

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 20-11

A RESOLUTION AMENDING RESOLUTION NO. 19-08 (A RESOLUTION DESIGNATING THE LOCATION OF ELECTION DAY POLLING PLACES FOR ALL STATEWIDE AND SPECIAL ELECTIONS CONDUCTED IN 2020 AND 2021; AND ESTABLISHING THE COUNTY CANVASSING BOARD THROUGH THE END OF 2021) TO REDUCE THE NUMBER OF ELECTION DAY POLLING PLACES FOR THE NOVEMBER 3, 2020 GENERAL ELECTION

WHEREAS, on June 25, 2019, pursuant to the New Mexico Statutes Annotated 1978, Section 1-3-2 (2019), in Resolution 19-08, the Council of the Incorporated County of Los Alamos ("County Council") designated the location of election day polling places in the County for conducting any statewide election conducted in calendar years 2020 and 2021; and

WHEREAS, due to the contagion of the SARS-CoV-2 virus and the very real potential for poll workers and voters to contract the COVID-19 disease through the in-person voting process, all eligible voters are being encouraged to vote by mail and to reduce the number of needed poll workers for the November 3, 2020 General Election; and

WHEREAS, due to the very real potential for poll workers and voters to contract the COVID-19 disease through the in-person voting process, and the associated reduction of in-person voting to voting by mail, the number of election-day polling places should be reduced to the minimum required by law; and

WHEREAS, a reduction in the number of in-person polling locations is necessary to meet the requirements of Executive Orders and Public Health Orders issued by the Governor of New Mexico and the Secretary of the New Mexico Department of Public Health to minimize the threat of the SARS-CoV-2 virus; and

WHEREAS, in order to maximize mail-in ballots in lieu of in-person voting, the County Clerk intends to exercise her authority pursuant to N.M. Stat. Ann. § 1-12-72 to deliver to each mailable voter in the County a mailed ballot application; and

WHEREAS, based on the pandemic the County Council adopted Resolution 20-04, which reduced the number of in-person polling locations for the June 2020 Primary Election in the exact manner this Resolution does; and

WHEREAS, on May 11, 2020, *In the Matter of Polling Places within Los Alamos County*, Case No. D-132-CV-2020-00050, the First Judicial District Court issued an order approving the reduction of in-person polling locations for the June 2020 Primary Election in the exact manner as proposed in this Resolution; and

WHEREAS, the conditions that warranted the reduction of in-person voting locations for the June 2020 Primary Election persist, warranting the reduction of in-person voting locations for the November 3, 2020 General Election; and

WHEREAS, pursuant to:

Section 1-3-7(A): "No less than one polling place shall be provided for each precinct. . ."; and

Section 1-3-4(B)(3): "each voter convenience center shall be a consolidated precinct composed of no more than ten precincts."; and

Section 1-1-12(B): ". . . in a statewide election, references to "precincts" in the voting process shall be applicable to consolidated precincts."; and

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."; and

Section 1-11-1: "The county clerk shall, at least twenty-one days prior to a statewide election, give notice of the election."

NOW, THEREFORE, BE IT RESOLVED that the Council of the Incorporated County of Los Alamos amends Resolution No. 19-08, only for purposes of the November 3, 2020 General Election, and designates the following election day polling locations for the 2020 General Election, as follows:

- a. Precincts 1 through 7 are consolidated with a Voter Convenience Center located at the White Rock Town Hall Conference Training Room, 139 Longview Drive, White Rock, New Mexico.
- b. Precincts 8 through 16 are consolidated with a Voter Convenience Center located at the Los Alamos County Golf Course Community Room, 244 Diamond Drive, Los Alamos, New Mexico.
- c. Precincts 17 through 21 are consolidated with a Voter Convenience Center located at the Los Alamos County Municipal Building Council Chambers, 1000 Central Avenue, Room 100, Los Alamos, New Mexico.
- d. For voters who timely submitted an Absentee Voter Application, Mail-In Ballots will be mailed to those voters twenty-eight (28) days before the election.
- e. It is further noted that any voter from any precinct in the County can cast a vote at any of these Voter Convenience Centers regardless of the precinct in which they live.

NOW, THEREFORE, BE IT FURTHER RESOLVED that following adoption of this Resolution by the Council of the Incorporated County of Los Alamos, the County Attorney is directed to seek approval of the District Court of the new consolidated precincts, adjusted consolidated precincts, or abolished precincts or consolidated precincts for purposes of the voting process in the 2020 General Election only; and

NOW THEREFORE, BE IT FURTHER RESOLVED that the County Clerk shall include the amended polling locations provided for in this Resolution in the Notice of Election that is published no later than Tuesday, October 27, 2020; and

NOW THEREFORE, BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this Resolution to the Secretary of State and inform the Secretary of State when the District Court has approved the amended polling locations provided for in this Resolution; and

NOW, THEREFORE, BE IT FURTHER RESOLVED all remaining elements of Resolution 19-08 not in conflict with this Resolution remain in full force and effect.

PASSED AND ADOPTED this 4th day of August, 2020.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

**Sara C. Scott
Council Chair**

ATTEST:

**Naomi D. Maestas
Los Alamos County Clerk**