

CENTRAL CITY CANDIDATE PACKET

Date of Election

Tuesday, November 2, 2010

Polls Open

7:00 a.m. to 7:00 p.m. – the Road and Bridge Shop in Rollinsville, the Community Center and the Courthouse in Central City. All are Vote Centers which means that any registered and eligible voter can vote at any location. Early voting will be at the Courthouse in Central City and will also be for 1 Saturday at the Community Center.

Ballot Contents

Alderman – term to end December 31, 2010

Qualifications for Elective Office

Central City Charter Section 3.3 Qualifications.

Each council member when elected or appointed shall be a registered voter of the city, a citizen of the United States for at least one year and shall have resided in the city or any territory annexed to the city for at least twelve consecutive months immediately preceding such election or appointment. In addition, each council member if elected from a ward or district shall also be a resident and elector of that ward or district when nominated and elected. No council member shall have been convicted of a felony within the last seven years of the election. No council member shall be a salaried employee of the city during the member's term of office nor shall any council member, during this term of office, perform personal services for the city for which the member is compensated other than as provided by Colorado law and in Section 3.4 (Compensation). The council shall have authority to establish qualifications for the office of council member, and shall be the judge of the qualifications of its own members consistent with the provisions of this Charter including but not limited to Article VI, Initiative and Referendum.

* Verification of any or all candidate qualifications occurs after petition submittal.

Nomination Petitions

Circulated only from **August 3, 2010 to August 23, 2010**, and signed by at **least 25 registered Central City electors**. **TO BE PICKED UP FROM THE COUNTY CLERKS OFFICE.**

31-10-302 (5) No registered elector shall sign more than one nomination petition for each separate office to be filled in his municipality.

Candidate Affidavit

“Candidate” for purposes of the FCPA and Amendment 27 to the Colorado Constitution is a person who “...has publicly announced an intention to seek election to public office... and thereafter has received a contribution or made an expenditure in support of the candidacy”. (Colorado Constitution Article XXVIII Section 2 (2)). If you meet this definition, you must file the Candidate Affidavit form within ten (10) days of becoming a “Candidate”. 1-45-110(1). Failure to file this form will result in the disqualification of the person as a candidate 1-45-110(3).

Write-in Candidate

Write-in votes are only counted if an Affidavit of Intent is filed with the City Clerk.

Fair Campaign Practices Act

Reference Election Calendar, Campaign Reporting Requirements and Form section of Candidate Packet.

Conflicts of Disclosure

Central City Municipal Code Section 2-78
Disclosure of Conflict

a) Declaration. In the event that a City officer has an actual or potential conflict of interest in any matter proposed or pending before the Council, board or commission of which he or she is a member, he or she shall declare such interest in a public meeting to the Council, board or commission of which he or she is a member. In the event that any City officer is aware that he or she could be reasonably perceived as having such a conflict of interest but is unsure of, or does not believe in the existence of such a conflict, he or she shall nevertheless disclose the possibility of such conflict of interest to the Council, board or commission of which he or she is a member. In deciding whether or not a City officer has a conflict of interest, consideration should be given to the following:

(1) Whether the potential conflict of interest would impede independence of judgment;

- (2) The effect of the City officer's participation on public confidence in the integrity of the governing body and City government
- (3) Whether the City officer's participation is likely to have any significant effect on the ultimate disposition of the matter;
- (4) The City officer's fiduciary obligations to the City; and
- (5) The purposes of this Article.

b) Disqualification from voting and influencing.

- (1) Upon declaration by a City officer of a conflict of interest with respect to any matter, or upon determination by the Council, board or commission of the existence of such a conflict of interest on a matter pending before such Council, board or commission, the City officer shall be disqualified from acting or voting on the matter or any related business. In addition, the disqualified officer shall refrain from attempting to influence the decisions of other members of the Council, board or commission in voting on the matter, except as may be authorized pursuant to the City Charter. A City officer shall also be prohibited from voting on any motions directly arising out of the discussions on the matter.
- (2) After declaration or determination of a conflict of interest, the officer shall leave the room while the matter is being considered, and shall refrain from participation in any manner in the deliberations of the Council, board or commission on the matter. The Council, board or commission shall have the right to ask the disqualified City officer to return solely to provide information which may be deemed valuable and which is not reasonably available from another source. The disqualification of a City officer from voting shall not preclude the existence of a quorum of any board or commission other than the City Council.
- (3) In the event of disqualification of a City officer or officers from voting on a matter, approval of which enquires the affirmative vote of a specific number of votes by members of the board or commission other than the City Council, the required number of votes shall automatically be reduced by the number of officers disqualified provided that a quorum is maintained by such reduction. In the event any disqualification results in a lack of quorum for purposes of taking action, the meeting shall be continued to a date certain in order to maintain the required quorum. (Ord. 93-11, 1993; Ord. 06-07, §7, 2006)

The entire Article IV - Code of Ethics may be viewed/printed at the city website: www.centralcitycolorado.us

Time Commitment

Council Meetings: 1st and 3rd Tuesday each month. Work Sessions are usually held once a month on Tuesdays or Thursdays

Prospective Alderman Candidates can expect to spend an average of 5-15 hours per month on City business. This time includes preparation for and participation in regular meetings and work sessions, as well as other standing board and committee meetings.

Compensation

Council Members are compensated \$467.28 month.

Term Limits

No person shall be elected to the office of Councilmember for more than two (2) consecutive four-year terms

Political Signs

Frequent inquiries during the election season are those about the placement of political signs within the City of Central. It may be helpful in your campaign planning to know a few details about this issue. If further information is desired, please contact Reba Bechtel, City Clerk, by phone at 720-279-7330 or e-mail cityclerk@centralcitycolorado.us.

ALL CANDIDATES MUST GET PERMISSION FROM PROPERTY OWNERS TO PLACE SIGNAGE ON PRIVATE PROPERTY

Political Signs (temporary) within the City of Central

Signs are regulated by Chapter 14 of the Central City Municipal Code. A copy of this chapter can be viewed/printed from the City's web site at www.centralcitycolorado.us. A summary follows:

- No sign permit is required
- Signs may not exceed 6 square feet per face in area.
- There is no restrictions on political signs regarding number, or nature, provided that:
 - 1) they may not be used to promote a commercial interest;
 - 2) the size and location of such signs do not create a hazard for automobile or pedestrian traffic or a public nuisance;

3) they may be installed no sooner than 90 days prior to the date of the election;
and

3) they are removed within 1 week after the election to which they relate.

- Signs may not exceed 8ft in height
- The minimum setback requirement is 10 feet.
- Signs encroaching upon or over-hanging public rights-of-way shall not be permitted. No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way

Vehicle Signs (permanent) are also addressed in the City's
Municipal Code

- Vehicle Signs (permanent sign) definition: A sign attached to or painted on a vehicle advertising a local business. Signs on vehicles that provide public transportation (e.g. shuttles and buses) are exempt from this Chapter.
- Additional Standards: Vehicular signs may not project more than 2 inches from the exterior of the vehicle. Signs, except signs placed on doors or side panels identifying only a business name, logo, address and phone number, advertising local businesses on vehicles parked in public view during that business's hours of operation in approximately the same location on a public street within the City limits, are not permitted.

Election Calendar

REGULAR ELECTION – November 2, 2010

The following is a list of key dates for Central City’s special municipal election. You are encouraged to refer to the Fair Campaign Practices Act, which has been included within this packet, for a complete listing of campaign reporting deadlines that may also apply to a particular situation or campaign.

Deadline	Action
Upon candidacy	Candidate Affidavit due within ten (10) days after an individual becomes a candidate
August 3	First day Nomination Petitions may be circulated
August 23	Last day Nomination Petitions may be circulated and filed with the County Clerk, filed by 5:00 p.m.
August 27	Last day Nomination Petition signatures, if determined by the County Clerk to be insufficient or in non-conformance with requirements, may be amended, corrected, or replaced
October 4	Last day to register to vote for the November 2, 2010, Regular Election
October 12	Candidate Fair Campaign Practices Act filing due (21 days before the election)
October 26	Last day to apply for an mail-in ballot
October 29	Candidate Fair Campaign Practices Act filing due (Friday before the election)
November 2	ELECTION DAY!
December 2	Candidate Fair Campaign Practices Act filing due (30 days after election)

Candidate Nomination

Qualifications:

The Central City Charter (Section 3.3) lists the qualifications of persons eligible to the office of Alderman as:

- Be at least eighteen years of age or older on the date of the election
- Be a registered elector of the City of Central
- Resided in the City for at least 12 consecutive months prior to the election date.
- Be a United States Citizen for at least one year prior to the election;
- No council member shall have been convicted of a felony within the last seven years of the election.
- No council member shall be a salaried employee of the city during the member's term of office nor shall any council member, during this term of office, perform personal services for the city for which the member is compensated

Any or all of the above candidate qualifications are subject to verification following petition submittal.

Petition: PLEASE DO NOT DISASSEMBLE OR REMOVE THE STAPLE FROM THE PETITION PACKET

A Nomination Petition is required and must be signed by at least 25 registered electors residing in the City of Central. Petitions may be circulated and signed beginning Tuesday, August 3, 2010 and shall be filed with the Office of the County Clerk no later than 5:00 p.m., Monday, August 23, 2010.

The Petition Circulator must certify the Petition with a signature before a Notary Public. The Petition Circulator may be the Candidate.

The Candidate accepts nomination by signing the completed Petition, before a Notary Public, and certifying that the qualifications to run for a Central City municipal office have been satisfied. The County Clerk will review the filed petitions and any petition may be amended to correct or replace those signatures which are found to be in apparent non-conformity with election requirements.

Campaign Reporting Requirements

Candidate Information Regarding the Fair Campaign Practices Act and Colorado Constitution Article XXVIII (Amendment 27)

This is intended as a summary of key points for municipal candidates, and does not replace qualified legal advice. Please refer to the Fair Campaign Practices Act and Amendment 27 to the Colorado Constitution for detailed information. More information is available through the Secretary of State web site www.sos.state.co.us.

All candidates for municipal office must comply with the requirements of the Fair Campaign Practices Act. All documents required to be filed by municipal candidates by this Act must be filed with the Central City Clerk's Office (1-45-109).

Candidate Affidavit – A “Candidate” for purposes of the FCPA and Amendment 27 to the Colorado Constitution is a person who “...has publicly announced an intention to seek election to public office... and thereafter has received a contribution or made an expenditure in support of the candidacy”. (**Colorado Constitution Article XXVIII Section 2 (2)**). If you meet this definition, you must file the Candidate Affidavit form within ten (10) days of becoming a “Candidate”. **1-45-110(1)**. Failure to file this form will result in the disqualification of the person as a candidate **1-45-110(3)**.

Candidate Statement of Non-Receipt of Contributions or Non-Expenditure of Funds. You may choose to use this form if you did not receive contributions *and* did not spend any of your own money on your campaign. This report must be filed according to the attached Election Calendar.

Statement of Personal Expenditures by a Candidate. Use this form if you spent your own money on your campaign, but did not receive any contributions. The report must be filed according to the attached Election Calendar.

If you receive contributions. If you receive contributions, including in-kind, you must file a Committee Registration Form before accepting or making any contributions. **C.R.S. 1-45-108(3)**. Committees must follow the filing schedule as listed above, plus file annually 30 days after election day on election years and on November 1 on off-election years for or each year thereafter as long as the committee is active.

Penalties. The fine for late filings is \$50 per day. (**Colorado Constitution Article XXVIII Section 10 (2)(a)**).

Documentation/Forms Checklist

Candidate Nomination

- Be at least eighteen years of age or older on the date of the election
- Be a registered elector of the City of Central
- Resided in the City for at least 12 consecutive months prior to the election date.
- Be a United States Citizen for at least one year prior to the election;
- No council member shall have been convicted of a felony within the last seven years of the election.
- No council member shall be a salaried employee of the city during the member's term of office nor shall any council member, during this term of office, perform personal services for the city for which the member is compensated
- Completed Petition signed by at least 25 registered electors residing in the City of Central.
- Petition circulated only from Tuesday, August 3, 2010
- Affidavit of Circulator completed and signed before a Notary Public
- Acceptance of Nomination completed and signed by Candidate before a Notary Public
- Petition filed with the County Clerk no later than 5:00 p.m. Monday, August 23, 2010

Campaign Reporting

- Candidate Affidavit regarding familiarity with the provisions of the Fair Campaign Practices Act within ten (10) days from becoming a candidate
- Fair Campaign Practices Act filing due for contributions in excess of \$20, expenditures, and obligations:
 - October 12, 2010 (21 days before election)
 - October 29, 2010 (Friday before election)
 - December 2, 2010 (30 days after election)

FCPA Forms

Central City
City Clerk's Office
PO Box 249/141 Nevada St.
Central City, CO 80427
Ph: (720) 279-7330
Fax: (303) 582-5210
cityclerk@centralcitycolorado.



CANDIDATE AFFIDAVIT

[Art. XXVIII, Sec. 2(2) & C.R.S. 1-45-110(1)]

- State Candidates File with the Secretary of State
- County Candidates File with the County Clerk
- School District Candidates File with the County Clerk
- **Municipal Candidates File with the Municipal Clerk**

This affidavit shall certify that I, _____, am a candidate
for the _____ election, [Art. XXVIII, Sec. 2(2)] for the office of _____,
(Year)

I further certify that I am familiar with the provisions of the Colorado Fair Campaign Practices Act (FCPA) as required in §1-45-110 of the Colorado Revised Statutes.

Signature of Candidate _____ Date _____

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

Mailing address: _____

Business Phone: _____ Residence Phone: _____

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 their 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

Colorado Constitution Reference: Art. XXVIII, Sec. 2(2)

Colorado Revised Statute: C.R.S. 1-45-110(1)

[Who uses this form?] All Candidates for public office

[Purpose of form]: This form is to be used by all candidates seeking an elected office.

[Is this form required for all candidate?] YES

[When do I file this form?] Form must be filed with the Municipal Clerk 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 Campaign and Political Finance Rule 1.11 states: "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 or retention."

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. Candidate must sign and date the form. **Signature must be notarized.**
4. Print or type the physical address of the candidate.
5. Print or type the mailing address of the candidate if different than physical address.
6. Print or type a telephone number where you may be contacted.
7. 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 City Clerk.
8. **The remainder of the form must be completed by a Notary Public.**

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**CANDIDATE STATEMENT OF NON-RECEIPT OF CONTRIBUTIONS
OR**

NON-EXPENDITURE OF FUNDS

[C.R.S. 1-45-108(1) & C.R.S. 1-45-109]

This form is for the use of candidates that do **not** have a campaign committee and have not received contributions nor made expenditures. No expenditures have been made on behalf of the candidate.

Name of Candidate: _____

Address of Candidate: _____

City, State, Zip: _____

Reporting Period: Beginning Date _____ Ending Date _____

**CONTRIBUTIONS RECEIVED OR RECEIVABLE DURING THIS
REPORTING PERIOD**

\$ 0.00

EXPENDITURES MADE OR INCURRED DURING THIS REPORTING PERIOD

\$ 0.00

I, _____, affirm that no person received contributions on my behalf nor made any expenditures on my behalf. No contributions have been pledged to me nor on my behalf. I have not received any contributions nor have I made or incurred any expenditures on my behalf during this election reporting period.

Candidate Signature: _____ Date: _____

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STATEMENT OF PERSONAL EXPENDITURES BY A CANDIDATE

[C.R.S. 1-45-108(1) & C.R.S. 1-45-109]

(For use by a candidate who has not received any contributions, but has made expenditures of personal funds.)

Name of Candidate: _____

Address of Candidate: _____

City, State, and Zip Code: _____

Office: _____ District No.: _____ Elec./Yr.: _____

Reporting Period: Beginning Date _____ Ending Date _____

1. <u>Date Expended</u>	3. Name: _____
2. <u>Amount</u> \$	4. Address: _____
	5. City, State, Zip: _____
	6. Purpose of Expense: _____

1. <u>Date Expended</u>	3. Name: _____
2. <u>Amount</u> \$	4. Address: _____
	5. City, State, Zip: _____
	6. Purpose of Expense: _____

1. <u>Date Expended</u>	3. Name: _____
2. <u>Amount</u> \$	4. Address: _____
	5. City, State, Zip: _____
	6. Purpose of Expense: _____

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

Candidate Signature: _____ Date: _____

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COMMITTEE REGISTRATION FORM
(C.R.S. 1-45-108)

Committee Name: _____

Purpose/Office Sought: _____

Check Only One Committee Type:

- Candidate Committee Political Party Small Donor Committee
 Political Committee Issue Committee

Is this an amendment*? YES NO

* Description of what is being amended. Pursuant to Rule 3.1 any changes (including Filing Type) must be reported, with the appropriate officer, within five (5) days by filing an amended committee registration form. _____

Contact Information:

Name of Person Acting As Registered Agent: _____

Address (Physical): _____

Address (Mailing): _____

Telephone No.: _____ E-Mail: _____

Affiliation (if applicable): _____

Check Only One Filing Type:

- Manual Filer
 Electronic Filer

Check Only One Jurisdiction:

- Federal State County
 Municipal Multi-County
 Other: _____

Authorization

Registered Agent's Signature: _____ Date: _____

Print Candidate Name: _____

Candidate Address (include mailing): _____

Candidate Signature: _____ Date: _____