

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

RESOLUTION NO. 2022 – 076

A RESOLUTION AMENDING RESOLUTION NO. 2022-071 TO CLARIFY THAT THE DESIGNATIONS OF THE MANDELA INTERNATIONAL MAGNET SCHOOL AS AN ADDITIONAL POLLING PLACE/VOTER CONVENIENCE CENTER FOR THE CONSOLIDATED PRECINCT COMPRISED OF PRECINCTS 31, 32, 34, 41, 97, 98, AND 178, AND THE NEW MEXICO SCHOOL OF THE ARTS AS AN ADDITIONAL POLLING PLACE/VOTER CONVENIENCE CENTER FOR THE CONSOLIDATED PRECINCT COMPRISED OF PRECINCTS 11, 24, 25, 27, 33, 92, 130, 155, 159, AND 160, ARE EFFECTIVE ONLY FOR ELECTIONS TO BE HELD IN 2023

WHEREAS, Section 1-3-2, NMSA 1978, requires that, in June or July of each odd-numbered year, the Board of County Commissioners (Board) of Santa Fe County (County) by resolution must: (1) designate the polling place of each precinct in the County; (2) consolidate any precincts pursuant to Section 1-3-4, NMSA 1978; and (3) create additional polling places in existing precincts pursuant to Section 1-3-7.1, NMSA 1978; and

WHEREAS, on July 27, 2021, pursuant to Section 1-3-2, NMSA 1978, the Board adopted Resolution No. 2021-071 to consolidate precincts and designate the location of election day polling places in the County for the conduct of any statewide election conducted in calendar years 2022 and 2023; and

WHEREAS, Section 1-3-7.1, NMSA 1978, states that “[i]n the interest of the convenience of the voters and providing accessibility to the polling place, the board of county commissioners may create additional polling places within the precinct upon their own action...”; and

WHEREAS, on September 13, 2022, the Board adopted Resolution No. 2022-071 which, among other things, designated the 1) Mandela International Magnet School as an additional VCC for the consolidated precinct comprised of precincts 31, 32, 34, 41, 97, 98, and 178; and 2) the New Mexico School of the Arts as an additional VCC for reconsolidated precinct comprised of precincts 11, 24, 25, 27, 33, 92, 130, 155, 159, and 160 for all elections in 2022 and 2023; and

SFC CLERK RECORDED 10/11/2022

WHEREAS, in Resolution No. 2022-71, the Board found that the addition of the Mandela International Magnet School VCC and the New Mexico School of the Arts VCC 1) is in the interest of the voters and providing accessibility to the polling place; 2) complies with the provisions of Sections 1-3-4 and 1-3-7, NMSA 1978; 3) will make voting more convenient and accessible to voters of the consolidated precinct, will not result in delays for voters in the voting process, shall have a broadband internet connection and real-time access to the state-wide voter registration electronic management system, and are centrally located within the consolidated precinct; and 4) provides individuals with physical mobility limitations an unobstructed access to at least one voting machine; and

WHEREAS, the County Clerk intends to operate the Mandela International Magnet School VCC and the New Mexico School of the Arts VCC for all elections in 2023; and

WHEREAS, it is not feasible for the County Clerk to operate the Mandela International Magnet School VCC and New Mexico School of the Arts VCC for the General Election to be held on November 8, 2022;

WHEREAS, the following sections of NMSA 1978 provide authority for the action being taken in this Resolution:

- Section 1-3-7(A): “No less than one polling place shall be provided for each precinct that is not a mail ballot election precinct[.]”
- Section 1-3-4(B)(3): “[E]ach voter convenience center shall be a consolidated precinct composed of no more than ten precincts[.]”
- Section 1-1-12(B): “When consolidated precincts are used to establish a voter convenience center in a statewide election, references to ‘precincts’ in the voting process shall be applicable to consolidated precincts.”
- Section 1-3-5(B): “No precinct shall be created, divided, abolished or combined or the boundaries adjusted less than four months prior to a statewide election, except by order of the district court.”
- Section 1-11-1: “The county clerk shall, at least twenty-one days prior to a statewide election, give notice of the election.”; and

WHEREAS, pursuant to NMSA 1978, Section 1-3-5(B), the Board directed the County attorney to seek approval of the consolidated precincts and polling places/voter convenience centers set forth in Resolution No. 2022-71.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby amends Resolution No. 2022-071 as follows:

1. Section 2 of Resolution No. 2022-071 is amended to state:

“2. Designation of Additional Polling Place/Voter Convenience Center, Mandela International Magnet School, for the Consolidated Precinct Consisting of Precincts 31, 32, 34, 41, 97, 98, and 178. The Salazar Elementary School, 1231 Apache Avenue, and the Mandela International Magnet School,

1604 Agua Fria St, shall be the VCCs for the consolidated precinct consisting of precincts 31, 32, 34, 41, 97, 98, and 178 for all elections in 2023. The Salazar Elementary School, 1231 Apache Avenue, shall remain the sole designated VCC for such consolidated precinct for all elections in 2022.”

2. Section 3 of Resolution No. 2022-071 is amended to state:

“3. Consolidation of Precincts 11, 24, 25, 27, 33, 92, 130, 155, 159, and 160 and Designation of Additional Polling Place/Voter Convenience Center, New School of the Arts. Precinct 26 is removed from the consolidated precinct consisting of precincts 11, 24, 25, 26, 27, 33, 92, 130, 155, 159, and 160, which has a Gonzales Community School, 851 W. Alameda Street as its designated VCC. Precincts 11, 24, 25, 27, 33, 92, 130, 155, 159, 160 are reconsolidated and the Gonzales Community School, 851 W. Alameda Street shall be the designated VCC for the reconsolidated precinct. In addition to the Gonzales Community school, the New Mexico School of the Arts, 500 Montezuma Ave, shall be a VCC for such reconsolidated precinct for all elections in 2023.”

3. The rows in the table in Section 9 of Resolution No. 2022-071 related to the addition of the New Mexico School of the Arts VCC and Mandela International Magnet School VCC are amended as follows:

Precincts Included in Consolidated Precinct	Polling Place(s)/Voting Convenience Center(s) Within Consolidated Precinct
11, 24, 25, 27, 33, 92, 130, 155, 159, 160	Gonzales Community School 851 W. Alameda Street New Mexico School of the Arts <i>(only for elections in 2023)</i> 500 Montezuma Avenue
31, 32, 34, 41, 97, 98, 178	Salazar Elementary School 1231 Apache Avenue Mandela International Magnet School <i>(only for elections in 2023)</i> 1604 Agua Fria St.

4. **Other Rows in Table.** All rows in the table of Section 9 of Resolution No. 2022-071 other than those rows amended above shall remain in effect.

NOW, THEREFORE, BE IT FURTHER RESOLVED that, following adoption of this Resolution by the Board, the County Manager shall direct the County Attorney to seek District

Court approval for the precinct consolidations and polling places/voter convenience centers set forth in Resolution No. 2022-071, as amended herein.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Clerk shall include the consolidated precincts and polling places/voter convenience centers provided for in Resolution No. 2021-071 and Resolution No. 2022-071, as amended herein, in the *Notice of Election* that is posted no later than Tuesday, October 18, 2022, except for those polling places designated herein only for elections to be held in 2023.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this Resolution to the Secretary of State and to the County Chair of each of the major political parties and inform the Secretary of State and such County Chairs if and when the District Court has approved the polling locations/voter convenience centers provided for in this Resolution.

PASSED, APPROVED, and ADOPTED this 27th day of September, 2022.

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: Anna T. Hamilton
Anna T. Hamilton, Chair

Henry Roybal
Henry Roybal, Commissioner

Rudy N. Garcia
Rudy N. Garcia, Commissioner
Katharine E. Clark
10/11/22

Anna Hansen
Anna Hansen, Commissioner

Hank Hughes
Hank Hughes, Commissioner

ATTEST:
Katharine E. Clark
Katharine E. Clark, Santa Fe County Clerk
(Added to Brian, Hamilton, Hansen, Hughes only)

Date: 10/03/2022

Approved As To Form:

Jeff Young for
Jeff Young, Santa Fe County Attorney

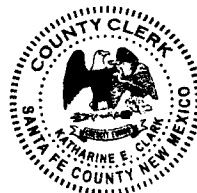
SEC CLERK RECORDED 10/11/22



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for Record On The 11TH Day Of October, 2022 at 08:49:29 AM And Was Duly Recorded as Instrument # **1999145** Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy Dusty Romero County Clerk, Santa Fe, NM