



# City of Alamogordo

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OFFICE OF THE CITY CLERK  
1376 E. Ninth Street • Alamogordo, New Mexico 88310 •  
(575) 439-4100 Fax (575) 439-4396

August 24, 2023

Dear Candidate:

Thank you for your interest in running for the City of Alamogordo elected position of City Commissioner. Candidates electing to run for offices covered by Ordinance 1466 Municipal Election Campaign Disclosure are required to file with the City Clerk a report of expenditures and contributions on forms prescribed by the City Clerk. I have put together a packet that includes the campaign financial disclosure report and a copy of Ordinance 1466. The campaign financial disclosure report forms are also on the City website under Commission towards the bottom of the page under forms, the direct link is <http://ci.alamogordo.nm.us/336/City-Commission> and the direct link to Ordinance 1466 is

[https://library.municode.com/nm/alamogordo/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_C\\_H2AD\\_ART2-17MUELCADIOR](https://library.municode.com/nm/alamogordo/codes/code_of_ordinances?nodeId=PTIICOOR_C_H2AD_ART2-17MUELCADIOR)

The first campaign disclosure report is due October 26, 2023, which is 12 days prior to the Election.

If you have any questions or need clarification on any of this information, please feel free to contact me by email at: [rhughs@ci.alamogordo.nm.us](mailto:rhughs@ci.alamogordo.nm.us) or by calling me at 439-4100 option 6.

Sincerely,

A handwritten signature in blue ink that reads 'Rachel Hughs'. The signature is written in a cursive, flowing style.

Rachel Hughs, CMC, City Clerk



CAMPAIGN FINANCIAL DISCLOSURE REPORT  
2023 Regular Local Election

Office of the City Clerk  
[rhughs@ci.alamogordo.nm.us](mailto:rhughs@ci.alamogordo.nm.us)  
1376 E. Ninth Street Alamogordo, NM 88310 (575) 439-4100

Candidates electing to run for offices covered by Ordinance 1466 - Municipal Election Campaign Disclosure, and Political committees as defined by Ordinance 1466, are required to file with the City Clerk a report of expenditures and contributions on forms prescribed by the city clerk.

Code of Ordinances Article 2-17. - Municipal Election Campaign Disclosure Ordinance

[https://library.municode.com/nm/alamogordo/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ART2-17MUELCADIOR](https://library.municode.com/nm/alamogordo/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ART2-17MUELCADIOR)

Complete Name of Candidate or Committee	
Office Sought (Including District if applicable)	
Mailing Address City, State & Zip Code	
Phone Number	
Email Address	
Name of Treasurer	
Mailing Address City, State & Zip Code	
Phone Number	
Email Address	
Name & Street Address of Financial Institution Where Bank Account is maintained (Bank Account located in New Mexico)	

Type of Report ( the box that indicates the report being filed)

- Initial Report - 12 days prior to the election (October 26, 2023)
- Second Report - No later than 30 after the election (December 7, 2023)
- Third Report - 6 months after the election (May 7, 2024)
- Every 12 months - if any balance remains unpaid (November 7, 2024)
- \_\_\_\_\_

**Schedule A  
MONETARY CONTRIBUTIONS**

<b>Date</b>	<b>Name and Address of Contributor</b>	<b>Amount</b>
<b>Subtotal</b>		
<b>Total</b>		

**Schedule B  
IN-KIND CONTRIBUTIONS**

<b>Date</b>	<b>Name and Address of Contributor</b>	<b>Value</b>
		<b>SUBTOTAL</b>
		<b>TOTAL</b>

**Schedule C  
LOAN CONTRIBUTIONS**

<b>Date</b>	<b>Name and Address of Contributor</b>	<b>Amount</b>
	<b>SUBTOTAL</b>	
	<b>TOTAL</b>	

**Schedule D  
LOANS FORGIVEN**

<b>Date</b>	<b>Name and Address of Creditor</b>	<b>Amount</b>
<b>Subtotal</b>		
<b>Total</b>		

**Schedule E  
EXPENDITURES**

<b>Date</b>	<b>Name and Address of Payee</b>	<b>Purpose</b>	<b>Amount</b>
			<b>Subtotal</b>
			<b>Total</b>

**FINANCIAL SUMMARY**

Opening balance for the reporting period ("0" if first report or closing balance from the last report)	
The total monetary contribution this reporting period	
Total expenditures this reporting period	
Closing balance this reporting period	
Total loans this reporting period	
Total unpaid campaign debt	
Total in-kind contributions this reporting period	

**VERIFICATION**

I state that the information contained in this report in all respects is true and complete to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## **ARTICLE 2-17. MUNICIPAL ELECTION CAMPAIGN DISCLOSURE ORDINANCE<sup>1</sup>**

### **2-17-010. Title.**

This section may be cited as the "Campaign Disclosure Code."

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-020. Purpose and intent.**

It is the public policy of the city that:

- (1) Public confidence in municipal government is essential and must be promoted by all possible means;
- (2) Political campaign contributions and expenditures be fully disclosed to the public and that secrecy in the sources and application of such contributions be avoided; and
- (3) The public's right to know how political campaigns are financed far outweighs any right that the contributions remain secret and private.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-030. Definitions.**

Unless otherwise defined in this section or the contrary is stated or clearly appears from the context, the definitions of the New Mexico "Campaign Reporting Act," sections 1-19-25 through 1-19-36 NMSA 1978, as amended, shall govern the interpretation of this chapter.

*Candidate* means an individual seeking election to the position of mayor, commissioner or municipal judge at a regular or special election of the city.

*Charity* means an organization that is exempted from federal taxation by Title 26 United States Code, section 501(c)(3).

*Contribution* means a gift, subscription, loan, advance or deposit of any money or other thing of value which is made for the primary purpose of supporting or opposing a candidate for elective office, but "contribution" does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

*Election* means any general or special municipal election in the city.

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<sup>1</sup>Editor's note(s)—Ord. No. 1466, § 1, adopted April 22, 2014, amended the Code by adding a new art. 2-16. In order to prevent duplication of article numbers, the article has been renumbered as 2-17 at the discretion of the editor.

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*Expenditure* means a payment, transfer, or distribution, or obligation or promise to pay, transfer or distribute any money or other thing of value for the purpose of influencing the outcome of an election of a candidate, but does not include the candidate's or his immediate family's personal expenses.

*General purpose political committee* means a political committee other than a special purpose political committee.

*Political committee* means every two (2) or more persons who are selected, appointed, chosen or associated for the purpose of, wholly or in part, supporting or opposing a candidate at any election, and includes political committees or similar organizations composed of employees or members of any corporation, labor organization, trade or professional association or any other similar group which raises, collects, expends or contributes money or any other thing of value for the purpose of supporting or opposing a candidate in a municipal election.

*Reporting individual* means every candidate, every treasurer of every special purpose political committee or treasurer of every general purpose political committee whose purpose is to aid the candidate in the campaign for municipal office.

*Special purpose political committee* means a political committee making contributions to support or oppose one (1) candidate, such contributions being limited to one (1) special or one (1) general election.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-040. Applicability of article.**

This article also applies to any contributions, expenditures, persons, or committees whose purpose is to encourage adoption or defeat of any municipal question submitted to the voters of the city.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-050. Family contributions.**

- (a) Contributions by a husband and wife shall be treated as separate contributions and shall not be aggregated.
- (b) Contributions by children under eighteen (18) years of age shall be treated as contributions by their parents and attributed proportionately to each parent (one-half (½) to each parent or the total amount to a single custodial parent).

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-060. Return of contributions.**

A contribution shall not be considered to be received if it is not negotiated, deposited or utilized, and, in addition, if it is returned to the donor within fourteen (14) calendar days of receipt.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-070. Required.**

Each candidate and each treasurer of each special purpose political committee and general purpose political committee shall file with the city clerk a report of expenditures and contributions on forms prescribed by the city clerk. When the reporting individual is a candidate, the report shall include the expenditures and contributions of those political committees authorized by the candidate to expend and receive funds on behalf of his candidacy,

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and when the candidate files a report for the political committee, the treasurer thereof need not file a report of expenditures and contributions for the period of time covered in the candidate's report.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-080. Forms furnished by city.**

The city clerk shall furnish upon request to political committees or candidates the form for the reporting of expenditures and contributions. The clerk shall give each candidate, or a designated representative, the prescribed reporting forms at the time of filing the nominating petition. Ten (10) days before any report of expenditures and contributions is required to be filed by this division, the city clerk shall notify each candidate by certified mail of the deadline for filing the report.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-090. Contents.**

Under this division, each reporting individual shall file a report containing the following information:

- (1) A report of expenditures and contributions, itemizing each item of expenditure and contribution, including:
  - a. The name and address of the person to whom an expenditure was made or from whom a contribution was received;
  - b. The amount of the expenditure or contribution, or value thereof;
  - c. A description of the in-kind services or goods received; and
  - d. The date of the expenditure or contribution.
- (2) The report of expenditures and contributions shall be subscribed and sworn to by the candidate or treasurer of the political committee, as the case may be.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-100. Time for filing.**

All candidates and special purpose political committees and general purpose political committees shall file reports of expenditures and contributions for the following reporting periods:

- (1) Twelve (12) days prior to an election;
- (2) Not later than thirty (30) days after an election;
- (3) Six (6) months after an election, if any contributions in the possession of the candidate or special purpose political committee remain unexpended or if any debt remains unpaid; and
- (4) Every twelve (12) months after an election, so long as any debt remains unpaid by the candidate or special purpose political committee.

(Ord. No. 1466, § 1, 4-22-14)

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### **2-17-110. Late filing penalty; failure to file report.**

- (a) If any candidate or treasurer of a political committee files a report of expenditures and contributions after any deadline imposed by the campaign procedures, such person shall be liable and shall pay to the city clerk at the time of late filing the sum of ten dollars (\$10.00) per day for each regular working day after the time required by this division for the filing of reports of expenditures and contributions. An incomplete report will be considered as no report; a late filing penalty will apply to the completed report if it is not filed within the prescribed time limits. All sums collected for such penalty shall be deposited in the general fund of the city. If sent by certified mail or registered mail, the report shall be deemed filed on the date three (3) days following the date of the postmark.
- (b) Any candidate who fails or refuses to file a report of expenditures and contributions in the manner and within the time required by this division shall not be issued a certificate of election until such candidate files the report of expenditures and contributions.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-120. Political committee treasurer.**

- (a) It is unlawful for the members of any political committee or candidate to make any expenditure or solicit or accept any contribution for the purpose of supporting or opposing a candidate, unless:
  - (1) A treasurer has been appointed and is constantly maintained; however, when a duly appointed treasurer is unable for any reason to continue as treasurer, the candidate may appoint a successor, provided that nothing in this subsection prohibits a candidate from appointing himself treasurer;
  - (2) All disbursements of money and receipts of contributions shall be recorded by and through such treasurer; and
  - (3) Such treasurer, upon disbursing or receiving money or other things of value, shall immediately enter and thereafter keep in a proper book, to be preserved by him, a full, true and itemized statement and account of each sum disbursed or received, the date of such disbursement or receipt, to whom disbursed or from whom received and the object and purpose for which it has been disbursed or received.
- (b) Anonymous contributions in an amount not to exceed twenty-five dollars (\$25.00) from one (1) individual or organization may be accepted, but such contributions shall be reported as to date and amount.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-130. Election financial records.**

- (a) Candidates for elective office or treasurers for political committees shall keep financial records for a period of six (6) months following the date of election, in order that the records will be available if a complaint is filed or inquiry is made. Such financial records shall include cancelled checks, invoices, receipts, bank statements, bills of sale, statements of account, and all other financial records pertinent to the campaign.
- (b) In preparing and maintaining financial records such as ledgers and journals and recording contributions and expenditures on the disclosure statement of campaign financing, the candidates or treasurers of political committees shall:
  - (1) Record in-kind contributions as both contributions and expenditures with a description of such in-kind services or goods received;

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(Supp. No. 52)

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- (2) Record campaign loans as contributions, with subsequent repayment of loans credited against contributions; and
  - (3) Record returned contributions as credits against contributors.
- (c) The services of a person who is performing the duties of treasurer pursuant to the campaign disclosure code shall not be considered a campaign contribution as defined in this section.
  - (d) The gross receipts of a fundraising activity on behalf of a candidate for elective office are considered to be campaign contributions, and all expenditures associated with such a fundraising activity are considered to be campaign expenditures. As used in this interpretation, the term "gross receipts" includes all monies and donations of any kind which are received as part of the fundraising activity.
  - (e) The city clerk, upon being advised of the formation and existence of a special political committee, as defined in this article, shall furnish by mail to the chairman, moderator, or head, however designated, of such committee, and also the fundraising member thereof, however designated, if known, a copy of the campaign disclosure code and campaign practices, and shall call attention to the requirements for reporting contributions and expenditures by the political committee as provided for in this section. Within ten (10) days from receipt of the notification from the city, the political committee shall prepare and file with the office of the city clerk a statement, signed by the head of the committee or by the finance chairman thereof, setting forth the following:
    - (1) The exact name of the committee;
    - (2) Its official address and phone number, if available;
    - (3) Its membership and officials thereof; and
    - (4) Acknowledgment of receipt of a copy of the campaign disclosure code and of the requirements regarding filing of reports.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-140. Committee statement.**

It is recognized that an affirmative duty rests on the officials of such political committee to be aware of the provisions of the campaign disclosure code, and, accordingly, such officials are enjoined to prepare and file the required statements without a request from the office of the city clerk. The city is excused from notifying the candidates or committees.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-150. Campaign funds.**

Campaign funds shall be used and distributed as follows:

- (1) All contributions received shall be under the custody of the campaign treasurer or deputy campaign treasurer and shall be segregated from, and not be commingled with, the personal funds of an individual, group or political committee. Contributions shall be used exclusively to pay expenses incurred in furtherance of the candidate's campaign, and shall not be used for any other purpose, including:
  - a. The candidate's personal living expenses or compensation to the candidate;
  - b. A contribution to the campaign of another candidate or to a political party or political committee or to a campaign supporting or opposing a ballot proposition;

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- c. An expenditure supporting the election of another candidate or the passage or defeat of a ballot proposition; or
  - d. Any gift or transfer for which compensating value is not received, other than a donation or distribution permitted by this subsection at the conclusion of an election.
- (2) Any campaign contributions remaining unspent and any tangible assets with an estimated resale value greater than two hundred dollars (\$200.00) that were purchased with such contributions and remain in the possession of the campaign at the conclusion of an election shall be distributed for the following purposes:
- a. Expenditures of the campaign;
  - b. Donations to the city's general fund or, in the case of tangible assets, to the city for its use or disposition in accordance with the city's procurement code. Proceeds from such disposition shall be deposited in the city's general fund;
  - c. Donations to charities; or
  - d. Disbursements to return unused funds to the contributors.
- (3) All unspent campaign contributions shall be distributed within six (6) months following a municipal election, for any of the purposes listed in this section 2-17-150. All candidates and political committees shall file reports listing the date, amount and recipient of each post-election expenditure, donation or disbursement made from campaign funds pursuant to this section 2-17-150. Such report shall be part of the final campaign finance statement that is required by section 2-17-130.

(Ord. No. 1466, § 1, 4-22-14)

### **2-17-160. Campaign treasurer; deputy campaign treasurer; duties.**

A campaign treasurer, deputy campaign treasurer or political committee may invest funds deposited in the campaign account in an account of indebtedness of a financial institution up to the amount of federal deposit insurance; United States bonds or certificates of indebtedness or those of a federal agency; and/or bonds or warrants of the state or any municipal corporation of the state. All interest, dividends, and/or other income derived from the investment and the principal when repaid shall be deposited in the campaign account.

(Ord. No. 1466, § 1, 4-22-14)