	241	548	74	72	547	2801	100.00%	15,105	18.54%

District Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

SUMMARY OF MUNICIPAL ELECTION

3/4/2014

VCC

	1	2	3	4	Absentee by Mail	Early in Person	TOTAL	TOTAL	TOTAL	% of
	Colonial Golf	Youth Rec Building	Roy Walker	Trinity ited Metho	City Hall	City Hall	VOTES CAST	BY DISTRICT	REGIST VOTERS 18658	REGIST VOTERS
COMMISSIONER										
District I								1037	5,196	19.96%
Juan F Garza Sr	373	127	22	29	15	206	772	74.45% 0.00%		
Under/Over/Non Votes	136	26	6	12	2	83	265	25.55% 631	4,054	15.56%
District II										
Gary Elliott	14	174	33	49	8	148	426	67.51%		
Len A. Vohs	12	76	29	26	2	51	196	31.06%		
Under/Over/Non Votes	1	2	1	5			9	1.43% 382	3,830	9.97%
District III										
Jose F Griego	2	3	32	15	0	19	71	18.59%		
Gloria P. Wicker	0	9	37	17	4	27	94	24.61%		
Fidel M. Madrid	4	5	89	58	5	51	212	55.50%		
Under/Over/Non Votes			4			1	5	1.31% 1,116	5,578	20.01%
District IV										
Jennifer Williams	56	80	26	199	15	125	501	44.89%		
Thomas Martin III	77	87	19	221	18	180	602	53.94%		
Under/Over/Non Votes	4	2		1	1	5	13	1.16%		
Totals	<u>679</u>	<u>591</u>	<u>298</u>	<u>632</u>	<u>70</u>	<u>896</u>	<u>3166</u>	<u>100.00%</u>	<u>18,658</u>	<u>16.97%</u>
MUNICIPAL JUDGE										
								3166	18,658	16.97%
Raymond Mondragon	60	75	82	103	9	130	459	14.50%		
Jan Garrett	617	515	214	527	59	763	2695	85.12%		
Under/Over/Non Votes	2	1	2	2	2	3	12	0.38%		
TOTALS	<u>679</u>	<u>591</u>	<u>298</u>	<u>632</u>	<u>70</u>	<u>896</u>	<u>3166</u>	<u>100.00%</u>	<u>18,658</u>	<u>16.97%</u>

District Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

SUMMARY OF MUNICIPAL ELECTION

REGULAR ELECTION

DATE: 3/6/2012

District Precincts	1 17, 37	1 18, 35	1 24, 27 33	2 23, 32	2 20, 21 22, 26	2 28	3 5, 6 25	3 7, 8 9, 31	4 19	4 13, 14 15	4 10, 11 12	Absentee by Mail	Absentee in Person	TOTAL	TOTAL	TOTAL	% of
Voting Place	Colonial Golf 1801	Mesa Elem 1595	Living Stone 1225	Yucca Middle 947	Marshall Middle 2377	Lockwood Elem 324	Roy Walker 1129	CHS Freshman 2338	Zia Elem 1229	Highland Elem 1963	Sandia Elem 1997	City Hall	City Hall	VOTES CAST	BY DISTRICT	REGIST VOTERS 16925	REGIST VOTERS
MAYOR												175	989				
Gayla D. Brumfield	175	175	77	109	100	19	69	167	135	137	131	39	377	1710	4,657	16,925	27.52%
David M. Lansford	326	268	169	217	172	22	71	130	231	282	302	118	606	2914	36.72%		
Under/Over/Non Votes	1	3		3	1		1	2	7	4	2	3	6	33	0.71%		
TOTALS	502	446	246	329	273	41	141	299	373	423	435	160	989	4657	100%	16,925	27.52%
COMMISSIONER																	
District I																	
Janice A. Elliott	158	139	84									17	120	518	1608	4,621	34.80%
Randal S. Crowder	342	292	153									29	244	1060	32.21%		
Under/Over/Non Votes	2	15	9									1	3	30	838	3,648	22.97%
District II																	
Sandra Taylor-Sawyer				176	156	21						11	104	468	55.85%		
John Douglas Jones				141	103	16						8	68	336	40.10%		
Under/Over/Non Votes				12	14	4						2	2	34	566	3,467	16.33%
District III																	
Robert O. Sandoval							100	234				7	89	430	75.97%		
Under/Over/Non Votes							41	65				8	22	136	566	3,467	16.33%
District IV																	
R.L. "Rube" Render									188	164	158	33	135	678	1,645	5,189	31.70%
Chris Bryant									176	253	274	44	197	944	41.22%		
Under/Over/Non Votes									9	6	3		5	23	1,645	5,189	31.70%
TOTALS	502	446	246	329	273	41	141	299	373	423	435	160	989	4657	100.00%	16,925	27.52%
QUESTIONS																	
Shall City Charter prohibit dual commissioners?																	
For	421	370	203	269	204	20	103	231	305	329	350	138	799	3742	4657	16,925	27.516%
Against	68	66	34	51	60	19	35	58	61	78	73	22	159	784	80.35%		
Under/Over/Non Votes	13	10	9	9	9	2	3	10	7	16	12		31	131	16.83%		
TOTALS	502	446	246	329	273	41	141	299	373	423	435	160	989	4657	100.00%	16,925	27.52%

Magistrate Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

City Clerk

SUMMARY OF MUNICIPAL ELECTION

AFFORDABLE HOUSING ORDINANCE

DATE: 8/2/2011

District Precincts	1 17, 35 37	1 18	1 19	1 24	2 21, 22 28, 20	2 23 27, 32	2 5, 28 33	3 7, 8, 9 31, 20	3 6, 25	4 13, 14 15, 20	4 10, 11 12	Absentee by Mail	Absentee in Person	TOTAL	TOTAL	TOTAL	% of
Voting Place	Mesa Elem 1779	Zia Elem 1528	Zia Elem 1213	Yucca 992	Marshall Middle 2016	Yucca Middle 1137	Lockwood Elem 699	CHS Freshman 2331	Roy Walke Comm 703	Highland Elem 2073	Sandia Elem 1970	City Hall	City Hall	VOTES CAST	BY DISTRICT	REGIST VOTERS 16441	REGIST VOTERS

QUESTION
AFFORDABLE HOUSING PLAN

Absentee/Early																723	
For												37	315	352		48.69%	
Against												61	310	371		51.31%	
Under/Over/Non Votes														0		0.00%	
District I																1,130	5,512 20.50%
For	137	127	95	51										410		36.28%	
Against	212	213	187	108										720		63.72%	
Under/Over/Non Votes														0		0.00%	
District II																543	3,852 14.10%
For					59	124	28							211		38.86%	
Against					77	194	61							332		61.14%	
Under/Over/Non Votes														0		0.00%	
District III																276	3,034 9.10%
For								133	34					167		60.51%	
Against								92	17					109		39.49%	
Under/Over/Non Votes														0		0.00%	
District IV																687	4,043 16.99%
For										127	120			247		35.95%	
Against										233	207			440		64.05%	
Under/Over/Non Votes														0		0.00%	
Totals	349	340	282	159	136	318	89	225	51	360	327	98	625	3359	100.00%	16,441	20.43%
FOR	137	127	95	51	59	124	28	133	34	127	120	37	315	1387	3,359		41.29%
AGAINST	212	213	187	108	77	194	61	92	17	233	207	61	310	1972	3,359		58.71%
	349	340	282	159	136	318	89	225	51	360	327	98	625	3359			

Magistrate Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

City Clerk

SUMMARY OF MUNICIPAL ELECTION

DATE: 5/3/2011

District Precincts	1 17, 35 37 Mesa Elem 1763	1 18 Zia Elem 1507	1 19 Zia Elem 1216	1 24 Living Stones 970	2 21, 22 26, 20 Marshall Middle 1991	2 23 27, 32 Yucca Middle 1126	2 5, 28 33 Lockwood Elem 685	3 7, 8, 9 31, 20 CHS Freshman 2281	3 6, 25 Roy Walke Comm 692	4 13, 14 15, 20 Highland Elem 2058	4 10, 11 12 Sandia Elem 1943	Absentee by Mail City Hall	Absentee in Person City Hall	TOTAL VOTES CAST	TOTAL BY DISTRICT	TOTAL REGIST VOTERS 16232	% of REGIST VOTERS
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QUESTION 1/4% GRT FOR UTE WATER PIPELINE

Absentee/Early For												8	187	195		401	
Against												13	193	206		51.37%	
Under/Over/Non Votes														0		0.00%	
District I For	167	127	156	68										518		891	5,456 16.15%
Against	110	101	102	50										363		41.20%	
Under/Over/Non Votes														0		0.00%	
District II For					42	122	37							201		375	3,802 9.86%
Against					52	87	35							174		46.40%	
Under/Over/Non Votes														0		0.00%	
District III For								77	15					92		178	2,973 5.99%
Against								67	19					86		48.31%	
Under/Over/Non Votes														0		0.00%	
District IV For										141	118			259		475	4,001 11.87%
Against										107	109			216		54.53% 45.47%	
Under/Over/Non Votes														0		0.00%	
Totals	277	228	258	118	94	209	72	144	34	248	227	21	380	2310	100.00%	16,232	14.23%
FOR	167	127	156	68	42	122	37	77	15	141	118	8	187	1265	2,310		54.76%
AGAINST	110	101	102	50	52	87	35	67	19	107	109	13	193	1045	2310		45.24%
	277	228	258	118	94	209	72	144	34	248	227	21	380	2310			

GRT increase for Ute Water

Magistrate Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

City Clerk

SUMMARY OF MUNICIPAL ELECTION

DATE: 3/2/2010

District	1	1	1	1	2	2	2	3	3	4	4	Absentee by Mail	Absentee In Person	TOTAL	TOTAL	TOTAL	% of
Precincts	17, 35 37	18	19	24	21, 22 26, 20	23 27, 32	5, 28 33	7, 8, 9 31, 20	6, 25	13, 14 15, 20	10, 11 12						
Voting Place	Mesa Elem 1708	Zia Elem 1406	Zia Elem 1168	Living Stones 921	Marshall Middle 1765	Yucca Middle 1073	Lockwood Elem 635	CHS Freshman 2066	La Casita Elem 652	Highland Elem 1923	Sandia Elem 1872	City Hall	City Hall	VOTES CAST	BY DISTRICT	REGIST VOTERS 15189	REGIST VOTERS
COMMISSIONERS																	
District I																	
Brenda K. Miller	81	107	65	64								15	29	361	922	5,203	17.72%
Juan F. Garza, Sr.	184	133	112	60								7	53	549	39,15%		59.54%
Under/Over/Non Votes	3	1	3	2									3	12	1.30%		
District II																	
Len A. Vohs					87	157	68					12	33	357	410	3,473	11.81%
Under/Over/Non Votes					11	29	10						3	53	87.07%		12.93%
District III																	
Leo Leal								108	29			3	11	151	332	2,718	12.21%
Fidel M. Madrid								119	36				24	179	45.48%		53.92%
Under/Over/Non Votes								1	1					2	0.60%		
District IV																	
Furgus Tunnell										52	57		12	121	612	3,795	16.13%
Jared B. Wilhite										31	18	1	12	62	19.77%		10.13%
Daniel J. Stoddard										125	85	9	45	264	43.14%		
Randy Lee Rodriguez										51	83	3	16	153	25.00%		
Under/Over/Non Votes										9	2		1	12	1.96%		
Totals	268	241	180	126	98	186	78	228	66	268	245	50	242	2276	100.00%	15,189	14.98%
MUNICIPAL JUDGE																	
Jan M. Garrett	211	194	139	93	49	161	30	75	10	170	138	31	155	1456	2,276	15,189	14.98%
Steven L. Garcia	32	29	22	26	35	19	43	139	56	71	76	12	64	624	63.97%		
Bonnie S. Bryant	23	18	19	7	14	6	5	14		26	29	7	22	190	27.42%		8.35%
Under/Over/Non Votes	2									1	2		1	6	0.26%		
TOTALS	268	241	180	126	98	186	78	228	66	268	245	50	242	2276		15,189	14.98%

District Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

City Clerk

SUMMARY OF MUNICIPAL ELECTION

DATE: 3/4/2008

District	1	1	2	2	2	3	3	4	4	Absentee	Absentee	TOTAL	TOTAL	TOTAL	%	
Precincts	17, 35	18, 19	21, 22	23	5, 28	7, 8, 9	6, 25	13, 14	10, 11	by Mail	in Person				of	
Voting Place	Mesa	Zia	Marshall	Yucca	Lockwood	CHS	La Casita	Highland	Sandia	City	City	VOTES	BY	REGIST	REGIST	
	Elem	Elem	Middle	Middle	Elem	Freshman	Elem	Elem	Elem	Hall	Hall	CAST	DISTRICT	VOTERS	VOTERS	
MAYOR														5,303	15,764	33.64%
Tim L. Ashley	101	201	65	56	32	57	12	121	114	31	107	897		16.91%		
Gayla D. Brumfield	241	449	83	156	45	117	25	206	186	109	324	1941		36.60%		
Gloria P. Wicker	46	65	34	40	27	51	18	68	56	39	100	544		10.26%		
Rudy Kumar	29	72	30	23	9	68	18	35	52	9	36	381		7.18%		
Mario J. Martinez	3	21	22	8	15	64	35	19	34	18	20	259		4.88%		
R.L. "Rube" Render	138	291	58	106	28	50	4	117	112	62	290	1256		23.68%		
Under/Over/Non Votes	2	5	2			2		4	3	1	6	25		0.47%		
TOTALS	560	1104	294	389	156	409	112	570	557	269	883	5303	24%	15,764	33.64%	

COMMISSIONERS

District I

Rosalie L. Riley	174	335								33	127	669	2,247	5,207	43.15%	
Randal S. Crowder	371	743								73	337	1524	29.77%			
Under/Over/Non Votes	15	26								4	9	54	67.82%			

District II

Ben L. McDaniel			128	158	57					29	70	442	1,066	3,762	28.34%	
Fred Travis Van Soelen			159	225	95					27	98	604	41.46%			
Under/Over/Non Votes			7	6	4						3	20	56.66%			

District III

Fidel M. Madrid						168	45			6	19	238	597	2,858	20.89%	
Robert O. Sandoval						236	67			14	33	350	39.87%			
Under/Over/Non Votes						5					4	9	58.63%			

District IV

Chris Bryant								439	395	70	155	1059	1,393	3,937	35.38%	
David R. Briseno								115	152	13	26	306	76.02%			
Under/Over/Non Votes								16	10		2	28	21.97%			
Totals	560	1104	294	389	156	409	112	570	557	269	883	5303	2.01%	100.00%	15,764	33.64%

QUESTIONS

Sunday sales by the drink

Yes	365	630	165	201	85	261	57	304	298	120	480	2966	5,303	15,764	33.64%	
No	193	469	127	185	70	144	54	263	255	147	391	2298	0.00%			
Under/Over/Non Votes	2	5	2	3	1	4	1	3	4	2	12	39	55.93%			
Totals	560	1104	294	389	156	409	112	570	557	269	883	5303	43.33%	100.00%	15,764	33.64%

District Judge

City Clerk

Deputy Clerk

Deputy Clerk

ATTEST:

City Clerk

SUMMARY OF MUNICIPAL ELECTION

DATE: 3/7/2006

District Precincts	1 17, 35 37 Elem	1 18, 19 24 Zia Elem	2 21, 22 26, 20 Marshall Jr. High	2 23 27, 32 Yucca Jr. High	2 5, 28 33 Lockwood Elem	3 7, 8, 9 31, 20 Gattis Jr. High	3 6, 25 La Casita Elem	4 13, 14 15, 20 Highland Elem	4 10, 11 12 Sandia Elem	Absentee by Mail City Hall	Absentee in Person City Hall	TOTAL VOTES CAST	TOTAL BY DISTRICT	TOTAL REGIST VOTERS	% of REGIST VOTERS
Voting Place															
COMMISSIONERS															
District I															
Juan F. Garza, Sr.	57	127								4	16	204	87.93%	5,219	4.45%
Under/Over/Non Votes	12	12								3	1	28	12.07%		
District II															
Gloria P. Wicker			42	44	49					2	29	166	40.39%	3,966	10.36%
Len A. Vohs			65	127	20					3	25	240	58.39%		
Under/Over/Non Votes			2	2	1							5	1.22%		
District III															
Isidro S. Garcia						59	18			0	4	81	92.05%	3,077	2.86%
Under/Over/Non Votes						6	1					7	7.95%		
District IV															
William Ron Edwards								132	107	9	51	299	80.16%	4,140	9.01%
Jack W. Twite, Sr.								28	38	0	4	70	18.77%		
Under/Over/Non Votes								2	2			4	1.07%		
Totals	69	139	109	173	70	65	19	162	147	21	130	1104	100.00%	16,402	6.73%
MUNICIPAL JUDGE															
Jan M. Garrett	67	137	95	154	64	59	13	146	129	21	118	1003	90.85%	1,104	16,402 6.73%
Under/Over/Non Votes	2	2	14	19	6	6	6	16	18		12	101	9.15%		
TOTALS	69	139	109	173	70	65	19	162	147	21	130	1104	100%	16,402	6.73%

Magistrate Judge

City Clerk

Deputy Clerk

ATTEST:

City Clerk

1-19-16. Campaign practices; printing or publishing campaign material without specifying sponsor; penalty.

A. It is unlawful for any person, organization or political committee to publish or print any campaign advertising or communication which does not specify the name of the sponsor or the name of a responsible officer who authorized the printing or publication of such material, in any election, special election, school district election or an election authorizing a bond issue. This prohibition extends only to handbills, petitions, circulars, letters or similar written material.

B. Any printing establishment shall identify itself as the printer of the campaign material.

C. Any person, organization or political committee violating the provisions of Subsection A or B of Section 1-19-16 NMSA 1978 is guilty of a fourth degree felony and shall be punished as provided in the Criminal Code [30-1-1 NMSA 1978].

1-19-17. Campaign practices; circulation of campaign material without specifying sponsor; penalty.

A. It is unlawful for any person, organization or political committee to circulate or distribute any campaign advertising or communication which does not specify the name of the sponsor of such material, in any election, special election, school district election or an election authorizing a bond issue. This prohibition extends to handbills, petitions, circulars or similar written material.

B. Any person, organization or political committee violating the provisions of Subsection A of Section 1-19-17 NMSA 1978 is guilty of a misdemeanor and shall be punished as provided in the Criminal Code [30-1-1 NMSA 1978].

MEMORANDUM

TO: DON CLIFTON
FROM: DAVID F. RICHARDS
SUBJECT: 2002 MUNICIPAL ELECTION
DATE: NOVEMBER 14, 2001

You have requested clarification regarding campaign activities near polling places for the upcoming Municipal election. Attached is a copy of New Mexico Statute Section 1-20-16 NMSA 1978 which prohibits all electioneering activities within 100 feet of the building where the polling place is located. In the past, questions have been asked concerning whether the 100 foot restriction applies to the polling place, the front door of the building, or the building itself. It appears clear from the statute that the prohibition applies to the entire building in which the polling place is located.

We have also discussed how this statute is interpreted regarding absentee and early voting at City Hall. As you have pointed out, Section 3-9-4L and 3-9-86C indicate that City Hall is not a polling place during early voting and absentee voting; however, those sections of state law also clearly state that it is unlawful to solicit votes or display or otherwise locate posters, signs or other campaign literature at the City Clerk's Office. Further, Section 2.62.010 of the Clovis City Code prevents any campaign poster, advertisement or promotion in support of or against a candidate for political office from being displayed in any building owned or leased by the City.

If you have further questions, please contact me.

Suspension or expulsion of member of labor union for refusal to pay assessment imposed for purpose of promoting or defeating contemplated legislation as

violation of statute against intimidation of voters, 176 A.L.R. 397.
29 C.J.S. Elections §§ 333, 344.

1-20-15. Conspiracy to violate Election Code.

Conspiracy to violate the Election Code [this chapter] consists of knowingly combining, uniting or agreeing with any other person to omit any duty or commit any act, the omission of which duty, or combination of such act, would by the provisions of the Election Code constitute a fourth degree felony.

Whoever commits conspiracy to violate the Election Code is guilty of a fourth degree felony.

History: 1953 Comp., § 3-20-13, enacted by Laws 1969, ch. 240, § 439.

Cross references. — For conspiracy, see 30-28-2 NMSA 1978.

Am. Jur. 2d, A.L.R. and C.J.S. references. — 26 Am. Jur. 2d Elections §§ 384, 389.

1-20-16. Electioneering too close to the polling place.

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 the display of signs or distribution of campaign literature.

Whoever commits electioneering too close to the polling place is guilty of a petty misdemeanor.

History: 1953 Comp., § 3-20-14, enacted by Laws 1969, ch. 240, § 440.

Cross references. — For campaign practices, see 1-19-1 NMSA 1978 et seq.

Provisions also apply to Absent Voter Act if the absentee voting is for such elections. 1970 Op. Att'y Gen. No. 70-90.

Applicable to rubber stamps made available by write-in candidate. — Under former 3-3-20(20),

1953 Comp., a write-in candidate could have rubber stamps bearing his name made available at each polling place at his expense only if such rubber stamps were made available at least 50 feet from the polling place. 1964 Op. Att'y Gen. No. 64-131 (opinion rendered under former law).

Am. Jur. 2d, A.L.R. and C.J.S. references. — 26 Am. Jur. 2d Elections § 374.
29 C.J.S. Elections § 330.

1-20-17. Obstructing the polling place.

Obstructing the polling place consists of:

A. approaching nearer than fifty feet from any polling place during the conduct of the election unless a voter offering to vote, a member of the precinct board, a lawfully appointed challenger or watcher, an election official having business in the polling place or a person authorized by the Election Code [this chapter] to give assistance to a voter; or

B. willfully blocking the entrance to the polling place so as to prevent free ingress and egress.

Whoever obstructs the polling place is guilty of a petty misdemeanor.

History: 1953 Comp., § 3-20-16, enacted by Laws 1969, ch. 240, § 441.

Cross references. — For maintenance of order in polling place, see 1-12-4 NMSA 1978. For use of state police to maintain order and control of access, see 1-12-5 NMSA 1978. For persons who may assist the voter, see 1-12-15 NMSA 1978. For all elections being free and open, see N.M. Const., art. II, § 8.

Physical presence within fifty feet of polling place constitutes violation. — Unless a candidate

or a campaign worker falls within the exceptions outlined in Subsection A, those persons' physical presence within 50 feet of the polling place on the day of the election constitutes a violation of this section. 1989 Op. Att'y Gen. No. 89-09.

Am. Jur. 2d, A.L.R. and C.J.S. references. — 26 Am. Jur. 2d Elections § 385.
29 C.J.S. Elections §§ 330, 346.

1-20-18. Permitting prisoners to vote.

A. Permitting prisoners to vote consists of any warden of a penitentiary, sheriff or jailer, or other person having custody of convicts or prisoners, taking or permitting to be taken such convicts or prisoners to any polling place for the purposes of voting in any election.

the city and shall be budgeted, appropriated and expended in the same fashion as other municipal funds. (Ord. 1484-95 §2(part), 1995; prior code §7A-1).

Chapter 2.62

POLITICAL HANDBILLS

Sections:

2.62.010 Display of political advertising in municipal buildings--Prohibited.

2.62.010 Display of political advertising in municipal buildings--Prohibited. No campaign poster, advertisement or promotion in support of or against a candidate for political office shall be displaying in any building owned by the city leased for use by the city. The prohibition shall apply to buildings owned by the city and leased or used by any agency. Violation of this section shall be punished in accordance with Chapter 1.24. (Ord. 1375-90 §2, 1990).

(Clovis 9/97)

ORDINANCE №. _____-2021

**AN ORDINANCE REPEALING THE EXISTING SIGN CODE
CONTAINED IN CODE SECTION 12.12 AND ESTABLISHING
A NEW SIGN CODE IN SECTION 17.45 OF THE UNIFIED
DEVELOPMENT ORDINANCE**

BE IT ORDAINED by the governing body, that is, the City Commission of the City of Clovis, New Mexico:

SECTION ONE. RECITALS: The City of Clovis adopted a comprehensive Unified Development Ordinance (UDO) on June 28, 2019. At the time, the City of Clovis recognized the need for a new sign code, both because of a recent change in law and because the current Sign Code is outdated. For this reason, the UDO reserved Chapter 17.45 for a new sign code. In order to adopt a new sign code, the City must repeal the current Sign Code and adopt a new sign code for incorporation in Section 17.45 of the Unified Development Ordinance.

SECTION TWO. AMENDMENT OF EXISTING CODE SECTION. The following chapter of City Code is hereby repealed in its entirety:

Chapter 12.12 Signs, Billboards and Overhanging Structures

SECTION THREE. ADDITION OF NEW CODE SECTION. The following code section is hereby created and shall be incorporated in Section 17.45 of the Unified Development Ordinance:

Chapter 17.45 – Sign Code

17.45.010 Purpose

The purpose of this Chapter, referred to hereafter as “this Chapter” or “this Code”, is to regulate the size, color, lighting, movement, materials, location, height and condition of all signs within the

City, thus ensuring the protection of property values, the character of the various neighborhoods, the aesthetic value of the City, while encouraging economic development. This Chapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This Chapter shall be interpreted in a manner consistent with the First Amendment to the United States Constitution's guarantee of free speech, including its prohibition of regulating signage based on content, viewpoint, or message. If any provision of this Chapter is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this Chapter.

17.45.020 General Provisions

- A.** Signs not expressly permitted as being allowed by right or by special use permit under this chapter, by specific requirements in another portion of this Chapter, or otherwise expressly allowed by the City are prohibited.
- B.** A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in Chapter 17.45.010.
- C.** These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- D.** These regulations distinguish between portions of the City designed for primarily vehicular access and portions of the City designed for primarily pedestrian access.
- E.** These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- F.** These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample

channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

G. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the State of New Mexico, the federal government, or the City.

17.45.030 Definitions

A. Words and terms expressly defined in this Chapter have the specific meanings assigned unless the context clearly indicates another meaning. Words that are not expressly defined in this Chapter have their common dictionary meaning.

“Abandoned Sign” a is abandoned when the business, event or purpose the sign advertises no longer applies or when the face of the sign no longer contains advertising material, and remains in such condition for a period of three (3) months.

“Athletic field” means a piece of land prepared and used for playing a game or sporting activity and regularly hosting sporting practices and events.

“Attached signage” means any sign which is fastened to, connected to, or painted on and wholly or partially supported by a building or other structure located on a property, including awnings signs, marquee signs, banners, roof signs, window signs and wall signs, but not including canopy signs.

“Arterial street” means a street with signals at important intersections and stop signs on side streets and which collects and distributes traffic to and from collector streets.

“Billboard” means an off-premises sign directing attention to a business, activity, commodity, service, entertainment, or communication, none of which may be conducted, sold or offered on the premises where the billboard is located.

“Building” means a roofed and walled structure built for permanent or semipermanent use.

“Business centers” means a group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

“Canopy” means an open air permanent roofed shelter supported by columns, poles

or walls and not attached to another building or structure.

“Canopy sign” means a sign fastened to, connected to, or painted on and wholly or partially supported by a canopy.

“Collector street” means a street which collects traffic from residential streets and connects with arterials.

“Digital billboard” means a sign that is static and changes messages by any electronic process or remote control.

“Directional sign” means a sign indicating entrances and exits, including those for parking lots and garages.

“Electric” means any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.

“Flag” means any rectangular or square display constructed of lightweight material and attachable by one edge to a pole or rope.

“Flat wall sign” means a sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits thereof of any building and which projects from that surface less than twelve (12) inches at all points.

“Flashing sign” means any illumined sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this Code any moving illuminated sign, except digital billboards, shall be considered a flashing sign.

“Freestanding sign” means a sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including ground mounted signs.

“Government sign” means a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner’s rights.

“Ground mounted sign” means a sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground.

“Highway sign” means a freestanding sign, Integral Sign or Flat Mounted Sign that is erected and maintained within the view of motorists who are driving on a highway.

“Integral sign” means a sign that is embedded, extruded or carved into the material of a building façade and made of bronze, brushed stainless steel or aluminum, or similar material

and attached to the building façade.

“Marquee” means a covering structure bearing a signboard or copy projecting from and attached to a building.

“Original art display” means a hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An original art display does not include: mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.

“Outdoor advertising sign” means a sign which advertises goods, products or services which are not sold, manufactured or distributed on or from the premises or facilities on which the sign is located.

“Pole sign” means a sign, including its supporting structure and flags not otherwise exempted, which is mounted on one or more free-standing poles or other support independent of a building and having its lowest edge eight feet or more above the elevation of the curb of the nearest roadway.

“Portable sign” means any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.

“Projecting sign” means a sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.

“Residential street” means a street designed to provide access to abutting property and lightly trafficked streets, and to discourage through traffic.

“Roof sign” means a sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascia.

“Sign” means a name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface, excluding vehicles used for regular transportation, which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, shall not be considered a sign. Each display surface of a sign or

sign face shall be considered to be a sign.

“Sign area” means the space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure; or, where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.

“Sign face” means the entire display surface area of a sign upon, against or through which copy is placed.

“Structure” means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, and includes buildings, parking areas, walks, fences, canopies and out buildings.

“Substantially repaired” means any repair whereby the cost of restoring the sign to its before condition would equal or exceed 50% of the current market value of the sign, meaning 50% of the cost to construct a comparable sign.

“Temporary sign” means a banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time.

17.45.040 Prohibited Signs

A. The following signs or lights are prohibited in every district and zone of the City:

1. Signs that are of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic control device, or emergency device, or which hide from view any traffic or street sign or signal.
2. Signs which contain or consist of banners, posters, pennants, ribbons, streamers, or other similarly moving devices or signs which are likely to fall or dismount due to unusual weather or unusually high wind. This Section does not include signs otherwise allowed under 17.45.090(H).
3. Signs which contain blinking, flashing or fluttering lights or other illuminating devices which exhibit movement and are positioned in such a manner that they significantly distract drivers and are a threat to public safety.
4. Signs that would be an Original Art Display but does not have the permission of the owner of the property on which it is located or is graffiti.

5. Signs that do not comply with the location, size or use restrictions of this Code.
6. Signs placed on property without the permission of the property owner or lessee and signs placed on government property or in the public right of way.
7. Abandoned signs as defined in this Code.

17.45.050 Authorized Signs

A. The following signs are authorized pursuant to this Code and in every district or zone of the City:

1. Although these regulations do not apply to signs erected, maintained or posted by the State, federal government or the City, these regulations clarify that Government signs are allowed in every zoning district which form the expression of this government when erected and maintained pursuant to law.
2. Traffic control devices on private or public property erected and maintained to comply with the Manual on Uniform Traffic Control Devices adopted in New Mexico and/or with the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.
4. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner shall comply with the federal, state or local law to exercise that authority by posting a sign on the property.
5. A flag that has been adopted by the federal government, New Mexico, Curry County or the City may be displayed as provided under the law that adopts or regulates its use, and other flags as are provided in this Code.
6. Signs not in an enclosed building and not exposed to view from a street or public right of way, public place or other property such as those not visible to a person from a public right of way, public place or other property.
7. Signs constructed pursuant to a valid building permit when required under this Code and authorized by this Code.

17.45.060 Lessees

For purposes of Section 17.45.050 and Section 17.45.060, the lessor of a property is considered the property owner as to the property the lessee holds a right to use exclusive of others, or the sole

right to occupy. If there are multiple lessees of a property then each lessor shall have the same rights and duties as the property owner as to the property the lessee leases and has the sole right to occupy. The size of the property shall be deemed to be the property that the lessee has the sole right to occupy under the lease.

17.45.070 Permit Required

A. A permit is required for all signs within the City, except as provided in this Section.

B. The following sections apply to applications for a sign permit:

1. An application for a sign permit shall be filed with the Department of Building Safety on forms furnished or approved by the Department. The applicant shall provide sufficient information to determine if the proposed sign is allowed under this Code and other applicable laws, regulations, and ordinances. An application for any sign shall state the date when the owner intends to erect it;

2. The Department of Building Safety shall process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within ten (10) days after receipt of the application. Any application that complies with all provisions of this Code, the Unified Development Ordinance (UDO), the building code, and other applicable laws, regulations, and ordinances shall be approved.

3. If the application is denied, the Department of Building Safety or City shall provide a list of the reasons for the denial in writing. An application may be denied for non-compliance with the terms of this code, the Unified Development Ordinance, building code, or other applicable law, regulation, or ordinance.

4. An applicant may appeal the denial of an application to Planning and Zoning Commission, and then to the City Commission, in accordance with this Section and the Unified Development Ordinance.

5. A nonrefundable application fee established by the City of Clovis shall be submitted with any initial application. A subsequent permitting fee, based upon the cost of construction of the sign and in accordance with the current Type II City of Clovis Permit Fee Schedule, shall be paid upon the issuance of a permit.

C. If a sign is not installed within six (6) months following the issuance of a sign permit, the permit shall be void.

D. The City may revoke a sign permit under any of the following circumstances:

1. The City determines that information in the application was materially false or misleading.

2. The sign as installed does not conform to the sign permit application.

3. The sign violates this Section, the Unified Development Ordinance, or other applicable law, regulation, or ordinance.

4. The Department of Building Safety determines that the sign is not being properly maintained or is an abandoned sign as defined in Section 17.45.030.

E. A sign permit is not required for signs:

1. Described in Sections 17.45.050, 17.45.060 and 17.45.080.

2. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.

F. When any sign, or a major part thereof, is blown down or otherwise destroyed or taken down or removed for any purpose other than maintenance operation or for changing letters, symbols or other matter on such sign and structure, it shall not be re-erected, reconstructed or rebuilt without first obtaining a permit and be in full conformance with this Chapter and all other applicable codes and ordinances.

G. An applicant may appeal the denial of an application to Planning and Zoning Commission, and then to the City Commission, in accordance with this Section and the Unified Development Ordinance.

17.45.080 Specific Sign Regulations for Residential Districts

A. The sub-sections contained herein apply to all residential districts, to include Residential Single Family-170 (RS-170), Residential Single Family-7 (RS-7) and Residential Multi-Family (RM) districts.

B. For residential developments (including subdivision identification) the maximum size and number of signs that the owner or owners of the residential development may erect, and shall maintain if erected, at the entrances to the development shall be controlled according to the following:

1. Residential developments four (4) acres or less in area may have a sign or signs

with a total area of no more than thirty-two (32) square feet;

2. Residential developments over four (4) acres but less than forty (40) acres in area may have a sign or signs which have a total area of no more than forty-eight (48) square feet;

3. Residential developments of forty (40) acres or more in area may have a sign or signs with a total area of no more than one hundred twelve (112) square feet.

C. The following height restrictions apply to all signs within residential districts:

1. If ground-mounted, the top shall not be over six (6) feet above the ground; and

2. If building or fence mounted, shall be flush mounted and shall not project above the roof line.

D. Temporary Signs

1. A property owner may place three temporary (3) signs with a sign face no larger than six (6) square feet on the property at any time, so long as any such sign is no further than five (5) feet from the principal residential structure and no taller than three (3) feet.

2. A property owner may place one (1) temporary sign with a sign face no larger than six (6) square feet their property for a period of thirty (30) consecutive days, so long as the sign is no closer than five (5) feet from the curb or public right of way and no taller than three (3) feet.

3. A property owner may place a temporary sign no larger than 8.5 inches by 11 inches in one window on the property at any time.

4. One temporary sign per 0.25 acres of land may be located on the owner's property for a period of thirty (30) days prior the day of an election, and no more than ten (10) days following the election day, involving candidates for a federal, state or local office, or involves an issue on the ballot of an election within the district where the property is located per issue and per candidate. Any such sign shall be no larger than six (6) square feet and no closer than five (5) feet from the curb or public right of way. Where the size of the property is smaller than 0.25 acres these signs may be posted on the property for each principal building lawfully existing on the property.

5. One temporary sign may be located on a property when:

a. The owner consents and that property is being offered for sale by the owner(s) of the property or through a licensed real estate agent; and

b. For a period of ten (10) days following the date title to the property is actually transferred from seller to buyer, otherwise known as the final closing date.

c. All signs described in this subsection shall be no larger than six (6) square

feet, no closer than five (5) feet from the curb or public right of way, and twenty-five (25) feet from any intersection.

d. If a property is on a corner lot, meaning the property is abutted by two (2) public streets, the property may have two (2) temporary signs described in this subsection.

6. One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign more than twelve (12) days in a year. For purposes of this Section, a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward. If a property is on a corner lot, meaning the property is abutted by two (2) public streets, the property may have two (2) temporary signs described in this subsection.

7. Between December 1 to January 10, a property owner may place additional temporary signs on the property and may use non-invasive lights or other decorations, subject to the residential and commercial lighting provisions contained in the Unified Development Ordinance

8. Temporary signs shall not be located within any right-of-way whether dedicated or owned in fee simple or as an easement.

9. Temporary signs shall not be placed on any utility pole, street light, similar object, or on public property.

10. Temporary signs shall not be illuminated, except as provided in Section 17.45.080(E).

E. Flags

1. Four flags and two flag poles shall be allowed for each residence. Each flag shall be a maximum of fifteen (15) square feet in area. The flag pole shall be a maximum of twenty-five (25) feet in height, or as tall as the highest point of the principal building's roof, whichever is higher. Flag poles shall be located no closer than ten (10) feet from the property boundary

F. Except as provided in this Chapter, all other signs are prohibited in residential districts.

17.45.090 Specific Sign Regulations for Commercial General, Industrial and Central Business Districts

A. The sub-sections contained herein apply to Commercial General (CG), Industrial (I) and Central Business Districts (CBD).

B. Attached Signs

1. The regulations in this subsection apply to attached signage, as defined in Section 17.45.030.

2. A business may have up to five (5) attached signs on each exterior wall of the primary building or structure.

3. Attached signs may break the vertical plane of the exterior wall which holds the sign.

4. Attached signs, regardless of the number, shall not take up more than fifteen percent (15%) of the exterior wall which holds the sign.

5. Attached signs are subject to the design standards of all applicable codes.

C. Canopy Signs

1. The regulations in this subsection apply to canopy signage, as defined in Section 17.45.030.

2. A canopy may contain up to three (3) signs on each side of a canopy.

3. A single canopy sign shall not exceed fifty (50) square feet.

4. Canopy signs may break the horizontal and vertical planes of the canopy.

5. Canopy signs are subject to the design standards of all applicable codes.

D. Freestanding Signs

1. The regulations in this subsection apply to freestanding signage, as defined in Section 17.45.030.

2. The number of freestanding signs is limited to one (1) per lot, except where the frontage of the lot exceeds 600 linear feet. For those lots, two (2) freestanding signs are permitted, provided there is a minimum distance of 200 feet between the signs.

3. Individual freestanding signs shall be limited to those businesses that own direct, unobstructed (on-site) access to the public street.

4. The minimum setback for freestanding signs is determined by street classification as designated in the table below:

Table 1: Minimum Setbacks by Street Classification (in feet)

Street Class	Front Setback	Side Setback
Residential	10 feet from property line	5 feet side yard
Collector	12 feet from property line	5 feet side yard
Arterial	15 feet from property line	5 feet side yard

5. The maximum height of freestanding signs is determined by street classification as outlined in the table below:

Table 2: Maximum Sign Height by Street Classification (in feet)

Street Class	CG, CBD & I
Residential	20
Collector & Arterial	30
US 60/84 and US 60/70/84 to Norris St.	40
US 60/70/84 from Norris St. East	60

6. The maximum size of freestanding signs is determined by street classification as outlined in the table below:

Table 3: Maximum Sign Size by Street Classification (in square feet)

Street Class	CG, CBD & I
Residential	120
Collector & Arterial	120
US 60/84 and US 60/70/84 to Norris St.	200
US 60/70/84 from Norris St. East	400

E. Temporary Signs

1. One (1) temporary sign may be located on a property containing a business so long as any such sign is located within ten (10) feet of the entrance to the principal building and is removed by the property owner when the business is not open to the public.

2. One (1) temporary sign per 0.25 acres of land may be located on the owner's property for a period of thirty (30) days prior to an election, and no more than ten (10) days

following an election, involving candidates for a federal, state or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located per issue and per candidate. Any such sign shall be no larger than thirty-two (32) square feet and no closer than five (5) feet from the curb or public right of way. Where the size of the property is smaller than 0.25 acres these signs may be posted on the property for each principal building lawfully existing on the property.

2. One temporary sign may be located on a property when:

a. The owner consents and that property is being offered for sale through a licensed real estate agent.

b. When the sign is owned by the property owner and that property is offered for sale by the owner through advertising in a local newspaper of general circulation; and

c. For a period of ten (10) days following the date on which a contract of sale has been executed by a person purchasing the property.

d. All signs described in this subsection shall be no larger than thirty-two (32) square feet, no closer than five (5) feet from the curb or public right of way, and twenty-five (25) feet from any intersection.

3. One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign more than twelve (12) days in a year. For purposes of this Section, a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.

4. Between December 1 to January 10, a property owner may place additional temporary signs on the property and may use non-invasive lights or other decorations, subject to the residential and commercial lighting provisions contained in the Unified Development Ordinance.

5. Temporary signs shall not be located within any right-of-way whether dedicated or owned in fee simple or as an easement.

6. Temporary signs shall not be placed on any utility pole, street light, similar object, or on public property.

7. Temporary signs shall not be illuminated, except as provided in Section 17.45.080(E).

F. Directional Signs

1. A business may have up to two (2) directional signs for each entrance or exit of a property to a public street.
2. Directional signs must be set back at least two (2) feet from the property line.
3. Directional signs shall be no taller than five (5) feet and no larger than eight (8) square feet.

G. Flags

1. A property may have one (1) flag per twenty-five (25) feet of street frontage on a right-of-way with a maximum of six (6) flags and three (3) flag poles per property. Each flag shall be no larger than twenty-four (24) square feet in size. Flag poles shall be a maximum of fifty (50) feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flag poles shall be located no closer than ten (10) feet from the property boundary.
2. Vehicle sales and service establishments, including car lots, are permitted to display one (1) small flag of no more than two (2) square feet in area attached to vehicles on display for sale or rent. Such flag shall be no higher than two (2) feet above the height of the vehicle as if it were displayed at grade level.

H. Commercial Promotional Display

1. Additional signage for businesses participating in occasional events for commercial promotional displays, which require special advertising, shall be allowed subject to the conditions contained in this section.
2. A business shall be allowed one (1) permit for a grand opening display during its first six (6) months of operation. The permit for this display shall be for twenty (20) consecutive days.
3. A business shall be allowed one (1) bona fide going out of business display. The permit for this display shall be for sixty (60) consecutive days.
4. During commercial promotional displays, businesses shall be limited to one (1) additional freestanding and three additional attached signs. Each sign shall not exceed one hundred (100) square feet in size.
5. Displays incorporating balloons, streamers, flags and pennants shall be permitted and are not limited in size and number.
6. Permits for commercial promotional displays shall be issued pursuant to Section

17.45.070. The applicant shall provide to the Department of Building Safety the address of the business where the display is to be placed and the first day of the display. No portion of a display (i.e., structure or sign) shall be erected prior to the first day of the event as stated on the permit. All displays shall be removed not later than the permissible time limit stated in this section. A permit shall be issued to the applicant and shall remain in effect for the duration of that event. No permit fee shall be assessed. A new permit is required for each event.

I. Business Centers

1. Attached signage shall be allowed as described in Section 17.45.090(B).
2. The maximum height of freestanding signs shall be as described in Section 17.45.090(D).
3. The maximum size of freestanding signs shall be based upon linear street frontage as outlined in the table below:

Table 4: Maximum Sign Size (in square feet)

Street Frontage	Sign Size
0-200	120
200-400	160
400+	200

17.45.100 Planned Unit Development Zones and Traditional Neighborhood Development

- A. A newly submitted Planned Unit Development (PUD) shall provide a plan for signage that is desired in the new development during the PUD review process.
- B. Any changes to the signage plan of a PUD shall provide a minor PUD amendment.
- C. A previously approved and existing PUD or any newly submitted PUD that does not present a plan for signage shall use existing sign regulations of the sign code. A PUD with residential land uses shall follow sign regulations for residential zones; a PUD with commercial land uses shall follow sign regulations for commercial zones; and a PUD with industrial land uses shall follow sign regulations for industrial zones. A mixed-use PUD shall follow sign regulations of the appropriate zone that fits the land use of the PUD.

17.45.110 Off Premises Signs and Billboards

A. Billboards may be located only along arterial roadways and only in Commercial General or Industrial Zones.

B. Total sign area, spacing, height and setbacks for billboards shall be subject to the following requirements:

1. Billboards shall not exceed three hundred (300) square feet of total sign area, shall be spaced a minimum of **one thousand (1,000) feet** away from any other billboard, in any direction, and shall not exceed forty (40) feet in height measured from ground level.

2. A maximum of two faces, parallel back-to-back is permitted, provided both faces are of the same size and attached to the same pole for support. Sign faces shall be relatively perpendicular to the designated roadway and each face shall not advertise more than one message.

3. Billboards shall be supported by a maximum of two (2) upright poles.

4. Vertical or horizontal stacking of billboards is prohibited.

5. Billboards shall be set back a minimum of fifteen (15) feet from the property line fronting along the designated roadway. Except for billboards fronting along interstate highways, the setback from the designated roadway shall not exceed one third (1/3) of the property depth. In each case there shall be a minimum of five (5) feet from all other property lines measured from the property line to any portion of the billboard structure.

6. Minimum site (lot) area shall be 7,000 square feet for Commercial General zones and 20,000 square feet for Industrial zones.

7. **A billboard shall not be erected unless the owner and operator of the billboard possess the requisite property, or legal use of such property, as required to maintain the billboard.**

8. A legally permitted billboard which follows all requirements of this Code is allowed to advertise a business, product, service, or activity that is located on the same premises.

C. No attached off-premises signs shall be permitted.

17.45.120 Athletic field signs

A. This subsection allows for the placement and regulation of signs inside athletic fields in all zones within the City.

- B. Signs shall be permitted to be displayed on the inside of fences surrounding individual athletic fields, with the advertising or promotional side facing the playing field.
- C. Each sign shall not exceed thirty-two (32) square feet in sign area.
- D. Signs shall not be permitted to extend above or beyond the edges of the fence.
- E. Freestanding signs and attached signs, other than those identifying the field, are not permitted.

17.45.130 Nonconformity and Modification

- A. Any attached sign, freestanding sign, billboard, digital billboard or highway sign, which is substantially repaired, altered in terms of the size or materials used, relocated or replaced after the adoption of this Code shall immediately comply with all provisions of this Code and the Unified Development Ordinance.
- B. Any non-conforming attached or freestanding sign located on a property must be brought into compliance with the Unified Development Ordinance and this Code within six (6) months of a change in ownership or lessee of the property.
- C. Signs which were nonconforming to the prior ordinances and which do not conform to this Code shall be removed immediately after adoption of this Code.
- D. All temporary signs, regardless of their prior compliance, shall be brought into compliance immediately or removed.
- E. Any directional signs which are not permanently affixed to a surface, and which may be easily and inexpensively brought into compliance, shall become compliant within one (1) year of the adoption of this code.

17.45.140 Enforcement and Abatement

- A. Notwithstanding any other provision of the Clovis City Code to the contrary, any person who causes, permits, allows, maintains, or suffers a violation of any provision of this Chapter, or who fails to comply with any requirement of this Chapter, is guilty of a misdemeanor offense punishable by a fine of up to \$500.00 per violation, per day, plus any applicable court costs. A second violation for the same offense shall be punishable by a minimum fine of \$100.00, which shall not be suspended or deferred. A third or subsequent violation for the same offense shall be punishable by a minimum fine of \$200.00, which shall not be suspended or deferred.

B. Any violation or attempted violation of this Chapter, or of any condition or requirement adopted pursuant hereto may be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law or municipal ordinance. The remedies shall include the following:

1. Issuing a stop-work order for all work on any signs on the same lot.
2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the nonconformity.
3. Imposing any penalties that can be imposed directly by the City under this Chapter.
4. Seeking in any court of competent jurisdiction, the imposition of any penalties that can be imposed by law.
5. In the case of a sign that poses an immediate danger to the public health or safety, taking measures as are available to the City under this Chapter, the City Code and the Unified Development Ordinance, including the immediate removal of a dangerous sign.
6. In the case of an abandoned sign, the City shall issue a written notice to the permittee, if any, and to the property owner, which notice shall state that such sign shall be removed within thirty (30) days. If the permittee, if any, or property owner fails to comply with such written notice to remove, the building inspector is authorized to cause removal of such sign as outlined in this Code and the City may store or dispose of the sign at its sole discretion.
7. The enforcement process shall be as outlined herein, except those signs posted in the right-of-way that are not in compliance with this Chapter, or any signs posted on City property without permission, shall be removed by the City.
8. The City shall not be responsible for damages to confiscated signs.

C. The City shall have other remedies as are and as may from time to time be provided for or allowed by state law or municipal ordinances for the violation of this Chapter, including the imposition of any liens against properties upon which non-conforming signs are located for expenses incurred by the City.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2021.

CITY OF CLOVIS, NEW MEXICO

By: _____

Michael Morris, Mayor

(S E A L)

ATTEST:

City Clerk



NEW MEXICO DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

September 30, 2003

City and County Clerks

Re: Posting of Political Signs on Highway Right-of-way

To Whom It May Concern:

Attached please find a copy of New Mexico Administration Code 18-20.5 (18-NMAC 20.5). Submitted herewith is a request for your assistance in providing this information to all registered candidates in your area.

As stated in 18-NMAC 20.5.15 no signs or political posters are allowed on NMSHTD Right-of-way (R/W).

If a sign is placed on NMSHTD R/W, then maintenance crews may remove the signs without notice to the owner.

Since it is in the best interest to the NMSHTD to maintain a clear R/W free of any hazards, and it is in the best interest of political candidates to keep all of his/her signs, providing this information to the candidates will be beneficial to all parties.

Your assistance in this matter is greatly appreciated. Should you have any questions or require additional information, please contact me at (505) 827-9527.

Sincerely,

Miguel B. Gabaldon, Jr.

Miguel B. Gabaldon
Assistant District Engineer

cc: John McElroy, DE
File

Bill Richardson
Governor

Rhonda G. Faught
P.E.
Cabinet Secretary

Commission

Johnny Cope
Chairman

David Schutz
Vice Chairman
District 5

District Five Office
P.O. Box 4127
Santa Fe, NM 87592-
4127
505-827-9500

John McElroy
Engineer
District 5

This Rule was filed as: -18 NMAC 20.5.

TITLE 18 TRANSPORTATION AND HIGHWAYS
CHAPTER 20 TRAFFIC SAFETY

**PART 5 REMOVAL OF ENCROACHMENTS, OBSTRUCTIONS,
ABANDONED MOTOR VEHICLES, AND FOR RESTRICTION OF
VENDING.**

18.20.5.1 **ISSUING AGENCY:** New Mexico State Highway and Transportation Department, Post Office Box 1149, Santa Fe, New Mexico 87504-1149 (505) 827-5526.
[Recompiled 11/16/01]

18.20.5.2 **SCOPE:** All state agencies and general public.
[Recompiled 11/16/01]

18.20.5.3 **STATUTORY AUTHORITY:** This rule is adopted pursuant to NMSA 1978 Sections 66-1-1, 67-3-1, 67-7-1, 67-8-1, 67-12-1, 67-13-1.
[Recompiled 11/16/01]

18.20.5.4 **DURATION:** Permanent.
[Recompiled 11/16/01]

18.20.5.5 **EFFECTIVE DATE:** December 31, 1998, unless a later date is cited at the end of a section or paragraph.
[Recompiled 11/16/01]

18.20.5.6 **OBJECTIVE:**

A. The main purpose of a highway system is to provide a safe and efficient means of movement for people and goods. In order to provide for such safe and efficient operation, it is necessary that certain regulations be established to control the use of the highway right-of-way consistent with the needs and rights of both the traveling public and property owners adjacent to the highway right-of-way.

B. The highway right-of-way is to be preserved for highway purposes except that certain temporary or permanent occupancies. Use of highway right-of-way for non-highway purposes may be permitted on the basis that such use and occupancy is in the public interest and does not result in impairment of the highway or operational interference with the health, safety and public welfare of road users. All other occupancies and uses of state highways for non-highway purposes are prohibited.

C. The Department recognizes that any rule which is adopted may create some unforeseen burdens, hardships or problems and for that reason reserves the right to vary the provisions of the following rule, in harmony, however, with the general purposes and intent of the rule where, in the exercise of sound and reasonable judgment, literal application of such rule would defeat the objectives hereinafter set forth.
[Recompiled 11/16/01]

18.20.5.7 DEFINITIONS:

A. "Department" means New Mexico State Highway and Transportation Department.

B. "Encroachment" means an intrusion into, under, upon, or over highway right of way by a permanent structure or fixture. This term shall include, but not be limited to, fences, billboards, permanent signs, buildings, awnings, marquees, storage tanks, pipes, ditches, utilities, concession booths, roadside stands, mailboxes, Christmas displays and banners.

C. "Hazardous Obstruction" means any structure or object (other than a motor vehicle, whether or not an encroachment, situated into, under upon and over highway right-of-way which jeopardized public safety by either creating an unsafe condition or significantly hindering the efficient movement of traffic.

D. "Highway Right-of-way" means all roads, patrol yards, and rest areas owned, controlled, or maintained by the Department. The term "road" means the entire width of the right of way and shall include but not be limited to: travel lanes, roadside, shoulder, median, ditches, culverts, ramps turnouts and construction and maintenance easements.

E. "Non-Hazard Motor Vehicle" means an unattended motor vehicle within highway right-of-way not falling within the definition of Wrecked Vehicle or Traffic Hazard Motor Vehicle, and parked in violation of the Motor Vehicle Code.

F. "Non-Hazardous Obstructions" means an object unlawfully remaining within the boundaries of highway right-of-way which is neither an encroachment, a motor vehicle, a hazardous object, a temporary sign, a political poster or refuse.

G. "Overhanging Sign" means any sign intruding upon highway right-of-way which is affixed to a building or structure lying outside highway right-of-way.

H. "Refuse" means any article, object or substance which is commonly discarded as waste, or which, if discarded on the ground, may create or contribute to an unsanitary, offensive or unsightly condition. Refuse includes, but is not limited to, the following items or classes of items; waste food; waste paper and paper products; cans; bottles or other containers; junked household furnishings and equipment; junked parts or bodies of automobiles and other metallic junk or scrap; portions or carcasses of dead animals; and collections of ashes, dirt, yard trimmings or other rubbish.

I. "Rural Area" means areas outside urban boundaries of all cities, towns, or municipalities of over 5000 population. These boundary lines may or may not coincide with corporate limits but are established by and are on-file with the Planning Division of the Department.

J. "Sign" means any readily moveable object (except a motor vehicle); or permanent structure which is placed upon the highway right-of-way and which has as its purpose or effect the conveyance of information to travelers on the highway or property used in conjunction with such purpose.

K. "Traffic Hazard Motor Vehicle" means a motor vehicle left unattended either wholly or partly within a travel lane of the highway right-of-way, or a motor vehicle left unattended within thirty-five (35) feet of the nearest travel lane on all interstate highways (urban and rural) and on all rural primary and rural secondary highways (outside city limits).

L. "Travel Lane" means that portion of the highway right-of-way, which is intended, for the free passage of motor vehicles.

M. "Vending" means the selling, dealing, trafficking, hawking or peddling of goods or services, including, but not limited to, the operation of concession booths and roadside stands.

N. "Wrecked Vehicle" means any vehicle located within the highway right-of-way which shows visible signs of damage from collision, vandalism or other causes, and appears incapable of self-propulsion.

[Recompiled 11/16/01]

18.20.5.8 PERMITTED ENCROACHMENTS: All encroachment under this Section are subject to review by the Department:

A. Overhanging Signs. In urban established business districts where the front of the building is the highway right-of-way line.

(1) Sign overhang must be a minimum of one foot behind the back of the curb.

(2) Sign must have a minimum vertical clearance of twelve (12) feet from the top of the curb.

(3) Sign must be wholly supported from the building or wholly supported by a suitable structure positioned entirely outside of the highway right-of-way.

(4) The minimum vertical clearance of twelve (12) feet will be adhered to unless there is a city ordinance in which the encroachment exists which would require more vertical clearance in which case the city ordinance will prevail.

B. In commercial areas where the Department utilizes existing city right-of-way and there is no additional right-of-way acquired.

(1) Sign must be wholly supported from outside the highway right-of-way being utilized by the Department.

(2) No portion of the sign and its supporting structure may be lower than twelve (12) feet from the top of the curb or theoretical curb line elevation.

(3) No portion of the sign may intrude into the highway right-of-way closer than one (1) foot behind the back of the curb or the theoretical curb line.

(4) The minimum vertical clearance of twelve (12) feet will be adhered to unless there is a city ordinance in which the encroachment exists which would require more vertical clearance in which case the city ordinance will prevail.

C. Buildings. A building may be allowed to encroach upon highway right-of-way provided the following conditions coexist:

(1) The building was in existence prior to the commencement or construction of the highway;

(2) The encroachment will not interfere with the safe and free flow of traffic as determined by the Secretary or his designee; and

(3) The owner enters into an agreement with the Department whereby the building exterior will not be remodeled or rebuilt on the right-of-way without express permission of the Secretary and, if necessary, the Federal Highway Administration.

(4) Where additional highway right-of-way is being acquired, no building will be allowed to encroach on the highway right-of-way.

D. Awnings and Marquees.

(1) Awnings in urban business districts or closely spaced buildings may be allowed to encroach provided the entire awning is supported from the building and will not lower less than eight (8) feet from the sidewalk, nor closer than six (6) feet from the back of the curb. Permanently constructed covers or canopies over the sidewalk shall conform with the same requirements as awnings. The only advertising to be allowed on awnings or canopies will be the name of the business.

(2) The marquees in urban business districts may be allowed to encroach provided they are supported wholly from outside the highway right-of-way, area minimum height of twelve (12) feet from the top of the curb, and encroach no closer than four (4) feet from the back of the curb.

E. Irrigation Ditches.

(1) On primary and secondary highways where it is impractical to construct irrigation ditches outside the highway right-of-way and wherever deemed necessary by the Secretary of the Department, or his designee, those ditches which are necessary may be constructed by the Department inside the right-of-way. Maintenance of such ditches shall remain the responsibility of those parties deriving benefits therefrom.

(2) There shall be no irrigation ditches constructed, which are parallel to the highway inside the access control line. Where it is impractical to construct irrigation ditches outside the highway right-of-way and wherever deemed necessary by the Secretary of the Department, or his designee, those ditches that are necessary may be constructed by the Department inside the highway right-of-way but outside the access control line. This applies only to situations where the highway right-of-way line and access control line is not the same line. Where they are the same line, no ditches shall be permitted inside the highway right-of-way.

(3) A permit must be obtained from the Department and, if necessary, the approval of the Federal Highway Administration, before locating irrigation ditches on highway right-of-way.

F. Utilities. Utilities on highway right-of-way which are outside construction zones or primary and secondary systems will not be considered as encroachments. The crossing of interstate highways by utilities will be made in such a manner that routine maintenance of the utility can be performed from outside the controlled-access line. A permit must be obtained from the Department and, if necessary, the approval of the Federal Highway Administration, before the installation of utilities on highway right-of-way.

G. Special Encroachments.

(1) Special encroachments such as Christmas decorations or banners advertising special events, erected by governmental authorities, may be allowed to encroach for a limited time on primary or secondary right-of-way provided they do not interfere in any way with traffic control devices or traffic signs. Banners so low or Christmas lights of such a color that would make the traffic control devices not immediately and easily noticeable will not be allowed.

(2) Signs informing the public that a particular area, within the median or adjacent to the roadway, is planted, landscaped, or maintained by an organization or individual, may be placed within that particular area, on all state highway systems except the interstate. These signs must be located a minimum of two (2) feet from the back of the curb or the edge of the shoulder, must be a maximum of thirty-three (33) inches high

from the top of the curb or existing grade, must have a sign surface no larger than eighteen (18) inches by twenty-four (24) inches, and must conform to any other standards approved by the State Highway Commission. The orientation of the signs must be parallel to the centerline of the roadway. The only information permitted on the signs is the name of the organization or individuals responsible for the planting, landscaping, or maintenance of the area in which they are located, together with a statement that that area is so planted, landscaped, or maintained. Each such sign erected must be approved by the Secretary of the Department or his designee.
[Recompiled 11/16/01]

18.20.5.9 PROHIBITED ENCROACHMENTS:

A. There shall be no encroachment allowed which may interfere with traffic control devices or traffic signs. This includes not only protruding signs but neon lights of such a color that they would make the traffic control device not immediately and easily noticeable.

B. No encroachments shall be permitted to remain on highway right-of-way, which poses a danger to the health, safety, or welfare of the motoring public, or which interfere with the operations of the Department.

C. No encroachments shall be permitted to remain on highway right-of-way, which are not in substantial compliance with the requirements of Section 8 [18.20.5.8 NMAC].

D. Vending See Section 10 [18.20.5.10 NMAC below].
[Recompiled 11/16/01]

18.20.5.10 VENDING:

A. No vending from or on highway right-of-way shall be permitted.

B. There shall be no vending-type business so close to the highway right-of-way that automobiles or persons would be serviced while on the highway right-of-way.

C. Concession booths or roadside stands, whether or not in operation, shall not be permitted to remain on highway right-of-way. These structures shall be treated as encroachments, hazardous obstructions or non-hazardous obstructions, as the circumstances warrant.

D. Excepted from these prohibitions are any vending-type businesses established with prior Department approval on highway right-of-way by an federal, state or public agency, organization or entity for the purpose of providing a service to the public.

E. A representative of the Department shall advise the owner, operator or other person in charge of the vending operation that the vending is not permitted in the highway right-of-way and must cease immediately. If the vending does not cease immediately, the Department representative may file a complaint of criminal trespass (NMSA 1978, Section 30-14-1) with the law enforcement authority having jurisdiction.

F. If the vending consists of the advertisement for sale of a motor vehicle, a representative of the department will contact the nearest law enforcement officer and request enforcement of (NMSA 1978 as amended) Sections 66-3-126 and 66-3-127 as provided therein.
[Recompiled 11/16/01]

18.20.5.11 PROCEDURE FOR REMOVAL OF PROHIBITED ENCROACHMENTS AND NON-HAZARDOUS OBSTRUCTIONS:

A. An unlawful encroachment or non-hazardous obstruction shall be identified by the Department with reasonable particularity, and ownership shall be determined, if possible.

B. A written notice shall be sent by certified/return receipt mail to the apparent owner at his last known address. If ownership cannot be ascertained, or no address for the owner can be found after diligent search, a copy of such notice shall instead be posted in a conspicuous place on the encroachment or non-hazardous obstruction. This notice shall contain the following information:

(1) A description of the encroachment or non-hazardous obstruction sufficient to identify it;

(2) Notification that the encroachment or non-hazardous obstruction is in violation of 18 NMAC 20.5;

(3) That the encroachment or non-hazardous obstruction must be removed within ten (10) days by the owner at his expense;

(4) That if the encroachment or non-hazardous obstruction remains after ten (10) days, the Department will remove it and bill the owner for the actual costs incurred in its removal;

(5) That the owner has a right to a hearing before the District Engineer or his designee(s) on whether or not the encroachment or non-hazardous obstruction must be removed;

(6) That the owner himself has the responsibility to request this hearing by mailing a written Request for Hearing to the District Engineer within ten (10) days of service of the first written notification or he will be deemed to have waived his right to a hearing.

C. If the owner has failed to remove the encroachment or non-hazardous obstruction and has failed to request a hearing before the District Engineer within ten (10) days of service of the notice, the Department may remove the encroachment or non-hazardous obstruction at the owners expense.

[Recompiled 11/16/01]

18.20.5.12 OBSTRUCTION AND ENCROACHMENTS REVIEW BOARD:

A. There shall be an Obstruction and Encroachment Review Board established in each Highway District in New Mexico. Said Board shall be composed of three (3) persons: the District Engineer or his designee; the District Traffic Engineer or his designee; the District Construction Engineer or his designee; when issues regarding construction or operations of roadway segments.

B. There shall be an Obstruction and Encroachment Review Board established in each Highway District in New Mexico. Said Board shall be composed of three (3) persons: the District Engineer or his designee; the Right of Way Division Director or his designee; the Project Development Engineer; when issues regarding encroachments during the design/project development stages occur.

C. Upon receipt of a timely Request for Hearing from an owner who has received a notice to remove his encroachment or non-hazardous obstruction, the District

Engineer or his designee shall assign a hearing date no later than thirty (30) days for the date of the request and send notification, in writing, to the owner, the members of the Board and the Departments General Counsel of the time, place and date of the hearing, the nature of the matter to be heard, and the authority of the Board.

D. The proceedings before the Board shall be in conformance with the Administrative Procedures Act, Section 12-8-1, et seq., N.M.S.A. 1978. The findings of the Board shall be by a preponderance of the evidence.

E. The determination to be made by the Board shall be as follows:

Encroachments: A determination as to whether or not an encroachment upon highway right-of-way in fact exists;

(1) If an encroachment exists, whether or not it falls within one of the permitted encroachments identified in Section 8 of this rule [Section 8 of 18.20.5 NMAC];

(2) If the encroachment is not a permitted type, whether or not it poses a danger to the health, safety or welfare of the motoring public, interferes with the operations of the Department, or is otherwise not in conformance with 18 NMAC 20.5;

(3) If the encroachment is to be permitted to remain, whether it shall be dealt with by means of an encroachment agreement or by means of a sale to the owner of the parcel upon which the encroachment rests; and

(4) If the encroachment must be removed, a reasonable time for the accomplishment of this removal by the owner before the Department may proceed to remove the offending encroachment at the owners expense.

F. Non-Hazardous Obstructions: A determination as to whether or not the object constitutes a non-hazardous obstruction;

(1) If it does, whether or not the owner has shown sufficient mitigating circumstances to permit the object to remain; and

(2) If the object is required to be removed, a reasonable time for the accomplishment of this removal by the owner before the Department may proceed to remove the offending non-hazardous obstruction at the owners expense.

[Recompiled 11/16/01]

18.20.5.13 HAZARDOUS OBSTRUCTIONS:

A. A hazardous obstruction may summarily be removed from the highway right-of-way without notice to the owner, if any, thereof.

B. The determination of whether or not an obstruction is hazardous shall be made by the District Engineer or his designee in the District in which the obstruction is situated, who shall employ sound highway engineering practices in making this determination.

[Recompiled 11/16/01]

18.20.5.14 REFUSE: Refuse may be summarily removed from the highway right-of-way.

[Recompiled 11/16/01]

18.20.5.15 **SIGNS AND POLITICAL POSTERS:** Signs and political posters are not allowed on highway right-of-way and may be summarily removed from the highway right-of-way without notice to the owner, if any, thereof.
[Recompiled 11/16/01]

18.20.5.16 **MOTOR VEHICLES:**

A. **Traffic Hazard Motor Vehicles.** Such vehicles may be summarily removed from the highway right-of-way by the New Mexico State Police upon verbal notification by the District Engineer or his designee(s), followed thereafter by written notification as soon as possible.

B. **Non-Hazard Motor Vehicles.**

(1) **Without Plates:** Such vehicles may be summarily removed from the highway right-of-way by the New Mexico State Police, as provided by law, upon written notification by the District Engineer or his designee(s).

(2) **With Plates:** Such motor vehicles may be removed by the New Mexico State Police after the following procedure have been utilized. The Department will cause to be posted upon any such vehicle a written notice containing the following information:

(a) A description of the non-hazard motor vehicle sufficient to identify it;

(b) Notification that the non-hazard motor vehicle is parked in violation of 18 NMAC 20.5;

(c) Advising the owner within four (4) days of the notice that the non-hazard vehicle must either be removed at his expense; and

(d) Any vehicle, which remains in the right-of-way after the dates provided in this subsection will be summarily removed by the New Mexico State Police, as provided by law, upon written notification by the District Engineer or his designee(s).

(e) **Wrecked Vehicles.** Such vehicles may be summarily removed from the highway right-of-way by the New Mexico State Police, as provided by law, upon written notification by the District Engineer.

[Recompiled 11/16/01]

18.20.5.17. If any county, city or other local governmental authority has concurrent jurisdiction over any matter covered in this rule and such authority has adopted more restrictive requirements, conditions, or procedures, those requirements, conditions or procedures shall apply. Nothing in this rule shall be construed to limit the right of local governmental authorities to regulate these matters as authorized by law.
[Recompiled 11/16/01]

HISTORY OF 18.20.5 NMAC:

Pre-NMAC Regulatory Filing History:

The material in this Part was derived from that previously filed with the State Records and Archives under: Rule No. 1, Right of Way Encroachment Standards, filed August 20, 1968; SHC Rule 84-3, New Mexico State Highway Department Rule for Removal of Encroachments, Obstructions, Abandoned Motor Vehicles and for Regulation of Vending, filed December 6, 1984; SHTD Rule 88-5(L), New Mexico State Highway and

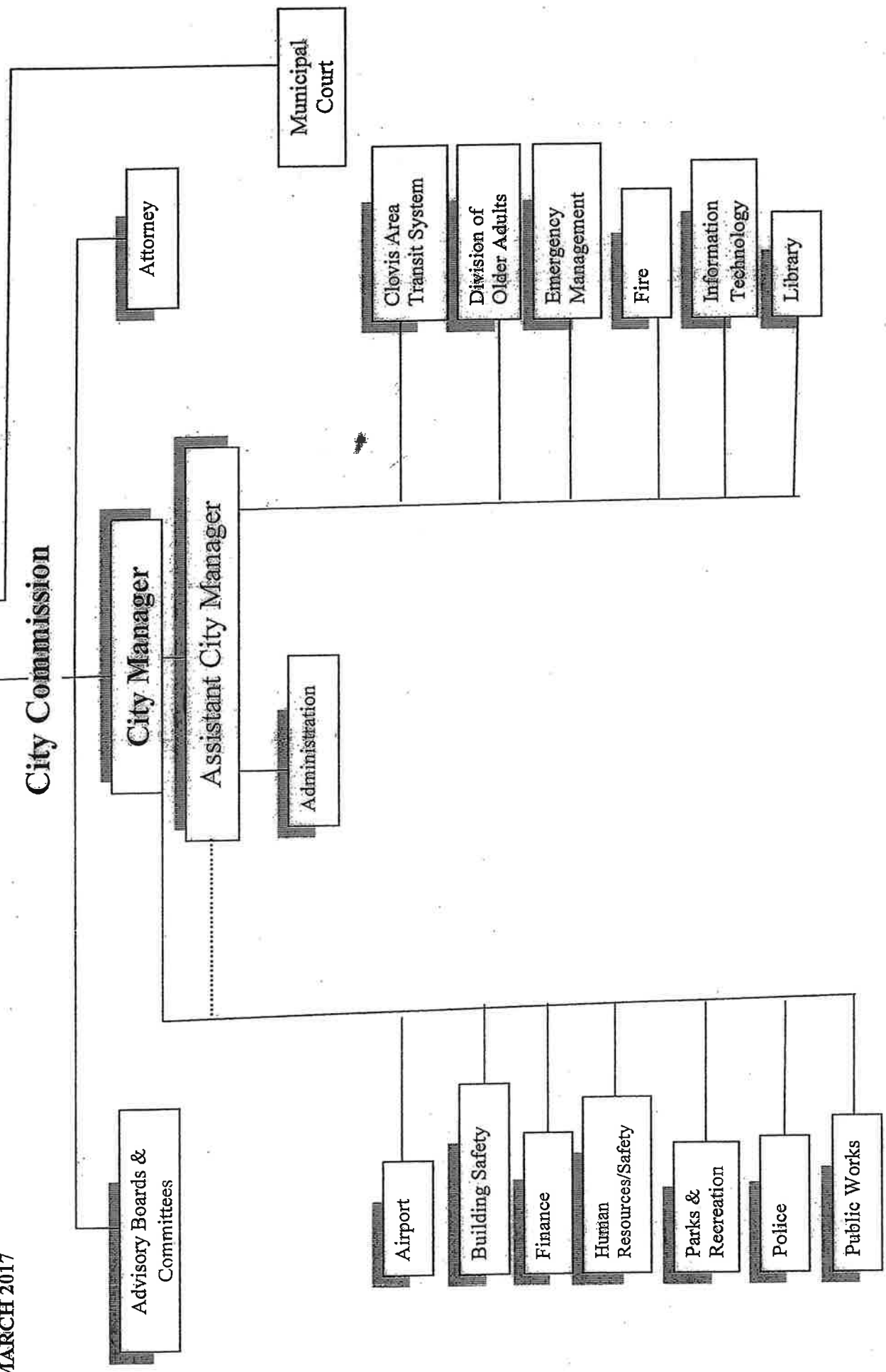
Transportation Department Rule for Removal of Encroachments, Obstructions,
Abandoned Motor Vehicles and for Regulation of Vending, filed April 4, 1988.

History of Repealed Material: [RESERVED]

ELECTORATE

ORGANIZATIONAL CHART

MARCH 2017



Long J. Fry
City Manager
3/15/17

CHARTER

ADOPTED BY THE VOTERS OF THE
CITY OF CLOVIS AT THE SPECIAL ELECTION
ON NOVEMBER 2, 1971
AS AMENDED BY VOTE OF THE CITY OF CLOVIS
ON MARCH 6, 1984

CLOVIS CHARTER COMMISSION
CHARTER FOR THE CITY OF CLOVIS

We, the citizens of the City of Clovis, New Mexico, under the Constitution and law of New Mexico, do ordain and establish this government for the City of Clovis, New Mexico.

POWERS

Section 1-1 - Powers.

The municipality, now existing and known as the City of Clovis, is a body corporate and may exercise all legislative powers and perform all functions not expressly denied by general law or this Charter. The City may exercise its legislative power in the manner it deems necessary or the City may act in the manner provided by law (statute). The purpose of this Charter is to provide for maximum local self-government. A liberal construction shall be given to the powers of the City.

Electorate

Section 2-1 - Electors.

~~Any registered qualified elector of the City of Clovis may vote in any City election and may be~~
candidate for any City office.

Section 2-2 - Regular city election.

Regular City elections for the purpose of electing City officers and considering any other question placed on the ballot by the Commission shall be held on the first Tuesday in March of each even-numbered year.

Section 2-3 - Nonpartisan elections.

The names of candidates for City office shall be listed on the ballot without party or other designation. The name of the candidate shall appear on the ballot as it is shown on the candidate's declaration of candidacy. The listing of the names on the ballot of the candidates for the office to be filled shall be determined by lot.

Section 2-4 - Elective offices.

The elective offices of the City are eight Commissioners, a Mayor and a Municipal Judge.

(Amended by vote, March 1, 1994.)

Section 2-5 - Term of office.

The term of office of a Commissioner and Mayor is four years. The term of office for a Municipal Judge is four years.

(Amended by vote, March 1, 1994.)

Section 2-6 - Holding County Office.

No elected officer of the City shall be an elected officer of any County of the State of New Mexico while in office, except a person who on March 15, 2012, is both an elected officer of the City and an elected officer of a County of the State of New Mexico may complete the existing term of County Office.

(Res. No. 2634, § C, 12-1-11)

Form of Government

Section 3-1 - Form of government.

The form of government of the City of Clovis is the Commissioner/Manager form of government, with an elected Mayor having limited duties.

(Amended by vote, March 1, 1994.)

Section 3-2 - Term limits.

- A. The Mayor, after serving two consecutive elected terms in the office of Mayor, shall be ineligible to seek that office through election until one full term has intervened.

- B. A City Commissioner, after having served two consecutive elected terms in the office of City Commissioner, shall be ineligible to seek that office through election until one full term has intervened.
- C. The Municipal Judge, after having served two consecutive elected terms in the office of Municipal Judge, shall be ineligible to seek that office through election until one full term has intervened.
- D. An appointment to fill a vacancy in the office of Mayor, Municipal Judge, or City Commissioner shall not be counted under subsections A, B, and C of this section and shall not prevent the appointee from:
 - 1) Seeking election to that same office for two additional subsequent consecutive terms;
 - 2) Being appointed to fill the same office after holding that office for the two immediate proceeding terms.
- E. No term of elected City office prior to the regular scheduled elected of March, 1996, shall count toward any term limitation imposed herein.

(Added by vote, March 1, 1994.)

CITY COMMISSION

Section 4-1 - Composition.

The City Commission consists of eight members who shall be elected as provided in this Charter. (Amended by vote, March 1, 1994.)

Section 4-2 - At-large election—Mayor.

A mayor shall be voted on at-large.

(Amended by vote, March 1, 1994.)

Section 4-3 - District elections.

The City of Clovis shall be divided into four districts. Two Commissioners shall be elected from each district. Each district shall be compact and contiguous and composed of populations as nearly equal as practicable. Communities of interest, including those based on economic,

geographic or ethnic characteristics shall be preserved within a single district to the extent reasonable and practical. Any member of the Commission representing a district shall be a resident of, and elected by, the registered qualified electors of that district.

(Amended by vote, March 1, 1994.)

Section 4-4 - Staggered terms.

The terms of the Commissioners shall be staggered so that four Commissioners are elected every two years and no more than one Commissioner is regularly elected from any election district at any one election.

(Amended by vote, March 1, 1994.)

Section 4-5 - Vacancy.

A vacancy in the office of Commissioner, Mayor or Municipal Judge occurs upon the officer's death, disability, resignation or termination of residency in the City or the district represented. If the office is vacated, the remaining members of the Commission shall appoint a registered qualified elector to fill the vacancy within thirty (30) days of the vacancy. Any registered qualified elector appointed to fill a vacancy shall serve until the next regular City election, at which time a registered qualified elector shall be elected to fill the remaining unexpired term, if any.

(Amended by vote, March 1, 1994.)

Section 4-6 - Meetings.

The Commission shall meet at least twice each month. Meetings of the Commission shall be open to the public and the official records of the City shall be open to inspection during regular business hours.

Section 4-7 - Powers and duties.

The Commission is the governing body of the City of Clovis and may exercise all legislative powers not expressly denied by general law.

The Commission shall:

1. Pass all ordinances and other measures conducive to the health, safety and welfare of the City;

2. Carry out the provisions of this Charter;
3. Perform all acts required for the general welfare of the City;
4. Create all offices and departments necessary for proper carrying on of the work of the City; and
5. Appoint a City Manager and hold him responsible for the proper and efficient administration of City government.

MAYOR

Section 5-1 - Organizational meeting—Mayor pro tem—Selection.

At its organizational meeting to be held on the first Monday following the regular City election or as soon thereafter as practical, the Commission shall elect one of its members to serve as Mayor Pro Tem. The term of office of Mayor Pro Tem is until the next organizational meeting of the Commission, or until a successor is selected and qualified, unless sooner removed by death, resignation or removal from office. (Amended by vote, March 1, 1994.)

Section 5-2 - Mayor—Duties.

The Mayor:

1. Shall preside at all meetings of the Commission and perform other duties, consistent with his/her office, as imposed by the Commission;
2. Is the official head of the City for all ceremonial purposes and for all military purposes; and
3. Has the right to vote only in the event of a tie vote of the commission.

Transition.

At the first regular election following the adoption of this Charter Amendment a Mayor shall be elected in addition to the regularly scheduled Commission positions. The terms of Commissioners shall be unaffected and continue in the manner provided by judicial decree in the case number CIV-85-1618M in the United States District Court for the District of New Mexico and this Charter.

(Amended by vote, March 1, 1994.)

MANAGER

Section 6-1 - Qualifications—Appointment.

A City Manager shall be appointed solely on the basis of his administrative qualifications for an indefinite term. His selection shall not be limited by reason of his former residence.

His salary shall be fixed by the City Commission. A vacancy in the office of the City Manager occurs upon his death, resignation or removal from office.

Section 6-2 - Manager—Duties.

The City Manager is the Chief Executive Officer of the City. He shall have a seat, but not vote, at every meeting of the City Commission. The City Manager shall:

1. Enforce and carry out all ordinances, rules and regulations adopted by the Commission;
2. Employ and discharge employees of the City;
3. Prepare and submit an annual budget to the City Commission;
4. Make recommendations to the City Commission concerning the welfare of the City; and
5. Be the person, or his designated agent, for the purpose of civil process.

Charter

Section 7-1 - Charter—Amendments—Revision.

This Charter may be amended or repealed in the manner provided by law. The City Commission shall appoint a Charter Commission at least every ten years to review the Charter. The Charter Commission shall consist of two Commissioners, the Mayor, and one member appointed by each Commissioner. After conducting at least one public hearing to obtain public opinion and input, the Charter Commission shall submit recommendations to the City Commission. The City Commission shall act on the recommendations of the Committee by an affirmative vote of the majority.

(Amended by vote, March 1, 1994.)

Section 7-2 - Saving clause.

This Charter does not apply to pending litigation. All ordinances, resolutions, regulations and orders shall continue in effect until amended or repealed.

Recall and Referendum

Section 8-1 - Recall.

- A. Any elective officer of the City is subject to a recall election.
- B. A recall election shall be instituted by a petition seeking the recall of an elective officer, filed with the City Clerk in compliance with this Article. The petition shall:
 - 1. In the event of a proposed recall of an elective official elected from the City at large, be signed by registered voters in a number more than twenty percent of the number of voters who voted at the previous regular municipal election, or
 - 2. In the event of a proposed recall of an elected official elected from a district be signed by registered voters of that district in a number more than twenty percent of the number of voters who voted at the previous regular municipal election in that district.
- C. Upon receipt of a recall petition which complies with this Article, the City Commission shall call a special recall election within sixty days, unless the regular municipal election occurs within sixty days, in which case the qualified electors shall vote on the recall at the regular election. Registered voters shall be eligible to vote in the recall election either at large, or by district, depending upon the manner of selection of the elective official to whom the recall petition is directed.
- D. If a majority of the votes cast at the recall election favor recall, the office in question is declared vacant. If an officer is recalled, he shall not be eligible for reelection until the term for which he was originally elected has expired. If the recall election results in a failure to secure the votes necessary to recall, the officer in question shall not be subject again to recall until six months have elapsed from the date the previous recall election was held.
- E. A vacancy created by a recall election shall be filled in the same manner as other vacancies on the City Commission are filled. If all Commissioners are recalled at the same election, the Municipal Clerk, or if there is no Municipal Clerk, the District Court, shall within three days call an election as provided in this Chapter for the election of eight Commissioners.

(Res. No. 2174-2003, § C, 3-2-04).

Section 8-2 - Referendum.

- A. If within thirty days following the adoption of an ordinance, a petition signed by registered voters in a number more than twenty percent of the number of voters who voted at the previous regular municipal election is presented to the Commission, asking that the ordinance in question be submitted to a special election for its adoption or rejection, the ordinance shall become ineffective and the Commission shall provide for an election on the measure within sixty days of the filing of the petition.
- B. The ballot shall contain the text of the ordinance in question. Below the text shall be phrases:
- "For the above measure," and
- "Against the above measure,"

followed by spaces for marking with a cross the phrase desired. If a majority of the votes cast favor the measure, it shall take effect immediately. If a majority of the votes cast are against the measure, it shall not take effect.

- C. If an ordinance is an emergency measure, it shall go into effect immediately, but it may be repealed by an adverse majority at a referendum election.

Conflict of Interest—Ethics

Section 9-1 - Definitions.

The following definitions shall be applicable when the following defined terms are used in this section:

1. "Elected Official" means any City Commissioner or Mayor elected to that position or appointed to fulfill a vacancy pursuant to Section 4-5.
2. "Financial Interest" means an interest held by a person, that person's spouse, or minor children, which is an ownership interest in a business, corporation, partnership, sole proprietorship, firm, or organization.
3. "Controlling Interest" means an interest which is greater than fifty percent (50%) and shall include aggregate interest of a person, that person's spouse, or minor children.

(Added by vote, March 1, 1994.)

Section 9-2 - Disclosure and voting.

Any elected official having a financial interest or possible financial interest in the outcome of any policy, decision, or determination before the governing body shall, within a reasonable time after such interest becomes apparent and in no case later than at the time of the taking of the vote on an issue in which he has a financial interest or possible financial interest, disclose to each of the other members of the governing body the nature of the financial interest or possible financial interest and the disclosure shall be recorded in the minutes of the meeting. Disclosure of financial interest or possible financial interest on any issue shall not disqualify the elected official from voting on the issue unless a majority of the remaining members determine that the elected official should not in propriety vote on the issue, or the elected official having a financial interest or possible financial interest voluntarily disqualifies himself.

(Added by vote, March 1, 1994.)

Section 9-3 - Contracts.

The City shall not enter into any purchase, procurement, or contract involving services or property of a value in excess of five thousand and no/100 dollars (\$5,000.00), exclusive of applicable taxes, or in the event of more than one purchase, procurement, or contract which for the fiscal year will in the aggregate exceed the total sum of five thousand and no/100 dollars (\$5,000.00) with any business in which an elected official has a controlling interest. Any purchase, procurement, or contract entered into by the City with a business in violation of this section is void.

(Added by vote, March 1, 1994.)

ORDINANCE № 2073-2016

**ADOPTING VOTER AUTHENTICATION BY PHOTO
IDENTIFICATION FOR MUNICIPAL ELECTIONS; AND,
ADOPTING A NEW CHAPTER TO THE CLOVIS CITY
CODE, DESIGNATED AS CHAPTER 1.06**

BE IT ORDAINED BY THE GOVERNING BODY that is the City Commission of the City of Clovis, New Mexico:

SECTION ONE. RECITALS. At the March 1, 2016 regular municipal election, the voters passed an amendment to the City of Clovis home rule charter requiring the City Commission to adopt an ordinance implementing voter authentication by photo identification for all future municipal elections. The Clovis City Commission adopts this Ordinance designating a new chapter of the Clovis City Code to comply with a new City Charter section. It is the intent of this Ordinance not to disenfranchise any qualified elector, but to verify elector identity. Procedures are enacted to provide multiple methods of authentication that will be the least burdensome to qualified electors.

SECTION TWO. ADOPTION OF CHAPTER 1.06. There is hereby adopted Chapter 1.06 to the Clovis City Code, entitled Voter Authentication by Photo Identification, consisting of a single section designated 1.06.010, which shall read as follows:

CHAPTER 1.06

VOTER AUTHENTICATION BY PHOTO IDENTIFICATION

1.06.010 Voter Authentication by Photo Identification.

Voter Authentication by Photo Identification shall be required for all municipal elections as follows:

A. When a voter approaches the election polling place seeking to vote, the voter must identify herself or himself audibly by name. The Municipal Election Clerk shall locate the registered voter's name as spoken and ask the individual seeking to vote for one current identification card containing the voter's name and photograph.

B. Such photo identification card may include any card issued by a government agency (federal, state, county or municipality), passport, driver's license, student identification card, state issued identification card, insurance card, union card, a professional association card or a voter identification card issued by the Clovis City Clerk, provided the item submitted contains a photograph depiction of the voter.

C. If the individual is unable to provide a photo identification card, she or he shall be allowed to vote on a conditional ballot, but only if she or he swears or affirms under penalty of perjury in an affidavit provided by the City Clerk that she or he is the registered voter listed on the voter registration rolls at the precinct at which she or he presented herself or himself to vote and provides her or his date of birth and the last four digits of her or his Social Security number.

D. Conditional ballots shall be issued for no other reason than the failure to present photo identification. Conditional ballots shall be counted only by the Canvassing Board and only on the voter's presentation to the City Clerk, by 9:00 a.m. on the third day following the election, one of the photo identification cards described in this section. The Canvassing Board shall also verify that the voter who cast the conditional ballot was registered to vote for the election and did not vote elsewhere in the same election. If a voter who cast a conditional ballot under this section swears or affirms under penalty of perjury in an affidavit provided by the City Clerk within the three-day canvassing period that she or he has a religious objection to being photographed, such voter shall not be required to submit

photo identification. The Canvassing Board shall otherwise verify that the conditional ballot was valid.

E. The City Clerk shall develop and provide instructions for election judges concerning the requirements of this section and a method of complaint and resolution for individuals who feel they have been discriminated against by election officials or the City Clerk's administration of this section.

F. Regarding the requirements of this section, knowingly executing a false statement constitutes perjury as provided in Section 30-25-1 NMSA 1978 and voting on the basis of a falsely executed statement constitutes false voting as provided in Sections 1-20-8, 1-20-8.1 and 3-8-75 NMSA 1978.

G. Voter authentication by photo identification cards shall be issued by the City Clerk without charge to any voter who presents any two of the following identification documents that show the name and address of the voter: a federal, state or municipal issued identification card without photo identification, Social Security card, student identification card, library card, insurance card, selective service card, union card, professional association card, utility bill, bank statement, government check or a paycheck, upon confirmation with the County Clerk that such person is registered to vote. If the individual is unable to present any two of these documents to the City Clerk, then the voter shall swear or affirm in writing under penalty of perjury that she or he is the registered voter and shall be issued a voter photo identification card upon confirmation with the County Clerk that such person is registered to vote. The City Clerk issued photo identification card shall state on its face that it shall not be valid for identification other than for the purpose of voting in City of Clovis municipal elections and shall not be valid if the voter is subsequently purged from the voter rolls.

H. This section shall take precedence over the State Municipal Election Code and any reference in this article to the State Municipal Election Code. The provisions of the section shall apply only to City of Clovis municipal elections.

PASSED APPROVED AND ADOPTED BY THE GOVERNING BODY of the City of

Clovis this 2nd day of June, 2016.

CITY OF CLOVIS, NEW MEXICO

By: David H. Langford
David Langford, Mayor

(SEAL)

ATTEST:

Beight McEl
City Clerk

CHAPTER 10

Public Officers and Employees

ARTICLE 16

Governmental Conduct

Sec.		Sec.	
10-16-1.	Short title.	10-16-10.	Repealed.
10-16-2.	Definitions.	10-16-11.	Codes of conduct.
10-16-3.	Ethical principles of public service; certain official acts prohibited; penalty.	10-16-11.1.	State agency or local government agency authority.
10-16-3.1.	Prohibited political activities.	10-16-12.	Repealed.
10-16-4.	Official act for personal financial interest prohibited; disqualification from official act; providing a penalty.	10-16-13.	Prohibited bidding.
10-16-4.1.	Honoraria prohibited.	10-16-13.1.	Education and voluntary compliance.
10-16-4.2.	Disclosure of outside employment.	10-16-13.2.	Certain business sales to the employees of state agencies and local government agencies prohibited.
10-16-4.3.	Prohibited employment.	10-16-13.3.	Prohibited contributions; financial service contractors.
10-16-5.	Repealed.	10-16-14.	Enforcement procedures.
10-16-6.	Confidential information.	10-16-15.	Repealed.
10-16-7.	Contracts involving public officers or employees.	10-16-16.	Recompiled.
10-16-8.	Contracts involving former public officers or employees; representation of clients after government service.	10-16-17.	Criminal penalties.
10-16-9.	Contracts involving legislators; representation before state agencies.	10-16-18.	Enforcement; civil penalties.

10-16-1. Short title.

Chapter 10, Article 16 NMSA 1978 may be cited as the "Governmental Conduct Act".

History: 1953 Comp., § 5-12-1, enacted by Laws 1967, ch. 306, § 1; 1993, ch. 46, § 26.

10-16-2. Definitions.

As used in the Governmental Conduct Act:

A. "business" means a corporation, partnership, sole proprietorship, firm, organization or individual carrying on a business;

B. "confidential information" means information that by law or practice is not available to the public;

C. "contract" means an agreement or transaction having a value of more than one thousand dollars (\$1,000) with a state or local government agency for:

- (1) the rendition of services, including professional services;
- (2) the furnishing of any material, supplies or equipment;
- (3) the construction, alteration or repair of any public building or public work;
- (4) the acquisition, sale or lease of any land or building;
- (5) a licensing arrangement;
- (6) a loan or loan guarantee; or
- (7) the purchase of financial securities or instruments;

D. "employment" means rendering of services for compensation in the form of salary as an employee;

- E. "family" means an individual's spouse, parents, children or siblings, by consanguinity or affinity;
- F. "financial interest" means an interest held by an individual or the individual's family that is:
 - (1) an ownership interest in business or property; or
 - (2) any employment or prospective employment for which negotiations have already begun;
- G. "local government agency" means a political subdivision of the state or an agency of a political subdivision of the state;
- H. "official act" means an official decision, recommendation, approval, disapproval or other action that involves the use of discretionary authority;
- I. "public officer or employee" means any elected or appointed official or employee of a state agency or local government agency who receives compensation in the form of salary or is eligible for per diem or mileage but excludes legislators;
- J. "standards" means the conduct required by the Governmental Conduct Act;
- K. "state agency" means any branch, agency, instrumentality or institution of the state; and
- L. "substantial interest" means an ownership interest that is greater than twenty percent.

History: 1953 Comp., § 5-12-2, enacted by Laws 1967, ch. 306, § 2; 1979, ch. 350, § 1; 1993, ch. 46, § 27; 2007, ch. 362, § 1; 2011, ch. 138, § 2.

10-16-3. Ethical principles of public service; certain official acts prohibited; penalty.

A. A legislator or public officer or employee shall treat the legislator's or public officer's or employee's government position as a public trust. The legislator or public officer or employee shall use the powers and resources of public office only to advance the public interest and not to obtain personal benefits or pursue private interests.

B. Legislators and public officers and employees shall conduct themselves in a manner that justifies the confidence placed in them by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.

C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office in public service.

D. No legislator or public officer or employee may request or receive, and no person may offer a legislator or public officer or employee, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

History: 1978 Comp., § 10-16-3, enacted by Laws 1993, ch. 46, § 28; 2007, ch. 362, § 2; 2011, ch. 138, § 3.

10-16-3.1. Prohibited political activities.

A public officer or employee is prohibited from:

A. directly or indirectly coercing or attempting to coerce another public officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political purpose;

B. threatening to deny a promotion or pay increase to an employee who does or does not vote for certain candidates, requiring an employee to contribute a percentage of the employee's pay to a political fund, influencing a subordinate employee to purchase a ticket to a political fundraising dinner or similar event, advising an employee to take part in political activity or similar activities; or

C. violating the officer's or employee's duty not to use property belonging to a state agency or local government agency, or allow its use, for other than authorized purposes.

History: Laws 2007, ch. 362, § 9; 2011, ch. 138, § 4.

10-16-4. Official act for personal financial interest prohibited; disqualification from official act; providing a penalty.

A. It is unlawful for a public officer or employee to take an official act for the primary purpose of directly enhancing the public officer's or employee's financial interest or financial position. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

B. A public officer or employee shall be disqualified from engaging in any official act directly affecting the public officer's or employee's financial interest, except a public officer or employee shall not be disqualified from engaging in an official act if the financial benefit of the financial interest to the public officer or employee is proportionately less than the benefit to the general public.

C. No public officer during the term for which elected and no public employee during the period of employment shall acquire a financial interest when the public officer or employee believes or should have reason to believe that the new financial interest will be directly affected by the officer's or employee's official act.

History: 1953 Comp., § 5-12-4, enacted by Laws 1967, ch. 306, § 4; 1993, ch. 46, § 29; 2007, ch. 362, § 3; 2011, ch. 138, § 5.

10-16-4.1. Honoraria prohibited.

No legislator, public officer or employee may request or receive an honorarium for a speech or service rendered that relates to the performance of public duties. For the purposes of this section, "honorarium" means payment of money, or any other thing of value in excess of one hundred dollars (\$100), but does not include reasonable reimbursement for meals, lodging or actual travel expenses incurred in making the speech or rendering the service, or payment or compensation for services rendered in the normal course of a private business pursuit.

History: Laws 1993, ch. 46, § 38.

10-16-4.2. Disclosure of outside employment.

A public officer or employee shall disclose in writing to the officer's or employee's respective office or employer all employment engaged in by the officer or employee other than the employment with or service to a state agency or local government agency.

History: Laws 2007, ch. 362, § 10; 2011, ch. 138, § 6.

10-16-4.3. Prohibited employment.

It is unlawful for a state agency employee or local government agency employee who is participating directly or indirectly in the contracting process to become or to be, while such an employee, the employee of any person or business contracting with the governmental body by whom the employee is employed.

History: Laws 2011, ch. 138, § 1.

10-16-5. Repealed.

10-16-6. Confidential information.

No legislator or public officer or employee shall use or disclose confidential information acquired by virtue of the legislator's or public officer's or employee's position with a state agency or local government agency for the legislator's, public officer's or employee's or another's private gain.

History: 1953 Comp., § 5-12-6, enacted by Laws 1967, ch. 306, § 6; 1993, ch. 46, § 30; 2007, ch. 362, § 4; 2011, ch. 138, § 7.

10-16-7. Contracts involving public officers or employees.

A. A state agency shall not enter into a contract with a public officer or employee of the state, with the family of the public officer or employee or with a business in which the public officer or employee or the family of the public officer or employee has a substantial interest unless the public officer or employee has disclosed through public notice the public officer's or employee's substantial interest and unless the contract is awarded pursuant to a competitive process; provided that this section does not apply to a contract of official employment with the state. A person negotiating or executing a contract on behalf of a state agency shall exercise due diligence to ensure compliance with the provisions of this section.

B. Unless a public officer or employee has disclosed the public officer's or employee's substantial interest through public notice and unless a contract is awarded pursuant to a competitive process, a local government agency shall not enter into a contract with a public officer or employee of that local government agency, with the family of the public officer or employee or with a business in which the public officer or employee or the family of the public officer or employee has a substantial interest.

C. Subsection B of this section does not apply to a contract of official employment with a political subdivision. A person negotiating or executing a contract on behalf of a local government agency shall exercise due diligence to ensure compliance with the provisions of this section.

History: 1953 Comp., § 5-12-7, enacted by Laws 1967, ch. 306, § 7; 1983, ch. 90, § 1; 1989, ch. 264, § 26; 1993, ch. 46, § 31; 2007, ch. 362, § 5; 2009, ch. 66, § 11; 2011, ch. 138, § 8.

10-16-8. Contracts involving former public officers or employees; representation of clients after government service.

A. A state agency shall not enter into a contract with, or take any action favorably affecting, any person or business that is:

(1) represented personally in the matter by a person who has been a public officer or employee of the state within the preceding year if the value of the contract or action is in excess of one thousand dollars (\$1,000) and the contract is a direct result of an official act by the public officer or employee; or

(2) assisted in the transaction by a former public officer or employee of the state whose official act, while in state employment, directly resulted in the agency's making that contract or taking that action.

B. A former public officer or employee shall not represent a person in the person's dealings with the government on a matter in which the former public officer or employee participated personally and substantially while a public officer or employee.

C. A local government agency shall not enter into a contract with, or take any action favorably affecting, any person or business that is:

(1) represented personally in the matter by a person who has been a public officer or employee of that local government agency within the preceding year if the value of the contract or action is in excess of one thousand dollars (\$1,000) and the contract is a direct result of an official act by the public officer or employee; or

(2) assisted in the transaction by a former public officer or employee of that political subdivision of the state whose official act, while in employment with that political subdivision of the state, directly resulted in the agency's making that contract or taking that action.

D. For a period of one year after leaving government service or employment, a former public officer or employee shall not represent for pay a person before the state agency or local government agency at which the former public officer or employee served or worked.

History: 1953 Comp., § 5-12-8, enacted by Laws 1967, ch. 306, § 8; 1983, ch. 90, § 2; 1993, ch. 46, § 32; 2011, ch. 138, § 9.

10-16-9. Contracts involving legislators; representation before state agencies.

A. A state agency shall not enter into a contract for services, construction or items of tangible personal property with a legislator, the legislator's family or with a business in which the legislator or the legislator's family has a substantial interest unless the legislator has disclosed the legislator's substantial interest and unless the contract is awarded in accordance with the provisions of the Procurement Code [13-1-28 NMSA 1978], except the potential contractor shall not be eligible for a sole source or small purchase contract. A person negotiating or executing a contract on behalf of a state agency shall exercise due diligence to ensure compliance with the provisions of this subsection.

B. A legislator shall not appear for, represent or assist another person in a matter before a state agency, unless without compensation or for the benefit of a constituent, except for legislators who are attorneys or other professional persons engaged in the conduct of their professions and, in those instances, the legislator shall refrain from references to the legislator's legislative capacity except as to matters of scheduling, from communications on legislative stationery and from threats or implications relating to legislative actions.

History: 1953 Comp., § 5-12-9, enacted by Laws 1967, ch. 306, § 9; 1989, ch. 143, § 1; 1993, ch. 46, § 33; 2007, ch. 362, § 6.

10-16-10. Repealed.**10-16-11. Codes of conduct.**

A. By January 1, 1994, each elected statewide executive branch public officer shall adopt a general code of conduct for employees subject to his control. The New Mexico legislative council shall adopt a general code of conduct for all legislative branch employees. The general codes of conduct shall be based on the principles set forth in the Governmental Conduct Act.

B. Within thirty days after the general codes of conduct are adopted, they shall be given to and reviewed with all executive and legislative branch officers and employees. All new public officers and employees of the executive and legislative branches shall review the employees' general code of conduct prior to or at the time of being hired.

C. The head of every executive and legislative agency and institution of the state may draft a separate code of conduct for all public officers and employees in that agency or institution. The separate agency code of conduct shall prescribe standards, in addition to those set forth in the Governmental Conduct Act and the general codes of conduct for all executive and legislative branch public officers and employees, that are peculiar and appropriate to the function and purpose for which the agency or institution was created or exists. The separate codes, upon approval of the responsible executive branch public officer for executive branch public officers and employees or the New Mexico legislative council for legislative branch employees, govern the conduct of the public officers and employees of that agency or institution and, except for those public officers and employees removable only by impeachment, shall, if violated, constitute cause for dismissal, demotion or suspension. The head of each executive and legislative branch agency shall adopt ongoing education programs to advise public officers and employees about the codes of conduct. All codes shall be filed with the secretary of state and are open to public inspection.

D. Codes of conduct shall be reviewed at least once every four years. An amended code shall be filed as provided in Subsection C of this section.

E. All legislators shall attend a minimum of two hours of ethics continuing education and training biennially.

History: 1953 Comp., § 5-12-11, enacted by Laws 1967, ch. 306, § 11; 1969, ch. 93, § 1; 1993, ch. 46, § 34; 2003, ch. 33, § 1.

10-16-11.1. State agency or local government agency authority.

Nothing in the Governmental Conduct Act shall be construed to preclude a state agency or local government agency from adopting and publishing ordinances, rules or standards that are more stringent than those required by the Governmental Conduct Act.

History: Laws 2011, ch. 138, § 13.

10-16-12. Repealed.**10-16-13. Prohibited bidding.**

No state agency or local government agency shall accept a bid or proposal from a person who directly participated in the preparation of specifications, qualifications or evaluation criteria on which the specific competitive bid or proposal was based. A person accepting a bid or proposal on

behalf of a state agency or local government agency shall exercise due diligence to ensure compliance with this section.

History: 1953 Comp., § 5-12-13, enacted by Laws 1967, ch. 306, § 13; 2007, ch. 362, § 7; 2011, ch. 138, § 10.

10-16-13.1. Education and voluntary compliance.

A. The secretary of state shall advise and seek to educate all persons required to perform duties under the Governmental Conduct Act of those duties. This includes advising all those persons at least annually of that act's ethical principles.

B. The secretary of state shall seek first to ensure voluntary compliance with the provisions of the Governmental Conduct Act. A person who violates that act unintentionally or for good cause shall be given ten days' notice to correct the matter. Referrals for civil enforcement of that act shall be pursued only after efforts to secure voluntary compliance with that act have failed.

History: 1978 Comp., § 10-16-13.1, enacted by Laws 1993, ch. 46, § 35.

10-16-13.2. Certain business sales to the employees of state agencies and local government agencies prohibited.

A. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to an employee supervised by the public officer or employee. A public officer or employee shall not receive a commission or shall not profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to an employee supervised by the public officer or employee. The provisions of this subsection shall not apply if the supervised employee initiates the sale. It is not a violation of this subsection if a public officer or employee, in good faith, is not aware that the employee to whom the goods, services, construction or items of tangible personal property are being sold is under the supervision of the public officer or employee.

B. A public officer or employee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property, directly or indirectly through the public officer's or employee's family or a business in which the public officer or employee has a substantial interest, to a person over whom the public officer or employee has regulatory authority.

C. A public officer or employee shall not receive a commission or profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to a person over whom the public officer or employee has regulatory authority.

D. A public officer or employee shall not accept from a person over whom the public officer or employee has regulatory authority an offer of employment or an offer of a contract in which the public officer or employee provides goods, services, construction, items of tangible personal property or other things of value to the person over whom the public officer or employee has regulatory authority.

History: Laws 2007, ch. 362, § 8; 2011, ch. 138, § 11.

10-16-13.3. Prohibited contributions; financial service contractors.

A. A business that contracts with a state agency or local government agency to provide financial services involving the investment of public money or issuance of bonds for public projects shall not knowingly contribute anything of value to a public officer or employee of that state agency or local government agency who has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects in the state.

B. A public officer or employee of a state agency or local government agency that has authority over the investment of public money or issuance of bonds, the revenue of which is used for public projects in the state, shall not knowingly accept a contribution of anything of value from a business that contracts with that state agency or local government agency to provide financial services involving the investment of public money or issuance of bonds for public projects.

C. For the purposes of this section:

(1) "anything of value" means any money, property, service, loan or promise, but does not include food and refreshments with a value of less than one hundred dollars (\$100) consumed in a day; and

(2) "contribution" means a donation or transfer to a recipient for the personal use of the recipient, without commensurate consideration.

History: Laws 2007, ch. 362, § 11; 2011, ch. 138, § 12.

10-16-14. Enforcement procedures.

A. The secretary of state may refer suspected violations of the Governmental Conduct Act to the attorney general, district attorney or appropriate state agency or legislative body for enforcement. If a suspected violation involves the office of the secretary of state, the attorney general may enforce that act. If a suspected violation involves the office of the attorney general, a district attorney may enforce that act.

B. Violation of the provisions of the Governmental Conduct Act by any legislator is grounds for discipline by the appropriate legislative body.

C. If the attorney general determines that there is sufficient cause to file a complaint against a public officer removable only by impeachment, he shall refer the matter to the house of representatives of the legislature. If within thirty days after the referral the house of representatives has neither formally declared that the charges contained in the complaint are not substantial nor instituted hearings on the complaint, the attorney general shall make public the nature of the charges, but he shall make clear that the merits of the charges have never been determined. Days during which the legislature is not in session shall not be included in determining the thirty-day period.

D. Violation of the provisions of the Governmental Conduct Act by any public officer or employee, other than those covered by Subsection C of this section, is grounds for discipline, including dismissal, demotion or suspension. Complaints against executive branch employees may be filed with the agency head and reviewed pursuant to the procedures provided in the Personnel Act [10-9-1 NMSA 1978]. Complaints against legislative branch employees may be filed with and reviewed pursuant to procedures adopted by the New Mexico legislative council. Complaints against judicial branch employees may be filed and reviewed pursuant to the procedures provided in the judicial personnel rules.

E. Subject to the provisions of this section, the Governmental Conduct Act may be enforced by the attorney general. Except as regards legislators or statewide elected officials, a district attor-

ney in the county where a person resides or where a violation occurred may also enforce that act. Enforcement actions may include seeking civil injunctive or other appropriate orders.

History: 1953 Comp., § 5-12-14, enacted by Laws 1967, ch. 306, § 14; 1993, ch. 46, § 36.

10-16-15. Repealed.

10-16-16. Recompiled.

10-16-17. Criminal penalties.

Unless specified otherwise in the Governmental Conduct Act, any person who knowingly and willfully violates any of the provisions of that act is guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year or both. Nothing in the Governmental Conduct Act shall preclude criminal prosecution for bribery or other provisions of law set forth in the constitution of New Mexico or by statute.

History: Laws 1993, ch. 46, § 37.

10-16-18. Enforcement; civil penalties.

A. If the secretary of state reasonably believes that a person committed, or is about to commit, a violation of the Governmental Conduct Act, the secretary of state shall refer the matter to the attorney general or a district attorney for enforcement.

B. The attorney general or a district attorney may institute a civil action in district court if a violation has occurred or to prevent a violation of any provision of the Governmental Conduct Act. Relief may include a permanent or temporary injunction, a restraining order or any other appropriate order, including an order for a civil penalty of two hundred fifty dollars (\$250) for each violation not to exceed five thousand dollars (\$5,000).

History: Laws 1995, ch. 153, § 23.

ARTICLE 16A

Financial Disclosures

- Sec.
10-16A-1. Short title; Financial Disclosure Act.
10-16A-2. Definitions.
10-16A-3. Required disclosures for certain candidates and public officers and employees; condition for placement on ballot or appointment.

- Sec.
10-16A-4. Disclosures by certain public officers or employees of state agencies; condition of employment.
10-16A-5. Education and voluntary compliance.
10-16A-6. Investigations; binding arbitration; fines; enforcement.
10-16A-7. Criminal penalties.
10-16A-8. Enforcement; civil penalties.

10-16A-1. Short title; Financial Disclosure Act.

Sections 39 through 45 [10-16A-1 to 10-16A-7 NMSA 1978] [and 10-16A-8 NMSA 1978] of this act may be cited as the "Financial Disclosure Act".

ARTICLE 16B

Gift Act

Sec.
10-16B-1. Short title.
10-16B-2. Definitions.

Sec.
10-16B-3. Limitation on gifts.
10-16B-4. Penalties.

10-16B-1. Short title.

This act may be cited as the "Gift Act".

History: Laws 2007, ch. 226, § 1.

10-16B-2. Definitions.

As used in the Gift Act:

- A. "family" means a spouse and dependent children;
- B. "gift" means any donation or transfer without commensurate consideration of money, property, service, loan, promise or any other thing of value, including food, lodging, transportation and tickets for entertainment or sporting events, but does not include:
 - (1) any activity, including but not limited to the acceptance of a donation, transfer or contribution, or the making of an expenditure or reimbursement, that is authorized by the Campaign Reporting Act [1-19-25 NMSA 1978] or the Federal Election Campaign Act of 1971, as amended;
 - (2) a gift given under circumstances that make it clear that the gift is motivated by a family relationship or close personal relationship rather than the recipient's position as a state officer or employee or candidate for state office;
 - (3) compensation for services rendered or capital invested that is:
 - (a) normal and reasonable in amount;
 - (b) commensurate with the value of the service rendered or the magnitude of the risk taken on the investment;
 - (c) in no way increased or enhanced by reason of the recipient's position as a state officer or employee or candidate for state office; and
 - (d) not otherwise prohibited by law;
 - (4) payment for a sale or lease of tangible or intangible property that is commensurate with the value of the services rendered and is in no way increased or enhanced by reason of the recipient's position as a state officer or employee or candidate for state office;
 - (5) a commercially reasonable loan made in the ordinary course of the lender's business on terms that are available to all similarly qualified borrowers;
 - (6) reimbursement for out-of-pocket expenses actually incurred in the course of performing a service for the person making the reimbursement;
 - (7) any gift accepted on behalf of and to be used by the state or a political subdivision of the state, including travel, subsistence and related expenses accepted by a state agency in connection with a state officer's or employee's official duties that take place away from the state official's or employee's station of duty;
 - (8) anything for which fair market value is paid or reimbursed by the state officer or employee or candidate for state office;
 - (9) reasonable expenses for a bona fide educational program that is directly related to the state officer's or employee's official duties; or

(10) a retirement gift;

C. "market value" means the retail cost a person would incur to purchase a gift;

D. "restricted donor" means a person who:

(1) is or is seeking to be a party to any one or any combination of sales, purchases, leases or contracts to, from or with the agency in which the donee holds office or is employed;

(2) will personally be, or is the agent of a person who will be, directly and substantially affected financially by the performance or nonperformance of the donee's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region;

(3) is personally, or is the agent of a person who is, the subject of or party to a matter that is pending before a regulatory agency and over which the donee has discretionary authority as part of the donee's official duties or employment within the regulatory agency; or

(4) is a lobbyist or a client of a lobbyist with respect to matters within the donee's jurisdiction; and

E. "state officer or employee" means any person who has been elected to, appointed to or hired for any state office and who receives compensation in the form of salary or is eligible for per diem or mileage.

History: Laws 2007, ch. 226, § 2.

10-16B-3. Limitation on gifts.

A. A state officer or employee or a candidate for state office, or that person's family, shall not knowingly accept from a restricted donor, and a restricted donor shall not knowingly donate to a state officer or employee or a candidate for state office, or that person's family, a gift of a market value greater than two hundred fifty dollars (\$250).

B. A lobbyist registered with the secretary of state, the lobbyist's employer or a government contractor shall not donate gifts of an aggregate market value greater than one thousand dollars (\$1,000) in a calendar year to any one state officer or employee or to any one candidate for state office.

C. A state officer or employee shall not solicit gifts for a charity from a business or corporation regulated by the state agency for which the state officer or employee works and shall not otherwise solicit donations for a charity in such a manner that it appears that the purpose of the donor in making the gift is to influence the state officer or employee in the performance of an official duty.

History: Laws 2007, ch. 226, § 3.

10-16B-4. Penalties.

A person who violates the provisions of the Gift Act is guilty of a petty misdemeanor and upon conviction shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978.

History: Laws 2007, ch. 226, § 4.

CITY OF CLOVIS

Municipal Budget

2022 Fiscal Year from 7/01/21 to 6/30/22

FUND DEPT FUND		UNAUDITED			REVENUES--			NET			EXPENSES--			ESTIMATED	
REF	NO. DESCRIPTION	CASH	TAXES	SERVICE	GRANTS	OTHER	REVENUE	TRANSFERS	PERSONNEL	OPERATING	CAPITAL	BOND	EXPENDITURES	CASH	
(1)	(2)	(3)		CHARGES			(4)	(5)	SERVICES	EXPENSES	OUTLAY	LEASE	(6)	BALANCE	
												PMINTS		(7)	
1	Sched General	5,993,048	19,703,541	2,683,500		134,656	22,521,697	3,709,515	20,191,881	7,098,970	610,544	0	27,901,395	4,322,865	
2	Sched Sanitation	2,027,970		5,333,030		162,350	5,495,380	(803,692)	2,397,197	2,241,813	284,112	485,000	5,408,122	1,311,536	
3	Municipal Road	3,224	105,000				105,000	(107,224)					0	1,000	
4	1301 Recreation	39,809					0	272,107	246,722	64,194			310,916	1,000	
5	1401 Senior Services	103,632					70,083	234,896	287,146	120,466			407,612	999	
6	Environmental Tax	8,202,421	485,000			21,500	506,500	15,000		15,000			15,000	8,693,921	
7	1501 Fire	740,290			716,370		716,370			571,932	884,728		1,456,660	0	
8	Sewer Impact Fees	295,136		20,000			20,000							315,136	
10	1602 Wastewater	3,707,596		3,523,366	3,715,350	110,500	7,349,216	(775,237)	1,024,716	1,696,128	3,692,358	715,910	7,129,112	3,152,463	
12	1701 Airport	153		1,353,231	3,627,598	300	4,981,129	(1,049,126)	299,830	971,384	2,631,942	28,000	3,931,156	1,000	
13	1801 Ned Houk Park	151,295			1,181,637		1,181,637	278,199	165,270	113,902	1,330,959		1,610,131	1,000	
14	1901 Library	56,554		19,200	75,300		94,500	810,393	701,897	258,549			960,446	1,001	
19	Colonial Golf Course	101,906		881,119			881,119	362,867		1,344,891			1,344,891	1,001	
24	2015 Street Imp Bonds	10,972					0			10,933			10,933	39	
40	Street bonds debt service	29,406				500	500	498,525				498,525	498,525	29,906	
41	Landfill Debt Service	99,668				1,000	1,000	544,692				544,694	544,694	100,666	
42	2015 Street Debt Service	20,307				1,000	1,000	407,100				407,100	407,100	21,307	
44	WWTP IMPROVEMENTS DEBT S	72,491				1,000	1,000	366,559				366,559	366,559	73,491	
45	Drainage Debt Service	0					0	236,593					236,593	0	
47	Park & Infra Debt Service	168,246				1,500	1,500	416,916		689,215		417,006	417,006	169,656	
48	Sched Worker's Comp P&U/Human Resol	2,285,171				969,416	969,416	(1,900)	242,667				931,882	2,300,806	
49	Vet Fund	2,983					0						0	2,983	
50	Municipal Court Fund	1,829					0						0	1,829	
53	5301 Unemployment Reserve	1,136,936				95,609	95,609			40,000			40,000	1,192,545	
60	Infrastructure Improvements	1,101,443	480,000			3,000	483,000	(200,000)		13,000			13,000	1,371,443	
61	6100 Special Parks Improvements	630,001	480,000			800	480,800	(460,395)		13,000			13,000	637,406	
62	6200 Civic Center	619,336	480,000			52,000	958,121	(91,750)		762,449	60,000		822,449	663,258	
63	Sched Special Designated Revenues Fun	2,100,180		426,121		750	192,300	(522,190)					0	1,770,290	
64	Mun Infrastructure GRT - Econ Dev	3,423,981	1,016,857	50,900		6,000	1,073,757	(341,850)		737,600	400,000		1,137,600	3,018,288	
65	Sched 1/4% Capital Outlay Fund	1,351,599	1,940,000			5,100	1,945,100	(894,968)		60,000			60,000	2,341,731	
66	6600 1/4% GRT - Dedicated to Ute Wate	5,372,086	1,751,703			50,000	1,801,703			1,348,997			1,348,997	5,824,792	
67	WWTP-Replacement Reserve	466,400				1,000	1,000						0	467,400	
68	WWTP-Debt Service Reserve	570,470				1,000	1,000						0	571,470	
72	7003 EMS Grant	0			17,155		17,155			17,155			17,155	0	
75	Sched Special Streets	1,069,137	2,448,351			1,000	2,449,351	209,723	1,711,180	1,731,863	244,169	40,000	3,727,212	999	
76	Sched Clovis Recycling	0			30,915	5,000	35,915	(6,437)		29,478			29,478	0	
77	7700 Lodging Tax (3%)	831,568	575,000			1,900	576,900	(765,367)		58,050			58,050	585,051	
78	7800 Lodging Tax Promotional	1,154,168				5,000	5,000	242,500		391,717			391,717	1,009,951	
79	Industrial	1,173					0						0	1,173	
84	Sched Fire & Police Improvements						0		0				0	0	
86	Special Fire & Police	139,471	1,920,000			1,000	1,921,000	(2,011,471)		48,000			48,000	1,000	
87	Sched Capital Projects	836,742		966,819		2,500	969,319	(96,052)		1,281,510	104,600		1,386,110	323,899	
88	8800 Drainage Improvements	1,189,731	480,000			5,000	485,000			159,802			159,802	1,514,929	
89	Local Govt Correction	15,441		90,000			90,000	(104,441)					0	1,000	
90	9000 Law Enforcement Protection	0			54,000	0	54,000	(252,597)	948,537	54,000			54,000	0	
92	Sched Clovis Area Transit System	76,771		44,000	1,658,903		1,702,903			337,985	152,780		1,439,302	87,775	
94	9400 American Rescue Plan	0			4,734,645		4,734,645			0	4,734,645		4,734,645	0	
96	Sched Department of Justice	153			38,357		38,357	(9,725)		28,632			28,632	153	
97	Sched Intergovernmental Grants	0			272,558		272,558	(86,140)	93,901	92,517			186,418	(0)	
98	Drug Control Fund	19,776			152,994		152,994	(10,021)		142,478			142,478	20,271	
TOTAL		46,200,672	31,865,452	15,582,836	16,345,865	1,640,382	65,434,535	(0)	28,310,944	22,545,610	15,130,837	3,739,387	69,726,778	41,908,428	

CITY OF CLOVIS

Municipal Budget

2022 Fiscal Year from 7/01/21 to 6/30/22

2022 Fiscal Year from 7/01/21 to 6/30/22													
FUND DEPT FUND		UNAUDITED			NET			EXPENSES			EXPENDITURES		ESTIMATED
REF NO.	DESCRIPTION	CASH BALANCE (3)	TAXES	REVENUES-- SERVICE CHARGES	GRANTS	OTHER	REVENUE (4)	TRANSFERS (5)	PERSONNEL SERVICES SALARIES	OPERATING EXPENSES REFLECT MOVE TO \$12.00 MINIMUM WAGE	CAPITAL OUTLAY	BOND LEASE PMNTS	CASH BALANCE (7)
GENERAL FUND:													
1	101								145,059	323,900			468,959
1	102									268,000			268,000
1	103								419,350	201,915			621,265
1	104									32,700			36,885
1	105								729,311	804,817			1,534,128
1	106								40,355	109,994	9,259		159,608
1	108								347,911	85,289			433,200
1	109	Combined with Finance 010105							824,873	108,940	45,889		0
1	201												0
1	202	Under supervision of Parks - moved to 010601								18,800			18,800
1	205								290,199	512,400			802,599
1	207									3,430			3,430
1	208												
1	209												
1	301												
1	401								7,052,580	1,439,301	284,280		8,776,161
1	501								341,596	99,801			441,397
1	604	ADDING 6 ADDITIONAL FIREFIGHTERS							7,971,612	1,106,439	216,000		9,294,051
1	701									420,000			420,000
1	801								243,080	73,351			316,431
1	802								1,142,240	842,298	25,000		2,009,538
1	804										30,116		0
1	901								543,900	595,938			1,169,954
1	1001	1/2 EMERGENCY MGMT DIRECTOR SALARY and 1/4 ADMIN ASST PAID IN FUND 97	0	0	0	0	0	0	95,630	51,657	610,544		147,287
SENIOR SERVICES FUND													
5	1401								231,437	105,286			336,723
5	1402	GRANT FUNDING							55,709	15,180	0		70,889
SANITATION FUND:													
2	1101								1,888,730	821,167	214,112		2,924,009
2	1102				0	0	0	0	508,467	1,420,646	70,000	485,000	2,484,113
WORKER'S COMPENSATION FUND:													
48	4801									500,000			500,000
48	4802				0	0	0	0	242,667	189,215	0	0	431,882
SPECIAL STREETS FUND:													
75	601								1,183,723	1,475,086	185,000	40,000	2,883,809
75	602									121,655			140,077
75	603								405,802	238,355	59,169		703,326

CITY OF CLOVIS

Municipal Budget
2022 Fiscal Year from 7/01/21 to 6/30/22

FUND DEPT FUND #REF NO. DESCRIPTION (1) (2)	UNAUDITED			NET			ESTIMATED						
	CASH BALANCE (3)	REVENUES-- TAXES	SERVICE CHARGES	GRANTS	OTHER	REVENUE (4)	TRANSFERS (5)	EXPENSES-- PERSONNEL SERVICES	EXPENSES-- OPERATING	CAPITAL OUTLAY	BOND LEASE PMINTS	EXPENDITURES (6)	CASH BALANCE (7)
SALES TAX FUND													
87 8702 Main Street				100,000				253,983		0		253,983	
87 8703 City parks								127,479		104,600		232,079	
87 8709 Chamber/BEC								2,973				2,973	
87 8711 MLK								116,074				116,074	
87 8712 Senior Services								250,000				250,000	
87 8716 City roads								531,001				531,001	
				100,000	0			1,281,510		104,600		1,386,110	
CLOVIS AREA TRANSIT FUND:													
92 9270 Operations								743,251	276,052			1,019,303	
92 9271 Administration								205,286	61,933	152,780		419,999	
				0				948,537	337,985	152,780		1,439,302	
DEPARTMENT OF JUSTICE													
INTERGOVERNMENTAL GRANTS													
97 9701 EMERGENCY MANAGEMENT GRANTS								46,466	78,943			125,409	
97 9702 POLICE GRANTS								47,435	13,574			61,009	
TOTAL DEPT OF JUSTICE				0				93,901	92,517			186,418	

SUMMARY BY FUND TYPE:

SUMMARY BY FUND TITLE													
FUND DEPT FUND		UNAUDITED			REVENUES--			NET			EXPENDITURES		
NO. NO. DESCRIPTION	(1) (2)	CASH BALANCE	TAXES	SERVICE CHARGES	GRANTS	OTHER	REVENUE	TRANSFERS	PERSONNEL SERVICES	OPERATING EXPENSES	CAPITAL OUTLAY	BOND LEASE PRINTS	(6)
		(3)					(4)	(5)					
General Fund		5,993,048	19,703,541	2,683,500	0	134,656	22,521,697	3,709,515	20,191,881	7,098,970	610,544	0	27,901,395
Special Revenue Funds		28,688,377	12,161,911	841,771	9,002,917	158,050	22,164,649	(3,816,759)	4,154,653	7,170,766	7,807,281	40,000	19,172,700
Trust Funds		4,812						0	0	0		0	0
Capital Projects		836,742	0	966,819	0	2,500	969,319	(96,052)	0	1,281,510	104,600	0	1,386,110
Enterprise		5,837,625	0	11,090,746	7,342,948	273,150	18,706,844	(2,265,188)	3,721,743	6,254,216	6,608,412	1,228,910	17,813,281
Internal Service		3,402,107		0		1,065,026	1,065,026	(1,900)	242,667	729,215	0	0	971,882
Debt Service		1,437,961				7,000	7,000	2,470,385	0	10,933		2,470,477	2,481,410
													0
TOTAL		46,200,672	31,865,452	15,582,836	16,345,865	1,640,382	65,434,535	0	28,310,944	22,545,610	15,130,837	3,739,387	69,726,718
Gen Fund taxes to Gen Fund Rev			37%										41,908,428
Total taxes to total Revenue			49%						72%				
									41%				

Designated Cash Reserves Not Budgeted at 6/30/22

General Fund 01	2,325,116
St Mandate - 1/12	2,325,116

DESIGNATED

ICMA Forfeiture - 07/18/2021

94,656

UNDESIGNATED
TOTAL AVAILABLE1,903,093
1,997,749

PROPERTY TAX VALUATION:

Number of Employees:

Elected officials	10
Full Time	401
Part Time	12
Seasonal	23
Total	446

2022 Fiscal Year from 7/01/21 to 6/30/22

[illegible]

CITY OF CLOVIS

Municipal Budget
2022 Fiscal Year from 7/01/21 to 6/30/22

FUND DEPT FUND REF NO. DESCRIPTION (1) (2)	UNAUDITED					NET					ESTIMATED				
	CASH BALANCE (3)	TAXES	REVENUES-- SERVICE CHARGES	GRANTS	OTHER	REVENUE (4)	TRANSFERS (5)	EXPENSES-- PERSONNEL SERVICES	CAPITAL OUTLAY	BOND LEASE PMNTS	EXPENDITURES (6)	CASH BALANCE (7)			
SUMMARY BY FUND TYPE:															
FUND DEPT FUND NO. NO. DESCRIPTION (1) (2)	CASH BALANCE (3)	TAXES	REVENUES-- SERVICE CHARGES	GRANTS	OTHER	REVENUE (4)	TRANSFERS (5)	EXPENSES-- PERSONNEL SERVICES	CAPITAL OUTLAY	BOND LEASE PMNTS	EXPENDITURES (6)				
General Fund	5,993,048	19,703,541	2,693,500	0	134,656	22,521,697	3,709,515	20,191,881	7,098,970	610,544	27,901,395	4,322,865			
Special Revenue Funds	28,688,377	12,161,911	841,771	9,002,917	158,050	22,164,649	(3,816,759)	4,154,653	7,170,766	40,000	19,172,700	27,963,567			
Trust Funds	4,812	0	0	0	0	0	0	0	0	0	0	4,812			
Capital Projects	836,742	0	966,819	0	2,500	969,319	(96,052)	0	1,281,510	0	1,386,110	323,899			
Enterprise	5,837,625	0	11,090,746	7,342,948	273,150	18,706,844	(2,265,188)	3,721,743	6,254,216	1,228,910	17,813,281	4,466,000			
Internal Service	3,402,107	0	0	0	1,065,026	1,065,026	(1,900)	242,667	729,215	0	971,882	3,493,351			
Debt Service	1,437,961	0	0	0	7,000	7,000	2,470,385	0	10,933	2,470,477	2,481,410	1,433,936			
TOTAL	46,200,672	31,865,452	15,582,836	16,345,865	1,640,382	65,434,535	0	28,310,944	22,545,610	15,130,837	69,726,778	41,908,428			
Gen Fund taxes to Gen Fund Rev												87%			
Total taxes to total Revenue												49%			
Total payroll to total Exp												72%			
												41%			

Designated Cash Reserves Not Budgeted at 6/30/22

General Fund 01			2,325,116
St Mandate - 7/12			2,325,116

DESIGNATED

ICMA Forfeiture - 07/18/2021

94,656

UNDESIGNATED
TOTAL AVAILABLE

1,903,093
1,997,749

PROPERTY TAX VALUATION:

2019	OPERATING
FINAL	TAX RATE
VALUATION	
476,223,110	0.003413
159,486,268	0.003725
635,709,378	
TOTAL COLLECTION	
COUNTY COLLECTION RATE 97.82	

COLLECTION
1,589,906
581,135
2,171,041

Number of Employees:
Elected officials
Full Time
Part Time
Seasonal
Total

10
401
12
23
446



CITY OF CLOVIS

EMPLOYEE BENEFITS GUIDE



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WELCOME

We know your benefits are important to you and to your family. We also know that you lead busy lives, and it can be hard to find time to read complicated insurance materials. For that reason, we created this easy to understand and use benefit guide. This guide provides information about the options available to you as a benefits-eligible employee of City of Clovis.



This Benefit Guide provides only a brief description of your benefit plans. We have attempted to describe important details of the plans in a clear, simple, and concise manner. If there is a conflict between this Guide and the wording of the Certificate of Coverage, The Certificate will prevail. City of Clovis reserves the right to change or modify their benefit plan at any time.



OVERVIEW

ELIGIBILITY

Employees who work 20 or more hours a week are eligible for benefits on the first of the month following date of hire. You may also enroll your eligible dependents in the benefit plans when you enroll.

Eligible dependents include:

- Your legal spouse
- Your children up to the age 26, regardless of full-time student status, marital status or financial dependency

Under the plan, your child(ren) include your natural children, step-child(ren), legally adopted children and any other child(ren) for whom you have legal guardianship. (Legal guardianship is established by the courts).

When You Can Enroll

You can sign up for benefits at any of the following times:

- Within 31 days of the date you are first eligible to participate
- During the annual open enrollment period
- Within 30 days of a qualifying event change
- If you do not enroll at the above times, you must wait for the next annual open enrollment

QUALIFYING EVENT

In most cases, your benefit elections remain in effect until the next open enrollment period. However, you may be able to change your benefit choices during the year if you have a change in status including:

- Change in Marital Status
- Change in Employment Status: Termination, reduction in hours (FT to PT)
- Entitlement to Medicare/Medicaid for you or your dependents
- Gain/Loss of other coverage
- Dependent no longer satisfies eligibility
- Judgments or Orders: Resulting from a divorce, legal separation or change in legal custody (such as a Qualified Medical Child Support Order (QMCSO)).
- Birth or adoption of a child
- Death of a dependent family member

You must contact the Finance Department within 30 days of the change. If you do not notify them within 30 days you must wait until annual open enrollment to make the benefit changes.

You may be asked to show supporting documents depending on the qualifying event.



YOUR MEDICAL PLAN

We want to provide our employees with access to quality medical coverage. As medical care gets more expensive over the years, we still need insurance to help protect not only our physical fitness, but our financial fitness as well. City of Clovis offers the Open Access Plus (OAP) plan through Cigna, which helps you do both.

YOUR PROVIDER NETWORK

This plan utilizes Cigna's Open Access Plus provider network. With Open Access Plus, you have the flexibility to choose any provider to receive benefits. However, if you go to a provider who is part of the Cigna Open Access Plus network you will likely pay less because In-Network providers have agreed to charge lower, negotiated rates. For more info visit myCigna.com.

PREVENTIVE CARE

Our Medical plan cover In-Network preventive care at 100% (no deductible applies). This includes routine health care services to maintain your health and prevent disease, including services such as annual physical exams, well-woman exams, certain immunizations, and more. Preventive services received at Out-Of-Network providers are not covered, so be sure to use Cigna contracted providers. To ensure the visit remains covered at 100%, please confirm all treatments are preventive only as defined by your plan. For more information on covered Preventive Care services login to your member profile at myCigna.com.

What isn't Preventive: If abnormal test results or a diagnosis is determined during a preventive care service, the visit could be considered diagnostic, not preventive. An example of diagnostic care would be having a polyp removed during a colonoscopy.



Medical Plan		
Cigna Plan Name	Open Access Plus (OAP) PPO Plan	
	<i>In-Network</i>	<i>Out-Of-Network</i>
Calendar Year Deductible Individual Family	\$1,000 \$3,000	\$10,000 \$20,000
Out of Pocket Maximum Individual Family	\$4,000 \$8,000	\$20,000 \$40,000
Coinsurance	You pay 20% after deductible	You pay 50% after deductible
Preventive Care (As billed by phys.)	Plan pays 100%	Not Covered
Office Visit	\$30	You pay 50% after deductible
Specialist Visit	\$60	You pay 50% after deductible
Urgent Care	\$75	You pay 50% after deductible
Emergency Room	\$250	\$250
Lab & X-ray (Independent lab, Outpatient facility)	Plan pays 100%	You pay 50% after deductible
Diagnostic Imaging (MRI's, Pet Scans)	\$150	You pay 50% after deductible
Inpatient Hospital	Deductible then Plan Pays 80%	You pay 50% after deductible
Outpatient Hospital	Deductible then Plan Pays 80%	You pay 50% after deductible
Prescription Drugs 30 days 90 days	\$15/\$40/\$80 2.5 x Retail Copay	Not Covered
	Employee Share	City Share
Employee Only Per Pay Period (24)	\$35.34	\$318.07
Emp + Family Per Pay Period (24)	\$83.14	\$748.32



Making health care decisions can be confusing. There are so many questions: Are you paying too much for a prescription? Is this hospital in your network? How can you make healthier choices? Cigna One Guide service is there to help you find answers to questions like these and many more.

One Guide solution combines digital technology with personalized customer service. With One Guide, you have the one-on-one support you need to take control of your health and your health spending. Your Cigna One Guide representative can assist in resolving health care issues, saving you time and money, finding the right In-Network provider, getting cost estimates, understanding your bills or exploring ways to improve your health.

You can access a personal guide via app, chat, online or phone, when you need guidance, support or answers.

Please call 1-888-806-5094 to speak with a representative today.

CIGNA'S 24-HOUR HEALTH INFORMATION LINE

Using one toll-free number, you and your family can speak with Registered Nurses on health-related adult and pediatric issues and get help making informed healthcare decisions on topics such as:

- Preventive Care
- Diseases
- Drugs
- Diagnostic and surgical procedures

Nurses can also assist callers with choosing appropriate medical care and preparing questions to discuss with your physician about treatment plans. When appropriate, the nurses will suggest care either through self-care techniques, a provider appointment or, if needed, a visit to the urgent care or emergency room.

There is also a library of recorded health-related programs in English and Spanish; they are also available as a podcast on **myCigna.com**.

Please call: 1-800-244-6224



MOBILE APP



Access your health plan anytime and anywhere you go.

The myCigna Mobile App is all about helping you stay organized and in control of your health. Options include:

- **ID cards.** View, print or send ID card information (front and back) right from your mobile device.
- **Claims.** View, search and bookmark claims quickly.
- **Account balances.** Instantly access your out of pocket maximums and deductibles.
- **Cigna Home Delivery Pharmacy.** Manage your prescriptions right from your mobile device.
- **Drug search.** Look up drugs and compare actual costs at pharmacies nationwide.
- **Provider search.** Research quality and cost of In-Network doctors and pharmacies.
- **Medical procedure search.** Look up common procedures and compare costs of providers.
- **What's covered.** View your plan coverage and details.
- **Health incentives.** Track progress toward achieving your goals and awards.
- **Health wallet.** Organize and manage your health information and contacts.



Download the myCigna® App
Now with fingerprint access,
the myCigna® app makes it
easier than ever to stay
in-network and save.
Download the app today.*

THE CIGNA DIABETES PROGRAM IN COLLABORATION WITH OMADA

This program is a digital lifestyle and behavior change program focused on reducing the risk of diabetes through healthy weight loss. This program includes the following support: Omada professional health coaches, social support groups and interactive online training lessons on healthy eating, physical activity, sleep and stress.

GINGER

Ginger offers confidential mental healthcare through behavioral health coaching via text-based chats, self-guided learning activities and content, and video-based therapy and psychiatry. Support is available anytime (we're serious about 24/7/365), anywhere (we go where your phone goes), for a variety of mental health challenges you may be struggling with—all from the privacy of your smartphone. With a behavioral health coach, anyone can get personalized support to help overcome life challenges and reach goals in their moment of need. Coaches can help with any issue you're struggling with such as stress, anxiety, depression, issues with work, relationships, sleep, and more. Get started and sign up today: <https://www.ginger.com/cigna>.



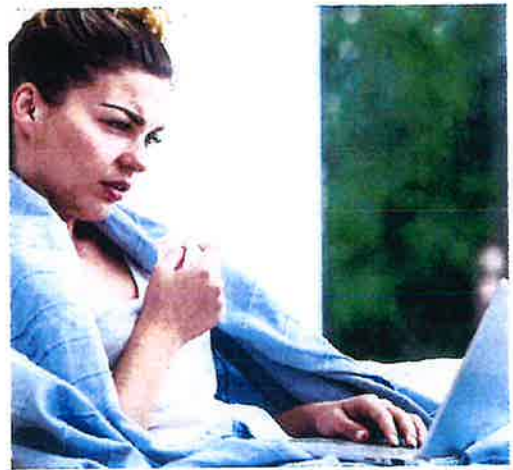
CIGNA TELEHEALTH CONNECTION

If you are enrolled in the Cigna medical plan, you have access to telehealth services as part of your medical plan – **MD Live**.

Cigna Telehealth Connection lets you get the care you need, including most prescriptions when you can't get to your doctor for a wide range of minor conditions. You can connect with a board-certified doctor via secure video chat or phone, without leaving your home or office.

Say it's the middle of the night and your child is sick or you're at work and not feeling well. If you pre-register for either AmWell or MDLive, you can speak with a doctor for help with non-urgent conditions such as:

- Cold & flu symptoms
- Allergies
- Sore throat
- Rash
- Stomachache
- Acne
- UTIs and more



These virtual visits cost less than going to a convenience or urgent care clinic, and much less than going to the emergency room. With your plan it will be **\$10** a visit.

Signing up is easy!

- Set up and create an account with MDLIVE
- Complete a medical history using their "virtual clipboard"
- Download vendor app to your smartphone/mobile device

Register for one or both today so you'll be ready to use a telehealth service when you need it.

MDLIVEforCigna.com | 888-726-3171

MOTIVATE ME

This program gives you the opportunity to earn rewards for taking charge of your health. Activities include Preventive Exam (\$75 gift card), Personal Health Assessment (\$25 gift card), Onsite biometric screening (\$25 gift card), Apps & Activities (\$25 gift card), Diabetes prevention (\$25 gift card). Total incentives are capped at \$100.

You will login to **myCigna.com** for information on your rewards and progress within the program.



DENTAL

UNITED CONCORDIA®

City of Clovis offers the choice of two dental plan options through United Concordia.

Both plans use the **Elite Plus** Network. With both dental plans you can visit any licensed dentist and still have coverage but you will save more by going to an In-Network Dentist.

Premiums	Low Plan Per Pay Period (24)	High Plan Per Pay Period (24)
Employee	\$8.19	\$12.86
Emp + Spouse	\$16.19	\$25.42
Emp + Child(ren)	\$16.42	\$23.98
Emp + Family	\$25.84	\$40.36

Find a Network Provider

Visit <https://www.unitedconcordia.com/find-a-dentist/#/> and select the Elite Plus network to locate nearby dentists or see if your dentist participates in your network.

Review the summaries on the next page and make your plan selection carefully. Coverage limitations and waiting periods apply.



Low Dental Plan	
Calendar Year Maximum	\$1,000
Calendar Year Deductible (Excludes Class 1)	Individual \$50 Family \$150
Class I: Preventive & Diagnostic (Exams, bitewing x-rays, cleanings)	100%
Class II: Basic Restorative Care (Fillings, extractions, oral surgery)	80%
Class III: Major Restorative Care (Crowns, bridges, dentures, implants)	Not Covered
Waiting Periods Class I Class II	None 6 months
High Dental Plan	
Calendar Year Maximum (Excludes Class 1 & Orthodontia)	\$1,250
Calendar Year Deductible (Excludes Class 1 & Orthodontia)	Individual \$50 Family \$150
Class I: Preventive & Diagnostic (Exams, bitewing x-rays, cleanings)	100%
Class II: Basic Restorative Care (Fillings, extractions, oral surgery)	80%
Class III: Major Restorative Care (Crowns, bridges, dentures, implants)	50%
Class IV: Orthodontia Children up to age 19 only	50%
Lifetime Orthodontia Maximum Children up to age 19 only	\$1,000
Waiting Periods Class I Class II Class III Orthodontics for dependents to age 19	None None 6 months 12 months
Smile for Health®--Wellness3 Provides periodontal care for people with certain chronic medical conditions: diabetes, heart disease, lupus, oral cancer, organ transplant, rheumatoid arthritis and stroke, Pregnancy	<ul style="list-style-type: none"> • Covers 1 additional periodontal maintenance per year and all are covered at 100% • Scaling and root planing are covered at 100% • 4 periodontal surgery procedures are covered at 100%

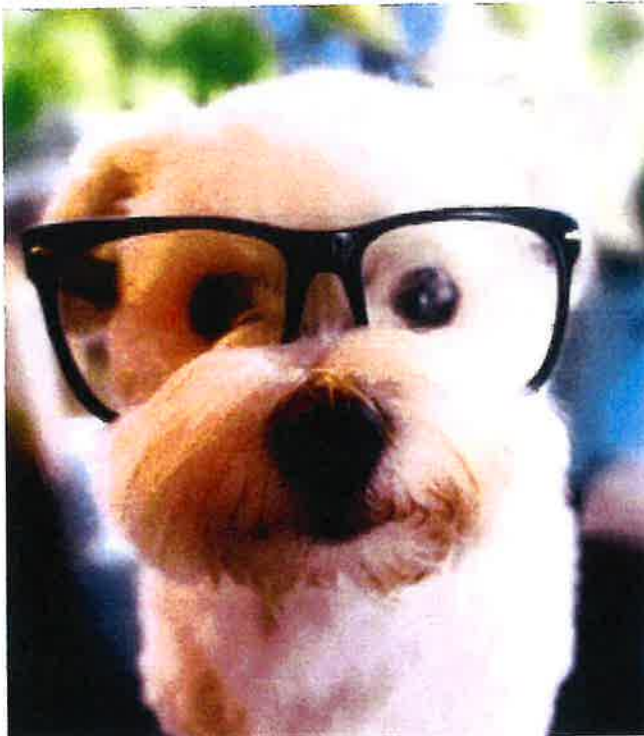


City of Clovis offers a Vision Plan through Davis Vision.

Go to any licensed vision specialist and receive coverage. Just remember your benefit dollars go further when you stay in network and visit providers contracted with the Davis Network.

Davis Vision	
Network Name	In-Network
Exam Copay	\$0
Frame Allowance	\$90 Credit
Contact Lenses Allowance In lieu of eye glasses	Vision Collection covered in full or \$105 Credit
Frequency Schedule Eye Exam/Lenses/Frames	Once every 12/12/24

Premiums	Per Pay Period (24)
Employee	\$4.26
Emp + Spouse	\$7.67
Emp + Child(ren)	\$8.08
Emp + Family	\$12.77



Find a Network Provider

Visit

www.davisvision.com/members

or call 1.800.999.5431 to access the Interactive Voice Response (IVR) Unit, which will supply you with the names and addresses of the network providers nearest you.

How do you receive services from a provider in the network?

Provide your provider with your member ID number and the name & date of birth of any covered dependent needing services. ID cards are not required.



LIFE & DISABILITY



BASIC TERM LIFE AND AD&D INSURANCE

City of Clovis provides Basic Life and Accidental Death and Dismemberment (AD&D) coverage through Lincoln for full-time employees who are enroll in the Short Term Disability Plan, their spouses and dependents at no cost.

Employees are not required to enroll in this benefit but are encouraged to review and update their beneficiary designation as needed during the year.

Coverage	Amount
Employee Basic Life	\$40,000
Employee AD&D	\$40,000
Spouse Basic Life	\$2,000
Dependent Basic Life	14 days- 6 months: \$100 6 months - 25: \$2,000

*Employee benefits will reduce 50% at age 70.
Spouse benefits terminate at age 70.

SUPPLEMENTAL TERM LIFE AND AD&D INSURANCE

You may purchase additional term life and AD&D for yourself, your spouse and dependent children at reduced group rates and have the premium conveniently deducted from your paycheck. This coverage is separate from the Basic Term Life and AD&D provided by City of Clovis.

If you apply for coverage above the Non-Medical Maximum amount below, or if you enroll after your initial eligibility, you will be required to submit an evidence of insurability (EOI) to Lincoln and be approved for the amount. You must purchase coverage for yourself before you can purchase coverage for your spouse and/or child(ren). Coverage is not guaranteed.

	Employee	Spouse	Dependent
Life and AD&D Benefit	Increments of \$10,000 up to the lesser of 5 x your Annual Earnings max of \$400,000	Increments of \$10,000 up to 50% of the Employee amount max of \$200,000	Age 14 days to 6 months: \$250 6 months to age 25: \$5,000 - \$10,000

*Employee Guarantee Issue: Under age 70 is \$180,000. Guarantee Issue for Spouse is \$30,000



MONTHLY EMPLOYEE LIFE PREMIUM



Non-Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.08	<25	\$0.80	\$1.60	\$2.40	\$3.20	\$4.00	\$4.80	\$5.60	\$6.40	\$7.20	\$8.00
0.08	25-29	\$0.80	\$1.60	\$2.40	\$3.20	\$4.00	\$4.80	\$5.60	\$6.40	\$7.20	\$8.00
0.09	30-34	\$0.90	\$1.80	\$2.70	\$3.60	\$4.50	\$5.40	\$6.30	\$7.20	\$8.10	\$9.00
0.11	35-39	\$1.10	\$2.20	\$3.30	\$4.40	\$5.50	\$6.60	\$7.70	\$8.80	\$9.90	\$11.00
0.14	40-44	\$1.40	\$2.80	\$4.20	\$5.60	\$7.00	\$8.40	\$9.80	\$11.20	\$12.60	\$14.00
0.21	45-49	\$2.10	\$4.20	\$6.30	\$8.40	\$10.50	\$12.60	\$14.70	\$16.80	\$18.90	\$21.00
0.35	50-54	\$3.50	\$7.00	\$10.50	\$14.00	\$17.50	\$21.00	\$24.50	\$28.00	\$31.50	\$35.00
0.67	55-59	\$6.70	\$13.40	\$20.10	\$26.80	\$33.50	\$40.20	\$46.90	\$53.60	\$60.30	\$67.00
0.81	60-64	\$8.10	\$16.20	\$24.30	\$32.40	\$40.50	\$48.60	\$56.70	\$64.80	\$72.90	\$81.00
1.55	65-69	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
		\$15.50	\$31.00	\$46.50	\$62.00	\$77.50	\$93.00	\$108.50	\$124.00	\$139.50	\$155.00
2.76	70-74	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$13.80	\$27.60	\$41.40	\$55.20	\$69.00	N/A	N/A	N/A	N/A	N/A
4.75	75-79	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$23.75	\$47.50	\$71.25	\$95.00	\$118.75	N/A	N/A	N/A	N/A	N/A
4.75	80+	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$23.75	\$47.50	\$71.25	\$95.00	\$118.75	N/A	N/A	N/A	N/A	N/A

Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.13	<25	\$1.30	\$2.60	\$3.90	\$5.20	\$6.50	\$7.80	\$9.10	\$10.40	\$11.70	\$13.00
0.13	25-29	\$1.30	\$2.60	\$3.90	\$5.20	\$6.50	\$7.80	\$9.10	\$10.40	\$11.70	\$13.00
0.13	30-34	\$1.30	\$2.60	\$3.90	\$5.20	\$6.50	\$7.80	\$9.10	\$10.40	\$11.70	\$13.00
0.18	35-39	\$1.80	\$3.60	\$5.40	\$7.20	\$9.00	\$10.80	\$12.60	\$14.40	\$16.20	\$18.00
0.26	40-44	\$2.60	\$5.20	\$7.80	\$10.40	\$13.00	\$15.60	\$18.20	\$20.80	\$23.40	\$26.00
0.4	45-49	\$4.00	\$8.00	\$12.00	\$16.00	\$20.00	\$24.00	\$28.00	\$32.00	\$36.00	\$40.00
0.68	50-54	\$6.80	\$13.60	\$20.40	\$27.20	\$34.00	\$40.80	\$47.60	\$54.40	\$61.20	\$68.00
1.27	55-59	\$12.70	\$25.40	\$38.10	\$50.80	\$63.50	\$76.20	\$88.90	\$101.60	\$114.30	\$127.00
1.45	60-64	\$14.50	\$29.00	\$43.50	\$58.00	\$72.50	\$87.00	\$101.50	\$116.00	\$130.50	\$145.00
2.58	65-69	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
		\$25.80	\$51.60	\$77.40	\$103.20	\$129.00	\$154.80	\$180.60	\$206.40	\$232.20	\$258.00
4.17	70-74	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$20.85	\$41.70	\$62.55	\$83.40	\$104.25	N/A	N/A	N/A	N/A	N/A
6.51	75-79	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$32.55	\$65.10	\$97.65	\$130.20	\$162.75	N/A	N/A	N/A	N/A	N/A
6.51	80+	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$32.55	\$65.10	\$97.65	\$130.20	\$162.75	N/A	N/A	N/A	N/A	N/A

Refer to Program Specifications for your maximum benefit amounts. Benefit and premium amounts reflect age reductions. Employee & Spouse Premiums are calculated separately. This is an estimate of premium cost. Actual deductions may vary slightly due to rounding and payroll frequency.



MONTHLY SPOUSE LIFE PREMIUM



Non-Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.08	<25	\$0.80	\$1.60	\$2.40	\$3.20	\$4.00	\$4.80	\$5.60	\$6.40	\$7.20	\$8.00
0.08	25-29	\$0.80	\$1.60	\$2.40	\$3.20	\$4.00	\$4.80	\$5.60	\$6.40	\$7.20	\$8.00
0.09	30-34	\$0.90	\$1.80	\$2.70	\$3.60	\$4.50	\$5.40	\$6.30	\$7.20	\$8.10	\$9.00
0.11	35-39	\$1.10	\$2.20	\$3.30	\$4.40	\$5.50	\$6.60	\$7.70	\$8.80	\$9.90	\$11.00
0.14	40-44	\$1.40	\$2.80	\$4.20	\$5.60	\$7.00	\$8.40	\$9.80	\$11.20	\$12.60	\$14.00
0.21	45-49	\$2.10	\$4.20	\$6.30	\$8.40	\$10.50	\$12.60	\$14.70	\$16.80	\$18.90	\$21.00
0.35	50-54	\$3.50	\$7.00	\$10.50	\$14.00	\$17.50	\$21.00	\$24.50	\$28.00	\$31.50	\$35.00
0.67	55-59	\$6.70	\$13.40	\$20.10	\$26.80	\$33.50	\$40.20	\$46.90	\$53.60	\$60.30	\$67.00
0.81	60-64	\$8.10	\$16.20	\$24.30	\$32.40	\$40.50	\$48.60	\$56.70	\$64.80	\$72.90	\$81.00
1.55	65-69	\$6,500	\$13,000	\$19,500	\$26,000	\$32,500	\$39,000	\$45,500	\$52,000	\$58,500	\$65,000
		\$10.08	\$20.15	\$30.23	\$40.30	\$50.38	\$60.45	\$70.53	\$80.60	\$90.68	\$100.75

Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.13	<25	\$1.30	\$2.60	\$3.90	\$5.20	\$6.50	\$7.80	\$9.10	\$10.40	\$11.70	\$13.00
0.13	25-29	\$1.30	\$2.60	\$3.90	\$5.20	\$6.50	\$7.80	\$9.10	\$10.40	\$11.70	\$13.00
0.13	30-34	\$1.30	\$2.60	\$3.90	\$5.20	\$6.50	\$7.80	\$9.10	\$10.40	\$11.70	\$13.00
0.18	35-39	\$1.80	\$3.60	\$5.40	\$7.20	\$9.00	\$10.80	\$12.60	\$14.40	\$16.20	\$18.00
0.26	40-44	\$2.60	\$5.20	\$7.80	\$10.40	\$13.00	\$15.60	\$18.20	\$20.80	\$23.40	\$26.00
0.4	45-49	\$4.00	\$8.00	\$12.00	\$16.00	\$20.00	\$24.00	\$28.00	\$32.00	\$36.00	\$40.00
0.68	50-54	\$6.80	\$13.60	\$20.40	\$27.20	\$34.00	\$40.80	\$47.60	\$54.40	\$61.20	\$68.00
1.27	55-59	\$12.70	\$25.40	\$38.10	\$50.80	\$63.50	\$76.20	\$88.90	\$101.60	\$114.30	\$127.00
1.45	60-64	\$14.50	\$29.00	\$43.50	\$58.00	\$72.50	\$87.00	\$101.50	\$116.00	\$130.50	\$145.00
2.58	65-69	\$6,500	\$13,000	\$19,500	\$26,000	\$32,500	\$39,000	\$45,500	\$52,000	\$58,500	\$65,000
		\$16.77	\$33.54	\$50.31	\$67.08	\$83.85	\$100.62	\$117.39	\$134.16	\$150.93	\$167.70

MONTHLY CHILD LIFE PREMIUM

\$5,000	\$10,000
\$.062	\$1.24

Refer to Program Specifications for your maximum benefit amounts. Benefit and premium amounts reflect age reductions. Employee & Spouse Premiums are calculated separately. This is an estimate of premium cost. Actual deductions may vary slightly due to rounding and payroll frequency.



MONTHLY EMPLOYEE LIFE & ACCIDENTAL DEATH AND DISMEMBERMENT PREMIUM



Non-Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.11	<25	\$1.10	\$2.20	\$3.30	\$4.40	\$5.50	\$6.60	\$7.70	\$8.80	\$9.90	\$11.00
0.11	25-29	\$1.10	\$2.20	\$3.30	\$4.40	\$5.50	\$6.60	\$7.70	\$8.80	\$9.90	\$11.00
0.12	30-34	\$1.20	\$2.40	\$3.60	\$4.80	\$6.00	\$7.20	\$8.40	\$9.60	\$10.80	\$12.00
0.14	35-39	\$1.40	\$2.80	\$4.20	\$5.60	\$7.00	\$8.40	\$9.80	\$11.20	\$12.60	\$14.00
0.17	40-44	\$1.70	\$3.40	\$5.10	\$6.80	\$8.50	\$10.20	\$11.90	\$13.60	\$15.30	\$17.00
0.24	45-49	\$2.40	\$4.80	\$7.20	\$9.60	\$12.00	\$14.40	\$16.80	\$19.20	\$21.60	\$24.00
0.38	50-54	\$3.80	\$7.60	\$11.40	\$15.20	\$19.00	\$22.80	\$26.60	\$30.40	\$34.20	\$38.00
0.7	55-59	\$7.00	\$14.00	\$21.00	\$28.00	\$35.00	\$42.00	\$49.00	\$56.00	\$63.00	\$70.00
0.84	60-64	\$8.40	\$16.80	\$25.20	\$33.60	\$42.00	\$50.40	\$58.80	\$67.20	\$75.60	\$84.00
1.58	65-69	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
		\$15.80	\$31.60	\$47.40	\$63.20	\$79.00	\$94.80	\$110.60	\$126.40	\$142.20	\$158.00
2.79	70-74	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$13.95	\$27.90	\$41.85	\$55.80	\$69.75	N/A	N/A	N/A	N/A	N/A
4.78	75-79	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$23.90	\$47.80	\$71.70	\$95.60	\$119.50	N/A	N/A	N/A	N/A	N/A
4.78	80+	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$23.90	\$47.80	\$71.70	\$95.60	\$119.50	N/A	N/A	N/A	N/A	N/A

Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.16	<25	\$1.60	\$3.20	\$4.80	\$6.40	\$8.00	\$9.60	\$11.20	\$12.80	\$14.40	\$16.00
0.16	25-29	\$1.60	\$3.20	\$4.80	\$6.40	\$8.00	\$9.60	\$11.20	\$12.80	\$14.40	\$16.00
0.16	30-34	\$1.60	\$3.20	\$4.80	\$6.40	\$8.00	\$9.60	\$11.20	\$12.80	\$14.40	\$16.00
0.21	35-39	\$2.10	\$4.20	\$6.30	\$8.40	\$10.50	\$12.60	\$14.70	\$16.80	\$18.90	\$21.00
0.29	40-44	\$2.90	\$5.80	\$8.70	\$11.60	\$14.50	\$17.40	\$20.30	\$23.20	\$26.10	\$29.00
0.43	45-49	\$4.30	\$8.60	\$12.90	\$17.20	\$21.50	\$25.80	\$30.10	\$34.40	\$38.70	\$43.00
0.71	50-54	\$7.10	\$14.20	\$21.30	\$28.40	\$35.50	\$42.60	\$49.70	\$56.80	\$63.90	\$71.00
1.3	55-59	\$13.00	\$26.00	\$39.00	\$52.00	\$65.00	\$78.00	\$91.00	\$104.00	\$117.00	\$130.00
1.48	60-64	\$14.80	\$29.60	\$44.40	\$59.20	\$74.00	\$88.80	\$103.60	\$118.40	\$133.20	\$148.00
2.61	65-69	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
		\$26.10	\$52.20	\$78.30	\$104.40	\$130.50	\$156.60	\$182.70	\$208.80	\$234.90	\$261.00
4.2	70-74	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$21.00	\$42.00	\$63.00	\$84.00	\$105.00	N/A	N/A	N/A	N/A	N/A
6.54	75-79	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$32.70	\$65.40	\$98.10	\$130.80	\$163.50	N/A	N/A	N/A	N/A	N/A
6.54	80+	\$5,000	\$10,000	\$15,000	\$20,000	\$25,000	N/A	N/A	N/A	N/A	N/A
		\$32.70	\$65.40	\$98.10	\$130.80	\$163.50	N/A	N/A	N/A	N/A	N/A

Refer to Program Specifications for your maximum benefit amounts. Benefit and premium amounts reflect age reductions. Employee & Spouse Premiums are calculated separately. This is an estimate of premium cost. Actual deductions may vary slightly due to rounding and payroll frequency.



MONTHLY SPOUSE LIFE & ACCIDENTAL DEATH AND DISMEMBERMENT PREMIUM



Non-Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.11	<25	\$1.10	\$2.20	\$3.30	\$4.40	\$5.50	\$6.60	\$7.70	\$8.80	\$9.90	\$11.00
0.11	25-29	\$1.10	\$2.20	\$3.30	\$4.40	\$5.50	\$6.60	\$7.70	\$8.80	\$9.90	\$11.00
0.12	30-34	\$1.20	\$2.40	\$3.60	\$4.80	\$6.00	\$7.20	\$8.40	\$9.60	\$10.80	\$12.00
0.14	35-39	\$1.40	\$2.80	\$4.20	\$5.60	\$7.00	\$8.40	\$9.80	\$11.20	\$12.60	\$14.00
0.17	40-44	\$1.70	\$3.40	\$5.10	\$6.80	\$8.50	\$10.20	\$11.90	\$13.60	\$15.30	\$17.00
0.24	45-49	\$2.40	\$4.80	\$7.20	\$9.60	\$12.00	\$14.40	\$16.80	\$19.20	\$21.60	\$24.00
0.38	50-54	\$3.80	\$7.60	\$11.40	\$15.20	\$19.00	\$22.80	\$26.60	\$30.40	\$34.20	\$38.00
0.7	55-59	\$7.00	\$14.00	\$21.00	\$28.00	\$35.00	\$42.00	\$49.00	\$56.00	\$63.00	\$70.00
0.84	60-64	\$8.40	\$16.80	\$25.20	\$33.60	\$42.00	\$50.40	\$58.80	\$67.20	\$75.60	\$84.00
1.58	65-69	\$6,500	\$13,000	\$19,500	\$26,000	\$32,500	\$39,000	\$45,500	\$52,000	\$58,500	\$65,000
		\$10.27	\$20.54	\$30.81	\$41.08	\$51.35	\$61.62	\$71.89	\$82.16	\$92.43	\$102.70

Smoker											
Monthly RATE Per \$1000	AGE	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000
0.16	<25	\$1.60	\$3.20	\$4.80	\$6.40	\$8.00	\$9.60	\$11.20	\$12.80	\$14.40	\$16.00
0.16	25-29	\$1.60	\$3.20	\$4.80	\$6.40	\$8.00	\$9.60	\$11.20	\$12.80	\$14.40	\$16.00
0.16	30-34	\$1.60	\$3.20	\$4.80	\$6.40	\$8.00	\$9.60	\$11.20	\$12.80	\$14.40	\$16.00
0.21	35-39	\$2.10	\$4.20	\$6.30	\$8.40	\$10.50	\$12.60	\$14.70	\$16.80	\$18.90	\$21.00
0.29	40-44	\$2.90	\$5.80	\$8.70	\$11.60	\$14.50	\$17.40	\$20.30	\$23.20	\$26.10	\$29.00
0.43	45-49	\$4.30	\$8.60	\$12.90	\$17.20	\$21.50	\$25.80	\$30.10	\$34.40	\$38.70	\$43.00
0.71	50-54	\$7.10	\$14.20	\$21.30	\$28.40	\$35.50	\$42.60	\$49.70	\$56.80	\$63.90	\$71.00
1.3	55-59	\$13.00	\$26.00	\$39.00	\$52.00	\$65.00	\$78.00	\$91.00	\$104.00	\$117.00	\$130.00
1.48	60-64	\$14.80	\$29.60	\$44.40	\$59.20	\$74.00	\$88.80	\$103.60	\$118.40	\$133.20	\$148.00
2.61	65-69	\$6,500	\$13,000	\$19,500	\$26,000	\$32,500	\$39,000	\$45,500	\$52,000	\$58,500	\$65,000
		\$16.97	\$33.93	\$50.90	\$67.86	\$84.83	\$101.79	\$118.76	\$135.72	\$152.69	\$169.65

Refer to Program Specifications for your maximum benefit amounts. Benefit and premium amounts reflect age reductions. Employee & Spouse Premiums are calculated separately. This is an estimate of premium cost. Actual deductions may vary slightly due to rounding and payroll frequency.



LIFE & DISABILITY

VOLUNTARY SHORT TERM DISABILITY

Short Term Disability (STD) coverage is intended to protect your income for a short duration in case you become ill or injured. This benefit is voluntary and is 100% paid by the employee.

If you elect this coverage: The maximum benefit is **70%** of your pre-disability, earnings up to **\$1,400** per week. This benefit begins on the **15th** day of an accident or a sickness (including pregnancy), benefits may continue up to maximum of **24 weeks (6 months)**.

See Certificate for more detailed information.

How to calculate your estimated Short Term Disability (STD) cost per paycheck	
List your weekly earnings (Maximum covered payroll is \$2,000 weekly)	<input type="text"/>
Multiply by premium factor	0.0238
Your Estimated Monthly Premium	<input type="text"/>
*** This is an estimate of premium cost. <i>Actual payroll deductions may vary due to rounding</i>	

Composite Rate Factor: 0.0238



LIFE & DISABILITY

VOLUNTARY LONG TERM DISABILITY

Long Term Disability (LTD) coverage is intended to protect your income for a long duration after you have depleted Short Term Disability or any sick leave offered to you by the City. This benefit is voluntary and is 100% paid by the employee.

If you elect this coverage: The maximum benefit is **60%** of your pre-disability earnings up to **\$5,000** per month. This benefit can begin after the **180 day elimination period**, benefits can continue up to maximum of **24 months**.

A pre-existing condition waiting period applies; you may not be eligible for benefits if you have received treatment for a condition within **3 months** prior to your effective date under this policy until you have been covered under the policy for **12 months**.

***You must have Short Term Disability to enroll in Long Term Disability.**

How to calculate your estimated Long Term Disability (LTD) cost per paycheck	
List your monthly earnings (Maximum covered payroll is \$8,333 Monthly)	<input type="text"/>
Multiply by premium factor	0.00250
Your Estimated Monthly Premium	<input type="text"/>
*** This is an estimate of premium cost. <i>Actual payroll deductions may vary due to rounding</i>	

Composite Rate Factor: 0.00250



The Health and Dependent Care Flexible Spending Accounts (FSAs) offered by City of Clovis allow you to use tax-free dollars to reimburse yourself for a wide variety of health and/or dependent care expenses that aren't covered through your other benefit plans. The annual amount you elect to contribute to each account will be divided into equal amounts and deducted from your paycheck before federal and state income taxes are withdrawn.

HEALTH CARE FSA

Health care expenses for yourself and your dependents, such as deductibles, coinsurance, and copays are eligible for reimbursement from your Health Care FSA.

The maximum contribution is \$2,750.



DEPENDENT CARE ACCOUNT

This account allows you to set aside pretax dollars to pay for qualified dependent care expenses for eligible dependents. Eligible dependents are children up to age 13 or a spouse or parent (residing in your home) who is unable to care for themselves. Eligible expenses include: daycare expenses and before and after school care. *Note:* Please consult a tax advisor on the benefits on this account for your particular tax situation.

The maximum contribution is \$5,000 (\$2,500 if you are married and filing a separate income tax return). This account is a use it or lose it account so any unused funds are forfeited at the end of the year.

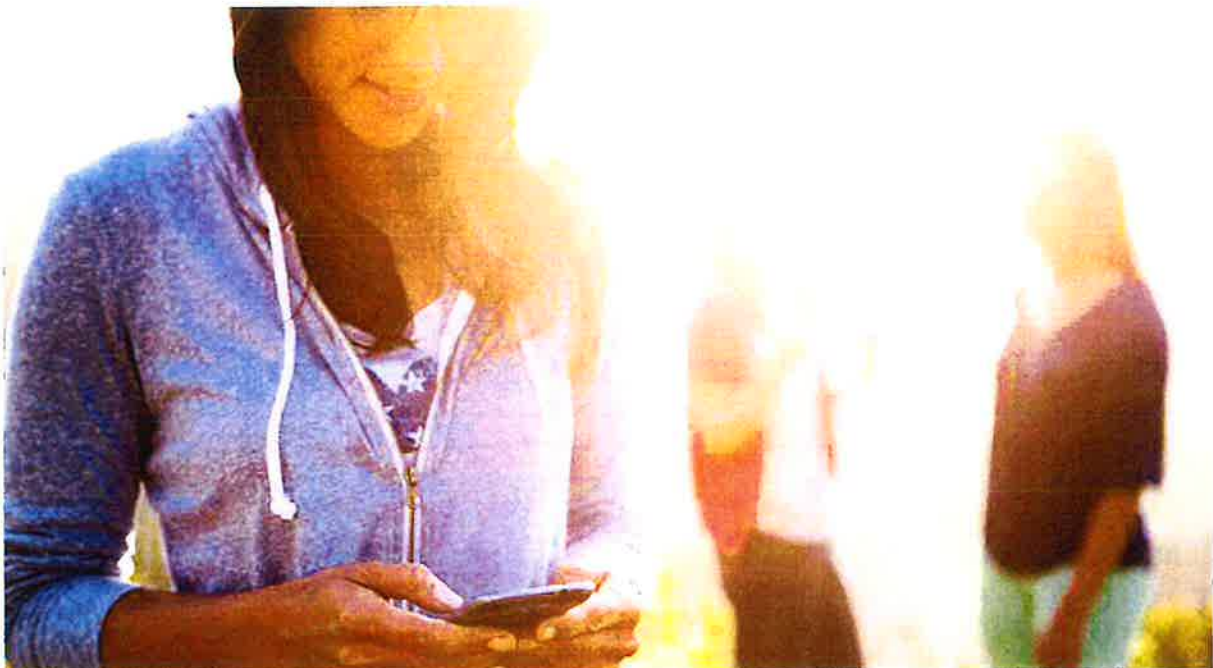
Plan your annual FSA contribution amounts carefully; the election you make when you enroll is binding for the entire plan year (January 1 to December 31st) unless you have a qualifying status change. Additionally, the IRS imposes some rules and restrictions on the way you can use FSAs:

- You must incur eligible expenses during the plan year
- If you incur fewer expenses than expected on your Healthcare FSA you will be able to carryover \$250.
- You have 45 days after the end of the year to submit for reimbursement.
- You cannot transfer money from one account to the other



BENEFITS CONTACT INFORMATION

Benefit	Carrier	Phone #	Website
Medical	Cigna	(800) cigna24 (800) 997-1654	myCigna.com
Dental	United Concordia	1-800-332-0366	www.unitedconcordia.com/ find-a-dentist/#/
Telehealth	MD Live	888-726-3171	MDLIVEforCigna.com
Vision	Davis Vision	(800) 999-5431	www.davisvision.com
Life and Disability	Lincoln	(800) 423-2765	www.LincolnFinancial.com
Flexible Spending Account (FSA)	Infinisource	(866) 370-304	https://infinconsumer.lh1on demand.com/Login.aspx
ICMA	Geoffrey Hathhorn	(866) 266-7314	ghathhorn@icmarc.org



REQUIRED NOTICES

Private Health Information

A portion of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) addresses the protection of confidential health information. It applies to all health benefit plans. In short, the idea is to make sure that confidential health information that identifies (or could be used to identify) you is kept completely confidential. This individually identifiable health information is known as "protected health information" (PHI), and it will not be used or disclosed without your written authorization, except as described in the Plan's HIPAA Privacy Notice or as otherwise permitted by federal and state health information privacy laws. A copy of the Plan's Notice of Privacy Practices that describes the Plan's policies, practices and your rights with respect to your PHI under HIPAA is available from your medical plan provider. For more information regarding this Notice, please contact Human Resources or the medical plan directly.

Women's Health And Cancer Rights Act

City of Clovis medical plan, as required by the Women's Health and Cancer Rights Act of 1998, provides benefits for mastectomy-related services. These services include:

- All stages of reconstruction of the breast on which the mastectomy was performed
- Surgery and reconstruction of the other breast to produce symmetrical appearance
- Prostheses and treatment of physical complications resulting from mastectomy (including lymphedema)

This coverage will be provided in consultation with the attending physician and the patient, and will be subject to the same annual deductibles and coinsurance provisions that apply to the mastectomy. For more information, contact your medical plan provider.

Premium Assistance under Medicaid and the Children's Health Insurance Program (CHIP)

If you or your children are eligible for Medicaid or CHIP and you're eligible for health coverage from your employer, your state may have a premium assistance program that can help pay for coverage, using funds from their Medicaid or CHIP programs. If you or your children aren't eligible for Medicaid or CHIP, you won't be eligible for these premium assistance programs but you may be able to buy individual insurance coverage through the Health Insurance Marketplace. For more information, visit www.healthcare.gov.

If you or your dependents are already enrolled in Medicaid or CHIP and you live in a State listed on www.insurekidsnow.gov, contact your State Medicaid or CHIP office to find out if premium assistance is available. If you or your dependents are NOT currently enrolled in Medicaid or CHIP, and you think you or any of your dependents might be eligible for either of these programs, contact your State Medicaid or CHIP office or dial 1-877-KIDS NOW or www.insurekidsnow.gov to find out how to apply. If you qualify, ask your state if it has a program that might help you pay the premiums for an employer-sponsored plan.

If you or your dependents are eligible for premium assistance under Medicaid or CHIP, as well as eligible under your employer plan, your employer must allow you to enroll in your employer plan if you aren't already enrolled. This is called a "special enrollment" opportunity, and you must request coverage within 60 days of being determined eligible for premium assistance. If you have questions about enrolling in your employer plan, contact the Department of Labor at www.askebsa.dol.gov or call 1-866-444-EBSA (3272).

To see if any other states have added a premium assistance program since July 31, 2021, or for more information on special enrollment rights, contact either:

U.S. Department of Labor
Employee Benefits Security Administration
www.dol.gov/ebsa
1-866-444-EBSA (3272)

U.S. Department of Health and Human Services Centers
for Medicare & Medicaid Services
www.cms.hhs.gov
1-877-267-2323, Menu Option 4, Ext. 61565

Paperwork Reduction Act Statement

According to the Paperwork Reduction Act of 1995 (Pub. L. 104-13) (PRA), no persons are required to respond to a collection of information unless such collection displays a valid Office of Management and Budget (OMB) control number. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by OMB under the PRA, and displays a currently valid OMB control number, and the public is not required to respond to a collection of information unless it displays a currently valid OMB control number. See 44 U.S.C. 3507. Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 44 U.S.C. 3512. The public reporting burden for this collection of information is estimated to average approximately seven minutes per respondent. Interested parties are encouraged to send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, Employee Benefits Security Administration, Office of Policy and Research, Attention: PRA Clearance Officer, 200 Constitution Avenue, N.W., Room N-5718, Washington, DC 20210 or email ebsa.opr@dol.gov and reference the OMB Control Number 1210-0137.

The information in this Benefits Guide is presented for illustrative purposes and is based on information provided by the employer. The text contained in this Benefits Guide was taken from various summary plan descriptions and benefit information. While every effort was taken to accurately summarize and simplify your benefits, discrepancies and/or errors are always possible. In case of a discrepancy between the Benefits Guide and the actual plan documents the actual plan documents will prevail. All information is confidential, pursuant to the Health Insurance Portability and Accountability Act of 1996. If you have any questions about this Benefit Guide, contact the Benefits Administrator.



NOTES

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard sheet of stationery. There is no handwriting or other markings on the page.

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard sheet of stationery. There is no handwriting or other markings on the page.





PUBLIC NOTICE DESCRIBING PROCEDURES FOR REQUESTING INSPECTION NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the Inspection of Public Records Act, every person has the right to inspect public records of the City of Clovis. Compliance with requests to inspect public records is an integral part of the routine duties of the officers and employees of the City of Clovis.

Procedures for Requesting Inspection. Requests to inspect public records should be submitted to the City Clerk, records custodian, located at City of Clovis Finance Department, 321 Connelly, P.O. Box 760, Clovis, NM 88102, office phone and fax 575-763-9632 or lamelancon@cityofclovis.org.

A person desiring to inspect public records may submit a request to the records custodian orally or in writing. However, the procedures and penalties prescribed by the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. Written requests may be submitted in person or sent via US mail, email or facsimile. The request must describe the records sought in sufficient detail to enable the records custodian to identify and locate the requested records.

The records custodian must permit inspection immediately or as soon as practicable, but not later than 15 calendar days after the records custodian receives the inspection request. If inspection is not permitted within three (3) business days, the person making the request will receive a written response explaining when the records will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a written response from the records custodian explaining the reason(s) inspection has been denied. The written denial shall be delivered or mailed within fifteen (15) calendar days after the records custodian receives the request for inspection.

Procedures for Requesting Copies and Fees. If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged. The fee for printed documents is \$.25 per page. The fee for downloading copies of public records to a DVD or other electronic storage device is \$10.00. If a person requests that a copy of a public record be transmitted, a fee of \$.25 per page will be charged if printing of the record is

required. Applicable fees for copying/downloading public records must be paid in advance. A receipt indicating that the fees have been paid will be provided upon request to the person requesting the copies.

REQUEST TO INSPECT PUBLIC RECORDS

DATE: _____

TO: LEIGHANN MELANCON, CITY CLERK
CITY OF CLOVIS
321 CONNELLY
P.O. BOX 760
CLOVIS, NM 88101
lamelancon@cityofclovis.org
575-763-9632 phone/fax

FROM: Requester Name _____
Requester Organization _____
Requester Address _____
Requester Telephone _____
Requester email _____
(for electronic requests only)

_____ I would like to inspect and have copies of the following records:
or
_____ I would like to inspect the following records:

If your Agency does not maintain these public records, please let me know who does, and include the proper custodian's name and address.

I agree to pay, in advance, the applicable fees for the production of documents. If the charges will exceed \$_____, please call me to discuss.

Please provide a receipt indicating the charges for each document.

Thank you for your prompt attention to this matter.

Sincerely,
