CITY OF ALAMOSA
COUNCIL CANDIDATE ORIENTATION KIT

For the November 2, 2021
Regular City Election
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City of Alamosa
November 2, 2021 Election
General Information

Councilor Positions Available:
• Mayor (Currently held by Ty Coleman)
• At Large (Currently held by Jan Vigil)
• Ward 2 (Currently held by David Broyles)
• Ward 4 (Currently held by Michael Carson)

Information Regarding Candidates:
• All prospective candidates are required to be: United States citizens, at least twenty-one years of age, and registered electors of the City of Alamosa for at least one year prior to the election date.
• Candidates for a specific ward must reside within that ward and comply with the requirements of all candidates listed above.
• All candidates must comply with the local Fair Campaign Practices Act, and file reports as required.
• All candidates must sign candidacy acceptance statements.
• Candidates may choose to circulate their own petitions or have others circulate petitions on their behalf.

Information Regarding Petitions:
• Petition signers must be registered electors in the City of Alamosa.
• Petition signers for ward candidates must reside within the respective ward and must be registered electors in that ward.
• A person may not sign more than one petition for the same seat. (However, a registered elector may sign one petition for a specific ward and one for an at-large position.)

Deadlines Regarding Petitions:
• August 2, 2021 – Candidate Orientation Session, 6:00 p.m., Council Chambers
• August 3, 2021 – First date petitions may be circulated.
  • August 23, 2021 – Last day to file petitions with the City Clerk’s office.
  • August 26, 2021 – Last day to cure filed petitions.

General Information Regarding Election
The November 2, 2021 regular municipal election will be conducted as a coordinated election with Alamosa County. The City will participate in a mail ballot election wherein each registered elector will receive a ballot in the mail and will be allowed to vote on all issues pertaining to that voter. The ballot may be returned in person to the County Clerk’s office or it may be mailed back at the voter’s expense.

FURTHER INFORMATION MAY BE OBTAINED AT THE CITY CLERK’S OFFICE
300 Hunt Avenue | (719) 589-2272 | hmartinez@ci.alamosa.co.us
I. INTRODUCTION

This overview is meant as just that -- a concise guide to Alamosa’s City government. All of the information in this document is taken from the Charter, Ordinances, or other documents that are available to you. If something you read here inspires questions or desire for greater detail, more information can be found in these documents. The City Charter and Code of Ordinances can be obtained through the City’s web site. Go to www.cityofalamosa.org and click on the link to the ordinances.

This, however, is not meant to replace the human element. You are encouraged to direct any and all questions you may have to the City Manager, City Clerk or other members of the Council. They are your best resource.

II. YOUR ROLE AND RESPONSIBILITY

As a City Councilor, your job is to represent your constituents and make legislative decisions for the good of the community.

Council is expressly prohibited by Charter from personnel management issues for employees, with the exception of those appointed directly by Council (City Manager, City Clerk, City Attorney, and Municipal Judge). The City Manager is the liaison between City Council and staff activity.

The “Overview of Individual Departments” will explain further the structure of the City’s departments with regard to specific staff activities.

III. ORGANIZATIONAL STRUCTURE AND FORM OF GOVERNMENT

Alamosa is a home rule city. This means that we as a community have adopted our own charter, rather than deferring to statutory state laws in areas that the State’s Constitution allow. Changes to the charter must be passed at election.

The chosen form of government is Council-Manager. The City Council is the legislative body that determines laws and policy for Alamosa. The City Manager, along with staff, is charged with carrying out the decisions of City Council and for the administration and day-to-day decisions required in the operations of the City.
There are a total of six Councilors and one Mayor. Each of Alamosa’s four wards has one Council representative, and two Councilors represent the city at-large. The Mayor is also elected at-large. Four-year terms are staggered so that at each regular election three Council seats are available.

Alamosa has opted out of term limits by voter approval at the November 1996 election. Councilors and Mayor may serve an unlimited number of terms, but must run for election at the end of each four-year term.

III. MEETINGS AND TIME COMMITMENTS

Meetings and work sessions.

Regular Council meetings are held on the first and third Wednesdays of each month at 7:00 p.m. Special meetings may be called as needed, but are rare. These official meetings are the only time that Council may make decisions.

Work sessions are held for the purpose of informal discussion and study outside the official meetings. No action may be taken at a work session. These are normally held just prior to regular meetings, but may be scheduled as Council desires. Council has committed to being available every Wednesday, although with the exception of budget season (July - October) this is not typically needed.

Retreats

Council normally has a two-day retreat held the first Friday and Saturday in June; and may have an additional half-day mini-retreat, held the first Saturday in February. This provides a forum for discussing long-range goals.

Other Time Commitments

City Councilors are appointed to various boards, commissions, and committees that meet outside of City Council. Time commitments vary greatly with the specific needs of each group.

The time you spend visiting with your constituents will vary, but you need to be willing to dedicate whatever time this takes. There are no “days off” from being an elected official.
IV. ADMINISTRATION AND DEPARTMENTAL OVERVIEW

A. City Manager. The City Manager is appointed by City Council, and is the Chief Administrative Officer of the city staff. The City Manager acts as the Personnel Director; prepares the budget with fiscal guidance from the Finance Department and input from each department head and City Council; recruits, hires, and supervises the management staff; serves as Council’s chief advisor; and carries out Council’s policies. Department staff also manage the City’s public information resources and multiple special projects such as the Art Program and Homeless Coalition.

Human Resources is a division of the City Manager’s office. The division’s purpose is to serve as an aid to the City Manager and to help meet City and Council objectives as they relate to employees, compliance, risk management, culture, and productivity.

Economic Development was added as a division in 2019 with the elimination of ACEDC. A majority of the private investors previously associated with ACEDC have continued their investment now with the City. The division is responsible for activities related to business retention, expansion and attraction.

B. City Clerk. The City Clerk is appointed by and is directly accountable to the City Council. The Clerk is responsible for the administration of liquor licensing, security licensing, second hand dealer licensing, elections, Municipal Court, records management, and support services to Council.

Municipal Court has a part time Judge, appointed directly by and accountable to City Council. Staff of the City Clerk’s office provides clerical support for day-to-day court activity.

C. Finance. Finance Department conducts all fiscal activity of the City, including investments, debt, accounting, sales tax licensing, utility billing, payroll, and reception for City Hall. The Finance Director provides fiscal control and support for implementing the annual budget.

D. Public Works consists of Engineering, Fleet Maintenance, Sanitation, Streets, Water, Sewer, Building Inspection, and Planning and Zoning. This department issues building permits, contractor licenses, and water/sewer taps.

E. Police Department is charged with the safety of the public and enforcement of City ordinances, as well as state and federal laws.

F. Parks & Recreation oversees cemetery, parks, recreation, and library. This includes complete operations of the cemetery, including burials, facilities maintenance, and record-keeping. The Parks division maintains and improves all parks facilities. This division also performs landscaping and forestry on City property. Recreation operates
extensive programs for both children and adults. Administrative offices are located at the Family Recreation Center. The Alamosa Public Library offers all types of media as well as computers that are available for public use.

G. City Attorney. Council appoints the City Attorney to provide legal advice to all City departments, prepare legal documents, and attend Council meetings in an advisory capacity. The City Attorney is directly accountable to City Council. The City Attorney also prosecutes violations of municipal ordinances in Municipal Court.

H. Fire. The City’s Fire Department is volunteer. Administrative personnel are paid a nominal salary, and firefighters are paid per call.

I. Information Technology. IT supports the City’s internal computer network and the library’s public network, manages the City-wide phone system, creates and maintains the website, and operates the City’s cable channel. IT also provides this support to the City of Monte Vista pursuant to an intergovernmental agreement.

VIII. BOARDS AND COMMISSIONS

The attached list describes the various boards and commissions. City Council members are assigned as a liaison to most of these groups (see Committee Assignments). In some cases, a Council member is specified as a voting member of the committee; in others it is non-voting and for liaison purposes only.

Boards may be one of several types.

1) Advisory Boards make recommendations to City Council. Council has the final decision-making authority, but relies on the board to sort through preliminary information and in some cases conduct public hearings. Most boards fall into this type.

2) Quasi-Judicial Boards. These boards are given specific powers to make final decisions without City Council’s involvement. The Zoning Board of Adjustments, currently incorporated into the Planning Commission, is an example of this type of board.

3) Task Forces are created to work on a specific project. These committees may have a limited life span according to the project.
CITY COUNCIL CANDIDATE KIT
INCLUDED ITEMS

General Information sheet
Overview document
Charter
ICMA Council-Manager Form of Government brochure
List of Council Members and Management Staff
Organizational Chart
Ward Map
Board Information List
Committee Assignments List
Sample Petition
Sign Code information
Election Calendar
Candidate Information regarding Alamosa local FCPA
Local FCPA Forms
By Authority of Article XX

of the

Constitution of the State of Colorado

* 

Adopted at a

SPECIAL ELECTION

Held March 12, 1957

PREFATORY STATEMENT TO VOTERS OF ALAMOSA, COLORADO

The Charter Convention of the City of Alamosa, Colorado, herewith submits to the voters of the City this Charter which it has framed in conformity with Article XX of the Constitution of the State of Colorado.

Under the provisions of this Charter, the Council is vested with full legislative authority. Subject to their control and responsibility the Administration of the affairs of the City is placed in the hands of the City Manager who is directly responsible to the City Council for his actions.

The Council is composed of seven members, four elected from their respective wards and three elected from the city at-large. One of the three elected at-large is to be designated by the direct vote of the people to be the Mayor of the City and will preside over the Council. The election of Council members is so arranged that the City will always have at least three experienced members.

The various provisions of the Charter have been written in an endeavor to provide a form of government suitable to the present and future needs of the people of Alamosa; to secure Economic and Business-like Administration; to achieve a simple and direct form of local government; to provide a definite framework for good government in the best interests of the people.

The Charter may be amended if desirable, in accordance with legal provisions. Every Article has been written, in so far as possible, in accord with the best established principles of Home Rule Government for Cities.

Submitted January 18, 1957.

THE CHARTER OF THE CITY OF ALAMOSA, COLORADO

Preamble
We, the people of the City of Alamosa, under the authority of the Constitution of the State of Colorado, do ordain and establish this Charter for our municipal corporation.

Footnotes:
--- (1) ---

Editor's note—Printed herein is the Charter for the City of Alamosa, Colorado adopted by referendum held on March 12, 1957. Style and capitalization have not been made uniform. Obvious misspelled words have been corrected without notation. Words added for clarification have been added in brackets []. Amendments have been included and are indicated by a history note immediately following the amended section.

ARTICLE I. - NAME, BOUNDARIES, POWERS, RIGHTS AND LIABILITIES, FORM OF GOVERNMENT

Section 1. - Name and Boundaries.

The municipal corporation heretofore existing as the "City of Alamosa" in Alamosa County of Colorado shall remain and continue a body politic and corporate and under this Charter shall be known as the "City of Alamosa," with the same boundaries until changed in a manner authorized by law.

Section 2. - Powers, Rights and Liabilities.

By the name of the City of Alamosa the municipal corporation shall have perpetual succession; shall own, possess and hold all property, real and personal heretofore owned, possessed and held by the City of Alamosa and does assume and shall manage and dispose of all trusts in any way connected therewith; shall succeed to all the rights and liabilities and shall acquire all benefits and does assume and shall pay all bonds, obligations and indebtedness of said City of Alamosa; may, by the name of the City of Alamosa, sue and defend, plead and be impleaded in all courts and places and in all matters and proceedings; may purchase, receive, hold and enjoy, or sell and dispose of real and personal property; may have and use a common seal and alter the same at pleasure.

The city shall have all the power of local self-government and home rule and all power possible for a city to have under the Constitution of the State of Colorado. The city shall also have all powers that now or hereafter may be granted to municipalities by the laws of the State of Colorado, and the enumeration of particular powers in this Charter is not exclusive of others. All such powers shall be exercised in the manner prescribed in this Charter or, if not provided for herein, in such manner as shall be provided by ordinance of the council of the city. All ordinances of the City of Alamosa in force at the time this Charter goes into effect shall continue in force except in so far as they may conflict with the provisions of this Charter or shall be amended or repealed by ordinances enacted under the authority of this Charter.

Section 3. - Form of Government.
The municipal government provided by this Charter shall be known as the "Council-Manager Government." Pursuant to its provisions and subject only to the limitations imposed by the State Constitution and by this Charter, all powers of the City shall be vested in an elective Council, hereafter referred to as the "Council." All powers of the Council shall be exercised in the manner prescribed by this Charter, or, if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

ARTICLE II. - MUNICIPAL OFFICERS

Section 1. - Designation of Officers.

The legally qualified incumbents of the following positions in the municipal service are hereby declared to be officers:

Mayor
Members of the City Council
Members of Boards and Commissions

Section 2. - Municipal Employees.

The incumbents of all other positions in the municipal service are hereby declared to be employees.

Section 3. - Qualifications of Elective Officers.

No person shall be eligible for election to office unless at the time of his election he be a citizen of the United States, at least twenty-one years of age, and shall have been qualified elector of the City for at least one year immediately preceding his election. Councilmen elected by ward shall be residents and qualified electors of the respective wards in which they are elected.

(Ord. No. 26, 1979, § 1, 9-19-79, approved, election of 11-6-79)

Section 4. - No Other Public Elective Office.

No elective officer of the city shall hold any other public elective office.

Section 5. - Qualifications of Appointive Officers.

No person shall be eligible for appointment to office as a member of a board or commission unless at the time of appointment the appointee (1) is a registered elector of the City; or (2) is a resident of Alamosa County and (A) owns property within the City, (B) owns a business located within the City, or (C) is employed
full time within the City. Members of the planning commission and of the personnel board shall be registered electors of the City. If any office-holder for the City shall cease to be eligible for appointment at any time during his or her tenure in office, the office shall be deemed vacant as of the date of ineligibility.

(Amendment approved, election of 11-6-01; Amendment approved, election of 11-7-17)

Section 6. - Vacancies.

All elective officers shall continue to hold office until their successors are duly elected and qualified. If any officer shall cease to possess any qualification for his office or shall be convicted of a felony, his office shall immediately become vacant. A vacancy shall also be created by the death or resignation of the incumbent.

Section 7. - Oath of Office.

Before entering upon the duties of his office, each Councilman, the Mayor, the City Manager, the City Attorney, the City Clerk, the Judge of the Municipal Court and each Director of a Department shall take, subscribe and file with the City Clerk an oath or affirmation that he will faithfully perform the duties of the office or position. The City Clerk shall take and subscribe his oath before a notary public.

ARTICLE III. - THE COUNCIL

Section 1. - Composition.

The Council shall consist of a Mayor, who shall be elected at-large, and six Councilmen. The Councilmen shall be elected, one from each of the four wards as provided in this Charter, and two from the city at-large. These seven members of the Council shall be elected for a term of four years except as otherwise provided herein.

The Mayor shall preside over the meetings of the Council. He shall be recognized as the head of the city government for ceremonial purposes, and by the Governor of the State of Colorado for purposes of military law, and for service of civil processes. He shall execute and authenticate legal instruments requiring his signature as such official.

The Council shall choose one of its members as Mayor pro-tempore who shall preside over the Council in the absence or disability of the Mayor and serve as acting Mayor with the same duties as the Mayor.

Section 2. - Authority of Council Over Election.

Except as otherwise provided in the Charter, the Council shall be the judge of the election and qualifications of its own members; shall determine its own rules of procedure; and may compel attendance of members.
Section 3. - General Powers.

The Council shall have and exercise all the legislative powers of the City of Alamosa and shall be the body of final responsibility in all matters affecting the city.

By way of extension but not of limitation the Council shall have power to enact ordinances as follows:

(a) To protect life, health and property.
(b) To declare, prevent, and summarily remove nuisances.
(c) To promote the general welfare, order and security of the city.
(d) To exercise the exclusive power to appropriate and raise municipal revenue.
(e) To preserve and enforce good government.
(f) To pass all ordinances and resolutions necessary to carry out the powers herein conferred or granted by general law.

Section 4. - Filling Vacancies.

Vacancies in the Council, and in the office of Mayor, shall be filled by the Council for a period extending to the next regular election, at which time a successor shall be elected for the unexpired term.

Section 5. - The City Clerk.

The Council shall, after considering the recommendation of the City Manager, appoint a City Clerk who shall serve at the pleasure of the Council. The City Clerk shall act as clerk of the Council; shall keep a record of Council proceedings; shall authenticate by his signature and record in full in a permanent book kept for that purpose, all ordinances; and shall perform other duties assigned by the Council or the City Manager; or as provided by this Charter or by ordinance.

Section 6. - Salaries.

The annual salaries of the members of Council shall be $4,800.00, and the annual salary of the Mayor shall be $7,200.00, all payable monthly. Except as otherwise provided in the Charter, this remuneration shall constitute the only compensation which may be paid the Mayor or a Councilor for the discharge of any official duty for or on behalf of the City during their tenure of office, except for such retirement fund contributions, if any, otherwise required by law. The Mayor and any Councilor may, however, upon order of the Council, be paid such necessary bona fide expenses incurred in the service on behalf of the City as are authorized and itemized.

(Ord. No. 8, 1987, § 1(1), 9-16-87, approved, election of 11-3-87; Ord. No. 7, 1991, § 1(1) approved, 11-5-91; amendment approved, election of 11-4-97)
Section 7. - Powers Expressly Withheld from Council.

Except for the purpose of inquiry, the Council and the Mayor shall deal with the administrative service solely and directly through the City Manager, and neither the Council, its members, nor the Mayor shall either dictate the appointment or removal of or direct or interfere with the work of any employee under the City Manager.

Section 8. - Bonding of Employees.

The Council shall require a bond of the City Manager and the City Clerk, and may require a bond of any other employee in its discretion. These bonds shall be placed with such surety and in such amounts as the Council may determine. Premiums on these bonds shall be paid by the city.

Section 9. - Meetings, Quorum.

The Council shall hold regular meetings at such time and place as it may prescribe, and shall prescribe the manner in which special meetings may be called. Four members of the Council shall constitute a quorum sufficient to transact business. Approval by a majority of the members present at any regular or special meeting of the Council shall be sufficient to authorize any action of the Council except the passage of any ordinance and the passage of any resolution or motion authorizing the expenditure of money or approving contracts involving the expenditure of money, which shall require the affirmative vote of a majority of the Council membership.

All meetings shall be open to the public, but at any meeting the Council may proceed in executive session, at which only those persons invited by the Council may be present, to consider documents or testimony given in confidence, to determine its position on issues that may be the subject of litigation or negotiation, to receive reports on the status of litigation or negotiations, and to consider personnel matters.

(Ord. No. 37, 1979, § 1, 11-1-79, approved, election of 11-6-79; Ord. No. 8, 1987, § 1(2), 9-16-87, approved, election of 11-3-87)

Section 10. - Ordinances, Resolutions, Motions.

In all legislative matters coming before it, the Council shall act only by ordinance, resolution or motion. The ayes and nays shall be taken upon the passage of all ordinances, resolutions and motions and entered into the journal of the Council proceedings. Should any Councilor being present refuse to vote on any measure, said Councilor's vote shall be recorded in the affirmative. A Councilor shall be excused from voting on matters involving the consideration of the Councilor's own official conduct, or where the Councilor's financial interests are involved.

(Ord. No. 26, § 1, 9-19-79, approved, election of 11-6-79; Ord. No. 8, 1987, § 1(3), 9-16-87, approved, election of 11-3-87)
Section 11. - Ordinances—When Required.

In addition to such acts of the Council as are required by this charter to be by ordinance, every act fixing compensation, making an appropriation, authorizing the borrowing of money, levying a tax, establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance.

Section 12. - Form of Ordinances.

All ordinances shall be introduced in written form and no ordinance or section thereof shall be amended or repealed except by an ordinance regularly adopted. The enacting clause of all ordinances shall be: "Be it ordained by the City Council of Alamosa."

Section 13. - Procedure for Passage.

An ordinance may be introduced at any regular or special meeting and be read a first time, and a day and hour set at which time the Council or a committee shall hold a public hearing thereon. Such hearing may be at a regular meeting of the Council, or at such time and place as the Council may order, and may be adjourned from time to time. An ordinance may be read and finally passed at any regular or special meeting of the Council following the meeting at which it is introduced. Such final reading and passage of an ordinance may be at the same meeting at which such public hearing thereon is held. The reading upon introduction or upon final passage or both shall be in full unless the proposed ordinance shall be in writing or printed and a copy furnished to each Councilman at least three days prior to such reading.

(Ord. No. 26, § 1, 9-19-79, approved, election of 11-6-79)

Section 14. - Emergency Ordinances.

No ordinance shall be passed finally on the date it is introduced, except in cases of emergency, for the preservation of the public peace, health, or property, and then only by two-thirds vote of the Councilmen present. The facts showing such urgency and need shall be, specifically stated in the measure itself. No ordinance making a grant of any franchise or special privilege shall ever be passed as an emergency measure.

Section 15. - Publication and Effective Date of Ordinance.

Except as otherwise provided herein, every proposed ordinance shall be published once in full in a daily newspaper of the city at least seven days before its final passage. After such final passage it shall again be published once in a daily newspaper and shall not take effect until ten days after publication following final passage unless another date is specified therein; except that an emergency ordinance and any ordinance not subject to the referendum shall take effect upon publication following passage.
Section 16. - Publication by Reference.

When the Council deems it appropriate, publication of the title of ordinance, or the title of an amendment thereto, together with a brief summary of such ordinance or amendment as determined to be sufficient by the Council, together with a statement that the text thereof is available for public inspection and acquisition in the office of the City Clerk, shall be sufficient publication.

Section 17. - Adoption of Codes by Reference.

The Council shall have power to adopt codes by reference in such manner as it deems appropriate, and the provisions of this Article relating to the reading of ordinances and their publication by reference shall apply to all such codes.

Section 18. - Disposition of Ordinances.

The Mayor and the City Clerk shall sign all ordinances approved by the Council. All ordinances of the City of Alamosa shall be indexed by subject and kept by the City Clerk in a book for that purpose which shall be a public record.

Section 19. - Ordinance Codification.

The Council may from time to time cause the permanent ordinances to be codified. Such codification may be of the entire body of permanent ordinances of some particular subject. Such codification may be enacted by the Council or may be adopted or authenticated in such other manner as may be provided by this Charter or by ordinance.

Section 20. - Licenses and Permits.

The Council may provide for licenses and permits and fees therefor for regulatory and for revenue purposes. The Council shall hear and decide appeals relating to issuance, suspension, or revocation of licenses and permits.

Section 21. - Contracts With Other Governmental Bodies.

The Council may by ordinance enter into contracts with other governmental bodies for any of the following purposes:

[(a)] To furnish governmental services and to make charges for such services.

(b) To enter into cooperative or joint activities with other governmental bodies.

Section 22. - Creation of Departments or Offices—Change of Duties.
The Council by ordinance may create, change, and abolish offices, departments or agencies, other than the offices, departments and agencies established by this Charter.

The Council by ordinance may assign additional functions or duties to offices, departments or agencies established by this Charter, but may not discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office, department or agency, except as may be provided by contract with other governmental bodies.

Section 23. - Investigation by Council.

The Council or a duly authorized committee thereof, may investigate any agency and the official acts of any officer, or employee thereof, and may compel the attendance and testimony of witnesses and the production of books and documents.

Section 24. - Wards.

The Council shall establish by ordinance four wards, which shall be contiguous and compact and have approximately the same number of registered voters. Provided, however, that no changes, divisions, or consolidations shall be made effective for any election within four years of the preceding redistricting, except that annexed areas shall become part of the adjacent ward or wards and shall not be counted as a redistricting. Such redistricting shall be completed at least six months prior to the regular municipal election at which it is to become effective.

ARTICLE IV. - THE CITY MANAGER

Section 1. - Appointment and Qualification.

The Council shall appoint and fix the salary of a city manager, who shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be chosen on the basis of his executive and administrative qualifications, with special reference to his actual experience in and his knowledge of accepted practice in respect to the duties of the position.

At the time of his appointment the city manager need not be a resident of the city but he shall reside in the city during his tenure of office.

No councilman shall be appointed city manager during the term for which he shall have been elected nor within one year after the expiration of his term.

Section 2. - Powers and Duties.
The city manager shall be responsible to the Council for the proper administration of all the affairs of the city and to that end he shall have power and be required to:

(a) Except as such power may be specifically otherwise designated herein, appoint and, when necessary for the good of the service, remove all heads of departments and employees of the city.

(b) See that the laws and ordinances of the city are enforced.

(c) Prepare the annual budget proposal and submit it to the Council and be responsible for the administration of the budget after adoption by the Council.

(d) Participate in discussions of the Council in an advisory capacity.

(e) Prepare and submit to the Council at the end of the fiscal year a complete report on the finances and the administrative activities of the city for the preceding year, and shall make written or oral reports to the Council, when required by it, as to any particular matters relative to the affairs of the city under his supervision.

(f) Keep the Council advised of the financial condition of the city, and make such recommendations to the Council for adoption as he may deem necessary or expedient.

(g) Except as herein otherwise provided, exercise supervision and control over all executive and administrative departments created herein or that may be created hereafter by the Council.

(h) Prepare for the Council and make available for public inspection a monthly report of activities in each department under this jurisdiction.

Section 3. - Acting City Manager.

The Council may appoint or designate an acting City Manager to serve during the period of a vacancy in the office or during the absence of the City Manager from the City.

Section 4. - Removal of the City Manager.

The City Manager shall be appointed for an indefinite term but shall be removable at the pleasure of the council for cause. Before the manager may be removed he shall, if he so demands, be given a written statement of the reasons alleged for his removal and the right to be heard publicly thereon at a meeting of the council prior to the final vote on the question of his removal, but pending and during such hearing the council may suspend him from office. The action of the council in suspending or removing the manager shall be final, it being the intention of this section to vest all authority and fix all responsibility for such suspension of removal in the Council. Upon removal of the City Manager, the Council shall cause to be paid him any unpaid balance of his salary for the current month and his salary for the succeeding calendar month.

Section 5. - Departmental Divisions.
The work of each department of the administrative branch may be distributed among such divisions within the department as may be established by the Charter, or by ordinance, after recommendation of the city manager, or by regulations issued by the City Manager pending passage of such an ordinance.

Section 6. - Manager to Assign Employees.

The City Manager shall also have the power, whenever the interests of the city require, to assign any employee of one department to the performance of duties in another department.

ARTICLE V. - FINANCE ADMINISTRATION

PART A. - DEPARTMENT OF FINANCE

Section 1. - Department Created; Qualifications of Director.

A Department of Finance is hereby created, the executive officer of which shall be the Director of Finance who shall have special knowledge of municipal accounting, taxation, budget making, and finance. The City Clerk shall be Director of Finance unless otherwise provided by ordinance.

Section 2. - Powers and Duties.

The Director of Finance shall have charge of the financial records and general and special funds of the city, and shall collect, receive, and disburse all money belonging to the city, and shall have all other duties required to administer properly the financial affairs of the city; to that end he shall have authority and shall be required to:

(a) Maintain a general accounting system for the city government and each of its offices, departments, and agencies, exercise budgetary control over the same in accordance with the budget and annual appropriation ordinance; prescribe the form of receipts, requisitions, warrants, and other evidence of income and disbursements; audit before payment all bills, invoices, payrolls, and other claims and charges against the city government; determine the regularity, legality, and correctness of such claims, demands or charges;

(b) Advise the City Manager of the budget requirements of the Department of Finance and furnish estimates and information concerning other departments, agencies and boards as requested by the City Manager;

(c) Advise departments of remaining allotments;

(d) Disburse funds in a manner which will assure that budget appropriations are not exceeded and that payments are not illegally made;

(e) Collect and hold all city funds; invest funds as directed by the Council by resolution; be
responsible for all trust funds;

(f) Serve as custodian of all bonds, documents, and other evidences of indebtedness owned by the city or under its control;

(g) Issue all licenses and collect the fees therefor; collect or receive funds of every description belonging to, due to or accruing to the city, including fines, forfeitures, penalties, taxes, water rentals and sewer fees;

(h) Submit to the Council through the City Manager a monthly statement of all accounts and funds, including trust and custodial funds, such report to show receipts and disbursements and remaining budget allotments sufficiently itemized in detail to show the exact financial condition of the city;

(i) Examine and approve all purchase contracts, orders, and other documents by which the city incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations become due and payable;

(j) Advise the City Manager of any financial irregularity in any department.

Section 3. - Separate Utilities Accounts.

The accounts of each utility owned and operated by the city shall be kept separate and distinct from all other accounts of the city. Such accounts shall show also reasonable allowance for depreciation and absolescence and an estimate of the amount of taxes that would be chargeable, against such utility property if owned privately.

Section 4. - Responsibility for Funds.

All money belonging to the city and in the custody of city employees shall be paid daily to the department of finance.

Section 5. - General Fund, Expenditures.

A general fund is hereby created which shall consist of all revenues of the city not specifically belonging to any special fund. The governmental functions of the city shall be paid for out of appropriations from the general fund.

Section 6. - Special Funds, Expenditures.

Special funds may be created for any purpose by ordinance; any ordinance creating a special fund shall also specify the source of revenue and the purpose and manner of expenditure.

PART B. - BUDGET AND FISCAL CONTROL
Section 1. - Fiscal, Budget, and Accounting Year.

The budget, fiscal, and accounting year shall be the same as the calendar year. The term "budget year" means the fiscal year for which any budget is adopted and in which it is to be administered.

Section 2. - Annual Budget Estimates.

On or before the first Monday in October of each year, the City Manager shall submit to the Council a proposed budget for the next ensuing budget year with an explanatory message. The proposed budget shall provide a complete financial plan for the city and shall include the following:

(a) Proposed expenditures for each office, department and agency for the ensuing fiscal year.
(b) Debt service requirements for the ensuing fiscal year.
(c) An estimate of the amount of anticipated income from all sources other than taxes on property during the ensuing fiscal year, including estimated cash surplus at the end of the current year.
(d) The probable amount required to be levied and raised by property taxes during the ensuing fiscal year.
(e) A general budget summary.

The budget shall be in detail and show for each fund estimated revenues by source and estimated expenditures by organization units, activities, character, and object. The budget shall be so arranged as to show comparative figures for receipts and expenditures for the last completed fiscal year, for the current year, and the City Manager's recommendations for the ensuing year.

Section 3. - Capital Budget.

As a part of the budget message or as a separate report attached thereto, the City Manager shall also present a program of proposed capital projects for the ensuing year and the five fiscal years thereafter. Estimates of the cost of such projects shall be submitted together with suggested methods of financing the same.

In such proposed program, the City Manager shall include only those projects previously considered by the Planning Commission, as provided in Article XIV of the Charter, but he may recommend the omission or deferment of projects proposed by the Planning Commission, giving his reasons therefor.

The Council shall consider the program of projects submitted by the City Manager and adopt a Capital Budget Plan for such period of years, including estimated costs and methods of financing; provided, however, that projects shall be budgeted and appropriations made therefor only by including them in the budget for the ensuing year as provided in this Article.
In order to facilitate the carrying out of the Capital Budget Plan, the Council may create a Capital Budget Fund. Monies may be appropriated to this fund directly or transfer from the General Fund or Post-War Improvement Fund; may be accumulated and invested; and may be expended only for capital projects, including the purchase of lands, buildings, or equipment and the construction or improvement of public works.

Section 4. - Public Record, Hearing.

The budget estimates aforesaid shall thereupon be a public record and open to the public for inspection and copy. The Council shall, within ten days after the filing of said budget estimates, set a time certain for public hearing thereon and cause notice of such public hearing to be given by publication. At the hearing all persons may appear and object to any or all items and estimates in the proposed budget. Upon completion of the public hearing the Council may revise the budget estimates.

Section 5. - Adoption of Budget.

After said public hearing and before the last day of October of each year, the Council shall adopt the budget for the ensuing fiscal year and shall fix the tax levy.

Section 6. - Annual Appropriations.

Upon said budget as adopted, the Council shall, not later than the last day of October in each year, pass the "Annual Appropriation Ordinance" in which shall be appropriated such sums of money as the Council deems necessary to defray all expenses and liabilities of the city during the ensuing budget year. The annual appropriation ordinance shall be based upon the budget as adopted but need not be itemized further than by departments and the major divisions thereof, and by each independent office and agency.

Section 7. - Levy.

The "Annual Appropriation Ordinance" shall include the proper levy in mills upon each dollar of the assessed valuation of all taxable property within the city, such levy representing the amount of taxes for city purposes necessary to provide for payment during the ensuing budget year of all properly authorized demands against the city, including interest and principal of general obligation bonds. The Council shall thereupon cause the total levy to be certified by the director of finance to the county assessor, who shall extend the same upon the tax list of the current year in a separate column entitled "City of Alamosa Taxes," and shall include said city taxes in his general warrant to the county treasurer for collection. If the Council fails in any year to make said tax levy as above provided, then the rate last fixed shall be the levy fixed for the ensuing budget year and the director of finance shall so certify.

Section 8. - Property Tax Levy Limitation.
The rate of the levy of the city on property shall be limited to whichever of the following rates produces the greater revenue:

(a) The rate of levy for the preceding year increased by five percent;
(b) A rate of levy that produces a revenue equal to the revenue produced in the preceding year increased by five percent;

except for the payment of bonds and the interest thereon. If, however, the Council determines that the amount of revenue produced by such a tax rate will be insufficient for the city's needs for such year, it may by a two-thirds vote, authorize an additional increase in the property tax rate not to exceed five percent of the rate levied the previous year.

(Ord. No. 26, 1979, § 1, 9-19-79, approved, election of 11-6-79)

Section 9. - No Unbudgeted Liability.

The city expenditures in any one year shall not be increased above the amount provided in the annual budget. No contract involving expenditures, and no expenditure for any improvement to be paid out of the general or special funds of the city or for defraying the expenses and liabilities of the city shall exceed, in any one year, the amount provided in the annual budget to be paid out of the said general and special funds so budgeted, but the said several funds shall be maintained and used for the particular purposes specified in the budget. It shall be unlawful for any department, officer, or agent of the city to incur or contract any expense or liability for or on behalf of the city unless an appropriation therefor shall have been made in the budget. Such contracts shall be null and void ab initio as to the city for any liabilities; provided however, that nothing herein contained shall prevent the Council from providing by ordinances for payment of any expense, the actual necessity of which is caused by any casualty, accident, or unforeseen contingency arising after the passage of the annual appropriation ordinance; and that the provisions of this section shall not apply to or limit the authority conferred in relation to bonded indebtedness, nor to monies to be collected by special assessments for local improvements. The provisions herein shall be subject to Section 17, of this Article.

Section 10. - Effect of Appropriation and Levy.

After the commencement of the budget and fiscal year the annual appropriation ordinance and levy shall be irrepealable and the several amounts stated in the adopted budget and annual appropriation ordinance as proposed expenditures shall be deemed appropriated for the items, objects, and purposes therein specified.

Section 11. - Lapsed Appropriations.
All appropriations unexpended or unencumbered at the end of the budget year shall lapse to the applicable general or special funds.

Section 12. - Deposit of Public Funds.

The cash balances of the city shall be deposited in a State or National Bank, or in any state or federally chartered savings and loan association in the city as the Council shall determine, and with such security as the Council shall require; but nothing herein contained shall make the Council, any member thereof, or the Director of Finance personally liable to the city for the loss of any funds so deposited.

(Ord. No. 26, 1979, § 1, 9-19-79, approved, election of 11-6-79)

Section 13. - Investments.

Monies remaining in any fund which the Council may by resolution at any time determine will not be required to be disbursed for a period of ninety days or more thereafter, may in the discretion of the Council be invested in one or more of the securities permitted by the statutes of Colorado governing investment of public funds, or in bonds payable out of the revenues of any service or facility furnished by the city; or in general obligation bonds of the city. Interest on such investments shall be credited to the fund to which the invested money belongs, if such can be determined, otherwise to the general fund of the city. The Council, or any member thereof, or the director of finance shall not be personally liable to the city for any loss incurred through the investment of any funds as herein provided.

Section 14. - Collection of Taxes.

Until the Council shall otherwise provide by ordinance, the county treasurer shall collect city taxes in the same manner and at the same time as State taxes are collected. In like manner the Council may provide for collection of special improvement assessments by said treasurer. All laws of this State for the assessment of property and the levy and collection of general taxes, sale of property for taxes, and the redemption of the same, shall apply and have as full effect in respect to taxes, except as modified by this Charter. On or before the fifth day of each month, the county treasurer shall report and pay to the director of finance the amount of tax collections of the city for the preceding month. The estimated costs of tax collections and losses shall be included in the budget.

Section 15. - Audit and Payments.

No demand for money against the city shall be approved, allowed, audited, or paid unless it is in writing, dated and sufficiently itemized to identify the expenditure, and payment thereof approved in writing by the director of finance and the person or department creating the obligation.

Section 16. - [Reserved]
Editor's note—Section 16, Apportionment of Expenses, was repealed by ordinance number 8, 1987, § 1(11), 9-16-87, approved, election of 11-3-87.

Section 17. - Budget Amendments and Transfer Appropriations.

The City Council may, by resolution, appropriate additional funds to any purpose recommended by the City Manager for expenditure during the budget year after the beginning of the Budget year. Such resolution must identify the source of additional funds, the purpose of the proposed expenditure, and whether the amendment is for an on-going or a one-time expenditure. The Council may by resolution, upon the recommendation of the city manager, transfer and appropriate any unused balance of any general fund appropriation or portion thereof from one department or agency to another. All such transfers and appropriations shall constitute budget amendments.

(Res. No. 25, 2007, § 1, 11-6-07)

Editor's note—Res. No. 25, 2007, § 1, was approved at the coordinated general election held on Tuesday, November 6, 2007.

Section 18. - City not to Pledge Credit.

The city shall not lend or pledge its credit or faith, directly or indirectly, in any manner to or in aid of any person, corporation, or other organization, public or private, for any amount or any purpose whatever, or become responsible for any debt, contract, or liability thereof.

Section 19. - Reports and Publication.

The Council shall provide for an independent audit at least annually by an independent certified public accountant or a registered accountant of all books and accounts of the city and shall publish a summary thereof once in the manner provided for publication of legal notices within three months after the end of each fiscal year. Copies of such audit shall be available at the office of the city clerk for public inspection.

PART C. - BONDED INDEBTEDNESS

Section 1. - [Bonds and Notes.]

The City may borrow money for any municipal purpose as provided herein and issue the following securities to evidence such indebtedness:

(a) Short-term notes,

(b) General obligation bonds and other like securities,
(c) Revenue bonds and other like securities,
(d) Refunding bonds,
(e) Special or local improvement bonds and other like securities, and
(f) Industrial development revenue bonds.

(Ord. No. 10, 1977, § 1, 9-14-77, approved, election of 11-1-77)

Section 2. - Short-Term Notes.

The City, upon the affirmative vote of the majority of the entire council in office at the time the vote is taken, is hereby authorized to borrow money without an election in anticipation of the collection of taxes or other revenues and to issue short-term notes to evidence the amount so borrowed. Any such short-term notes shall mature within forty-five days subsequent to the close of the fiscal year in which the money is borrowed.

(Ord. No. 10, 1977, § 1, 9-14-77, approved, election of 11-1-77)

Section 3. - General Obligation Securities.

No bonds or other evidences of borrowing by the City, payable in whole or in part from the proceeds of ad valorem taxes or to which the full faith and credit of the City are pledged, shall be issued until the question of their issuance shall, at a special or regular election, be submitted to a vote of the electors of the City and approved by a majority of those voting on the question, except as otherwise provided in this Charter. The aggregate amount of such bonds or other evidence of borrowing, as are described above in this section, shall not exceed ten percent (10%) of the assessed valuation of the taxable property within the City as shown by the last preceding assessment for City purposes, but bonds issued for water, sewer or drainage purposes may be issued without an election and are excepted from the debt limitations of this section and from the limitation of the first paragraph of Section 5 of Article IX of the Charter.

(Ord. No. 10, 1977, § 1, 9-14-77, approved, election of 11-1-77)

Section 4. - Revenue Securities.

The City, pursuant to ordinance, and without an election, may borrow money, issue bonds, or otherwise extend its credit, if such bonds or other obligations are made payable from revenues other than the proceeds of ad valorem taxes, including, without limiting the generality of the foregoing, revenues derived from the operation of the project or capital improvement acquired with the bond proceeds, from the available proceeds of a City sales and use tax or from any part or combination of such sources. Such bonds shall not be considered a debt or general obligation of the City, and shall not be included as part of the indebtedness of the City for any purpose.

(Ord. No. 10, 1977, § 1, 9-14-77, approved, election of 11-1-77)
Section 5. - Refunding Securities.

The City Council may authorize, by ordinance, without an election, issuance of refunding bonds or other like securities for the purpose of refunding and providing for the payment of the outstanding bonds or other like securities of the City as the same mature, or in advance of maturity by means of an escrow or otherwise. Any refunding bonds or other like securities issued without an election, shall be payable from substantially the same sources as the bonds refunded.

(Ord. No. 10, 1977, § 1, 9-14-77, approved, election of 11-1-77)

Section 6. - Industrial Development Bonds.

The City may also issue, pursuant to ordinance, industrial development revenue bonds as provided by the Statutes of the State of Colorado.

(Ord. No. 10, 1977, § 1, 9-14-77, approved, election of 11-1-77)

Section 7. - Special or Local Improvement Bonds.

The City shall have the power to issue special improvement bonds pursuant to Section 3 of Article XV of this Charter.

Section 8. - Terms and Disposal of Securities.

(a) The terms and maximum interest rate of general obligation or revenue bonds or other like securities shall be fixed by the authorizing ordinance and such securities shall be sold by public or private sale to the best advantage of the City.

(b) Any refunding bond may be exchanged dollar for dollar for a bond refunded.

(c) All bonds may contain provisions for calling the same at designated periods prior to the final due data, with or without the payment of a prior redemption premium.

PART D. - DIVISION OF PURCHASE

Section 1. - Division Created.

A Division of Purchases is hereby created in the Department of Finance and the head thereof shall be the purchasing agent for all departments and other agencies of the city except the library board. The powers and duties of the purchasing agent shall be as provided by the Council.

Section 2. - Competitive Bidding.
Before the Purchasing Agent makes any purchase of or contract of supplies, materials, or equipment, he or she shall give ample opportunity for competitive bidding under such rules and regulations, and with such exceptions as the Council may prescribe by ordinance.


Section 3. - Emergency Purchases.

In case of emergency affecting the public peace, health, or safety, the Council may waive all provisions for competitive bidding and direct the purchasing agent to purchase necessary supplies in the open market at not more than commercial prices.

Section 4. - Participation of Officers and Employees Interested in Contracts.

No elected official, appointed officer, or employee of the City shall be financially interested, directly or indirectly, in the sale of any land, material, supplies or services to the City, except it be by competitive bidding, or not exceeding the sum of five thousand dollars in any calendar year. In cases of emergency necessary to protect public health, safety and welfare, competitive bidding may be waived.

(Ord. No. 26, 1979, § 1, 9-19-79, approved, election of 11-6-79; Ord. No. 8, 1987, § 1(4), 9-16-87, approved, election of 11-3-87)

Section 5. - Reserved.

Editor's note—Section 5, Contracts for improvement exceeding five thousand dollars was repealed, approved, election of 11-7-17.

Section 6. - Contracts for Service.

No contract for service shall be made by the City for a longer period than two years, unless authorized by ordinance, which ordinance shall not be passed as an emergency ordinance. Any contract for service may or may not be made after competitive bidding, at the discretion of Council.

(Ord. No. 8, 1987, § 1(5), 9-16-87, approved, election of 11-3-87)

Section 7. - Contracts Effective Only When Bond Funds Available.

No contract for the acquisition of property or the construction of improvements or other expenditures which is to be financed by bonds or other obligations shall be effective until the proceeds of the bonds or obligations are actually in the hands of the director of finance.

Improvements to be paid for by special assessments shall be excepted from the provisions of this section.
ARTICLE VI. - MUNICIPAL COURT

Section 1. - [Established.]

There shall be a Municipal Court which shall have jurisdiction to hear and determine all cases arising under this Charter or the ordinances of the City. Final decisions by said Court shall be subject to appeal to the District Court in the manner provided by law for appeals from a municipal court to the applicable district court. The Court may punish contempt of court, and may enforce its orders and judgments within the limits provided generally by Colorado law at the time of enforcement; and may render final judgment on any forfeited bond or recognizance returnable to such Court, subject to appeal as in other cases. Cash bonds may be accepted in lieu of property, individual, or corporate surety bonds.

(Amendment approved, election of 11-6-01)

Section 2. - [Municipal Judge.]

The municipal court shall be presided over, and its functions exercised by a judge, who shall be a licensed member of the bar of this state in good standing, appointed by the City Council, for a term to be at the pleasure of the Council. He shall receive a fixed salary or compensation, not dependent upon the outcome of the matters to be decided by him, and to be fixed by ordinance from time to time. If absent, disqualified or unable to act in any matter or case, the municipal judge may call any eligible person to act and serve temporarily; and, if he fails to or cannot call in a substitute, the Council shall appoint a substitute.

The Council shall provide a suitable place and all supplies and things necessary for the proper functioning of the court.

The forms of complaints and all other rules, procedure, proceedings, costs and fees in the municipal court, shall be prescribed by ordinance, upon the recommendation of the municipal judge.

(Amendment approved, election of 11-6-01)

Section 3. - [Enforcement; Jurisdiction.]

The Council shall establish the municipal court's jurisdictional limits of enforcement, and shall modify the same, from time to time, by ordinance, so long as the jurisdictional limits do not exceed the limits established by state statute.

(Amendment approved, election of 11-5-96)

ARTICLE VII. - CITY ATTORNEY
Section 1. - Appointment and Qualifications.

The Council shall appoint a city attorney who shall serve at the pleasure of the Council. He shall have been a duly licensed attorney in the State of Colorado for at least three years immediately prior to his appointment and shall have been actively engaged in the practice of law in the city during such three years. The Council shall fix the compensation of the city attorney.

Section 2. - Functions.

The City Attorney shall be the legal advisor of the Council, the mayor, the city manager and any other officers of the city, and shall represent the city in all city legal proceedings. He shall draw all ordinances and other required legal documents and shall perform all such other services as may be required by this Charter, city ordinances or the Council.

Section 3. - Special Counsel.

The Council may upon request of the city attorney in special cases, employ special counsel if it deems the same necessary or advisable.

ARTICLE VIII. - ELECTIONS

Section 1. - [Ordinance.]

The City Council shall provide by ordinance for the holding and conduct of municipal elections in this city.

Section 2. - [State Election Code.]

The City Council may adopt one or more of the provisions of the Colorado Municipal Election Law, which is Chapter 135 of the Session Laws of Colorado 1955, and any amendments thereto hereafter adopted and then in force, as a partial compliance with Section 1 of this Article.

Section 3. - [Application of State Election Code.]

The provisions of the General Statutes of the State of Colorado concerning municipal elections in cities of the second class shall apply to election held in this city when there is no city ordinance applicable.

ARTICLE IX. - FRANCHISES AND PUBLIC UTILITIES

Section 1. - Franchise Elections.
A franchise may be granted with or without a vote of the qualified electors, at the discretion of Council. No franchise election shall be held until the applicant deposits the cost thereof with the Director of Finance in the amount determined by said Director. No exclusive franchise shall ever be granted.

(Ord. No. 8, 1987, § 1(6), 9-16-87; approved, election of 11-3-87)

Section 2. - Reports by Utilities.

Every person or corporation operating under a franchise or grant from the city shall annually submit to the Council a report verified by the oath of the president, the treasurer, or the general manager thereof. Such reports shall be in the form, contain such detailed information, and cover the period prescribed by the Council. The Council shall have the power, either through its members or by authorized experts or employees, to examine the books and affairs of any such person, persons or corporations, and to compel the production of books and other records pertaining to such reports or other matters.

Section 3. - Books of Record.

The Council shall provide and cause to be kept in the office of the city clerk an indexed franchise record in which shall be transcribed copies of all franchises granted by the city. Said record shall be a complete history of all franchises granted by the city and shall include a comprehensive and convenient reference to actions, contests or proceedings at law affecting the same, and copies of all annual and inspection reports and such other information as the Council may require.

Section 4. - Term, Compensation.

No franchise, lease, or right to use the streets or the public places or property of the city shall be granted for longer than twenty-five years. Every grant of a franchise shall fix the amount and manner of payment of the compensation to be paid by the grantee for the use of the same. This provision shall not exempt the grantee from any lawful taxation upon his or its property.

Section 5. - City May Acquire Utilities.

The Council upon vote of the taxing electors shall have the power within or without the limits of the city to construct, condemn and purchase, acquire, and lease waterworks, gas works, light plants, power plants, transportations systems, telephone systems, heating plants, and other public utilities local in use and extent, in whole or in part, and everything required therefor, for the use of the city and its inhabitants, and any such systems, plants, works, or ways, or any contracts in relation or in connection therewith which may exist and which the city may desire to acquire or purchase, in whole or in part, the same or any part thereof may be purchased by the city. Such public utilities acquired by the city, except waterworks, shall not be paid for out of general taxes or general obligation bonds, but shall be paid for from the revenue derived from the public utility.
Every grant, extension, or renewal of a franchise or right shall provide that the city may, upon the payment therefor of its fair valuation, purchase and take over the property and plant of the grantee in whole or in part. Such valuation shall be made as provided in the grant, but shall not include any value or any earning power of such property.

Section 6. - Railroad Tracks.

The Council, upon some fair apportionment of the cost thereof between the railroad and the city and/or other public authority in interest, may by ordinance require any railroad company to elevate or to lower any of its tracks running over, along, or across any street or alley of the city, or to take such other measures for the protection of the public, as in the opinion of the Council the public safety or convenience may require.

Section 7. - Right of Regulation.

The grant of every franchise or privilege shall be subject to the right of the city, whether in terms reserved or not, to make all lawful regulations for the safety, welfare, and accommodation of the public.

Section 8. - Revocable Permits.

The Council may grant a permit at any time for the temporary use of or occupation of any street, alley, or public place, provided such permit shall be revocable by the Council at its pleasure, whether such right to revoke be expressly reserved in such permit or not.

Section 9. - Leasing of Franchises.

No franchise granted by the city shall ever be leased, assigned, or otherwise alienated without the express consent of the city, and no dealing with the lessee or assignee on the part of the city to require the performance of any act or the payment of any compensation by the lessee or assignee shall be deemed to operate as such consent. Any assignment or sale of such franchise without the consent of the city shall at the option of the Council operate as a forfeiture to the city of such franchise.

Section 10. - Issuance of Stock.

Every ordinance granting any franchise shall prohibit the issuing of any stock on account thereof by any corporation holding or doing business thereunder.

Section 11. - Amendment, Renewal, Extension or Enlargement of Franchise.

No amendment, renewal, extension, or enlargement of any franchise, or grant of rights or powers heretofore granted to any corporation, person, or association of persons shall be made except in the manner and subject to all the conditions provided in this article for the making of original grants and franchises.
Section 12. - Common Use of Facilities.

The City may by ordinance require any person or corporation holding a franchise license or permit from the city for any public utility to allow the use of any of its poles, tracks, wires, conduits, and other related facilities by any other person or corporation to which the city shall grant a franchise upon the payment of a reasonable rental to the owner therefor. If the person or corporation desiring to use same, cannot agree with the owner regarding said rental and the terms and conditions for such use, within sixty days from offering in writing to do so, the Council, after a fair hearing, shall by resolution fix the terms and conditions of such use and compensation to be paid therefor, which award of the Council shall be final and binding on the parties concerned.

ARTICLE X. - DEPARTMENT OF MUNICIPAL PUBLIC UTILITIES

Section 1. - Department Created.

A Department of Municipal Public Utilities is hereby created, which shall include a Division of Water, including the sanitary sewer system, and other divisions for any public utility acquired by the City.

Section 2. - Functions of Department.

The functions, powers and duties of the Department of Municipal Utilities shall be as provided by Ordinance or Resolution of the Council.

Section 3. - Restriction on Sale of Water and Other Utility Property.

The City shall not sell, lease, or in any manner dispose of the water or other utility plants or systems, nor any part thereof, unless and except the proposition for such purpose shall first have been approved by a majority vote of the qualified electors of the city who shall have paid a property tax therein during the preceding calendar year. The provisions of this section shall not apply to the sale or exchange of any equipment which may be worn out or useless, or which could with advantage to the service be replaced by new or improved machinery or equipment.

Section 4. - Control of Water.

If at any time the water supply is greater than the immediate needs of the city and its inhabitants, the Council may authorize the city manager to permit the use of such surplus water by consumers outside the city at such rates as the Council may prescribe; provided that no vested right shall accrue under such permits.

Section 5. - Municipal Utility Rates and Finances.
The Council shall by ordinance from time to time fix, establish, maintain, and provide for the collection of rates, fees or charges for water, sewer, and other utility service furnished by the city for the operation of such utilities. The Council may provide and maintain an adequate fund for replacement of depreciated or obsolescent property, and a fund for the extension, improvement, enlargement, and betterment of said utilities. The provisions hereof shall be subject at all times to the performance by the city of all covenants and agreements made by it in connection with the issuance, sale or delivery of any bonds of the city payable out of the revenues derived from the operation of its water, and other utilities, whether such revenue bonds be heretofore or hereafter issued.

Payments from the revenues derived from such utilities shall be made into a depreciation and obsolescence fund and a fund for making extensions, improvements, enlargements and betterments of such works in such manner as the Council may provide. Such funds shall be expended only for purposes for which they were created and shall be invested as directed by the Council. Any surplus revenue produced from the operation of any utilities after meeting all of the requirements set forth above shall be paid into the general fund of the city.

ARTICLE XI. - INITIATIVE AND REFERENDUM

Section 1. - Power of Initiative.

The electors shall have power, known as the initiative, to propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, and to adopt or reject the same at the polls.

Section 2. - Submissions.

If the petition accompanying the proposed ordinance is signed by qualified electors equal in number to fifteen per centum of the total vote cast for the office of Mayor in the last general city election and requests that such proposed ordinance be submitted to a vote of the people, the Council shall either pass said ordinance within thirty days without alterations, subject to the referendum, or call a special city election, unless a general or special city election is to occur within ninety days thereafter, and at such special or general election submit said proposed ordinance to a vote of the qualified electors.

If the petition is signed by qualified electors equal in number to at least ten per centum of the total vote cast for the office of Mayor in the last general City election, and if filed with the City Clerk at least sixty days before any general city election, the Council shall pass said proposed ordinance without alteration within thirty days, or shall submit same to a vote of the qualified electors at the next general city election.

An initiated ordinance shall be published in like manner as other proposed ordinances. The ballot upon which such proposed ordinance is submitted shall state briefly its nature and shall contain the words: "For the Ordinance" and "Against the Ordinance." If a majority of the qualified electors voting thereon shall vote
in favor, the same shall thereupon without further publication become an ordinance of the city.

Any number of proposed ordinances may be submitted at the same election. Not more than one special election under this article shall be held in any twelve months. This limitation shall not apply to special elections during the said period held under other articles of this Charter.

Section 3. - The Referendum.

The referendum shall apply to all ordinances passed by the Council, except ordinances making the tax levy, making the annual appropriation, calling a special election, or ordering improvements initiated by petition and to be paid for by special assessments. If at any time within thirty days after the final passage of an ordinance to which the referendum is applicable, a petition signed by qualified electors equal in number to at least ten per centum of the total vote cast for the office of Mayor in the last general city election, be presented to the Council, protesting against the going into effect of any ordinance, the same shall thereupon be suspended, and the Council shall reconsider such ordinance. If the same be not entirely repealed, the Council shall submit the same to a vote of the qualified electors of the city, at a special election called therefor, unless a general or special election is to occur within ninety days thereafter, in which event it shall be submitted at that election. Such ordinance shall then go into effect without further publication if a majority of the qualified electors voting thereon vote in favor thereof. The Council of its own motion shall have the power to submit at a general or special election any proposed ordinance to the vote of the people, in manner as in this Charter provided.

Section 4. - Inconsistent Ordinances.

If provisions of two or more proposed ordinances adopted or approved at the same election conflict, the ordinance receiving the highest affirmative vote shall become effective.

Section 5. - Procedure.

The procedure respecting initiative and referendum petitions shall be substantially as provided in the article hereof relating to the recall with such modifications as the nature of the case requires.

Section 6. - Emergency Measures Subject to Referendum.

Measures passed as emergency measures shall be subject to referendum like other measures, except that they shall not be suspended from going into effect while referendum proceedings are pending. If, when submitted to a vote of the electors, an emergency measure be not approved by a majority of those voting thereon, it shall be considered repealed, as regards any further action thereunder and all rights and privileges conferred by it shall be null and void; provided, however, that such measure so repealed shall be deemed sufficient authority for any payment made or expense incurred in accordance with the measure previous to the referendum vote thereon.
Section 7. - Compensation Prohibited.

No person shall receive any compensation whatever for canvassing for signatures to any petition for the initiative and referendum.

Section 8. - Further Ordinances.

The Council shall have power by ordinance to make further regulations for carrying out the provisions of this article.

Section 9. - Repealing Ordinances; Publication.

Initiative and referendum ordinances adopted or approved by the electors may be amended or repealed by the Council, as in the case of other ordinances.

ARTICLE XII. - RECALL FOR ELECTIVE OFFICE

Section 1. - The Recall.

Any incumbent of an elective office may be removed from office by the qualified electors of the city after he has held office for six months.

Section 2. - Petition.

A petition demanding the recall of the officer sought to be removed and signed by qualified electors equal in number to at least twenty-five per centum of the total vote cast at the last preceding general city election for the office to which such officer was elected, shall be addressed to the Council and delivered to the City Clerk not less than five nor more than thirty days after the affidavit making charges against said officer has been filed. Each elector signing the petition shall write his home address after his name. Said petition may be in sections of one or more sheets fastened securely at the top, and upon each section of the petition shall be written or printed a copy of the charges previously filed with the City Clerk. One of the electors signing each section shall append thereto his affidavit that each signature written thereon is the genuine signature of the person whose name it purports to be, and that the affiant has not and will not receive any compensation for obtaining the signatures. All sections of the petition shall be filed as one instrument, with the endorsement of the names of three persons designated as filing the same. Provided however, that prior to the filing of any recall petition one or more qualified electors shall file with the City Clerk an affidavit of not more than three hundred words stating the reasons for the recall of the officer sought to be removed. The City Clerk shall, within forty-eight hours after the filing of said affidavit, mail a copy by registered mail to the officer sought to be recalled who may file with the City Clerk a sworn statement in defense of charges made against him.
In the event the officer sought to be recalled was elected from one ward and not at-large the term "qualified elector" or "qualified electors" as used in this article, shall not include any elector residing in a ward other than the ward from which such officer was elected, and only electors residing in the ward from which such officer was elected shall be eligible to vote at such recall election.

Section 3. - Amendment.

Within ten days of the filing of said petition the City Clerk shall ascertain by examination of the petition and the registration books whether the petition is signed by the requisite number of qualified electors, and shall attach thereto his certificate showing the result of such examination. If the petition is insufficient he shall forthwith in writing, notify one or more of the persons designated on the petition as filing the same. The petition may be withdrawn and amended within fifteen days from the filing of the certificate. The City Clerk, within five days after such amendment, shall make like examination of the amended petition and attach thereto his certificate of the result. If the petition is still insufficient, he shall return it to one of the persons designated thereon as filing it, without prejudice to the filing of a new petition for the same person.

Section 4. - Nomination on Recall.

Any qualified elector desiring to become a candidate at the recall elections shall do so by petition as required by the article on elections hereof, which petition if presented to the City Clerk at least fifteen days before said election shall entitle him to have his name placed on the ballot. Notice of election shall be given as provided in the article of this Charter relating to elections.

Section 5. - Election.

If the petition or amended petition is found sufficient, the City Clerk shall submit the same with his certificate to the Council without delay and the Council, if the officer sought to be removed does not resign within five days thereafter, shall order an election. There shall be printed on the official ballot, as to every officer whose recall is to be voted on, the words: "Shall (name of person against whom the recall petition is filed) be recalled from the office of ( . . . .):" Following such question shall be the words "YES" and "NO" on separate lines, with a blank space at the right of each, in which the voter shall indicate, by marking a cross (X), his vote for or against such recall. On such ballots, under the question there shall also be printed the names of those persons who have been nominated as candidates to succeed the person sought to be recalled; but no vote cast shall be counted for any candidate for such office, unless the voter also voted for or against the recall of such person sought to be recalled from said office. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office.

If the majority of those voting on said question of the recall of any incumbent from office shall vote "NO," said incumbent shall continue in said office; if a majority shall vote "YES," such incumbent shall thereupon be deemed removed from such office upon the qualification of his successor. Such election shall be held on
a Tuesday fixed by the Council not less than thirty nor more than forty days from the date that the City Clerk's said certificate was filed; provided that if any other city election is to occur within ninety days from the date of the City Clerk's certificate, the Council shall postpone and consolidate the recall election with such other city elections.

If the officer be recalled, the candidate for succession receiving the highest number of votes at said election shall be declared elected. The candidate elected shall take office at the next regular Council meeting.

If a vacancy occurs in said office after a recall election has been ordered, the election to fill the vacancy shall nevertheless proceed as in this article provided.

Section 6. - Disqualification for Office.

No person who has been recalled or has resigned while recall proceedings were pending against him shall serve the city in any capacity within two years after such removal or resignation.

Section 7. - Compensation Prohibited.

No person shall receive any compensation whatever for canvassing for signatures to a petition for recall of any official.

ARTICLE XIII. - DEPARTMENT OF PERSONNEL

Section 1. - Merit Basis of Appointment.

Appointments and promotions in the administrative service of the City shall be made according to merit and fitness. To carry out this purpose there shall be a Department of Personnel, the head of which shall be the Personnel Director, who shall be the City Manager.

Section 2. - Power and Duties.

The Personnel Director shall have power and shall be required to:

(a) Prepare, install and maintain a classification plan based on the duties, authority and responsibility of positions in the City service.
(b) Prepare and maintain a compensation, salary, or wage scale for the City Service.
(c) Formulate and put into operation personnel regulations applicable to all phases of service to the City.
(d) Perform other acts and functions as may be deemed necessary or as desirable to carry out the purposes and provisions of this Article.
Section 3. - Personnel Board.

There shall be a Personnel Board consisting of three members, who shall be appointed by the City Council. They shall hold no other municipal office. They shall choose one of their number as Chairman. Members of the Personnel Board shall serve for a term of six years. Their terms shall be so arranged that one term expires at two year intervals. Vacancies in an unexpired term shall be filled by the Council by appointment for the remainder of the term. The City Clerk shall serve as Secretary to the Board.

Members of the Civil Service Commission, at the time of the adoption of this Charter shall continue in office, as the Personnel Board, until the completion of their terms.

Section 4. - Powers and Duties of the Personnel Board.

(a) To hear appeals of disciplinary actions and exercise final authority regarding the implementation or nonimplementation of the disciplinary personnel actions taken by the Personnel Director and which are subject to an appeal before the personnel board.

(b) To consider rules and regulations recommended by the Director of Personnel and advise the Director of Personnel regarding his or her adoption or amendment of the same.

(c) To investigate any and all matters relating to conditions of employment in the City and to make an annual report of the activities to City Council, if requested by City Council, and such special reports as they may deem necessary or as may be requested by the City Council.

(d) To hear, consider and act in the place of the Director of Personnel, with the full authority of the Director of Personnel with regard to all matters for which the Director of Personnel cannot act by reason of a legal conflict of interest.


Section 5. - Classified and Unclassified Services.

The Personnel Director shall prepare a listing of officers and employees of the City into unclassified and the classified services.

(a) The Unclassified service shall consist of the officers of the City, including the Mayor, members of the City Council, and members of boards and commissions.

(b) The Classified service shall include all salaried employees of the police and fire departments, and such other city employees as shall be designated by the Personnel Board, subject to the approval of the Council.

ARTICLE XIV. - PLANNING AND ZONING

Section 1. - City Planning Commission.
There shall be a City Planning Commission which shall consist of five members appointed by the Council, one member chosen from among the residents of each of the four wards, and one member chosen at large. The members shall serve without compensation, shall hold no other municipal office, and shall have been residents of the City for at least two years prior to their appointment. The terms of the members shall be five years. The members serving on the Planning Commission at the time of the amendment of this section shall continue to serve until the expiration of their terms, excepting the Mayor, the City Manager and the two Council members designated by the Council whose terms of office as members of the Planning Commission shall terminate at the time of passage of the amendment. Any vacancies on the Commission shall be filled by the Council. The Planning Commission shall elect its chairman annually from among its members, and shall have authority to employ such assistance and technical advisors as it considers necessary within the limits of its budget authority. The City Manager or his designee shall act as the secretary of the Planning Commission.

(Ord. No. 32, 1979, § 1, 10-3-79, approved, election of 11-6-79)

Section 2. - Powers and Duties of the Planning Commission.

The functions and powers of the Commission shall be:

(a) To prepare and submit to the Council for its approval a master plan for the physical development for the City, including the general location, character and extent of streets, bridges, parks, waterways, and other public ways, grounds and spaces together with the general location of public buildings and other public property, public utilities and the extent and location of any public housing projects and to recommend such modification of said plan from time to time as it deems necessary in the interest of the City's welfare and development.

(b) To advise the Council on zoning, subdivisions, annexations, major public and private projects, public works matters, city buildings, capital outlay budgeting and long range planning.

(c) To cooperate with school, county and any other planning and zoning boards and with the approval of the Council to enter into agreements to promote uniform planning and zoning within and without the city limits.

(d) To exercise the authority vested in it by State Planning and Zoning Laws.

(e) To perform such other duties and exercise such other powers as the Council may provide.

Section 3. - Capital Budget Planning.

In addition to its other duties the Planning Commission shall advise the City Manager on his proposed capital budget. It may conduct public hearings for the purpose of receiving recommendations from any officer, agency or department of the city government, representatives of other governmental units, or from interested citizens; and may review such recommendations and formulate proposed projects which it shall submit to the City Manager.
Section 4. - Zoning.

For the purpose of protecting the health, safety and general welfare of the community, the Council is hereby empowered to zone all of the City and in connection therewith to make all appropriate regulations and restrictions. All zoning regulations shall be uniform for each class or kind of buildings throughout each district, but the zoning regulations on one district may differ from those in other districts. In conformity with State Statute the Council may extend zoning regulations beyond the corporate limits of the City.

Section 5. - Zoning Board of Adjustment.

Until the Council shall otherwise provide, it shall act as a Zoning Board of Adjustment and in that capacity shall hear and decide appeals by any person relating to Zoning or to building inspection and it shall have power to provide rules and regulations for procedure upon such appeals.

ARTICLE XV. - PUBLIC WORKS AND PUBLIC IMPROVEMENTS

Section 1. - Department Created.

There shall be a Department of Public Works, the head of which shall be the Director and who shall be appointed by the City Manager.

Section 2. - Functions and Duties.

Subject to the approval of the City Council the Department of Public Works shall exercise all administrative functions of the City as to:

(a) Provision for architectural and engineering services; maintaining public municipal buildings; regulating and inspecting buildings and other structures in accordance with building codes.
(b) Conducting traffic studies and surveys; designing and constructing streets and traffic ways; establishing grades of streets, sidewalks and guttering subject to approval by ordinance.
(c) Constructing, reconstructing and maintaining of park, playground, and recreational facilities in accordance with plans of Department of Parks and Recreation.
(d) Constructing, maintaining, landscaping, and operating and performing other duties necessary to keep the City Cemetery up to high standards.
(e) Cleaning, maintaining, improving and marking streets and structures.
(f) Supervising or conducting garbage and trash removal.
(g) Operating municipal garage and equipment repair service.
(h) Administering and enforcing zoning ordinances.
(i) Such other powers and duties as the Council may provide.
Section 3. - Power to Construct Improvements and Create Improvement Districts.

The City shall have the right to construct public works and public improvements under the provisions of the laws of Colorado governing such matters or as may be provided by Charter or as the Council may by ordinance provide. The Council may create public improvement districts for the construction of anything in the nature of local improvements under the provisions of the laws of Colorado applying to such districts, or under such provisions as may be provided by Charter, or as the Council may by ordinance provide. The City shall have the right to provide for the creation of local improvement districts by order of the Council, subject, however, to protest by the owners of a majority of the frontage to be assessed, except in case the city shall pay one-half or more of the total cost of the improvements made; provide the manner of assessment of costs against the abutting property; provide for the issuance of bonds for the purpose of paying for such improvements with power to sell the same; and shall have the power to provide for the creation of special funds for the payment of the bonds of districts which may be delinquent. The Council shall pass ordinances providing for procedure and methods of assessment concerning Improvement Districts.

Section 4. - Surplus and Deficiency Fund.

Where all outstanding bonds have been paid in a public improvement district, and any money remains to the credit of said district, it shall be transferred to a special surplus and deficiency fund, and whenever there is a deficiency in any improvement district to meet payment of outstanding bonds, it shall be paid out of said fund. Whenever a public improvement district, has paid and cancelled four-fifths of its bonds outstanding, and for any reason the remaining assessments are not paid in time to take up the final bonds of the district, and there is not sufficient money in said special surplus and deficiency fund, then the City may pay said bonds when due and reimburse itself by collecting the unpaid assessments due said district.


Section 5. - Authority to Acquire Property.

In addition to all other power which it has to acquire property, the City of Alamosa is hereby authorized to purchase or otherwise acquire property on which there are delinquent taxes and/or special assessments. The city may also dispose of any property acquired under this authority.

ARTICLE XVI. - DEPARTMENT OF PARKS AND RECREATION

Section 1. - Department Created.
A Department of Parks and Recreation is hereby established, the head of which shall be a Director, who shall be selected by the City Manager with special concern for efficiency and understanding of the importance of the functions of the Department. The Department of Parks and Recreation may be operated, at the discretion of Council, as a division of the Department of Public Works.

(Ord. No. 8, 1987, § 1(7), 9-16-87, approved, election of 11-3-87)

Section 2. - Advisory Board.

An Advisory Board of nine members is hereby established for advisory and consultative functions in matters of concern to the Department of Parks and Recreation. This Board shall consist of six regularly appointed members and a member of the City Council, all chosen by the City Council. The regularly appointed members of the Board shall serve for three year terms, so staggered that two members are appointed each year. The Mayor of the City shall be an ex officio member of the Board. The City Manager shall be an ex officio member of the Board and shall serve as its secretary. In the event the Department of Parks and Recreation is operated as a division of the Department of Public Works, Council may, by resolution, dispense with the advisory board.

(Ord. No. 8, 1987, § 1(8), 9-16-87, approved, election of 11-3-87)

Section 3. - Functions.

The Department of Parks and Recreation shall exercise all administrative functions of the Municipal Government as to the following functions when and as facilities are provided:

(a) Operation and maintenance of municipal parks, park areas, museums, playgrounds, play fields, swimming pools, fountains, recreation and community buildings, sports arenas, stadia, golf courses and related facilities both inside and outside the corporate limits.
(b) Planning, conducting, and supervising organized public, physical and cultural recreational programs.
(c) Cooperation with public and private agencies in public recreational programs, concerts, and other entertainment, and specifically with any privately sponsored recreational commissions, youth center, or other private and semipublic bodies.
(d) Maintenance of rest rooms, facilities for entertainment and recreation and other related facilities on properties under supervision of the Department.
(e) Maintenance and preservation of public monuments and collections.

Section 4. - Construction of Facilities.
The construction and reconstruction of all parks, playgrounds, recreation facilities, and cemeteries and the plotting of city cemeteries shall be vested in the Department of Public Works. The specific determination of the functions relating to such construction and reconstruction by the Department of Public Works shall be made by the City Manager.

Section 5. - Rules and Regulations.

The Council shall have power by ordinance to adopt all needful rules and regulations relating to properties and related facilities under the supervision of the Department of Parks and Recreation whether within or without the City, and for the preservation of order, safety, and decency therein.

For the purpose of enforcing such rules and regulations, all such properties shall be under the police jurisdiction of the City.

Any member of the police force of the City shall have power to arrest on all such properties any person who has violated any such rule or regulation or committed an offense therein.

(Amendment approved, election of 11-4-97)

ARTICLE XVII. - PUBLIC LIBRARY

Section 1. - Library Board.

The Public Library Board shall consist of nine (9) members of whom seven (7) shall be appointed by the Council. Their term of office shall be five (5) years, so appointed that one member's term shall expire each year. The Mayor or the Mayor's designee from time to time, who must be a City Councilor, and the City Manager shall be ex officio members of the Library Board. The Council may delegate otherwise up to four (4) such appointment powers to a governmental entity pursuant to a lawful intergovernmental agreement between the City and such entity in which said entity agrees to provide financial support for the operation of the Public Library.

(Ord. No. 8, 1987, § 1(9), 9-16-87, approved, election of 11-3-87; Ord. No. 7, 1991, § 1(4), 9-18-91, approved, election of 11-5-91; amendment approved, election of 11-7-95)

Section 2. - Support.

The City Council may levy up to one and one-half mills per year for the support of the Public Library. Director of Finance shall be the custodian of these funds along with other funds of the City and shall disburse library funds only after the approval by the Library Board.

Section 3. - Annual Report.
The Library Board shall make an annual report of its activities to the City Council at the end of each fiscal year.

Section 4. - Functions.

The Public Library Board shall serve as an advisory board to advise City Council and the City Manager on all issues pertaining to the public library. The Public Library Board also shall have such powers as are necessary for the effective operation of the public library as are not otherwise delegated, from time to time, to the City Manager by Charter or ordinance.

(Amendment approved, election of 11-6-01)

ARTICLE XVIII. - FIRE DEPARTMENT

Section 1. - Department Created; Qualifications of Chief.

A Fire Department is hereby created, the director of which shall be the Fire Chief, who shall have special knowledge of and be experienced in the suppression and prevention of fires. The Fire Chief, Assistant Chief, and other officers and employees shall be appointed on a basis of merit and fitness according to ordinance and the rules and regulations of the Department of Personnel.

Section 2. - Functions and Duties.

The functions of the Department and duties of the Fire Chief shall be as provided by ordinance or resolution of the City Council.

ARTICLE XIX. - POLICE DEPARTMENT

Section 1. - Department Created; Qualifications of Chief.

A Police Department is hereby created, the director of which shall be the Chief of Police, who shall have special knowledge and experience in law enforcement. The Police Chief and any other officers and employees shall be appointed on a basis of merit and fitness according to ordinance and the rules and regulations of the Department of Personnel.

Section 2. - Functions and duties.

The functions of the Department and duties of the Police Chief shall be as provided by ordinance or resolution of the City Council.
ARTICLE XXI. - AVIATION

Section 1. - [Powers.]

The city shall have and may exercise all powers relating to airports and aviation granted by this Charter and general law, including all powers to act jointly with other governmental authorities in relation thereto. The Council may by ordinance provide for a Department of Aviation with such duties, functions, and powers as may be provided thereby.

ARTICLE XXII. - GENERAL PROVISIONS

Section 1. - Advisory Boards.

The Council may by ordinance create additional advisory boards not otherwise provided for in this Charter, the members of which shall serve without pay. Their term shall be for four years or until their successors are appointed. Initial appointments shall specify the term of office of each individual in order to achieve overlapping of tenure. All members shall be subject to removal by the Council. All such boards shall choose their own officers.

Section 2. - Records to be Public.

All city records shall be available for public inspection. Upon payment of a reasonable fee, a copy or a certified copy of any city record shall be furnished by the custodian thereof. A certified copy of any city record shall be prima facie evidence of its contents.

Section 3. - Amending the Charter.

This Charter may be amended at any time in the manner provided by Article XX of the Constitution of the State of Colorado.

Section 4. - Continuance of Duties.

All persons holding administrative office by appointment and members of administrative boards at the time this Charter takes effect shall continue in office and in the performance of their duties until provision shall have been made in accordance with this charter for the performance of such duties or the discontinuance of such office.

Section 5. - Discharge of Employees.
No person who has been in the full-time employ of the City for ten consecutive years and who is within five years of qualifying for retirement under whatever public retirement plan may apply to his particular case shall be discharged without approval of the Council.

Section 6. - Outgoing Officers.

All officers of the city whose terms of office terminate shall deliver to their successors all papers, records, property and equipment whatsoever in their possession or custody by virtue of their office, and shall account to them or to any authority designated by the Council for all funds, credits or property of any kind with which they are properly chargeable as such officials.

Section 7. - Eminent Domain.

All proceedings for the condemnation of property or in the exercise of the right of eminent domain shall be in accordance with the laws of the State of Colorado now or hereafter applicable.

Section 8. - Notice of Personal Injuries.

No action shall be maintained against the city for or on account of any injury growing out of alleged negligence of the city without first having given notice in writing to the City Manager within ninety days of the occurrence for which said damage is claimed, stating the place, time, character and circumstances of injury, and that the person so injured will claim damages therefor from the city.

Section 9. - Construction of Charter.

If any provision, section, article or clause of this Charter or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect any remaining portion or applications of the Charter provided such remaining portions or applications are not determined by the court to be inoperable, and to this end this Charter is declared to be severable.

Section 10. - Construction of Words.

Whenever such construction is applicable, words used in this Charter importing singular or plural number may be construed so that one number includes both: words importing masculine gender may be construed to apply to the feminine gender as well; and the word person may extend to and include firm and corporation; provided, that these rules of construction shall not apply to any part of this Charter containing express provisions excluding such construction or where the subject matter or context is repugnant thereto.

ARTICLE XXIII. - TRANSITIONAL PROVISIONS
Section 1. - Status of Transitional Provisions.

The purpose of this Article is to provide for an orderly transition from the old government of Alamosa to the Council-Manager government provided in this Charter. Such Article shall constitute a part of this Charter only to the extent and for the time required to accomplish that end.

Section 2. - Reorganization.

Following the effective date of this Charter, which shall be upon the filing of two copies thereof with the Secretary of State of the State of Colorado, the City Manager shall proceed with the reorganization of the administrative service of the city hereunder, and all other officers and employees shall proceed to effectuate the other provisions of this charter so that it shall be fully operative on June 1, 1957, except as otherwise provided in the Charter.

Section 3. - Redistricting.

The existing wards of the City shall be redistricted into wards in accordance with Section 24 of Article III, prior to July 1, 1957, in order to become effective for the election to be held in November, 1957—and such redistricting shall not be void if not completed six months prior to such election.

Section 4. - First Municipal Election.

At the municipal election to be held on the first Tuesday of November, 1957 following the adoption of this Charter a councilman from ward one and a councilman from ward three and one councilman at-large shall be elected for two year terms and a councilman from ward two and a councilman from ward four and a councilman at-large and the Mayor shall be elected for four year terms.

Section 5. - Present Council and Mayor to Continue in Office.

The Council and Mayor in office at the time of the adoption of this Charter shall continue at the same rate of pay to serve and carry out the functions, powers and duties of their offices until January 1, 1958, unless removed as provided in Article XII of this Charter.

Section 6. - Status of Employees.

Every employee now occupying a position in civil service of the city shall be included in the classified service of the city hereunder without further examination.

Section 7. - Retirement Plans.

This Charter shall not affect any contractual relationships existing on the effective date of this Charter between the City of Alamosa and any officers or employees by reason of any retirement plans in effect.
Section 8. - Authorized and Outstanding Bonds.

The provisions of this Charter shall not affect municipal bonds outstanding on the effective date of this Charter.

Section 9. - Ordinances to Remain in Force.

All ordinances, resolutions, rules or regulations in force at the time this Charter takes effect, not inconsistent with its provisions, shall continue in full force and effect until modified, amended, or repealed—except that those resolutions, ordinances, rules, regulations, or parts thereof inconsistent with this Charter are hereby repealed.

Section 10. - Saving Clause.

This Charter shall not affect any suit pending in any Court or any document heretofore executed in connection therewith. Nothing in this Charter shall invalidate any existing contracts between the City of Alamosa and individuals, corporations, or public agencies.

CERTIFICATE OF FINAL ADOPTION

We, the undersigned, present members of the Alamosa Charter Convention, duly elected by the people of Alamosa, Colorado, at a special election held on November 20, 1956, under authorization of Article XX, Constitution of the State of Colorado, to frame a Home Rule Charter for the City of Alamosa, do hereby certify that the foregoing is the Proposed Charter as finally approved and adopted by the members of the Convention on the 17th day of January, 1957, for submission to the people of Alamosa at a special election to be held on March 12, 1957.

Done in triplicate at Alamosa, Colorado, this 17th day of January, 1957.

IRA RICHARDSON
Chairman

THOMAS H. REES
Vice Chairman

MARCUS L. BENSON
CARL BERGMAN
FRED BILSTEIN
R. ORVILLE BURT

JAMES H. CRAFT
Secretary
I, P. H. HENRY, the City Clerk of the City of Alamosa, Colorado, do hereby certify that the above and foregoing is the true, full and correct text of a Charter framed by the Alamosa Charter Convention elected November 20, 1956, and filed in my office on January 17, 1957, which Charter will be submitted at a special election to be held March 12, 1957, at which the qualified electors of said City will by vote express their approval or rejection of such Charter.

IN WITNESS WHEREOF, I have affixed by hand and official seal this 23rd day of January, 1957.

P. H. HENRY
City Clerk
(SEAL)

CHARTER COMPARATIVE TABLE

This table shows the location of the sections of the basic Charter, as adopted by referendum held on March 12, 1957, and any amendments thereto.

<table>
<thead>
<tr>
<th>Ordinance Number</th>
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</table>
Does the manager have to be a local resident at the time the appointment is made?

No. Local residence should not be required of applicants at the time the appointment is made. Managers are professionals who might serve several communities during their careers, bringing extensive experience coordinating public services and applying management techniques to a community.

What salary does the manager receive?

Earnings of managers depend on their educational background and experience, the size and complexity of the local governments employing them, and the economic conditions of the regions where communities are located. The council sets the manager’s salary. Detailed information on salaries is compiled annually by ICMA and is available on request.

Can the manager be fired?

Managers serve at the pleasure of the council or governing body. They can be fired by a majority of the council, consistent with local laws, ordinances, or employment agreements they may have with the council. Control is always in the hands of the elected representatives of the people.

Where do managers get their experience?

Nearly 73 percent of managers surveyed by ICMA have a master’s or a professional degree. Respondents indicated that they had spent an average of 17 years in the local government management profession.

Do managers participate in local politics?

All managers who belong to ICMA are bound by its Code of Ethics, which states that every member of the Association shall refrain from all political activities that undermine public confidence in the local government profession.

What is ICMA?

In 1914, a group of appointed managers formed a professional association, eventually known as the International City/County Management Association (ICMA), to share their expertise and experiences in local government management.

Since that time, ICMA has been the professional and educational organization for administrators and assistant administrators serving cities, towns, counties, other local governments, and regional entities around the world. ICMA’s membership also includes directors of state associations of local governments, other local government employees, academics, and concerned citizens who share the goal of improving local government. The purpose of ICMA is to create excellence in local government by developing and fostering professional local government management worldwide. To that end, the Association provides technical assistance and publications for local government professionals to help them improve their skills and increase their knowledge. ICMA also serves as a clearinghouse for the collection, analysis, and dissemination of information and data about local government.

For further information on items referenced in this brochure, visit ICMA’s form-of-government Web site at http://icma.org/formofgovt or see the contact information listed on the back panel of this brochure.

Is there another organization that supports council-manager government?

Yes, the National Civic League is a nonpartisan citizens organization founded in 1895. Its purpose is to serve as a clearinghouse for information on methods of improving state and local government to encourage citizen participation in state and local government and to provide guides, model charters, and laws on specific subjects. The League’s Model City Charter, now in its eighth edition, has endorsed council-manager government since 1915.

For further information:

ICMA
777 North Capitol Street, N.E.
Suite 500
Washington, DC 20002-4201
For form-of-government assistance in Maine, Massachusetts, Michigan, New Hampshire, and Vermont, contact: Michele Frisby at 202-962-3658 or mfrisby@icma.org;
For form-of-government assistance in Connecticut, Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, contact: Rita Ossolinski at 202-962-3635 or rossolinski@icma.org;
For form-of-government assistance in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Missouri, Minnesota, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, West Virginia and Wisconsin, contact: Martha Perego at 202-962-3668 or mperego@icma.org;
For form-of-government assistance in Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming, contact: Dave Childs at 530-541-0667 or dchilds@icma.org.

National Civic League
1445 Market Street
Suite 300
Denver, Colorado 80202-1728
303-571-6363
Fax 303-571-4404

The Council-Manager Form of Government

Answers to Your Questions

International City/County Management Association (ICMA)

The Code specifies 12 ethical principles of personal and professional conduct, including dedication to the cause of good government. ICMA members believe in the effectiveness of representative democracy and the value of government services provided equitably to residents within a community. ICMA members also are committed to standards of honesty and integrity more rigorous than those required by the law. Contact ICMA for a copy of the Code of Ethics or go to http://icma.org/ethics.
The council-manager form is the system of local government that combines the strong political leadership of elected officials in the form of a governing body, with the strong managerial experience of an appointed local government manager. The governing body, commonly known as the council, may also be referred to as the commission or the board. The council-manager form establishes a representative system where all power is concentrated in the elected council and where the council hires a professionally trained manager to oversee the delivery of public services.

Is it a responsive form of government?

In council-manager government, the mayor or chairperson of the governing body and council members are the leaders and policy makers elected to represent the community and to concentrate on policy issues that are responsive to citizens’ needs and wishes. The manager is appointed by the governing body to carry out policy and ensure that the entire community is being served effectively. The manager is fully accountable to the governing body. If the manager is not responsive to the governing body’s wishes, the governing body has the authority to terminate the manager at any time. In that sense, a manager’s responsiveness is tested daily.

Are all council-manager governments structured the same way?

No. One of the most attractive features is that the council-manager form is adaptable to local conditions and preferences. For example, some communities have councils that are elected at large while other councils are elected by district or by a combination of at-large and by-district structure. In some local governments, the mayor or chairperson is elected at large by the voters, others are elected by their colleagues on the governing body.

What is the council’s function?

The council is the legislative body, its members are the community’s decision makers. Power is centralized in the elected council, which approves the budget and determines the tax rate, for example. The council also focuses on the community’s goals, major projects, and such long-term considerations as community growth, land use development, capital improvement plans, capital financing, and strategic planning. The council hires a professional manager to carry out the administrative responsibilities and supervises the manager’s performance.

Where does the mayor or chairperson of the governing body fit in?

Mayors or chairpersons in council-manager communities are key political leaders and policy developers and their duties, responsibilities, and authorities depend on the organization’s charter. In council-manager communities, typically the mayor or chairperson presides at council meetings, serves as a spokesperson for the community, facilitates communication and understanding between elected and appointed officials, assists the council in setting goals and advocating policy decisions, and serves as a promoter and defender of the community. In addition, the mayor or chairperson serves as a key representative in intergovernmental relations. The mayor or chairperson, council, and manager constitute a policy-development and management team.

What is the manager’s function?

The manager is hired to serve the council and the community and to bring to the local government the benefits of training and experience in administering local government projects and programs on behalf of the governing body. The manager prepares a budget for the council’s consideration; recruits, hires, and supervises the government’s staff; serves as the council’s chief adviser; and carries out the council’s policies. Council members and citizens count on the manager to provide complete and objective information, the pros and cons of alternatives, and long-term consequences.

What is the cost to the local government of appointing a professional manager?

Local governments have found that overall costs actually have been reduced with competent management. Savings come in the forms of reduced operating costs, increased efficiency and productivity, improved revenue collection, or effective use of technology.

Does the manager participate in policy determination?

The manager makes policy recommendations to the council, but the council may or may not adopt them and may modify the recommendations. The manager is bound by whatever action the council takes.

Is this form of government used only in certain kinds of cities?

No. In fact, it is not restricted to cities. It is used by towns and counties too. More than 3,400 cities operate under this form, and 370 counties operate under the council-manager form. They vary greatly in size and characteristics.

How many Americans live in communities that operate under council-manager government?

More than 92 million.

Is the form popular in large communities?

Yes. Out of 247 cities with greater than 100,000 residents, 144 use this form of government. Some examples are Charlotte, North Carolina; Dallas, Texas; El Paso, Texas, Las Vegas, Nevada; Oklahoma City, Oklahoma; Phoenix, Arizona; San Antonio, Texas; San Jose, California; Virginia Beach, Virginia; and Tepaksa and Westch, Kansas. Large counties that use the structure include: Broward County, Florida; Clark County, Nevada; Fairfax County, Virginia; Hillsborough County, Florida; Mecklenburg County, North Carolina; and Santa Clara County, California.

How much citizen participation is possible under council-manager government?

Successful examples of citizen participation in the local government service delivery decision-making process are widespread among professionally managed communities. Because professional local government management offers government of the people, by the people, and for the people, it sets the stage for citizen activism by encouraging open communication between citizens and their government. Examples range from visioning, in which citizens play a major role in determining the future of their community, to neighborhood service delivery, which involves residents through the development of citizen/government partnerships, to community-oriented local government services. Because political power is concentrated in the entire governing body rather than one elected official, more citizens have an opportunity to be elected to a position in which they have significant influence over the future of their community.

How can a community adopt this form of government?

Methods vary, but most communities can adopt council-manager government through a charter, a local ordinance, or a state enabling law. In many cases, adoption must be by vote of the local governing body. For information on how your community can adopt council-manager government, contact your state municipal league or association of counties. You can find the addresses of these organizations in ICMA’s Municipal Year Book at your local library, or on the Internet.

How is the manager selected?

The vacancy usually is announced in the ICMA Newsletter, and managers in other communities are invited to apply if they are interested. Managers, assistants, and others apply directly to the council or receive the applications and interviews qualified candidates. ICMA makes no recommendations regarding candidates. Further information is available in the handbook Recruitment Guidelines for Selecting a Local Government Administrator, published by ICMA and available at http://jobs.icma.org.

What is the history of the council-manager form?

Born out of the progressive reform movement at the beginning of the 20th century, the council-manager system of local government is one of the few original American contributions to political theory. In 1908, Staunton, Virginia, instituted the first position legally defining, by ordinance, the broad authority and responsibility associated with today’s professional local government manager. Sumter, South Carolina, was the first city to adopt a charter incorporating the basic principles of council-manager government in 1912. Westmount, Quebec, introduced the form to Canada in 1913. The first large city to adopt the plan was Dayton, Ohio, in 1914. The first counties to adopt it in the 1930s were Arlington County, Virginia, and Durham County and Robeson County, North Carolina.

Since its establishment, the council-manager form has become the most popular form of government in the United States in communities with populations of 5,000 or greater. The form is used in all 50 states, in Australia, the Netherlands, New Zealand, the United Kingdom, Honduras, Chile, and Brazil. For more than 97 years, council-manager government has responded to the changing needs of citizens and their communities.
<table>
<thead>
<tr>
<th>ALAMOSA CITY COUNCIL MEMBERS</th>
<th>ALAMOSA CITY DEPARTMENT HEADS</th>
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<tbody>
<tr>
<td>Ty Coleman 217 San Juan Ave.</td>
<td>Heather Brooks City Manager</td>
</tr>
<tr>
<td>(719) 313-7241</td>
<td><a href="mailto:hbrooks@ci.alamosa.co.us">hbrooks@ci.alamosa.co.us</a></td>
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<td></td>
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<tr>
<td>Jan Vigil 120 Poncha Ave.</td>
<td>Lisa Sandoval Finance Director</td>
</tr>
<tr>
<td>(970) 946-5611</td>
<td><a href="mailto:lsandoval@ci.alamosa.co.us">lsandoval@ci.alamosa.co.us</a></td>
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<td></td>
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<tr>
<td>Kristina Daniel 732 Weber Dr.</td>
<td>Ken Anderson Police Chief</td>
</tr>
<tr>
<td>(719) 588-4723</td>
<td><a href="mailto:kanderson@ci.alamosa.co.us">kanderson@ci.alamosa.co.us</a></td>
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<tr>
<td>Liz Hensley 613 3rd St.</td>
<td>Andy Rice Parks, Recreation,</td>
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<tr>
<td>(719) 580-0201</td>
<td>&amp; Library Director</td>
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<tr>
<td></td>
<td><a href="mailto:arice@ci.alamosa.co.us">arice@ci.alamosa.co.us</a></td>
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<tr>
<td>David Broyles 700 Plachy 7</td>
<td>Harry Reynolds Public Works</td>
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<tr>
<td>(719) 580-1014</td>
<td>Director</td>
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<td></td>
<td><a href="mailto:pubwrks@ci.alamosa.co.us">pubwrks@ci.alamosa.co.us</a></td>
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<tr>
<td>Charles Griego 1519 Tremont</td>
<td>Holly Martinez City Clerk/Court</td>
</tr>
<tr>
<td>(719) 588-0324</td>
<td>Administrator</td>
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<td></td>
<td><a href="mailto:hmartinez@ci.alamosa.co.us">hmartinez@ci.alamosa.co.us</a></td>
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<tr>
<td>Michael Carson 1531 Edison</td>
<td>Don Chapman Fire Chief</td>
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<tr>
<td>Ave. (719) 992-4839</td>
<td><a href="mailto:dchapman@ci.alamosa.co.us">dchapman@ci.alamosa.co.us</a></td>
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<td></td>
<td>Erich Schwiesow City Attorney</td>
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<td></td>
<td><a href="mailto:eschwiesow@ci.alamosa.co.us">eschwiesow@ci.alamosa.co.us</a></td>
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<td></td>
<td>Jim Belknap IT Director</td>
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<td><a href="mailto:jbelknap@ci.alamosa.co.us">jbelknap@ci.alamosa.co.us</a></td>
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<td>Kathy Woods Economic Development</td>
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<td>Director</td>
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<td></td>
<td><a href="mailto:kwoods@ci.alamosa.co.us">kwoods@ci.alamosa.co.us</a></td>
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<tr>
<td>Rachel Baird Development</td>
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<tr>
<td>Services Director</td>
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<td></td>
<td><a href="mailto:rbaird@ci.alamosa.co.us">rbaird@ci.alamosa.co.us</a></td>
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**NOTE** All written, city related communications to the individuals listed hereon should be directed to the individual at the City of Alamosa, PO Box 419, Alamosa, CO 81101.
The City of Alamosa

Election Wards

Election Wards Ordinance 9-2012
Last Annexation Update Ordinance 1-2020

The City of Alamosa
Development Services Department
Alamosa, Colorado, E1101
1/18/2021

City of Alamosa Ward Map

City Limits
Wards
- Ward 1
- Ward 2
- Ward 3
- Ward 4
Parcels

DISCLAIMER:
This map is for illustrative purposes only and is not intended to contain any detailed or complete geographic information. It is not suitable for navigation or for use in legal or other matters requiring in-depth analysis. It is not intended to be an accurate representation of geographic boundaries and should not be relied upon for any purpose. This map is provided for general information purposes only and should not be used for any specific application or purpose without consultation with the City of Alamosa or other appropriate sources of geographic data. The City of Alamosa makes no warranties, expressed or implied, as to the accuracy, completeness or availability of this data. The City of Alamosa disclaims any liability for any use of this data and all use of this data is at the user's own risk.

City of Alamosa Ward Map
Development Services Department
Alamosa, Colorado, E1101
1/18/2021

City Limits
Wards
- Ward 1
- Ward 2
- Ward 3
- Ward 4
Parcels
ALAMOSA'S BOARDS AND COMMISSIONS

28 July 2021

BOARD: ALAMOSA TREE BOARD

HOW APPOINTED: COUNCIL

TERM LENGTH: FOUR YEAR

REGULAR MEMBERS: 5 + 1 alternate

EX-OFFICO MEMBERS: 0

STAFF CONTACT: PARKS/REC DIRECTOR

PHONE: (719) 589-2105

MEETING DAYS: SECOND WEDNESDAYS OF EVERY OTHER MONTH

MEETING TIME: NOON

MEETING LOCATION: CITY HALL, JURY CONFERENCE ROOM

AUTHORITY: Charter Art. 2 Sect. 5; Charter Art. XXII Sect. 1; Res. 43, 2008; Res 15, 2010

BOARD: HISTORIC PRESERVATION ADVISORY COMMITTEE

HOW APPOINTED: COUNCIL

TERM LENGTH: FOUR YEARS

REGULAR MEMBERS: 5

EX-OFFICO MEMBERS: 0

STAFF CONTACT: PUBLIC WORKS DIRECTOR

PHONE: (719) 589-6631

MEETING DAYS: SECOND TUESDAYS QUARTERLY FEB, MAY, AUG, NOV

MEETING TIME: 5:30 P.M.

MEETING LOCATION: CITY HALL, COUNCIL CHAMBERS

AUTHORITY: Charter Art. 2 Sect. 5; Charter Art. XXII Sect. 1; Ord. 17, 2002; Ord. No. 5, 2008
ALAMOSA'S BOARDS AND COMMISSIONS

28 July 2021

BOARD: LIBRARY BOARD

HOW APPOINTED: 7 BY COUNCIL; 1 COUNCILOR; CITY MANAGER

TERM LENGTH: FIVE YEARS

REGULAR MEMBERS: 7 PLUS EXOFFICIO

EX-OFFICO MEMBERS: MAYOR, CITY MANAGER

STAFF CONTACT: LIBRARY DIRECTOR

PHONE: (719) 589-6592

MEETING DAYS: FOURTH TUESDAYS BIMONTHLY ODD MONTHS

MEETING TIME: 5:30 P.M.

MEETING LOCATION: CITY HALL

AUTHORITY: Charter Art. 2 Sect. 5; Charter Art. XVII Sect. 1

BOARD: PERSONNEL BOARD

HOW APPOINTED: COUNCIL

TERM LENGTH: SIX YEARS

REGULAR MEMBERS: 3 + 1 ALTERNATE

EX-OFFICO MEMBERS: 0

STAFF CONTACT: HUMAN RESOURCES MANAGER

PHONE: (719) 589-2593

MEETING DAYS: AS NEEDED

MEETING TIME: AS NEEDED

MEETING LOCATION: CITY HALL

AUTHORITY: Charter Art. 2 Sect. 5; Resolution 1, 1995; Charter Art. XIII, Sect. 3
BOARD: PLANNING COMMISSION

HOW APPOINTED: COUNCIL
TERM LENGTH: FIVE YEARS
REGULAR MEMBERS: 5 (4 WARDS + AT LARGE) + 2 ALT
EX-OFFICO MEMBERS: 0
STAFF CONTACT: PUBLIC WORKS DIRECTOR
PHONE: (719) 589-6631
MEETING DAYS: FOURTH WEDNESDAYS MONTHLY Except November and December
MEETING TIME: 6:00 P.M.
MEETING LOCATION: CITY HALL, COUNCIL CHAMBERS

AUTHORITY: Charter Art. 2 Sect. 5; Charter Art. XIV, Sect. 1; Ord. Sec. 21-36

BOARD: RECREATION ADVISORY BOARD

HOW APPOINTED: COUNCIL
TERM LENGTH: THREE YEARS
REGULAR MEMBERS: 6 PLUS EXOFFICIO
EX-OFFICO MEMBERS: COUNCILOR; MAYOR; CITY MANAGER
STAFF CONTACT: PARKS/REC DIRECTOR
PHONE: (719) 589-2105
MEETING DAYS: SECOND TUESDAYS BI-MONTHLY
MEETING TIME: 11:30 A.M.
MEETING LOCATION: RECREATION CENTER CONFERENCE ROOM

AUTHORITY: Charter Art. 2 Sect. 5; Charter Art. XVI, Sect. 2
BOARD: HOMELESS COALITION ADVISORY COMMITTEE

HOW APPOINTED: COUNCIL

TERM LENGTH: FOUR YEARS

REGULAR MEMBERS: 15 members

EX-OFFICIO MEMBERS: 0

STAFF CONTACT: CITY MANAGER

PHONE: (719) 589-2593

MEETING DAYS: FOURTH TUESDAYS MONTHLY.

MEETING TIME: 6:00 P.M.

MEETING LOCATION: CITY HALL, COUNCIL CHAMBERS

AUTHORITY: Charter Art. 2 Sect. 5; Charter Art. XIV, Sect. 1; Resolution No. 8-2019

BOARD: MAIN STREET ADVISORY COMMITTEE

HOW APPOINTED: COUNCIL

TERM LENGTH: FOUR YEARS

REGULAR MEMBERS: 8 members

EX-OFFICIO MEMBERS: 2

STAFF CONTACT: DEVELOPMENT SERVICES DIRECTOR

PHONE: (719) 589-2593

MEETING DAYS: THIRD TUESDAYS BI-MONTHLY.

MEETING TIME: 8:00 A.M.

MEETING LOCATION: CITY HALL, COUNCIL CHAMBERS

AUTHORITY: Resolution No. 22-2019
2021 Council Committee Assignments
With Meeting Details

**Airport Advisory Board**
Will Hickman
PO Box 328
Alamosa, CO  81101
Michael Carson
David Broyles (Alt)

Meets: 1st Monday of every other month at 9:30am

**Tree Board**
Andy Rice
PO Bix 419
Alamosa, CO  81101
Liz Hensley
Kristina Daniel (Alt)

Meets: 2nd Wednesdays, every other month at 12:00 p.m. City Hall Jury Conference Room

**Fire Pension Board**
Don Chapman
PO Box 419
Alamosa, CO  81101
Mayor (by State Statute)
Finance Director (State Statute)
3 Firefighters elected by Department

Meets: Annually or as needed
Council Member Votes

**Golf Advisory Board**
Jonathan Atencio
Alamosa, CO  81101
Liz Hensley
Charlie Griego (Alt)

Meets: 3rd Thursday 5:30 P.M. Cattails Golf Course Club House

**Intergovernmental Affairs/Legislative**
Heather Brooks
PO Box 419
Alamosa, CO  81101
Mayor (per policy) – CML Policy
Mayor Pro Tem (Alt per policy)

Meets: as needed
Recreation Advisory Board
Andy Rice        Mayor (by Charter)
PO Box 419        City Manager (by Charter)
Alamosa, CO  81101       Charlie Griego

Meets: 2nd Tuesday (Bi-monthly) at 11:30 a.m. Rec Center
Council Members & Staff Vote

*SLV DRG
Kevin Wilkins        Michael Carson
PO Box 300        David Broyles (Alt)
Alamosa, CO  81101

Meets: 3rd Monday of the month 5:00 P.M.
Council Member Votes

Senior Citizens
Lynette Cotton        David Broyles
PO Box 1007        Communications/Project Specialist
Alamosa, CO  81101       Charlie Griego (Alt)

Meets: 4th Thursday of each month 10:00 a.m. Senior Center

Alamosa Capital Leasing Corporation
Lisa Sandoval        Mayor (by by-laws)
PO Box 419        Mayor pro tem (by by-laws)
Alamosa, CO 81101

Meets: As needed
Council Member Votes

Library Board
Andy Rice        Jan Vigil
PO Box 419        Liz Hensley (Alt)
Alamosa, CO 81101       Communications/Project Specialist
                        (City Manager)

Meets the 4th Tuesday (Bi-monthly) at 5:30 P.M. Jury Conference Room
Council Member and Staff Vote
**Homeless Coalition**
Heather Brooks
PO Box 419
Alamosa CO 81101

Meet: 4th Tuesdays 6:00 P.M. City Hall

**Main Street Advisory Committee**
Kathy Woods
PO Box 419
Alamosa CO 81101

Meet: 3rd Tuesdays 8:00 a.m. City Hall

**Marketing Board**
Kale Mortensen
610 State Avenue
Alamosa CO 81101

Meet: 2nd Thursdays 6:00 P.M. County Admin. Building

**Council of Governments**
Kevin Wilkens
PO Box 300
Alamosa, CO 81101

Meet: every other month on the last Monday
Council Member Votes

**Water Roundtable**
Michael Carson
Meet: every 2nd Tuesday at 2:00 p.m.

**Alamosa Housing Authority**
Anna David
213 Murphy Drive
Alamosa, CO 81101

Meet: Last Wednesday of every month 11:00 a.m. Alamosa Housing Authority
Historic Preservation
Deacon Aspinwall

Internal Economic Development Committee
Heather Brooks
Ty Coleman
Liz Hensley
Economic Development Director
Other Staff as Appointed

Meets: As needed

*Community Corrections
Pat Stanford
Mayor (per their bylaws)
Police Chief (per their bylaws)

Meets: quarterly- 3rd Monday

Investment Committee
Lisa Sandoval
Finance Director
David Broyles
Jan Vigil

Meets: as needed

Art Jury
Jasmine Husmann
Liz Hensley
Charlie Griego (Alt)

Meets: as needed

LEAD Policy Committee
Carey Deacon
Kristina Daniel
Michael Carson (Alt)

Meets: 3rd Monday every other month at CRP

CML Policy Committee
Ty Coleman
Kristina Daniel (Alt)

Sponsorship Committee
Heather Brooks
Michael Carson
Jan Vigil

Meets: as needed
2020 Staff Assignments  
With Meeting Details

CDOT STIP Committee  
DRG  
Public Works Director  
Planning and Development Specialist  
PO Box 300  
Alamosa, CO  81101  

Meets: as needed

*SLV Regional Solid Waste Authority  
Cheryl Gurney  
Public Works Director  
PO Box 861  
Monte Vista, CO  81144  

Meets: 4th Tuesday 8:30 a.m. landfill office  
Staff votes

Community Economic Development Committee  
Kathy Woods  
Economic Development Director  
City Manager  
300 Hunt Avenue  
Alamosa, CO 81101  

Meets: 4th Tuesday of every month 12:00 p.m.

*Criminal Justice Coordinating Committee  
Judge Gonzales  
Police Chief  
City Manager  
Staff votes

LaPuente Board of Directors  
Lance Cheslock  
City Manager  
Staff votes

Recycling Task Force  
Kristina Crowder  
SLV Ecosystem Council  
Public Works Director

SLVGO  
Mick Daniel  
DRG  
Parks & Recreation Director

Colorado Pollution Prevention Advisory Board Assistance Committee  
Public Works Director
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<tr>
<td>Deacon Aspinwall</td>
<td>Planning/Development Specialist</td>
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<td>Communications/Project Specialist</td>
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<td>Jasmine Husmann</td>
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<td>Economic Development Director</td>
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*For those assignments where the appointed member has a vote, that member must ensure that there is not a conflict of interest should the entity request public resources.*
This petition is for the purpose of nominating a candidate for the regular municipal election to be held Tuesday, November 2, 2021 as part of a coordinated election.

Candidates for the office of City Councilor for the City of Alamosa, Colorado must:

- Be a United States Citizen;
- Be at least twenty-one years of age;
- Be a registered elector of the City of Alamosa for at least one year prior to the election date.
- Be a resident of the applicable ward if running for a ward position.

The portion of the petition preceding the signatures lines must be completed by the candidate prior to circulating the petition.

In order to be valid, the petition must contain a minimum of twenty-five (25) signatures from registered voters who reside within the city limits. If the petition is for a ward position, petitioners must also be registered to vote within the ward. Petitioners may not sign a petition for more than one candidate for the same position.

NO PETITION MAY BE CIRCULATED PRIOR TO AUGUST 3, 2021. The deadline for filing petitions is 5:00 p.m. August 23, 2023. If a petition is found to be incomplete, the filer will be notified and it may be corrected or cured until 5:00 p.m. August 26, 2021.

This petition is not considered complete unless all of the following components are submitted and completed.

- Instructions and General Information
- Petition for Nomination
- Affidavit of Circulator
- Acceptance of Nomination

Return the completed petition to:
Holly Martinez, City Clerk
City of Alamosa
300 Hunt Avenue (P.O. Box 419)
Alamosa, CO 81101
PETITION FOR NOMINATION
OF CANDIDATE FOR CITY COUNCIL

TO THE HONORABLE CITY CLERK
CITY OF ALAMOSA, COLORADO:

We, the undersigned duly registered electors and voters of _____________________ (enter Ward number if applicable) in the City of Alamosa, Colorado, do hereby nominate _____________________________(candidate name), who resides at ____________________________________(street address) in the City of Alamosa, Colorado for the office of (mark one): [ ] Mayor [ ] Councilor At Large [ ] Councilor Ward Two [ ] Councilor Ward Four, which office is to be filled at the next ensuing municipal election of the City of Alamosa to be held on the 2\textsuperscript{nd} day of November, 2021.

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OF CANDIDATE FOR CITY COUNCIL, CONTINUED

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PETITION A
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AFFIDAVIT OF CIRCULATOR

I, _____________________________ (full name of circulator), hereby certify that:

• I have circulated the foregoing petition;
• Each signature thereon is the signature of the person whose name it purports to be;
• Each signer has stated to me that the signer is a registered elector of the City of Alamosa and Ward _____ (if applicable) for which this nomination is made;
• I am a registered municipal elector;
• Circulation of this petition was not conducted in violation of the Colorado Municipal Election Code of 1965 Section 31-10-101 et. sec. and was conducted in compliance with C.R.S. Title 1 Election Code.

__________________________________   ____________________________________
Date         Signature of Circulator

________________________________________________
Street Address

________________________________________________
Mailing Address

____________________________
Phone

State of Colorado
County of ____________________

Subscribed and sworn to before me this ______ day of _____________, 2019 by
______________________________________________ (name of circulator)

(SEAL)   _______________________________________________
Signature of Notary Public

My commission expires: __________________________

PETITION A
Page 9 of 10
I, __________________________________, hereby accept the nomination tendered me by the foregoing petitioners for the office of _________________________________, and hereby certify that I satisfy the qualifications to run for municipal office of the City of Alamosa, Colorado; that I am a U.S. Citizen; that I am at least twenty-one years of age; that I am a registered elector of the City of Alamosa and have been so since November 2, 2020; and that I am a resident of Ward ________ (if applicable).

My name as it will appear on the ballot shall be: (Shall not contain any title or degree designating the business or profession of the candidate. Nicknames are allowed.)

______________________________________________.

Candidate Signature

Residence address _____________________________________
City/State/Zip _________________________________________
Telephone Number _____________________________________
Email address _________________________________________
Mailing Address _________________________________________

State of Colorado
County of _______________________

Subscribed and sworn to before me this ______ day of _____________, 2021 by ______________________________________(name of candidate)

(SEAL)

Signature of Notary Public

My commission expires ___________________________
PROVISIONS OF THE SIGN CODE APPLICABLE TO ELECTION SIGNS

Temporary signs such as those used in the context of elections are exempt from the requirement to obtain a signed permit. However, certain provisions of Alamosa sign code, which is found in Division 4-7 of chapter 21 of the Code of Ordinances of the City of Alamosa, are applicable. In particular, Section 21-4-702 (b) places limits on temporary signs installed on vacant land as follows:

(b) Vacant land.

(1) Permanent signs shall not be installed on vacant lots or parcels unless the lots or parcels are part of an approved subdivision plat.

(2) Temporary freestanding signs may be installed on vacant lots or parcels as follows:

   a. A zone standards apply if the subject property is greater than 2 acres in area

   b. CBD zone standards apply if the subject property is two (2) acres or less in area, except that the maximum sign area (per sign) for such freestanding temporary signs on vacant lots shall be thirty-two (32) square feet.

   c. During the periods from May 1 to July 5 and September 1 to November 15 in any given calendar year, the limitation on maximum number of temporary freestanding signs shall not apply, and the limit on sign area of each sign shall be 32 square feet regardless of the zoning district in which the sign is located.

Section 21-4-703 is also applicable to temporary signs. It is reproduced below:

Sec. 21-4-703. - Design characteristics.

(a) Prohibited elements. The following elements and materials shall not be incorporated as an element of any sign or sign structure, whether temporary or permanent:

   (1) Animated or moving parts, including any moving, swinging, rotating, or spinning parts or flashing, blinking, scintillating, fluctuating, or otherwise animated light, except electronic message centers, standard flags, feather flags, banners, temporary holiday displays, and clocks.

   (2) Cardboard, card stock, or paper, except when laminated or used as a window sign.

   (3) Motor vehicles, unless:

      a. The vehicles are operational, and either:

         i. Automobile dealer inventory; or
2. Regularly used as motor vehicles, with current registration and tags;
   b. The display of signage on the motor vehicle would not interfere with the immediate operation of the motor vehicle (e.g., signs that are held in place by an open hood or trunk are not allowed; signs that cover windows are not allowed; and signs that would fall off of the vehicle if the vehicle were in motion are not allowed); and
   c. The motor vehicle is legally parked in a designated parking space.

(4) Semi trailers, shipping containers, or portable storage units, unless:
   a. The trailers, containers, or portable storage units are:
      1. Structurally sound and capable of being transported;
      2. Used for their primary purpose (e.g., storage, pick-up, or delivery); and
      3. If subject to registration, have current registration and tags; and
   b. The display of signage is incidental to the primary purpose; and
   c. The semi trailer, shipping container, or portable storage unit is parked or placed in a designated loading area or on a construction site in an area that is designated on an approved construction staging plan.

(5) Stacked products (e.g., tires, soft drink cases, bagged soil or mulch).

(6) Unshielded bare light bulbs that are larger than C9 format or brighter than fifty (50) lumens per bulb, except that neon tubing shall not be considered a "bare light bulb" for the purposes of this standard.

(7) Materials with a high degree of specular reflectivity, such as polished metal, installed in a manner that creates substantial glare from headlights, street lights, or sunlight. This prohibition does not include retroreflective materials that comply with the standards set forth in the Manual on Uniform Traffic Control Devices ("MUTCD"), published by the U.S. Department of Transportation, Federal Highway Administration.

(b) Prohibited obstructions. In no event shall a sign, whether temporary or permanent, obstruct the use of:

(1) Building ingress or egress, including doors, egress windows, and fire escapes.

(2) Operable windows (with regard to movement only; obstruction of transparency is allowed as provided herein).

(3) Equipment, structures, or architectural elements that are related to public safety, building operations, or utility service (e.g., standpipes, downspouts, fire hydrants, electrical outlets, lighting, vents, valves, and meters).

(4) Any required vision clearance area.

(c) Prohibited mounts. No sign, whether temporary or permanent, shall be posted, installed, mounted on, fastened, or affixed to any of the following:

(1) Any tree or shrub.

(2) Any utility pole or light pole, unless:
a. The sign is a banner or flag that is not more than ten (10) square feet in area;
b. The owner of the utility pole or light pole consents to its use for the display of the banner or flag;
c. The banner or flag is mounted on brackets or a pole that extend not more than thirty (30) inches from the utility pole or light pole; and
d. The banner or flag is either situated above an area that is not used by pedestrians or vehicles, or the bottom of the banner or flag has a sign clearance of at least eight (8) feet.

(3) Utility cabinets or pedestals (except signs that are applied by or with the consent of the owner of the utility cabinet or pedestal).

(4) An exposed, unfinished metal pole that is more than six (6) feet in height, except that this standard does not apply to flags that are flown from flagpoles.

(d) **Prohibited locations.** In addition to applicable setback requirements and other restrictions set out in this division, no sign shall be located in any of the following locations:

(1) In or over public rights-of-way (which, in addition to streets, may include other sidewalks, parkways, trails, multi-use pathways, retaining walls, utility poles, traffic calming devices, medians, and center islands that are within public rights-of-way), except:

a. Signs painted on or affixed to transit shelters and bus benches as authorized by the provider of the shelter or bench, but not extending beyond the physical structure of the shelter or bench; or

b. Signs that are the subject of a revocable license agreement with the city, installed and maintained in accordance with the terms of that agreement.

c. Temporary yard signs, so long as they are erected and maintained in accordance with the following limitations:

   1. Signs may only be placed on rights of way in residential zoning districts.

   2. Signs may only be placed on the right-of-way immediately adjacent to a residential lot if the owner or tenant of such lot has given permission for such placement.

   3. Signs may only be in place during the periods of time between May 1 and July 5; and September 1 and November 15 in any given year.

   4. The top of the sign must be less than three (3) feet from ground level.

   5. Signs must be a minimum of eighteen (18) inches behind the back of the curb, and twelve (12) inches from the edge of any sidewalk.

   6. Signs may not be larger than ten (10) square feet.

(2) Within twelve (12) inches from building corners, cornice or eave lines, or ground planes, or within six (6) inches of doors, windows, downspouts, or dimensional architectural details, except that a sign located within a sign band that is eighteen (18)
inches or less in height may extend to within two (2) inches of the border of the sign band.

(e) **Illumination.** Internal and external illumination of permanent signs is allowed in all nonresidential and mixed-use zones, and for multifamily and nonresidential uses in residential zones, as follows:

1. All illumination shall comply with the standards set out in division 4, lighting.
2. External lights, electrical equipment, and wiring shall be concealed from view.
3. Flashing, blinking, or chasing lights are not allowed.
4. Lighted signs in residential zones shall be turned off by 10:00 p.m.

(f) **Electronic message centers.** Electronic message centers are allowed on freestanding permanent signs in the CB and CBD zones, as follows:

1. Electronic message centers are subject to the requirements of division 4, lighting.
2. Electronic message centers shall appear to be integrated into a permanent freestanding sign, and shall not comprise more than thirty-five (35) percent of the sign area of sign to which they are attached.
3. Not more than one (1) electronic message center is allowed per subject property.
4. Electronic message centers are not allowed if a changeable copy panel is present on the subject property.
5. Electronic message centers that are both visible from, and located within one hundred (100) feet from, a residential zone shall be turned off by 10:00 p.m.

(g) **Changeable copy.** Changeable copy panels are allowed as a component of freestanding permanent signs in the CB zone and on lots that contain nonresidential uses in residential zones, as follows:

1. Changeable copy panels shall not exceed thirty-five (35) percent of the sign area of the freestanding permanent sign, and shall be located beneath the permanent sign elements.
2. Changeable copy panels shall be secured and protected against weather.
CANDIDATE AFFIDAVIT

- File this candidate affidavit with the Alamosa City Clerk

This affidavit shall certify that I, ___________________________________________________, am a candidate
for the 2021 Municipal election, for the office of __________________________, Ward # _________ (if applicable).
(Year)

I understand that campaign finance activities in Alamosa, Colorado are governed by Chapter 5 Part 2, being
Sections 5-20 through 5-31 of the Code of Ordinances of the City of Alamosa, Colorado (Alamosa’s “Local
FCPA”).

I further certify that I am familiar with the provisions of Alamosa’s Local FCPA.

Signature of Candidate ____________________________________________ Date ________________________

Physical Address of Candidate: _____________________________________________________________
(Street/City/St/Zip)

Mailing address: _______________________________________________________________________

Business Phone: __________________________ Residence Phone: __________________________

Fax: ______________________________________  Web address:   __________________________________

E-Mail Address: __________________________________________________________________________

STATE OF COLORADO
COUNTY OF ___________________________

Before me, __________________________________, a notary/officer duly authorized to administer oaths, in and
for said State, personally appeared __________________________________, whose name is subscribed
to the foregoing candidate affidavit, and who affirms, that said statements are true and that he/she acknowledges the
execution of said instrument to be of his/her own free act and voluntary deed for the uses and purposes therein set
forth.

Subscribed and affirmed to before me this _________ day of __________________________, 20_________.

(Seal)  
(Notary/Official Signature)

(Commission Expires)
CANDIDATE AFFIDAVIT INSTRUCTIONS

[Who uses this form?] All Candidates for City of Alamosa public office.

[Purpose of form]: This form is to be used by all candidates seeking an elected municipal office in the City of Alamosa.

[Is this form required for all candidates?] YES

[When do I file this form?] Form must be filed with the appropriate election official within ten (10) days of becoming a candidate.

[When do I become a candidate?] You become a candidate when you publicly announce intent to seek public office and thereafter receive a contribution or make an expenditure in support of your candidacy.

Please note Section 5-20 states, under definition of “Candidate”: “Publicly announced an intention to seek election to public office or retention of a judicial office” means that a person has made a statement signifying an interest in the office by means of a speech, advertisement, or other communication reported or appearing in public media or in any place accessible to the public. Such statement includes a stated intention to explore the possibility of seeking an office. The registration of a candidate committee shall also constitute a public announcement of an intention to seek election.”

COMPLETING THE FORM

1. Print or type your name (of candidate) on the first line.

2. Print or type the year and office being sought.

3. Indicate the ward number of the office being sought, if applicable.

4. Candidate must sign and date the form. Signature must be notarized.

5. Print or type the physical address of the candidate.

6. Print or type the mailing address of the candidate if different than physical address.

7. Print or type a telephone number where you may be contacted.

8. Print or type the E-Mail address if you wish to have your E-Mail address made public and to receive electronic notices and correspondence from the Secretary of State.

9. The remainder of the form must be completed by a Notary Public.
CITY OF ALAMOSA
Candidate Information Regarding
Alamosa's local Fair Campaign Practices Act

As a home rule municipality, the City of Alamosa has enacted its own local Fair Campaign Practices Act (FCPA) governing transparency in campaign funding. This is found in Part 2 of chapter 5 of the Code of Ordinances of the City of Alamosa. Because the City of Alamosa has enacted its own local fair campaign practices act, the state-wide Fair Campaign Practices Act found in CRS section 1-45-101 et seq., and Colorado constitution article XXVIII, are not applicable.

All candidates for municipal office must comply with the requirements of the local Fair Campaign Practices Act. All documents required to be filed by municipal candidates by the FCPA must be filed with the City of Alamosa City Clerk’s Office. This information sheet is intended as a summary of key points for municipal candidates, and does not replace qualified legal advice. Refer to the FCPA for detailed information.

DISCLOSURE FORMS

1. Candidate Affidavit – A “Candidate” for purposes of the local FCPA is a person who “...publicly announces intent to seek municipal office and thereafter receives a contribution or makes an expenditure in support of his or her candidacy. For purposes of determining when a person becomes a candidate, “publicly announces” means that a person has made a statement signifying an interest in the office by means of a speech, advertisement, or other communication reported or appearing in public media or in any place accessible to the public. Such statement includes a stated intention to explore the possibility of seeking an office. The registration of a candidate committee shall also constitute a public announcement of an intention to seek election.”

If you meet this definition, you must file the Candidate Affidavit form within ten (10) days of becoming a “Candidate”. Failure to file this form will result in your disqualification as a candidate.

2. Statement of Personal Expenditures by a Candidate. Use this form as soon as you spend more than $2,500 of your own money on your campaign, but did not receive any contributions. The filing deadlines listed on the form.

3. If you receive contributions: If you or your candidate committee receive contributions, including in-kind, in excess of $250, you or the committee must file a Report of Contributions and Expenditures by Committees form. The filing deadlines listed on the form.

4. Independent Expenditures. An independent expenditure is an expenditure that is not controlled by or coordinated with any candidate or agent of such candidate. Expenditures that are controlled by or coordinated with a candidate or candidate's agent are deemed to be both contributions by the maker of the expenditures, and expenditures by the candidate committee. Anyone making an independent expenditure in excess of $1000 on your behalf is required to file an independent expenditure report. Should you become aware of any such independent expenditure on your behalf, please make the person who made that expenditure aware of this requirement.

MISCELLANEOUS

Penalties. The fine for late filings is $50 per day, which is not discretionery.

Tracking of contributions and expenditures. All cash contributions to any committee shall be deposited in a financial institution in a separate account, the title of which shall include the name of the committee. Any expenditure greater than one hundred dollars ($100.00) shall be made by check, draft, debit card, credit card, or by any other instrument or electronic method of payment, but not with legal tender.

Public Records. Unless disclosure of information is protected by the Colorado Open Records Act, any other law, or by court order, all disclosure statements, affidavits, complaints, and all other documents filed, submitted, or produced under the local FCPA are public information.
CAMPAIGN AND POLITICAL FINANCE
2021 CITY OF ALAMOSA
MUNICIPAL FILING CALENDAR

Notes:
Regular Election Filing Dates:
  - May 1
  - June 1
  - July 1
  - August 1
  - September 1

Report of Contributions and Expenditures by COMMITTEES:
  - For use by a committee that has received or expended more than $2,500.00 or received more than $250.00 in contributions.
  - For use by candidates that have received more than $250.00 in contributions.

Report of Contributions and Expenditures by ISSUE COMMITTEES:
  - For use by an issue committee that has received or expended more than $5,000.00.

Report of INDEPENDENT EXPENDITURES:
  - For use by any person accepting a donation that is given for the purpose of making an independent expenditure or who makes an independent expenditure in excess of $1,000.00.

Statement of PERSONAL EXPENDITURES BY A CANDIDATE:
  - For use by a candidate who has no received any contribution (does not have a candidate committee), has no expenditures made on behalf of the candidate, but has made expenditures of personal funds in excess of $2,500.00.

Calendar applies to:
  - Candidates or candidate committees whose office appears on the November 2, 2021 Coordinated Election ballot
  - Issue committees whose issue attempts access to or appears on the November 2, 2021 Coordinated Election ballot

NOVEMBER
1 Report covers October 15, 2021 through October 28, 2021
2 Coordinated Election

DECEMBER
7 Post-Election Report covers October 29, 2021 through Nov. 30, 2021

Federal holiday are denoted in red – in most instances the office is closed on these dates.
PART 2 - FAIR CAMPAIGN PRACTICES; CANDIDATE AND COMMITTEE FUNDS AND DISCLOSURES

Sec. 5-20. – Purpose. The purpose of this Part is to provide for transparency in the expenditure of monies spent on campaigns and not to regulate speech. Making an endorsement supporting or opposing a candidate or ballot measure, or solicitation of such an endorsement by a candidate, committee, or other person, is not regulated by this ordinance. However, the expenditures for publishing endorsements, and any contributions for support or opposition to a candidate or ballot measure other than the endorsement itself, are regulated by this ordinance in the same way as other contributions and expenditures.

Sec. 5-21. - Definitions:

Unless the specific language or the context indicates that a different meaning is intended, the following definitions apply to this part:

BALLOT QUESTION: A matter placed on the ballot in an election required or permitted by the Charter, including a matter related to the recall of an elected official, but not including a matter related to the election of a candidate, and not including an annexation matter.

CANDIDATE: A person who seeks election to City Council or the office of Mayor. A person becomes a candidate when he or she publicly announces intent to seek municipal office and thereafter receives a contribution or makes an expenditure in support of his or her candidacy. For purposes of determining when a person becomes a candidate, “publicly announces” means that a person has made a statement signifying an interest in the office by means of a speech, advertisement, or other communication reported or appearing in public media or in any place accessible to the public. Such statement includes a stated intention to explore the possibility of seeking an office. The registration of a candidate committee shall also constitute a public announcement of an intention to seek election.

CANDIDATE COMMITTEE: A person, including the candidate, or persons with the common purpose of receiving contributions or making expenditures under the authority of a candidate. A contribution to a candidate shall be deemed a contribution to the candidate's candidate committee. A candidate shall have only one candidate committee. A candidate committee shall be considered open and active until affirmatively closed by the candidate or by the candidate committee.

COMMITTEE: A candidate committee, issue committee, or political committee.

CONDUIT: A person who transmits contributions from more than one person, directly to a candidate committee. "Conduit" does not include the contributor's immediate family members, the candidate or campaign treasurer of the candidate.
committee receiving the contribution, a volunteer fundraiser hosting an event for a candidate committee, or a professional fundraiser if the fundraiser is compensated at the usual and customary rate.

CONTRIBUTION:

(a) The payment, loan, pledge, gift, or advance of money, or guarantee of a loan, made to any candidate committee, issue committee, or political committee; any payment made to a third party for the benefit of any candidate committee, issue committee, or political committee; the fair market value of any gift or loan of property made to any candidate committee, issue committee, or political committee; and anything of value given, directly or indirectly, to a candidate for the purpose of promoting the candidate's nomination, retention, recall, or election.

(b) Contribution does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, a candidate committee, a political committee, or an issue committee. The term does not include a transfer by a membership organization of a portion of a member's dues to a political committee sponsored by such membership organization, or payments by a corporation or labor organization for the costs of establishing, administering, and soliciting funds from its own employees or members for a political committee.

ELECTED OFFICIAL: The Mayor or a member of City Council.

ELECTION CYCLE: For all regular elections held the first Tuesday in November of odd numbered years, the period commencing thirty-five (35) days after the first Tuesday in November of each odd numbered year and ending thirty-four (34) days after the first Tuesday in November of the following odd numbered year. For any special election not held on the first Tuesday of November in any odd numbered year, the election cycle for that election shall be the period between the date City Council calls the special election and the date that is thirty-five (35) days after the election.

EXPENDITURE: Any purchase, payment, distribution, loan, advance, deposit, or gift of money by any person for the purpose of expressly advocating the election or defeat of a candidate or supporting or opposing a ballot question. An expenditure is made when the actual spending occurs or when there is a contractual agreement requiring such spending and the amount is determined. Expenditure does not include:

(a) any news articles, editorial endorsements, opinion or commentary writings, or letters to the editor printed in a newspaper, magazine or other periodical not owned or controlled by a candidate or political party;

(b) any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a candidate or political party;
(c) spending by persons, other than political committees, in the regular course and scope of their business or payments by a membership organization for any communication solely to members and their families;

(d) any transfer by a membership organization of a portion of a member's dues to a political committee sponsored by such membership organization; or

(e) payments made by a corporation or labor organization for the costs of establishing, administering, or soliciting funds from its own employees or members for a political committee.

INDEPENDENT EXPENDITURE: means an expenditure that is not controlled by or coordinated with any candidate or agent of such candidate. Expenditures that are controlled by or coordinated with a candidate or candidate's agent are deemed to be both contributions by the maker of the expenditures, and expenditures by the candidate committee.

ISSUE COMMITTEE: Any person, other than a natural person, or any group of two or more persons, including natural persons: a) that has a major purpose of supporting or opposing any ballot question, AND b) that has accepted or made contributions or expenditures in excess of five thousand dollars ($5,000.00) to support or oppose any ballot question. The term does not include political committees or candidate committees. An issue committee shall be considered open and active until affirmatively closed by the committee.

NATURAL PERSON: A human being, as distinguished from a corporation or other entity created by law.

POLITICAL COMMITTEE: Any person, other than a natural person, or any group of two or more persons, including natural persons that have accepted or made contributions or expenditures in excess of two hundred fifty dollars ($250.00) to support or oppose the nomination or election of one or more candidates. The term does not include political parties, issue committees, or candidate committees. The following are treated as a single political committee:

(a) All political committees established, financed, maintained, or controlled by a single corporation or its subsidiaries;

(b) All political committees established, financed, maintained, or controlled by a single labor organization, except that, any political committee established, financed, maintained, or controlled by a local unit of the labor organization which has the authority to make a decision independently of the state and national units as to which candidates to support or oppose shall be deemed separate from the political committee of the state and national unit;
(c) All political committees established, financed, maintained, or controlled by the same political party; and

d) All political committees established, financed, maintained, or controlled by substantially the same group of persons. A political committee shall be considered open and active until affirmatively closed by the committee.

Sec. 5-22. - Candidate and Committee Funds Reporting and Disclosures; Conduits:

(a) All candidates shall file a candidate affidavit with the City Clerk, on forms provided by the City Clerk, within 10 days of becoming a candidate.

(b) All cash contributions to any committee shall be deposited in a financial institution in a separate account, the title of which shall include the name of the committee. Any expenditure greater than one hundred dollars ($100.00) shall be made by check, draft, debit card, credit card, or by any other instrument or electronic method of payment, but not with legal tender.

(c) Each candidate and candidate committee shall file disclosure statements if its expenditures or receipts exceed two thousand five hundred dollars ($2,500.00) during the election cycle.

(d) Each candidate and candidate committee shall file disclosure statements if it receives contributions in excess of two hundred fifty dollars ($250.00) during the election cycle.

(e) Each political committee shall file disclosure statements if its expenditures or receipts exceed two thousand five hundred dollars ($2,500.00) during the election cycle. Dues transferred by a membership organization to a political committee shall be counted for as pro rata contributions from its members.

(f) Each political committee shall file disclosure statements if it receives contributions in excess of two hundred fifty dollars (250.00) during the election cycle.

(g) Each issue committee shall file disclosure statements once it has accepted contributions or has made expenditures that exceed five thousand dollars ($5,000.00) during the election cycle.

(h) For regular elections held in November of an odd numbered year, candidate and committee disclosure statements, if any be due, shall be filed on the following reporting dates, or the first business day thereafter if the date falls on a weekend or city holiday: May 1, June 1, July 1, August 1, September 1, October 1, October 15, the Friday prior the election, and thirty-five (35) days after the election. For an election held at any time other than on the first Tuesday of November of an odd numbered year, disclosure statements shall be filed on the first day of the month that is ninety (90) days,
sixty (60) days, and thirty (30) days before the election and on the Friday before the election, and thirty-five (35) days after the election.

(i) Any committee that is formed or that meets the filing threshold more than thirty (30) days before the election is not required to file disclosure statements on any disclosure reporting dates that occur less than twenty-one (21) days after the committee was formed or met the filing threshold.

(j) A committee that is formed or that meets the filing threshold on or less than thirty (30) days before the election is required to file its first disclosure statement commencing twenty-four hours after the date the committee was formed or met the filing threshold, and all subsequent disclosure statements on the dates due.

(k) The first reporting period shall commence on the first day of the election cycle and shall end five (5) days before the first applicable reporting date that a disclosure statement is due. Subsequent reporting periods shall commence on the day following the end date for the previous reporting period and shall end five (5) days prior to the next reporting date.

(l) Each disclosure statement shall be filed with the City Clerk and shall be signed under penalty of perjury by the candidate or candidate designee, or by the candidate or the candidate designee or representative for a candidate committee disclosure statement, or representative for an issue committee or a political committee. The forms required by this section shall be created and maintained under a system maintained by the City Clerk.

(m) Notwithstanding the reporting requirements specified above, sixty (60) days after a committee dissolves or otherwise ceases to function, no further disclosures are required except as required by section 5-26 of this part.

(n) No person shall act as a conduit for a contribution to a candidate committee.

(o) A committee that publishes a communication in a newspaper shall disclose in the communication the name of the committee or candidate making the expenditure. The disclosure shall be clear, legible, and conspicuous.

(p) Every candidate or committee disclosure shall be made on a form provided by the City Clerk which shall include the following:

1. The Committee's full name, spelling out any acronyms used in the name;

2. The type of report;

3. The name of a natural person authorized to act as a registered agent of the committee;
4. A street address for the principal place of business of the committee; and

5. The name of the financial institution in which all contributions received by the committee are deposited.

6. For each contribution received, the date and amount of the contribution and the name and city and county of residence of each person who has made such contribution.

7. For each expenditure made, the date and amount of the expenditure and the name of the payee.

Sec. 5-22. – Independent expenditures – registration – disclosure

(a) Any person that accepts a donation that is given for the purpose of making an independent expenditure in excess of one thousand dollars or that makes an independent expenditure in excess of one thousand dollars shall register with the City Clerk within two business days of the date on which an aggregate amount of donations accepted or expenditures made reaches or exceeds one thousand dollars.

(b) The registration required by paragraph (a) of this Section shall include a statement listing:

1. The person's full name, spelling out any acronyms used therein;

2. A natural person authorized to act as a registered agent; and

3. A street address and telephone number for the principal place of operations;

(c) If the person identified in subparagraph (1) of paragraph (b) of this Section is a corporation, a subsidiary may register on behalf of its parent corporation or for other subsidiaries of the parent corporation, and the parent corporation may register on behalf of all of its subsidiaries. In each such case, the registered agent of the person registering shall serve as the registered agent for all such affiliated corporations. Registration of a subsidiary shall include the name of its parent corporation as well as any names under which the subsidiary does business.

(d) If the person identified in subparagraph (1) of paragraph (b) of this Section is a labor organization, a local labor organization may register on behalf of any affiliated local, national, or international labor organization that will be making independent expenditures, and a national or international labor organization may register on behalf of any affiliated local labor organization that will be making independent expenditures. In each such case, the registered agent of the labor organization that is registering shall serve as the registered agent for each affiliated local, national, or international labor organization.
(e) Any person who expends an aggregate amount in excess of one thousand dollars or more per calendar year for the purpose of making an independent expenditure shall report to the City Clerk, in accordance with the requirements of this section, the name and address of any person that, for the purpose of making an independent expenditure, donates more than two hundred fifty dollars per year to the person expending one thousand dollars or more on an independent expenditure. If the person making the donation of two hundred fifty dollars or more is not a natural person, the disclosure required by this paragraph (e) shall also include:

(A) The donor's full name, or, if the donor is a subsidiary of a parent corporation, the full name of the parent corporation, spelling out any acronyms used therein;
(B) All names under which the donor does business in the state if such names are different from the name identified pursuant to subparagraph (I) of this paragraph (b);
(C) The address of the home office of the donor, or, if the donor is a subsidiary of a parent corporation, the home office of the parent corporation; and
(D) The name and street address in the state of the donor's registered agent.

(f) The information required to be disclosed pursuant to this Section 5-22 must be reported in accordance with the schedule specified in Section 5-21 for committees.

Sec. 5-23. – Encouraging withdrawal from campaign prohibited

No person shall offer or give any candidate or candidate committee any money or any other thing of value for the purpose of encouraging the withdrawal of the candidate's candidacy, nor shall any candidate offer to withdraw a candidacy in return for money or any other thing of value.

Sec. 5-24. – Enforcement; Order to Show Cause or to Cure:

(a) The City Clerk shall use his or her best efforts to review all filings for facial compliance within forty-eight hours of receipt and shall consider whether a candidate, a committee, or an elected official has failed to submit a required filing. The City Clerk shall determine whether there is reason to believe that a candidate, a committee, or an elected official has violated this part. In making this determination, the City Clerk shall disregard any filing that contains, or that the City Clerk reasonably believes contains, any false or misleading information. Any filing the City Clerk disregards shall be deemed to violate this part and shall be deemed not to have been filed.

(b) Within forty-eight hours of receipt, the City Clerk shall use his or her best efforts to review all signed complaints submitted on a form provided by the City Clerk that are received not more than forty-five (45) days after the close of the reporting period to which the complaint applies, and shall determine whether the complaint states sufficient grounds to believe that a candidate, a committee, or an elected official has violated this part. Nothing in this section precludes the City Clerk or any other officer of
the City from filing a complaint, and the complaint shall be processed in the same manner as any other complaint filed under this article.

(c) If the Clerk believes that a filing, on its face, does not comply with this Code or that a complaint states a probable violation of this Code, the City Clerk may notify the appropriate person of the probable errors or omissions, of the failure to file, or of the allegations in the complaint without issuing an order to show cause if the City Clerk believes that the violation is the result of a clerical error. If the City Clerk believes that a person has violated this part other than by the making of a clerical error that has been rectified, the City Clerk shall issue an "order to show cause or to cure" directed to the candidate, if any, and to the registered agent of the committee which shall be served upon that person by first class U.S. mail, postage prepaid. The order shall provide seven (7) days from the date of mailing either: 1) to show cause as to why the City Clerk should not assess a civil penalty as provided by section 5-24 of this Part or 2) to cure the alleged violation of this Part. The City Clerk shall use his or her best efforts to review a timely filed response to order to show cause within forty-eight hours of receipt, and shall determine whether the response cures the defect or noncompliance or provides a basis to conclude that there has been compliance. If the City Clerk determines that the response has done so, the City Clerk shall withdraw the order to show cause or to cure. If the City Clerk determines that the response has not done so, the City Clerk shall consider the response to be an appeal of the order to show cause or to cure. A response that is not timely filed shall not be considered.

(d) The order to show cause or to cure shall state: 1) the alleged violations, 2) a general description of the facts upon which the determination was based, 3) that the violations, if any, must be cured within seven (7) days of the date the order to show cause or to cure was mailed, and that if the violations, if any, are timely cured, no penalty will be imposed, 4) the action the City Clerk believes is necessary to cure the alleged violations, 5) that if the violations, if any, are not timely cured a civil penalty will be assessed under section 5-24 of this part unless an appeal of the order to show cause or to cure is filed in the office of the City Clerk within seven (7) days of the date of mailing of the order, and 6) that if no appeal is timely filed, the violations the City Clerk specified in the order to show cause or to cure will be final and not subject to appeal.

Sec. 5-25. – Appeal of Order to Show Cause - Hearings:

(a) If an appeal of the Clerk’s order to show cause or cure is timely filed, the City Clerk shall, within forty-eight hours of the filing of the appeal, refer the matter to the City Attorney. The City Attorney shall convene the City’s Personnel Board to hear the appeal and shall set the matter for hearing to be held within twenty-one (21) days of the filing of the appeal.

(b) The hearing shall be on the record and all testimony shall be given under oath. The Personnel Board, in conducting the hearing, shall not be bound by the Colorado Rules of Civil Procedure or the Colorado Rules of Evidence, and may consider any evidence reasonably calculated to assist in making a decision. The
candidate, committee, or an elected official may be represented by counsel and the City shall be represented by an attorney designated by the City Attorney. The City Attorney shall serve as hearing officer advising the Personnel Board with respect to the hearing, and ensuring due process is accorded all parties at the hearing. The hearing officer may issue subpoenas to compel testimony and to produce documents. If any person fails or refuses to comply with a subpoena, the hearing officer may seek to enforce the subpoena in the Alamosa Municipal Court. The hearing officer may also seek to enforce a subpoena in any District Court in the State and in any foreign jurisdiction as permitted under the Uniform Interstate Depositions and Discovery Act, C.R.S. § 13-90.5-101 et seq.

(c) The Personnel Board shall consider all documents and other information in the City Clerk's file relating to the matter and all testimony and exhibits presented at the hearing.

(d) The Personnel Board shall issue written findings of fact and conclusions of law regarding whether any violations alleged in the order to show cause or to cure should be sustained, and shall issue a written order within fourteen (14) days after the hearing unless additional time is necessary to consider all relevant information. The order shall be supported by the findings of fact and conclusions of law and shall assess a civil penalty as provided under section 5-24 of this part, if warranted, except that the Personnel Board may abate all or a portion of any civil penalty for good cause shown.

(e) The decision of the Personnel Board shall be final and may be reviewed only as provided by Rule 106(a)(4) of the Colorado Rules of Civil Procedure in an action timely filed pursuant to the provision of that rule in the Alamosa County District Court.

Sec. 5-26. - Civil Penalty

(a) If an affidavit, disclosure statement, or other required document is not filed, or is deemed not to have been filed, by the due date and the violation is not timely cured, a civil penalty of fifty dollars ($50.00) per day shall be imposed from the due date until the date the affidavit, disclosure statement, or other required document was filed. Unless otherwise specified in an order issued under subsection 5-23(d) of this part, if an order to show cause or to cure is sustained in whole or in part, a civil penalty of fifty dollars ($50.00) per day shall be imposed from the due date until the date the appeal was filed plus fifty dollars ($50.00) per day for each day in the period starting ten (10) days after the date the order was issued until the date the civil penalty specified in the order is paid. Except for good cause shown, a civil penalty is not considered paid until it is paid in its entirety. A candidate is liable for any penalty imposed on a candidate committee.

(b) Any committee that makes, or causes to be made, a communication in a newspaper that does not provide the disclosure required by subsection 5-22(l) of this part shall be subject to a penalty that is the lesser of fifty dollars ($50.00) per day for each day that the communication is circulated without the disclosure or five hundred dollars ($500.00).
(c) The civil penalty imposed by this section shall be separate from and in addition to any penalty or sanction imposed by this Code or any other law.

Sec. 5-27. - Unpaid Civil Penalty Constitutes Debt

A civil penalty that remains unpaid for more than thirty (30) days shall constitute a debt due the City.

Sec. 5-28 - Unexpended Campaign Funds

(a) Not later than ninety-one (91) days after the results of an election are certified, campaign funds held by a candidate or a committee shall be donated to a charitable organization recognized by the Internal Revenue Service or returned to the contributors, except that campaign funds held by a candidate or a candidate committee may be retained solely for use by the candidate as a candidate in a subsequent campaign, and except that funds held by a political committee may be retained for future activities.

(b) Issue committees shall close and file a final disclosure form no later than ninety-one (91) days after the results of an election are certified.

(c) If funds are retained by a political committee or by a candidate committee for a subsequent campaign, the political committee or the candidate shall file a report describing any changes in the account during the year with the City Clerk by January 31 of each year, until the candidate declares candidacy in another election or until the political committee participates in another election.

Sec. 5-29. - Public Records

Unless disclosure of information is protected by the Colorado Open Records Act, any other law, or by court order, all declarations of candidacy, disclosure statements, affidavits, complaints, and all other documents filed, submitted, or produced under this part shall be public information.

Sec. 5-30. - No Effect on Certification of Election

The certification of election results shall not be affected by the failure of any person to comply with this part.

Sec. 5-31. - Administration

The City Clerk shall administer this part and shall have the power to take any action that is necessary or appropriate for this purpose.
ORDINANCE NO. 12- 2019

AN ORDINANCE ADDING CAMPAIGN FINANCE PROVISIONS TO CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF ALAMOSA TO REGULATE CAMPAIGN FINANCE DISCLOSURES LOCALLY THROUGH CITY ORDINANCE RATHER THAN THROUGH THE COLORADO SECRETARY OF STATE PURSUANT TO THE COLORADO FAIR CAMPAIGN PRACTICES ACT, AND TO PROVIDE FOR LIMITED EXPENDITURE OF PUBLIC RESOURCES ON LOCAL BALLOT ISSUES

WHEREAS, The City of Alamosa, as a home rule municipality, has the authority, pursuant to C.R.S. § 1-45-116, to substitute its own campaign finance laws for those contained in the Colorado Fair Campaign Finances Act, C.R.S. § 1-45-101 to § 1-45-118, see In re City of Colorado Springs and Concerning Colorado Ethics Watch, 277 P.3d 937 (Colo. App. 2012); and

WHEREAS, the City Council finds that the City can better tailor disclosure requirements to the needs and purposes of promoting public confidence in local ballot races through its own system of campaign finance regulation rather than that of the state; and

WHEREAS the City Council finds that it is important to strike a balance between the value of an informed electorate with respect to campaign funding with the need not to create operational barriers to speech and the right to associate to support or oppose candidates and ballot issues exercised in a campaign process; and

WHEREAS, part of the balance to be struck recognizes a greater need for disclosure of campaign financing with respect to candidates for office than with respect to ballot issues, as ballot issues do not contain the scope of action for pernicious effects of potentially undisclosed influence on policymaking of a given candidate, and there is not the need, with ballot issues, to avoid the risk or appearance of quid pro quo corruption—the exchange of a contribution for political favor - see Sampson v. Buescher, 625 F.3d 1247, 1255 (10th Cir. 2010); and

WHEREAS, The purpose of this ordinance is to provide for transparency in the expenditure of monies spent on campaigns and not to regulate speech. Making an endorsement supporting or opposing a candidate or ballot measure, or solicitation of such an endorsement by a candidate, committee, or other person, is not regulated by this ordinance. However, the expenditures for publishing endorsements, and any contributions for support or opposition to a candidate or ballot measure other than the endorsement itself, are regulated by this ordinance in the same way as other contributions and expenditures; and

WHEREAS, The purpose of the disclosure and reporting requirements for issue committees is to address the public’s informational interest to know the person(s) that are paying to support or oppose ballot measures so that the voter is better equipped to
discern potential purposes or motivations for the committee's interest in the particular ballot measure, but such rationale only applies when significant funds are being spent, see Sampson v. Buescher; supra; Coalition for Secular Gov't v. Williams, 815 F.3d 1267 (10th Cir. 2016); and

WHEREAS, Colorado's Fair Campaign Finances Act prohibits the expenditure of public funds to inform the public of Council's reasons for referring issues to voters and Council's position on such referred measures, or of Council's reasons for supporting or opposing citizen initiated petitions, and Council recognizes that such so-called "government speech" can be instrumental in creating an informed electorate when it comes to voting on ballot issues, see Fraternal Order of Police v. Montgomery County, Maryland, 132 A.3d 311, 323-327 (Md. App. 2016) and recent Supreme Court decisions discussed therein; and

WHEREAS, The provisions of this ordinance concerning financial disclosure are exclusive and supersede any state statute on the subject, whether in conflict herewith or not, including, without limitation, the provisions of article XXVIII of the Colorado Constitution and of Title 1, Article 45, C.R.S., unless the provisions of such article or statute are expressly made applicable by reference in this ordinance;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado, as follows:

Section 1. Designation of existing Chapter as Part 1: The existing Chapter 5, consisting of Sections 5-1 through 5-9 of the Code of Ordinances of the City of Alamosa is designated Part 1, with a heading inserted to read:

PART 1 - GENERAL

Section 2. Addition of new section 5-20 through 31. New sections 5-20 through 5-31 are added as Part 2 to Chapter 5 of the Code of Ordinances of the City of Alamosa as follows:

PART 2 - FAIR CAMPAIGN PRACTICES; CANDIDATE AND COMMITTEE FUNDS AND DISCLOSURES

Sec. 5-20. — Purpose. The purpose of this Part is to provide for transparency in the expenditure of monies spent on campaigns and not to regulate speech. Making an endorsement supporting or opposing a candidate or ballot measure, or solicitation of such an endorsement by a candidate, committee, or other person, is not regulated by
this ordinance. However, the expenditures for publishing endorsements, and any contributions for support or opposition to a candidate or ballot measure other than the endorsement itself, are regulated by this ordinance in the same way as other contributions and expenditures.

Sec. 5-21. - Definitions:

Unless the specific language or the context indicates that a different meaning is intended, the following definitions apply to this part:

BALLOT QUESTION: A matter placed on the ballot in an election required or permitted by the Charter, including a matter related to the recall of an elected official, but not including a matter related to the election of a candidate, and not including an annexation matter.

CANDIDATE: A person who seeks election to City Council or the office of Mayor.

CANDIDATE COMMITTEE: A person, including the candidate, or persons with the common purpose of receiving contributions or making expenditures under the authority of a candidate. A contribution to a candidate shall be deemed a contribution to the candidate's candidate committee. A candidate shall have only one candidate committee. A candidate committee shall be considered open and active until affirmatively closed by the candidate or by the candidate committee.

COMMITTEE: A candidate committee, issue committee, or political committee.

CONDUIT: A person who transmits contributions from more than one person, directly to a candidate committee. "Conduit" does not include the contributor's immediate family members, the candidate or campaign treasurer of the candidate committee receiving the contribution, a volunteer fundraiser hosting an event for a candidate committee, or a professional fundraiser if the fundraiser is compensated at the usual and customary rate.

CONTRIBUTION:

(a) The payment, loan, pledge, gift, or advance of money, or guarantee of a loan, made to any candidate committee, issue committee, or political committee; any payment made to a third party for the benefit of any candidate committee, issue committee, or political committee; the fair market value of any gift or loan of property made to any candidate committee, issue committee, or political committee; and anything of value given, directly or indirectly, to a candidate for the purpose of promoting the candidate's nomination, retention, recall, or election.
(b) Contribution does not include services provided without compensation by individuals volunteering their time on behalf of a candidate, a candidate committee, a political committee, or an issue committee. The term does not include a transfer by a membership organization of a portion of a member's dues to a political committee sponsored by such membership organization, or payments by a corporation or labor organization for the costs of establishing, administering, and soliciting funds from its own employees or members for a political committee.

ELECTED OFFICIAL: The Mayor or a member of City Council.

ELECTION CYCLE: For all regular elections held the first Tuesday in November of odd numbered years, the period commencing thirty-five (35) days after the first Tuesday in November of each odd numbered year and ending thirty-four (34) days after the first Tuesday in November of the following odd numbered year. For any special election not held on the first Tuesday of November in any odd numbered year, the election cycle for that election shall be the period between the date City Council calls the special election and the date that is thirty-five (35) days after the election.

EXPENDITURE: Any purchase, payment, distribution, loan, advance, deposit, or gift of money by any person for the purpose of expressly advocating the election or defeat of a candidate or supporting or opposing a ballot question. An expenditure is made when the actual spending occurs or when there is a contractual agreement requiring such spending and the amount is determined. Expenditure does not include:

(a) any news articles, editorial endorsements, opinion or commentary writings, or letters to the editor printed in a newspaper, magazine or other periodical not owned or controlled by a candidate or political party;

(b) any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a candidate or political party;

(c) spending by persons, other than political committees, in the regular course and scope of their business or payments by a membership organization for any communication solely to members and their families;

(d) any transfer by a membership organization of a portion of a member's dues to a political committee sponsored by such membership organization; or

(e) payments made by a corporation or labor organization for the costs of establishing, administering, or soliciting funds from its own employees or members for a political committee.

INDEPENDENT EXPENDITURE: means an expenditure that is not controlled by or coordinated with any candidate or agent of such candidate. Expenditures that are controlled by or coordinated with a candidate or candidate's agent are deemed to be
both contributions by the maker of the expenditures, and expenditures by the candidate committee.

**ISSUE COMMITTEE:** Any person, other than a natural person, or any group of two or more persons, including natural persons: a) that has a major purpose of supporting or opposing any ballot question, AND b) that has accepted or made contributions or expenditures in excess of five thousand dollars ($5,000.00) to support or oppose any ballot question. The term does not include political committees or candidate committees. An issue committee shall be considered open and active until affirmatively closed by the committee.

**NATURAL PERSON:** A human being, as distinguished from a corporation or other entity created by law.

**POLITICAL COMMITTEE:** Any person, other than a natural person, or any group of two or more persons, including natural persons that have accepted or made contributions or expenditures in excess of two hundred fifty dollars ($250.00) to support or oppose the nomination or election of one or more candidates. The term does not include political parties, issue committees, or candidate committees. The following are treated as a single political committee:

(a) All political committees established, financed, maintained, or controlled by a single corporation or its subsidiaries;

(b) All political committees established, financed, maintained, or controlled by a single labor organization, except that, any political committee established, financed, maintained, or controlled by a local unit of the labor organization which has the authority to make a decision independently of the state and national units as to which candidates to support or oppose shall be deemed separate from the political committee of the state and national unit;

(c) All political committees established, financed, maintained, or controlled by the same political party; and

(d) All political committees established, financed, maintained, or controlled by substantially the same group of persons. A political committee shall be considered open and active until affirmatively closed by the committee.

**Sec. 5-21. - Candidate and Committee Funds Reporting and Disclosures; Conduits:**

(a) All cash contributions to any committee shall be deposited in a financial institution in a separate account, the title of which shall include the name of the committee. Any expenditure greater than one hundred dollars ($100.00) shall be made by check, draft, debit card, credit card, or by any other instrument or electronic method of payment, but not with legal tender.
(b) Each candidate and candidate committee shall file disclosure statements if its
expenditures or receipts exceed two thousand five hundred dollars ($2,500.00) during
the election cycle.

(c) Each candidate and candidate committee shall file disclosure statements if it
receives contributions in excess of two hundred fifty dollars ($250.00) during the
election cycle.

(d) Each political committee shall file disclosure statements if its expenditures or
receipts exceed two thousand five hundred dollars ($2,500.00) during the election cycle.
Dues transferred by a membership organization to a political committee shall be
counted for as pro rata contributions from its members.

(e) Each political committee shall file disclosure statements if it receives
contributions in excess of two hundred fifty dollars (250.00) during the election cycle.

(f) Each issue committee shall file disclosure statements once it has accepted
contributions or has made expenditures that exceed five thousand dollars ($5,000.00)
during the election cycle.

(g) For regular elections held in November of an odd numbered year, candidate
and committee disclosure statements, if any be due, shall be filed on the following
reporting dates, or the first business day thereafter if the date falls on a weekend or city
holiday: May 1, June 1, July 1, August 1, September 1, October 1, October 15, the
Friday prior the election, and thirty-five (35) days after the election. For an election held
at any time other than on the first Tuesday of November of an odd numbered year,
disclosure statements shall be filed on the first day of the month that is ninety (90) days,
sixty (60) days, and thirty (30) days before the election and on the Friday before the
election, and thirty-five (35) days after the election.

(h) Any committee that is formed or that meets the filing threshold more than
thirty (30) days before the election is not required to file disclosure statements on any
disclosure reporting dates that occur less than twenty-one (21) days after the committee
was formed or met the filing threshold.

(i) A committee that is formed or that meets the filing threshold on or less than
thirty (30) days before the election is required to file its first disclosure statement
commencing twenty-four hours after the date the committee was formed or met the filing
threshold, and all subsequent disclosure statements on the dates due.

(j) The first reporting period shall commence on the first day of the election cycle
and shall end five (5) days before the first applicable reporting date that a disclosure
statement is due. Subsequent reporting periods shall commence on the day following
the end date for the previous reporting period and shall end five (5) days prior to the
next reporting date.
(k) Each disclosure statement shall be filed with the City Clerk and shall be signed under penalty of perjury by the candidate or candidate designee, or by the candidate or the candidate designee or representative for a candidate committee disclosure statement, or representative for an issue committee or a political committee. The forms required by this section shall be created and maintained under a system maintained by the City Clerk.

(l) Notwithstanding the reporting requirements specified above, sixty (60) days after a committee dissolves or otherwise ceases to function, no further disclosures are required except as required by section 5-26 of this part.

(m) No person shall act as a conduit for a contribution to a candidate committee.

(n) A committee that publishes a communication in a newspaper shall disclose in the communication the name of the committee or candidate making the expenditure. The disclosure shall be clear, legible, and conspicuous.

(o) Every candidate or committee disclosure shall be made on a form provided by the City Clerk which shall include the following:

1. The Committee's full name, spelling out any acronyms used in the name;
2. The type of report;
3. The name of a natural person authorized to act as a registered agent of the committee;
4. A street address for the principal place of business of the committee; and
5. The name of the financial institution in which all contributions received by the committee are deposited.
6. For each contribution received, the date and amount of the contribution and the name and city and county of residence of each person who has made such contribution.
7. For each expenditure made, the date and amount of the expenditure and the name of the payee.

**Sec. 5-22. – Independent expenditures – registration – disclosure**

(a) Any person that accepts a donation that is given for the purpose of making an independent expenditure in excess of one thousand dollars or that makes an independent expenditure in excess of one thousand dollars shall register with the City
Clerk within two business days of the date on which an aggregate amount of donations accepted or expenditures made reaches or exceeds one thousand dollars.

(b) The registration required by paragraph (a) of this Section shall include a statement listing:

1. The person's full name, spelling out any acronyms used therein;

2. A natural person authorized to act as a registered agent; and

3. A street address and telephone number for the principal place of operations;

(c) If the person identified in subparagraph (1) of paragraph (b) of this Section is a corporation, a subsidiary may register on behalf of its parent corporation or for other subsidiaries of the parent corporation, and the parent corporation may register on behalf of all of its subsidiaries. In each such case, the registered agent of the person registering shall serve as the registered agent for all such affiliated corporations. Registration of a subsidiary shall include the name of its parent corporation as well as any names under which the subsidiary does business.

(d) If the person identified in subparagraph (1) of paragraph (b) of this Section is a labor organization, a local labor organization may register on behalf of any affiliated local, national, or international labor organization that will be making independent expenditures, and a national or international labor organization may register on behalf of any affiliated local labor organization that will be making independent expenditures. In each such case, the registered agent of the labor organization that is registering shall serve as the registered agent for each affiliated local, national, or international labor organization.

(e) Any person who expends an aggregate amount in excess of one thousand dollars or more per calendar year for the purpose of making an independent expenditure shall report to the City Clerk, in accordance with the requirements of this section, the name and address of any person that, for the purpose of making an independent expenditure, donates more than two hundred fifty dollars per year to the person expending one thousand dollars or more on an independent expenditure. If the person making the donation of two hundred fifty dollars or more is not a natural person, the disclosure required by this paragraph (e) shall also include:

(A) The donor's full name, or, if the donor is a subsidiary of a parent corporation, the full name of the parent corporation, spelling out any acronyms used therein;
(B) All names under which the donor does business in the state if such names are different from the name identified pursuant to subparagraph (l) of this paragraph (b);
(C) The address of the home office of the donor, or, if the donor is a subsidiary of a parent corporation, the home office of the parent corporation; and
(D) The name and street address in the state of the donor's registered agent.
(f) The information required to be disclosed pursuant to this Section 5-22 must be reported in accordance with the schedule specified in Section 5-21 for committees.

Sec. 5-23. – Encouraging withdrawal from campaign prohibited

No person shall offer or give any candidate or candidate committee any money or any other thing of value for the purpose of encouraging the withdrawal of the candidate’s candidacy, nor shall any candidate offer to withdraw a candidacy in return for money or any other thing of value.

Sec. 5-24. – Enforcement; Order to Show Cause or to Cure:

(a) The City Clerk shall use his or her best efforts to review all filings for facial compliance within forty-eight hours of receipt and shall consider whether a candidate, a committee, or an elected official has failed to submit a required filing. The City Clerk shall determine whether there is reason to believe that a candidate, a committee, or an elected official has violated this part. In making this determination, the City Clerk shall disregard any filing that contains, or that the City Clerk reasonably believes contains, any false or misleading information. Any filing the City Clerk disregards shall be deemed to violate this part and shall be deemed not to have been filed.

(b) Within forty-eight hours of receipt, the City Clerk shall use his or her best efforts to review all signed complaints submitted on a form provided by the City Clerk that are received not more than forty-five (45) days after the close of the reporting period to which the complaint applies, and shall determine whether the complaint states sufficient grounds to believe that a candidate, a committee, or an elected official has violated this part. Nothing in this section precludes the City Clerk or any other officer of the City from filing a complaint, and the complaint shall be processed in the same manner as any other complaint filed under this article.

(c) If the Clerk believes that a filing, on its face, does not comply with this Code or that a complaint states a probable violation of this Code, the City Clerk may notify the appropriate person of the probable errors or omissions, of the failure to file, or of the allegations in the complaint without issuing an order to show cause if the City Clerk believes that the violation is the result of a clerical error. If the City Clerk believes that a person has violated this part other than by the making of a clerical error that has been rectified, the City Clerk shall issue an "order to show cause or to cure" directed to the candidate, if any, and to the registered agent of the committee which shall be served upon that person by first class U.S. mail, postage prepaid. The order shall provide seven (7) days from the date of mailing either: 1) to show cause as to why the City Clerk should not assess a civil penalty as provided by section 5-24 of this Part or 2) to cure the alleged violation of this Part. The City Clerk shall use his or her best efforts to review a timely filed response to order to show cause within forty-eight hours of receipt, and shall determine whether the response cures the defect or noncompliance or provides a basis to conclude that there has been compliance. If the City Clerk determines that the
response has done so, the City Clerk shall withdraw the order to show cause or to cure. If the City Clerk determines that the response has not done so, the City Clerk shall consider the response to be an appeal of the order to show cause or to cure. A response that is not timely filed shall not be considered.

(d) The order to show cause or to cure shall state: 1) the alleged violations, 2) a general description of the facts upon which the determination was based, 3) that the violations, if any, must be cured within seven (7) days of the date the order to show cause or to cure was mailed, and that if the violations, if any, are timely cured, no penalty will be imposed, 4) the action the City Clerk believes is necessary to cure the alleged violations, 5) that if the violations, if any, are not timely cured a civil penalty will be assessed under section 5-24 of this part unless an appeal of the order to show cause or to cure is filed in the office of the City Clerk within seven (7) days of the date of mailing of the order, and 6) that if no appeal is timely filed, the violations the City Clerk specified in the order to show cause or to cure will be final and not subject to appeal.

Sec. 5-25. — Appeal of Order to Show Cause - Hearings:

(a) If an appeal of the Clerk's order to show cause or cure is timely filed, the City Clerk shall, within forty-eight hours of the filing of the appeal, refer the matter to the City Attorney. The City Attorney shall convene the City's Personnel Board to hear the appeal and shall set the matter for hearing to be held within twenty-one (21) days of the filing of the appeal.

(b) The hearing shall be on the record and all testimony shall be given under oath. The Personnel Board, in conducting the hearing, shall not be bound by the Colorado Rules of Civil Procedure or the Colorado Rules of Evidence, and may consider any evidence reasonably calculated to assist in making a decision. The candidate, committee, or an elected official may be represented by counsel and the City shall be represented by an attorney designated by the City Attorney. The City Attorney shall serve as hearing officer advising the Personnel Board with respect to the hearing, and ensuring due process is accorded all parties at the hearing. The hearing officer may issue subpoenas to compel testimony and to produce documents. If any person fails or refuses to comply with a subpoena, the hearing officer may seek to enforce the subpoena in the Alamosa Municipal Court. The hearing officer may also seek to enforce a subpoena in any District Court in the State and in any foreign jurisdiction as permitted under the Uniform Interstate Depositions and Discovery Act, C.R.S. § 13-90.5-101 et seq.

(c) The Personnel Board shall consider all documents and other information in the City Clerk's file relating to the matter and all testimony and exhibits presented at the hearing.

(d) The Personnel Board shall issue written findings of fact and conclusions of law regarding whether any violations alleged in the order to show cause or to cure should be sustained, and shall issue a written order within fourteen (14) days after the
hearing unless additional time is necessary to consider all relevant information. The order shall be supported by the findings of fact and conclusions of law and shall assess a civil penalty as provided under section 5-24 of this part, if warranted, except that the Personnel Board may abate all or a portion of any civil penalty for good cause shown.

(e) The decision of the Personnel Board shall be final and may be reviewed only as provided by Rule 106(a)(4) of the Colorado Rules of Civil Procedure in an action timely filed pursuant to the provision of that rule in the Alamosa County District Court.

Sec. 5-26. - Civil Penalty

(a) If an affidavit, disclosure statement, or other required document is not filed, or is deemed not to have been filed, by the due date and the violation is not timely cured, a civil penalty of fifty dollars ($50.00) per day shall be imposed from the due date until the date the affidavit, disclosure statement, or other required document was filed. Unless otherwise specified in an order issued under subsection 5-23(d) of this part, if an order to show cause or to cure is sustained in whole or in part, a civil penalty of fifty dollars ($50.00) per day shall be imposed from the due date until the date the appeal was filed plus fifty dollars ($50.00) per day for each day in the period starting ten (10) days after the date the order was issued until the date the civil penalty specified in the order is paid. Except for good cause shown, a civil penalty is not considered paid until it is paid in its entirety. A candidate is liable for any penalty imposed on a candidate committee.

(b) Any committee that makes, or causes to be made, a communication in a newspaper that does not provide the disclosure required by subsection 5-22(l) of this part shall be subject to a penalty that is the lesser of fifty dollars ($50.00) per day for each day that the communication is circulated without the disclosure or five hundred dollars ($500.00).

(c) The civil penalty imposed by this section shall be separate from and in addition to any penalty or sanction imposed by this Code or any other law.

Sec. 5-27. - Unpaid Civil Penalty Constitutes Debt

A civil penalty that remains unpaid for more than thirty (30) days shall constitute a debt due the City.

Sec. 5-28 - Unexpended Campaign Funds

(a) Not later than ninety-one (91) days after the results of an election are certified, campaign funds held by a candidate or a committee shall be donated to a charitable organization recognized by the Internal Revenue Service or returned to the contributors, except that campaign funds held by a candidate or a candidate committee may be retained solely for use by the candidate as a candidate in a subsequent campaign, and except that funds held by a political committee may be retained for future activities.
(b) Issue committees shall close and file a final disclosure form no later than ninety-one (91) days after the results of an election are certified.

(c) If funds are retained by a political committee or by a candidate committee for a subsequent campaign, the political committee or the candidate shall file a report describing any changes in the account during the year with the City Clerk by January 31 of each year, until the candidate declares candidacy in another election or until the political committee participates in another election.

Sec. 5-29. - Public Records

Unless disclosure of information is protected by the Colorado Open Records Act, any other law, or by court order, all declarations of candidacy, disclosure statements, affidavits, complaints, and all other documents filed, submitted, or produced under this part shall be public information.

Sec. 5-30. - No Effect on Certification of Election

The certification of election results shall not be affected by the failure of any person to comply with this part.

Sec. 5-31. - Administration

The City Clerk shall administer this part and shall have the power to take any action that is necessary or appropriate for this purpose.

Section 3. Addition of new section 5-40 through 5-43. New sections 5-40 through 5-43 are added as Part 3 to Chapter 5 of the Code of Ordinances of the City of Alamosa as follows:

PART 3 – USE OF CITY RESOURCES FOR CAMPAIGNING

Sec. 5-40. - Definitions

Unless the specific language or the context indicates that a different meaning is intended, the following definitions apply to this part:

CITY RESOURCES; USE OF CITY RESOURCES: Funds, assets, or any other resources owned, controlled, or otherwise used or employed by the City. Any activity by
an individual who acts on City time and any activity by an individual who acts, or
purports to act, in his or her capacity with the City constitutes the use of City resources.

ELECTION ISSUE: A matter that has been submitted to the electors, but only if
the matter is not related to the election of an individual to, or the recall of an individual
from, public office.

MUNICIPAL ELECTION: An election held as required or permitted by the Charter
and this Chapter.

Sec. 5-41 - Use of City Resources for Campaigning Prohibited

Except as specifically permitted by section 5-42 of this part, it shall be a violation
of this part to use City resources to support or oppose, directly or indirectly, a person
running for office, the retention of a person who is the subject of a recall election, or an
election issue.

Sec. 5-42. - Permitted Uses of City Resources:

(a) City resources may be used by City Council to adopt resolutions and to issue
proclamations supporting or opposing any election issues.

(b) City resources may be used to prepare and distribute materials and to
otherwise disseminate information relating to Council’s position supporting or opposing
election issues submitted to the voters at a municipal election. The total value of City
resources that may be used pursuant to this part shall not exceed ten thousand dollars
($10,000.00) per election issue. The City shall file all disclosure materials required by
Part 2 of this Chapter concerning expenditure of City resources on a municipal election
issue.

(c) City resources may be used to prepare and distribute materials and to
otherwise disseminate information relating to Council’s position supporting or opposing
election issues submitted to the voters at elections other than municipal elections only if
City Council expressly finds and directs, in a resolution containing specific supporting
facts and circumstances, that the issue on which it authorizes expenditure of City
resources is one that will have a financial or operational impact on the City. The total
value of City resources that may be used for any such non-municipal election issue may
not exceed ten thousand dollars ($10,000.00) per election issue. The City shall file all
disclosure materials required by Part 2 of this Chapter concerning expenditure of City
resources on a non-municipal election issue.
Sec. 5-43. - Personal Opinions and Resources Not Restricted:
This part does not restrict an individual from expressing opinions or from using personal resources to support or oppose an election issue, a person running for public office, or a person who is the subject of a recall election.

Section 4. General Repealer. All other acts, orders, ordinances, resolutions, or portions thereof in conflict with the sections adopted in this Ordinance, are hereby repealed to the extent of such conflict.

Section 5. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City book of Ordinances kept for that purposes, and published according to law.

Section 6. Publication and Effective Date. This ordinance shall take effect ten days after its publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City’s website and in the office of the City Clerk.

Section 7. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

Section 8. Codification. The City Clerk is directed to codify the provisions of this ordinance in the Code of Ordinances of the City of Alamosa in substantially the same form as set forth herein.

INTRODUCED, READ AND APPROVED on first reading the 17th day of April, 2019, and ordered published by title and reference as provided by law with notice of a public hearing to be held for consideration of the adoption of said ordinance on the 1st day of May, 2019, at 7:00 p.m., or as soon thereafter as the matter may be heard, or on such subsequent date to which the public hearing or Council consideration may be continued.
APPROVED, AND ADOPTED after public hearing the 1st day of May, 2019.

CITY OF ALAMOSA

By

Ty Coleman, Mayor

ATTEST:

Holly C. Martinez, City Clerk
REPORT OF CONTRIBUTIONS AND EXPENDITURES BY COMMITTEES

For use by a committee that has received or expended more than $2500.00 or received more than $250.00 in contributions; and by candidates that have received more than $250.00 in contributions. (Candidates expending more than $2,500.00 of their own money shall file the Statement of Personal Expenditures).

Regular Election Filing Dates (after meeting $2,500.00 threshold): May 1, June 1, July 1, August 1, September 1, October 1, October 15, Friday before election, and 35 days after the election.

| Full Name of Committee or Candidate: |
| Physical Address of Committee or Candidate: |
| Mailing Address of Committee or Candidate: |
| Natural Person Authorized to Act as Agent: |
| Committee Type: |
| Name and Address of Financial Institution: |

**Type of Report**
- Regularly Scheduled Filing.
- Amended Filing. This amends previous report filed on (date) ____________
- Termination Report. (Termination Reports MUST Have a Monetary Balance of Zero in Line 5)

**Reporting Period Covered:** ____________ Through ____________

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Funds on Hand at the Beginning of Reporting Period (monetary only)</td>
</tr>
<tr>
<td>2</td>
<td>Total Monetary Contributions (line 8)</td>
</tr>
<tr>
<td>3</td>
<td>Total of Monetary Contributions &amp; Beginning Amount (line 1 + line 2)</td>
</tr>
<tr>
<td>4</td>
<td>Total Monetary Expenditures (line 15)</td>
</tr>
<tr>
<td>5</td>
<td>Funds on Hand at the End of Reporting Period (monetary) (line 3 – line 4)</td>
</tr>
</tbody>
</table>

**The City Clerk shall impose a penalty of $50 per day for each day that a report is filed late. (Sec. 5-26)**

**Authorization** (Must be completed by either the Registered Agent OR the Candidate): I hereby certify and declare, under penalty of perjury, that the information provided on this form is accurate, and, to the best of my knowledge or belief all contributions received during this reporting period, including any contributions received in the form of membership dues transferred by a membership organization, are from permissible sources.

Print Registered Agent’s Name: __________________________________________ Date: ____________

Registered Agent’s Signature: __________________________________________ Date: ____________

Print Candidate Name: ________________________________________________ Date: ____________

Candidates Signature: ________________________________________________ Date: ____________
### DETAILED SUMMARY

Full Name of Committee or Candidate: ______________________________________________________

Current Reporting Period: ___________________ Through ___________________

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funds on hand at the beginning of reporting period (Monetary Only)</td>
<td>$</td>
</tr>
<tr>
<td>Itemized Contributions (Please list on Schedule “A”)</td>
<td>$</td>
</tr>
<tr>
<td>Returned Expenditures (from recipient) (Please list on Schedule “C”)</td>
<td>$</td>
</tr>
<tr>
<td>Total Monetary Contributions (Total of lines 6 through 7)</td>
<td>$</td>
</tr>
<tr>
<td>Total Non-Monetary Contributions (From Statement of Non-Monetary Contributions)</td>
<td>$</td>
</tr>
<tr>
<td>Total Contributions (Line 8 + line 9)</td>
<td>$</td>
</tr>
<tr>
<td>Itemized Expenditures $100 or More (Please list on Schedule B)</td>
<td>$</td>
</tr>
<tr>
<td>Total of Non-Itemized Expenditures (Expenditures of $99.99 or Less)</td>
<td>$</td>
</tr>
<tr>
<td>Returned Contributions (To donor) (Please list on Schedule “C”)</td>
<td>$</td>
</tr>
<tr>
<td>Total Coordinated Non-Monetary Expenditures (Candidate/Candidate Committee &amp; Political Parties only)</td>
<td>$</td>
</tr>
<tr>
<td>Total Monetary Expenditures (Total of lines 11 through 13)</td>
<td>$</td>
</tr>
<tr>
<td>Total Spending (Line 14 + line 15)</td>
<td>$</td>
</tr>
</tbody>
</table>
**SCHEDULE A – ITEMIZED CONTRIBUTIONS STATEMENT**

**Full Name of Committee or Candidate:** _____________________________________________

**PLEASE PRINT/TYPe**

| 1. Date Accepted | 3. Name: __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |

<p>| 1. Date Accepted | 3. Name (Last, First): __________________________ |
| 2. Contribution Amt. $ | 4. City and County of Residence of Donor: __________________________ |</p>
<table>
<thead>
<tr>
<th>Date Expended</th>
<th>Amount</th>
<th>Name of Recipient</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
**Full Name of Committee or Candidate:** __________________________________________________________

**Returned Contributions**  
(Previously reported on Schedule A – Contributions accepted and then returned to donors)

**PLEASE PRINT/TYP**

<table>
<thead>
<tr>
<th>1. Date Accepted</th>
<th>3. Name: __________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Date Returned</td>
<td>4. Amount: $ ____________________</td>
</tr>
</tbody>
</table>

**Returned Expenditures**  
(Previously reported on Schedule B – Expenditures returned or refunded to the committee)

**PLEASE PRINT/TYP**

<table>
<thead>
<tr>
<th>1. Date Expended</th>
<th>3. Name: __________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Date Returned</td>
<td>4. Amount: $ ____________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1. Date Expended</th>
<th>3. Name: __________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Date Returned</td>
<td>4. Amount: $ ____________________</td>
</tr>
</tbody>
</table>
Full Name of Committee or Candidate: ______________________________________________________________

PLEASE PRINT/TYPe

<table>
<thead>
<tr>
<th>1. Date Accepted</th>
<th>3. Name: __________________________________________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Fair Market Value $</td>
<td>4. City and County of Residence of Donor: __________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>5. Description: ____________________________________________________________________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1. Date Accepted</th>
<th>3. Name: __________________________________________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Fair Market Value $</td>
<td>4. City and County of Residence of Donor: __________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>5. Description: ____________________________________________________________________________________</td>
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<table>
<thead>
<tr>
<th>1. Date Accepted</th>
<th>3. Name: __________________________________________________________________________________________</th>
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<tbody>
<tr>
<td>2. Fair Market Value $</td>
<td>4. City and County of Residence of Donor: __________________________________________________________________</td>
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<td>5. Description: ____________________________________________________________________________________</td>
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<tr>
<th>1. Date Accepted</th>
<th>3. Name: __________________________________________________________________________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Fair Market Value $</td>
<td>4. City and County of Residence of Donor: __________________________________________________________________</td>
</tr>
<tr>
<td></td>
<td>5. Description: ____________________________________________________________________________________</td>
</tr>
</tbody>
</table>
REPORT OF CONTRIBUTIONS AND EXPENDITURES BY ISSUE COMMITTEES
(City of Alamosa, Code of Ordinances, Section 5-21 (f))

For use by an issue committee that has received or expended more than $5,000.00.

Regular Election Filing Dates (after meeting $5,000.00 threshold): May 1, June 1, July 1, August 1, September 1, October 1, October 15, Friday before election, and 35 days after the election.

<table>
<thead>
<tr>
<th>Full Name of Committee:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Physical Address of Committee:</td>
<td></td>
</tr>
<tr>
<td>Mailing Address of Committee:</td>
<td></td>
</tr>
<tr>
<td>Name and Address of Financial Institution:</td>
<td></td>
</tr>
<tr>
<td>Natural Person Authorized to Act as Agent:</td>
<td></td>
</tr>
</tbody>
</table>

Type of Report

- [ ] Regularly Scheduled Filing.
- [ ] Amended Filing. This amends previous report filed on (date) ________________
  Submit changes or new information ONLY
- [ ] Termination Report. (Termination Reports MUST Have a Monetary Balance of Zero in Line 5)

Reporting Period Covered: ________________ Through ________________

| Funds on Hand at the Beginning of Reporting Period (monetary only) | $ |
| Total Monetary Contributions (line 8) | $ |
| Total of Monetary Contributions & Beginning Amount (line 1 + line 2) | $ |
| Total Monetary Expenditures (line 15) | $ |
| Funds on Hand at the End of Reporting Period (monetary) (line 3 – line 4) | $ |

Totals Detailed Summary Page

The City Clerk shall impose a penalty of $50 per day for each day that a report is filed late. (Sec. 5-26)

**Authorization** (Must be completed by either the Registered Agent OR the Candidate): I hereby certify and declare, under penalty of perjury, that the information provided on this form is accurate and to the best of my knowledge or belief all contributions received during this reporting period, including any contributions received in the form of membership dues transferred by a membership organization, are from permissible sources.

Print Registered Agent’s Name: ________________________________

Registered Agent’s Signature: ________________________________ Date: ________________
### DETAILED SUMMARY

**Full Name of Committee:** ____________________________________________________

**Current Reporting Period:** ___________ Through ___________

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Funds on hand at the beginning of reporting period</strong> (Monetary Only)</td>
<td>$</td>
</tr>
<tr>
<td>6   Itemized Contributions</td>
<td>$</td>
</tr>
<tr>
<td>7   Returned Expenditures (from recipient)</td>
<td>$</td>
</tr>
<tr>
<td>(Please list on Schedule “C”)</td>
<td></td>
</tr>
<tr>
<td>8   Total Monetary Contributions</td>
<td>$</td>
</tr>
<tr>
<td>(Total of lines 6 through 7)</td>
<td></td>
</tr>
<tr>
<td>9   Total Non-Monetary Contributions</td>
<td>$</td>
</tr>
<tr>
<td>(From Statement of Non-Monetary Contributions)</td>
<td></td>
</tr>
<tr>
<td>10  <strong>Total Contributions</strong></td>
<td>$</td>
</tr>
<tr>
<td>(Line 8 + line 9)</td>
<td></td>
</tr>
<tr>
<td>11  Itemized Expenditures $100 or More</td>
<td>$</td>
</tr>
<tr>
<td>(Please list on Schedule B)</td>
<td></td>
</tr>
<tr>
<td>12  Total of Non-Itemized Expenditures</td>
<td>$</td>
</tr>
<tr>
<td>(Expenditures of $99.99 or Less)</td>
<td></td>
</tr>
<tr>
<td>13  Returned Contributions (To donor)</td>
<td>$</td>
</tr>
<tr>
<td>(Please list on Schedule “C”)</td>
<td></td>
</tr>
<tr>
<td>14  Total Coordinated Non-Monetary Expenditures</td>
<td>$</td>
</tr>
<tr>
<td>(Candidate/Candidate Committee &amp; Political Parties only)</td>
<td></td>
</tr>
<tr>
<td>15  <strong>Total Monetary Expenditures</strong></td>
<td>$</td>
</tr>
<tr>
<td>(Total of lines 11 through 13)</td>
<td></td>
</tr>
<tr>
<td>16  <strong>Total Spending</strong></td>
<td>$</td>
</tr>
<tr>
<td>(Line 14 + line 15)</td>
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<tr>
<td>Date Accepted</td>
<td>Name</td>
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</table>

Schedule B – Itemized Expenditures Statement ($100 or more)
**RETURNED CONTRIBUTIONS & EXPENDITURES**

**Full Name of Committee:** ____________________________________________________________

**Returned Contributions**
*(Previously reported on Schedule A – Contributions accepted and then returned to donors)*

**PLEASE PRINT/TYPY**

<table>
<thead>
<tr>
<th>1. Date Accepted</th>
<th>3. Name</th>
<th>4. Amount</th>
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<tr>
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<table>
<thead>
<tr>
<th>2. Date Returned</th>
<th>4. Amount</th>
</tr>
</thead>
<tbody>
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</tr>
</tbody>
</table>

**Returned Expenditures**
*(Previously reported on Schedule B – Expenditures returned or refunded to the committee)*

**PLEASE PRINT/TYPY**

<table>
<thead>
<tr>
<th>1. Date Expended</th>
<th>3. Name</th>
<th>4. Amount</th>
</tr>
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<tbody>
<tr>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Date Returned</th>
<th>4. Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Statement of Non-Monetary Contributions

(City of Alamosa, Code of Ordinances Sec. 5-21)

**PLEASE PRINT/TYPED**

| 1. Date Accepted | 3. Name: ______________________________________________________________________________________________ |
| 4. City and County of Residence of Donor: _____________________________________________________________________ |
| 5. Description: __________________________________________________________________________________________ |

| 2. Fair Market Value | $ |

| 1. Date Accepted | 3. Name: ______________________________________________________________________________________________ |
| 4. City and County of Residence of Donor: _____________________________________________________________________ |
| 5. Description: __________________________________________________________________________________________ |

| 2. Fair Market Value | $ |

| 1. Date Accepted | 3. Name: ______________________________________________________________________________________________ |
| 4. City and County of Residence of Donor: _____________________________________________________________________ |
| 5. Description: __________________________________________________________________________________________ |

| 2. Fair Market Value | $ |

| 1. Date Accepted | 3. Name: ______________________________________________________________________________________________ |
| 4. City and County of Residence of Donor: _____________________________________________________________________ |
| 5. Description: __________________________________________________________________________________________ |
REPORT OF INDEPENDENT EXPENDITURES

For use by any person accepting a donation that is given for the purpose of making an independent expenditure or who makes an independent expenditure in excess of $1,000.00.

Regular Election Filing Dates (after meeting $1,000.00 threshold): This form must be filed within two business days of meeting the $1,000.00 threshold, and thereafter, as applicable, on May 1, June 1, July 1, August 1, September 1, October 1, October 15, Friday before election, and 35 days after the election.

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<thead>
<tr>
<th>Full Name of Person:</th>
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<tbody>
<tr>
<td>Address of Person:</td>
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<td>Purpose of Expenditure:</td>
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<tr>
<td>Name of Natural Person acting as registered agent:</td>
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**Type of Report:**

- [ ] Regularly Scheduled Filing.
- [ ] Amended Filing. This amends previous report filed on (date) ___________________________.
  
Submit changes or new information ONLY

**Reporting Period Covered:**

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CONTRIBUTIONS GREATER THAN $250.00 IN AGGREGATE FROM ANY PERSON

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<th>Date Received</th>
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<th>Name of Contributor</th>
<th>Address</th>
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IF ANY CONTRIBUTOR LISTED ABOVE IS OTHER THAN A NATURAL PERSON, COMPLETE THE FOLLOWING FOR EACH CONTRIBUTOR

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<tr>
<th>Name or Name of Parent Corporation</th>
<th>All Names Under which Person does Business in the State</th>
<th>Principal Office Address</th>
<th>Name and Street Address of Registered Agent</th>
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Authorization (Must be completed by either the Registered Agent OR the Candidate): I hereby certify and declare, under penalty of perjury, that the information provided on this form is accurate, and, to the best of my knowledge or belief all contributions received during this reporting period, including any contributions received in the form of membership dues transferred by a membership organization, are from permissible sources.

Print Person or Registered Agent’s Name: __________________________________________________________

Person or Registered Agent’s Signature: ___________________________________ Date: ________________
STATEMENT OF PERSONAL EXPENDITURES BY A CANDIDATE
(City Of Alamosa, Code of Ordinances, Sec. 5-21 (b))

For use by a candidate who has not received any contributions (does not have a candidate committee), has had no expenditures made on behalf of the candidate, but has made expenditures of personal funds in excess of $2,500.00.

Regular Election Filing Dates (after meeting $2,500 threshold): May 1, June 1, July 1, August 1, September 1, October 1, October 15, Friday before election, and 35 days after the election

Name of Candidate: ________________________________________________________________

Address of Candidate: _____________________________________________________________

Reporting Period: Beginning Date ____________________ Ending Date ___________________

Total amount of Non-Itemized Expenditures ($100.00 or less): $_____________________

Expenditures exceeding $100.00 shall be itemized and listed below.

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I certify to the best of my knowledge this Statement of Expenditures is true and correct.

Candidate Signature: ___________________________ Date: ____________