



OFFICE OF THE CITY CLERK

City of Hobbs Candidate Handbook

2020 Municipal Election

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Dear Candidate,

Thank you for your interest in serving as an elected official for the City of Hobbs. This handbook serves to answer questions and guide you through the process of running your campaign and declaring your candidacy. Municipal elections are administered through the Office of the City Clerk, the Lea County Clerk's Office and the Secretary of State's Office. The City Clerk's Office staff is available to answer any questions you may have which are not covered by this handbook.

Hobbs 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, which is described in more detail in this handbook. There are three classifications of elected officials including: Mayor (elected at large), Commission Members (6 members adopted by district for staggered terms), and Municipal Judge (elected at large).

The city limits of the City of Hobbs currently has a 2010 Census population of 34,122 residents (43,305 Census County Division CCD) population) and approximately 17,342 registered voters. If running for a City Commission seat, only those voters in your district may vote for you. If running for Mayor or Municipal Judge, all eligible voters within the City of Hobbs may cast a vote for you.

Many questions that are not specifically covered in this handbook can be found using the following online resources:

1. City's website - <http://www.hobbsnm.org>
2. The City of Hobbs' Municipal Code Book is available online: https://library.municode.com/nm/hobbs/codes/code_of_ordinances
3. All applicable state laws and regulations may be accessed online at: <http://public.nmcompcomm.us/nmnxtadmin/NMPublic.aspx>

Please review all the pages of this handbook, paying particular attention to the requirements for declaring your candidacy, running your campaign, and the position responsibilities for the office in which you seek to serve.

We wish you success on your journey. Please do not hesitate to contact the Clerk's Office if you have any additional questions.

Thank you!!

Current Elected Officials

Sam D. Cobb	Mayor, elected at large	2016 – 2020
Marshall Newman	Commissioner, District 1	2016 – 2020
Christopher Mills	Commissioner, District 2	2018 – 2020
Patricia Taylor	Commissioner, District 3	2016 – 2020
Joseph Calderón	Commissioner, District 4	2018 – 2022
Dwayne Penick	Commissioner, District 5	2018 – 2022
Don Gerth	Commissioner, District 6	2018 – 2022
Bobby Arther	Appointed Municipal Judge	2018 – 2020

Positions to be Elected

- Mayor, elected at large (four-year term)
- Commissioner, District 1 (four-year term)
- Commissioner, District 2 (four-year term)
- Commissioner, District 3 (four-year term)
- Municipal Judge (to fill an unexpired term from 2020 – 2022)

New Terms of Office

Newly-elected officials in 2020 will begin their term on April 1, 2020. In the event a run-off election is required, the successful candidate for that position will begin their term of office on May 1, 2020.

Form of Government

Hobbs has a Commission-Manager form of government with an elected Mayor having limited duties.

What is the Commission-Manager form of government?

Commission-Manager is the system of local government that combines the strong political leadership of elected officials in the form of a Commission or other governing body with the strong managerial experience of an appointed manager. The form establishes a representative system where all power is concentrated in the elected Commission and where the Commission hires a professional manager to oversee the delivery of public services. All power and authority to set policy rests with an elected governing body which includes a Mayor and members of the Commission

How does Commission-Manager government work?

The elected Commission represents their community and develops a vision plan for its future. They establish policies that affect the overall operation of the community and are responsive to the needs and wishes of the residents. To ensure that these policies are carried out and that the entire community is equitably served, the governing body appoints a highly trained professional manager on the basis of his/her education, experience, skills, and abilities. If the manager is not responsive to the governing body, it has the authority to terminate the manager at any time with a majority vote.

In addition, voters have broad powers of initiative (election to force Commission to enact an ordinance), referendum (election to overturn an ordinance already enacted) and recall (election to remove all elected officials except the Judge.)

What is the role of the City Manager under a Commission-Manager government?

The City Manager is hired to serve the Commission and the community and brings to the local government the benefits of his/her training and experience in administering municipal projects and programs. The City Manager prepares a budget for the Commission's consideration; employs, disciplines, discharges, and supervises government staff; makes recommendations to the Commission concerning the welfare of the city; and carries out the Commission's policies. Commission members and residents count on the City Manager to provide complete and objective information about local operations, discuss the pros and cons of alternatives, and offer an assessment of the long-term consequences of their decisions.

Appointed City Managers serve at the pleasure of the governing body. They can be fired by a majority of the Commission, consistent with local laws, or any employment agreements they may enter into with the Commission. The City Manager makes policy recommendations to the Commission for consideration and final decision. The City Manager is bound by whatever action the Commission takes, and control is always in the hands of the elected representatives of the people.

What is the role of the Commission?

The Commission is the community's legislative and policy-making body. Power is centralized in the elected Commission, which, for example, approves the budget and determines the tax rate. The Commission also focuses on the community's goals, major projects, and such long-term considerations as community growth, land use development, capital improvement, financing, and strategic planning. The Commission hires a professional City Manager to implement the administrative responsibilities related to these goals and supervises the manager's performance.

What is the role of the Mayor?

Mayors in Commission-Manager communities are key political and policy leaders, and their specific duties, responsibilities, and authorities depend on the organization's charter. In Commission-Manager communities, typically the Mayor is a voting member of the City Commission who presides at Commission meetings, represents the City in intergovernmental relationships, appoints members of citizen advisory boards (with the advice and consent of Commission), facilitates communication and understanding between elected and appointed officials, and assists the Commission in setting goals and advocating policy decisions for the City concerning its growth and development.

Qualifications of Candidates

Qualifications Required to Run for Municipal Office

To become a candidate for office on the Municipal Officer Election ballot, a person must be a registered voter within the municipal boundaries of Hobbs 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:

- For offices with district residency requirements, eligibility is determined by reviewing the candidate's voter registration address as of the date of the election proclamation filed on December 4, 2019. *NMSA 1978, §§ 1-22-8 and 1-22-10(A).*
- 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. *NMSA 1978 § 1-1-7.1.*
- The candidate's name will appear on the ballot to match the voter registration record on file. If a candidate's voter registration includes a middle name or initial, it will be included on the ballot. *NMSA 1978 § 1-10-6(A).*
- The candidate shall provide the proper filing officer 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 Lea County Clerk to obtain 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 state, a county, a municipality or a district, unless the person has presented the governor with a certificate verifying the completion of the sentence and was granted a pardon or a certificate by the governor restoring the person's full rights of citizenship. *NMSA § 31-13-1(E).*

Any employee of the City of Hobbs elected to municipal office in the City shall resign from the employment of the City. HMC 2.56.1010

Declaration of Candidacy

When to file:

January 7, 2020, between 9:00 a.m. and 5:00 p.m.

What to file:

Each candidate filing to appear on the ballot must submit the following completed forms to the proper filing officer (City Clerk) during the designated hours:

- Declaration of Candidacy form (provided by the City Clerk)
- Affidavit of Designee for Filing (only if someone is filing on behalf of the candidate)
- Certified copy of the candidate's voter registration from the Lea County Clerk (*optional*)

Where to file:

All candidates will file at the City Clerk's Office at City Hall, 200 East Broadway.

Withdrawal of Candidacy

All withdrawals of candidacy must be filed with the City Clerk on or before **January 14, 2020**. Please be sure you wish to run for office before filing your candidacy.

Filing for Candidacy as a Write-in Candidate

Individuals may be a write-in candidate only if the person has the qualifications to be a candidate for the position for which the person is running. A person desiring to be a write-in candidate for an office shall file a Declaration of Intent to be a Write-In Candidate on the on the 49th day preceding the election. NMSA § 1-22-3.1(E)(4)

When to file:

January 14, 2020, between 9:00 a.m. and 5:00 p.m.

What to file:

Each candidate filing to appear on the ballot must submit the following completed forms to the proper filing officer (City Clerk) during the designated hours:

- Declaration of Intent to be a Write-In Candidate (provided by the City Clerk)
- Affidavit of Designee for Filing (only if someone is filing on behalf of the candidate)
- Certified copy of the candidate's voter registration from the Lea County Clerk (*optional*)

Where to file:

All write-in candidates will file at the City Clerk's Office at City Hall, 200 East Broadway.

Filing Day Tips

- Do not expect early service. The City Clerk will not accept filings prior to 9:00 a.m.
- Do not wait until the last minute. Candidates not appearing by 5:00 p.m. in the City Clerk's Office cannot file.
- Be prepared with all necessary information and have all forms completed. Please keep in mind that some of the forms will require a notarized signature. The City Clerk's Office provides notary services, if needed.
- Candidates must file in person, either themselves or via a written authorization from the candidate permitting someone to act on the candidate's behalf. Further, the City Clerk may accept one and only one Declaration of Candidacy from any individual, i.e. candidates may only file for one office within the same local government in an election cycle. NMSA § 1-22-7.

Candidate Challenges

Pursuant to NMSA §1-22-10(B), 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.

Ballot Appearance

For the Municipal Officer Election, ballot offices will be listed in the following order:
NMSA § 1-10-8C

1. Elective executive officers listed first
2. Governing board members listed second
3. Judicial officers listed third
4. Ballot questions will appear last

Municipal Officer Elections are nonpartisan. Candidate names will appear on the ballot with no party or slate designation. §1-22-3(B)

Campaigning

Contributions/Expenditures

The City of Hobbs has no current laws related to campaign reporting requirements for municipal elections.

Signs

Signs on public and private property within the city limits are regulated by ordinance. Please review the Hobbs Municipal Code online at this web address:

https://library.municode.com/nm/hobbs/codes/code_of_ordinances?nodeId=HONEMEMUCO.

Please contact the Code Enforcement Department at (575) 391-8158 with any specific questions.

Election

Voting

Regular municipal elections in the City of Hobbs take place on the first Tuesday of March in even numbered years (March 3, 2020). Voters may vote in person on Election Day between the hours of 7:00 a.m. and 7:00 p.m. In addition, voters may vote by requesting an absentee ballot which will be mailed, or marking an absentee ballot in-person, beginning 28 days before Election Day. Alternatively, they may vote early in-person in the Office of the City Clerk and at the Lea County Office Annex beginning 15 days before the election.

Voting Convenience Centers

Hobbs consolidates all of its precincts into Voting Convenience Centers. City of Hobbs voters may vote at any of the Voting Convenience Centers, regardless of where they live in the City, on Election Day.

Locations for voting on Election Day will be: City of Hobbs Annex, Hobbs Municipal Schools Training Center, Teen Center, and the Lea County Event Center.

Photo ID Required

A photo ID to vote in Hobbs municipal elections is required. As such, a valid photo ID is required for voters who vote in-person. If a voter does not have a valid photo ID, they may obtain a Voter Photo ID from the Office of the City Clerk at no cost. For specific requirements, please contact the City Clerk's Office at (575) 397-9200 or view the requirements in the City Charter.

Run-Off Election

If no candidate for municipal office receives over 40% of the total vote through the regular election, a run-off election is required for that seat between the two candidates who receive the highest number of votes in the regular election. Run-off elections are administered in the same manner as regular elections and take place within 45 days after the certification of the election results. If a top-two runoff election is required, the election will be held on Tuesday, April 14, 2020, and shall be conducted on a separate ballot.

No additional action is required on the part of the candidate.

Position Responsibilities

Mayor and City Commissioners

The City's Charter specifically outlines the responsibilities and duties of the Mayor and City Commissioners.

Municipal Judge

The Hobbs Municipal Code and New Mexico State Law specifies the responsibilities and duties of the Municipal Judge, as follows:

- (1) Shall constitute the judicial branch of the City government;
- (2) Shall be entitled to exercise all of the powers and duties of office as are authorized by the Constitution and laws of the State of New Mexico;
- (3) Shall have jurisdiction over all offenses and complaints under the ordinances of the City; and
- (4) May issue subpoenas, warrants and punishment for contempt.

Compensation & Benefits

Compensation

Currently, based on existing municipal code/ordinance, the annual salary for elected officials is:

Mayor – Beginning in 2018 and thereafter, the annual salary of the Mayor shall be \$26,000.00.

City Commissioner – Beginning in 2018 and thereafter, the annual salary of City Commissioner shall be \$12,000.00.

Municipal Judge – Effective from the date the Municipal Judge takes the oath of office in 2018, the Municipal Judge shall receive a salary of \$1,398.50 per week for 52 weeks per year payable in 26 payments to coincide with the payroll dates of the City.

Pursuant to the State of New Mexico Constitution, an elected official's compensation cannot be increased or reduced during their term of office.

Benefits

Based on existing municipal code/ordinance, the Mayor, City Commissioners, Municipal Judge and eligible family members shall be offered medical, dental, vision insurance coverage and PERA as provided to other City employees.

Required Disclosure

Pursuant to State Law and City Ordinance, upon taking office, all public officers are required to complete a “Public Officer Disclosure Form” and a “City of Hobbs Financial Disclosure Form”. Completion of these forms are required annually by all public officers. Every public officer has a duty to update their individual forms as individual circumstances may change. Please contact the Clerk’s Office if you wish to view a sample copy of the required forms.