

BERNALILLO COUNTY

BOARD OF COUNTY COMMISSIONERS

ADMINISTRATIVE RESOLUTION NO. 2018-

1 **A RESOLUTION PLACING THE QUESTION ON THE NOVEMBER 6, 2018,**
2 **BALLOT TO DETERMINE WHETHER THE CITY OF ALBUQUERQUE**
3 **SHALL AMEND THE CITY CHARTER BY ADDING DEMOCRACY DOLLARS**
4 **TO THE CITY’S OPEN AND ETHICAL ELECTIONS CODE**

5
6
7 **WHEREAS**, a petition for a ballot initiative has been submitted to the Albuquerque City
8 Clerk by applicants to amend the Charter to add Democracy Dollars to the City’s Open and
9 Ethical Elections Code;

10 **WHEREAS**, the Albuquerque City Charter provides, subject to County Commission
11 approval, that a certified petition shall be placed on the next General Election, which is to be
12 held on November 6, 2018;

13 **WHEREAS**, New Mexico State Statutes Annotated Section 1-12-71 and 1-10-8 allows
14 local government ballot question authorized by the board of county commissioners to appear on
15 the General Election ballot;

16 **WHEREAS**, the General Election ballot needs to be transmitted to the New Mexico
17 Secretary of State by August 28, 2018;

18 **WHEREAS**, the Albuquerque City Clerk is required to certify the petition's signatures
19 prior to that date;

20 **WHEREAS**, certification is scheduled to be completed before the August 14, 2018
21 Board of Commission Meeting;

22 **WHEREAS**, the applicants are requesting that County Commission review the language
23 from the ballot initiative and approve its placement on the General Election Ballot pursuant to

1 New Mexico State Statute Annotated Section 1-12-71 and 1-10-8 subject to the condition that the
2 official certification of the petition by the Albuquerque City Clerk be transmitted to the
3 Bernalillo County Clerk prior to final action by the commission for approval of placement on the
4 ballot.

5 **NOW, THEREFORE**, be it resolved by the Board of County Commissioners, the
6 governing body of the County of Bernalillo, that the following question be submitted to the
7 voters of the City of Albuquerque in the November 8, 2016, general election ballot:

8 **Democracy Dollars**

9

10 **Proposition 1: Proposition to Amend the City Charter by Adding**
11 **Democracy Dollars to the city's public financing system and Changing**
12 **Election Dates to Comply with State Statute.**

13

14 **SUMMARY:**

15

16 **Proposing to amend the City Charter by adding Democracy Dollars to**
17 **the City's Open and Ethical Elections Code.**

18

19 **If passed, the Charter Amendment would provide eligible city residents**
20 **with Democracy Dollars, to contribute to their choice of qualified**
21 **candidates. These candidates could redeem Democracy Dollars with the**
22 **City Clerk, up to a limit, for funds to spend in support of their**
23 **campaigns. The amendment also directs the city council to enact an**
24 **ordinance providing for the issuance, assignment, and redemption of**
25 **Democracy Dollars. Currently, the charter provides that qualified**
26 **candidates are eligible for an initial amount to cover allowed outreach to**
27 **voters. The Charter Amendment would change the amount for mayoral**
28 **candidates to \$1.75 per voter and encourage more city residents to**

1 participate in local elections by allowing them to direct funds already
2 budgeted and available to candidates they support.

3
4 This amendment will also change city election dates so that they comply
5 with the State’s Local Election Act.

6
7 **TITLE & PROPOSITION**
8 **PROPOSING TO AMEND ARTICLE II, SECTIONS 2 AND 3;**
9 **ARTICLE IV, SECTION 4; ARTICLE V, SECTION 2; ARTICLE VIII,**
10 **SECTION 14 AND ARTICLE XVI, SECTIONS 3, 7, 10, AND 12 OF**
11 **THE ALBUQUERQUE CITY CHARTER:**

12
13 **CITY CHARTER, Art. II. ELECTIONS**

14 **Section 2. ELECTION DATES.**

15 **[R]egular municipal elections shall be held on the first Tuesday after the**
16 **first Monday in ~~October~~ November of odd-numbered years...**

17
18 **Section 3. REFERENCE TO STATE LAW.**

19 **(a) The Local Election Act Chapter 3, Articles 8 and 9, NMSA 1978 as**
20 **amended and as supplemented from time to time, shall govern the**
21 **conduct of all aspects of municipal elections, except where inconsistent**
22 **with the terms of this Charter, in which event this Charter shall control.**

23
24 **CITY CHARTER, Art. IV, COUNCIL.**

25 **Section 4. TERMS OF OFFICE.**

26 **The terms of the office of a Councilor, unless sooner recalled or removed,**
27 **shall begin on ~~December~~ January 1st of the year of following the election**
28 **and be four years or until a successor is duly elected and qualified.**

29
30 **CITY CHARTER, Art. V, MAYOR.**

31 **Section. 2. MAYOR’S TERM AND SALARY.**

1 The term of Mayor, unless sooner recalled or removed, shall begin on
2 ~~December~~ January 1st of the year ~~of~~ of following the election and shall be
3 for four years or until a successor is duly elected and qualified.

4
5 CITY CHARTER, Art. XVI, OPEN AND ETHICAL ELECTIONS
6 CODE

7 Section 3. DEFINITIONS.

8 (S) COUPON (“DEMOCRACY DOLLARS”). A credit of Fund revenue
9 issued to an eligible resident of the City of Albuquerque, which may be
10 redeemed by a Participating Candidate for Fund revenue as provided in
11 the Open and Ethical Elections Code.

12 Section 7. CERTIFICATION OF PARTICIPATION.

13 (A) Upon receipt of a final submittal of Qualifying Contributions by
14 an Applicant Candidate, the Clerk shall determine whether the Applicant
15 Candidate has:

16 (3) ~~qualified as a candidate pursuant to other applicable City and~~
17 ~~State election law~~ submitted a nominating petition containing the number
18 of signatures prescribed by Article II, Section 4, of this Charter, and a
19 sworn statement attesting to the candidate’s residency within the city
20 and, where applicable, within the council district that the candidate seeks
21 to represent;

22 Section 10. FUND CREATION - FUND USE.

23 (F) The Council shall enact an ordinance providing for the issuance,
24 assignment and redemption of Democracy Dollars, and any other
25 provisions necessary to properly administer Democracy Dollars as part of
26 the Open and Ethical Elections Code.

27 Section 12. TIMING AND AMOUNT OF FUND DISTRIBUTION.

28 (A) (3) For redemption of coupons on regular dates set by the Clerk to
29 candidates who have been certified as Participating Candidates pursuant
30 to Section 7 of the Open and Ethical Elections Code.

31 (B) The Clerk shall distribute from the Fund:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(1) ~~the~~ \$1.00 \$1.75 per registered City voter to Mayoral Participating Candidates, and to Participating Candidates for Council \$1.00 per registered City voter residing in the district in which the Participating Candidate desires to represent; and

(2) \$25.00 for each Coupon redeemed by a Participating Candidate provided that, the total amount of Fund revenue redeemed by a Participating Candidate under this subsection shall not exceed the amount such candidate is eligible to receive under subsection (B)(1) of this section.

(3) City Council by ordinance may increase but shall not decrease the dollar amounts in subsections (B)(1) and (B)(2) of this section.

(C) The amount of revenue to be distributed to a Participating Candidate under subsection (B)(1) shall be reduced by an amount equal to the aggregate amount of Seed Money contributions received by the Participating Candidate during the Exploratory and Qualifying Periods and by Qualifying Contributions received by the Participating Candidate during the applicable Qualifying Period.

ADOPTED THIS _____ day of _____, 2018.

BOARD OF COUNTY COMMISSIONERS

Steven Michael Quezada, Chair

Lonnie C. Talbert, Vice Chair

Debbie O'Malley, Member

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

Maggie Hart Stebbins, Member

James Smith, Member

APPROVED AS TO FORM:

County Legal

ATTEST:

Linda Stover
County Clerk