

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. R-23-186 ENACTMENT NO. _____

SPONSORED BY: Pat Davis, by request

1 RESOLUTION
2 CONCERNING THE MUNICIPAL RUNOFF ELECTION TO BE HELD IN THE CITY
3 OF ALBUQUERQUE, NEW MEXICO, ON TUESDAY, THE TWELFTH DAY OF
4 DECEMBER, 2023.

5 WHEREAS, a regular local election was held to elect City of Albuquerque
6 officials on Tuesday, November 7th, 2023, at which election the offices of City
7 Councilor for Districts 2, 4, 6, and 8 were to be filled in accordance with the
8 City Charter; and

9 WHEREAS, the preliminary results of the regular local election show no
10 candidate received at least 50% of the vote in the election of the City Councilor
11 for District 6; and

12 WHEREAS, the City Charter requires a runoff election be held within forty-
13 five days after certification of the regular local election in the event no
14 candidate receives 50 percent of the votes cast for a particular office.

15 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
16 ALBUQUERQUE:

17 Section 1. A municipal runoff election shall be held in the City of
18 Albuquerque, New Mexico on Tuesday, December 12th, 2023, for those offices
19 where no candidate received 50 percent of the votes cast for the office to be
20 filled at the November 7, 2023 regular local election. The two candidates who
21 received the highest number of votes cast for the office in question shall
22 automatically become the candidates in the runoff election without further
23 Resolution of the City Council and no filing of declarations of candidacy shall
24 be required of such candidates.

25 Section 2. The runoff election shall apply only to the office of City Council
26 District 6, in which election no did candidate received 50 percent of the vote.

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1 Section 3. The candidates in the Council District 6 runoff election shall be
2 Jeff Hoehn and Nichole Rogers.

3 Section 4. All persons desiring to vote at this election must be registered to
4 vote within the City of Albuquerque. Any person who is otherwise qualified to
5 vote and who is not currently registered may register with the Bernalillo
6 County Clerk no later than 5:00 p.m. on November 21, 2023.

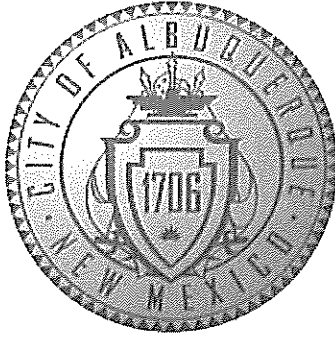
7 Section 5. The polls for this election shall be open at 7:00 a.m. and shall
8 close at 7:00 p.m. on Election Day. Election day voting locations shall be
9 determined by the Bernalillo County Clerk’s Office.

10 Section 6. Absentee voting shall be permitted as authorized by law.
11 Absentee applications may be obtained through the Bernalillo County Clerk’s
12 Office or online through the Secretary of State’s Office.

13 Section 7. Early voting shall be permitted as authorized by law. Early voting
14 will be available Tuesday, November 21, 2023 through Saturday, December 9,
15 2023. Locations will be closed on November 23, 24, and 25. Early voting
16 locations will be determined by the Bernalillo County Clerk’s Office and
17 administered as provided by law.

18 Section 8. This runoff municipal election Resolution shall be published
19 once at least seven days prior to the runoff election date.

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

November 9, 2023

TO: Pat Davis, President, City Council

FROM: Timothy M. Keller, Mayor *TMK*

SUBJECT: 2023 Runoff Resolution Designating Candidates

Article II, Section 8 of the City Charter requires a runoff election when “no candidate receives 50% of the votes cast for the particular office in question[.]” This “runoff election shall be held within forty-five days after certification of the results of the election in question[.]” *Id.* “Unless otherwise specified in this Charter, the two candidates who receive the highest number of votes cast for the office in question shall automatically become the candidates at the runoff election and the filing of declarations of candidacy is dispensed with.” *Id.* If a runoff is necessary, Article II, Section 8(b) requires City Council to “fix the date of the runoff election and specify the offices to be filled and the names of the candidates therefor.”


No candidate in City Council District 6 received fifty percent of the votes cast during the November 7 regular local election. The City Council previously issued a resolution fixing the date of the runoff election as December 12, 2023. R-2023-136. That resolution did not, however, specify the offices to be filled in the runoff election or the names of the candidates, because the offices and candidates were unknown at the time. This resolution provides that information, in addition to restating the previously designated date of the runoff.

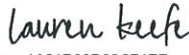
In light of the specific timelines mandated by Article II, Section 8, the runoff resolution, though not mandated by the local election act, poses a significant burden on the prescribed timeline. Although we request immediate action by the Council to address this matter expeditiously, the Clerk’s Office would like to reform this section of the charter next year.

2023 RUNOFF RESOLUTION DESIGNATING CANDIDATES



Approved:

Approved as to Legal Form:


Samantha Sengel Date
Chief Administrative Officer

DocuSigned by:
 11/9/2023 | 4:11 PM MST
1A21D96D32C74EE...
Lauren Keefe Date
City Attorney

Recommended:


DocuSigned by:
 11/9/2023 | 2:43 PM PST
49D7E50AAABD428...
Ethan Watson Date
City Clerk

Cover Analysis

1. What is it?

A resolution required by the City Charter providing for the runoff election for District 6, which did not have a candidate receive at least 50% of the votes cast in the regular local election on November 7, 2023.

2. What will this piece of legislation do?

This resolution will designate a runoff election for district 6 on December 12, 2023.

3. Why is this project needed?

The City Charter requires the Council to pass a resolution fixing the date a runoff election will occur, the offices to be filled, and the names of the candidates running for those offices when no candidate receives at least 50% of the votes cast. No candidate for the District 6 seat received at least 50% of the vote cast during the November 7, 2023 regular local election and a resolution specifying the details of the runoff election is therefore necessary. *See* City Charter, art. II, § 8(b).

4. How much will it cost and what is the funding source?

There is no additional cost beyond the budgeted appropriations for the runoff.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

No.

6. What will happen if the project is not approved?

The City will not be in compliance with Article II, Section 8 of the City Charter, which requires the council to pass a resolution specifying the names of the candidates in the runoff election. *See* City Charter, art. II., § 8(b).

7. Is this service already provided by another entity?

No.