CITY of ALBUQUERQUE
TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-24-47 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis and Klarissa J. Peña

RESOLUTION

ADOPTING A PROPOSITION TO BE SUBMITTED TO THE VOTERS AT THE NEXT GENERAL ELECTION TO BE HELD IN THE CITY OF ALBUQUERQUE CONCERNING AMENDMENTS TO ARTICLE II OF THE ALBUQUERQUE CITY CHARTER; PROVIDING THE FORM OF THE QUESTION AND THE DESIGNATION CLAUSE FOR SUCH QUESTION ON THE BALLOT.

WHEREAS, Proposition P-24-1 proposes to amend Article II of the Albuquerque City Charter to modify the minimum percentage of the total number of votes required for elected offices and runoff elections; and

WHEREAS, P-24-1 specifies that the City Clerk is required to coordinate with the Bernalillo County Clerk to prepare and file any necessary documents and agreements for an election on P-24-1; and

WHEREAS, Pursuant to Article VI of the Albuquerque City Charter, amendments to the Charter may be proposed by the Council and must be approved by a vote of a majority of all Councilors plus one.

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

SECTION 1. The City Clerk is instructed to place the following proposal on the next general election ballot, and the qualified voters of the City of Albuquerque shall be permitted to vote "for" or "against" the following proposition:

(A) QUESTION TO BE SUBMITTED.

(1) PROPOSITION. The City Clerk is instructed to coordinate with the Bernalillo County Clerk to submit the following summary, title, and complete text of the following proposed Charter amendments to the City's qualified,

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registered voters who shall be permitted to vote "for" or "against." The ballot face shall be in substantially the following form:

OFFICIAL ELECTION BALLOT

GENERAL ELECTION

HELD NOVEMBER 5, 2024

PROPOSITION 1: Proposition to amend Article II of the Albuquerque City Charter to modify the minimum votes required for elected offices and runoff elections.

SUMMARY

Shall the City of Albuquerque adopt the following amendments to update the Albuquerque City Charter to modify the minimum votes required for elected offices and runoff elections?

TITLE AND PROPOSITION

PROPOSING TO AMEND THE ALBUQUERQUE CITY CHARTER REGARDING MINIMUM VOTES FOR ELECTED OFFICES AND RUNOFF ELECTIONS

ARTICLE II. ELECTIONS.

SECTION 7. [~~FIFTY PERCENT~~] [NO] MINIMUM VOTE.

Those persons who are candidates for Mayor or [~~Councillor~~] [Councilor] and receive the largest number of votes cast for the office in question are elected[~~, provided the number of votes equals or exceeds 50% of the total number of votes cast for the office~~].

SECTION 8. RUNOFF ELECTIONS.

If [~~no candidate receives 50%~~] [two or more candidates tie for the most votes received] of the votes cast for the particular office in question, a runoff election shall be held within forty-five days after certification of the results of the election in question as now provided by law and as amended and supplemented from time to time. Unless otherwise specified in this Charter, the [~~two candidates who receive~~] [candidates who tied with] 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.

FOR _____ AGAINST _____

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SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence, word, or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Council hereby declares that it would have passed this resolution and each section, paragraph, sentence, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

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