

INCORPORATED COUNTY OF LOS ALAMOS RESOLUTION NO. 26-15

AN ELECTION RESOLUTION SETTING FORTH BALLOT QUESTION NO. 3 TO BE SUBMITTED AT THE NOVEMBER 3, 2026, GENERAL ELECTION TO THE VOTERS OF THE INCORPORATED COUNTY OF LOS ALAMOS, WHICH QUESTION WOULD AMEND THE PRIORITY OF BUDGETED EXPENDITURES

WHEREAS, the Los Alamos County Council on July 7, 2026, adopted Ordinance No. 758 calling for submittal to the electorate as a single ballot question at the November 3, 2026, General Election a proposed amendment to Article V, Section 509, of the Charter of the Incorporated County of Los Alamos (Charter), relating to the priority of budgeted expenditures, as follows:

Section 509. Priority of Budgeted Expenditures.

In order that the Department of Public Utilities can plan and utilize its proceeds for the maintenance, improvement and extension of the utilities system before any part of such proceeds is diverted to general County purposes, all funds derived from the operation of the utilities shall be managed and expended in accordance with the following policies. From the proceeds of the operation of the Department:

1. There shall first be set aside the funds required for current operations.
2. There shall next be set aside the funds required to redeem and pay interest on any bond issue for the utility which shall become due and payable during the next fiscal year.
3. There shall next be provided an adequate reserve to finance replacements required by normal depreciation of the utility plant or equipment as provided in the Schedule of Funds. These reserves may not be used by the County for financing County operations.
4. There shall be paid to the General Fund those amounts set forth in the budget as payments to be made to the County in lieu of franchise fees and taxes that would be normally assessed against privately owned gas and electric utilities.
5. There shall next be a provision for additions and improvements foreseen as necessary to meet future requirements for the utility systems as provided in the Schedule of Funds.

~~[6. All remaining operating profits shall be transferred to the County General Fund.]~~

; and

WHEREAS, the Los Alamos County Council hereby determines and declares that the submittal of the question concerning the proposed charter amendments to the qualified electors of the County is duly authorized under Section 900 of the Charter.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Incorporated County of Los Alamos that:

Section 1. The following question shall be submitted to the qualified electors of the Incorporated County of Los Alamos (County) for adoption or rejection at the November 3, 2026, General Election (Election):

COUNTY QUESTION
AMENDMENT TO THE CHARTER OF THE INCORPORATED COUNTY (COUNTY) OF LOS ALAMOS, PURSUANT TO COUNTY ORDINANCE NO. 758, TO AMEND THE PRIORITY OF BUDGETED EXPENDITURES

QUESTION NO. 3

Shall Article V, Section 509, of the Charter of the Incorporated County of Los Alamos, relating to the priority of budgeted expenditures, be amended to omit the provision for all remaining operating profits be transferred to the County General Fund?

YES ☐
NO ☐

Section 2. The County's qualified electors are eligible to vote on the Election Question. No judge or clerk of election shall allow a person to vote unless he or she is duly registered as a voter with the County Clerk.

Section 3. Persons desiring to vote at the Election must be registered to vote. Any person who is otherwise qualified to vote and who is not currently registered may register at the office of the Los Alamos County Clerk on or before 5:00 p.m. on October 6, 2026, or at a voting location immediately before voting in the Election in accordance with 1-4-5.7 NMSA 1978 (2023).

Section 4. The vote shall be canvassed as provided in Section 1-13-1 NMSA 1978 (2023), et seq., and the County Council shall certify the results of the Election and file the certificate of canvass in the official minute book of the County.

Section 5. The full text of the proposed amendment and the date of the election shall be published at least twenty (20) days before the date of the Election in a newspaper or newspapers which maintain an office in and are of general circulation in the County and which otherwise qualify as legal newspapers in the County. The full text of the proposed amendment shall be posted at each voting place. The ballot question shall be included in the notice of election, which shall be published and posted in English and Spanish languages in accordance with NMSA 1978, Section 1-11-3. The County Clerk is hereby instructed and authorized to carry out this provision.

Section 6. The officers of the County are hereby authorized and directed, for and on behalf of the County, to take all actions necessary or appropriate to effectuate the provisions of this Resolution, including, without limiting the generality of the foregoing, the preparation of affidavits, instructions and election supplies, and the publication of notices.

Section 7. If any section, paragraph, clause or provision of this Resolution, shall for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section 8. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, or resolution, or parts hereof, heretofore repealed.

PASSED AND ADOPTED this 18th day of August 2026.

**COUNCIL OF THE INCORPORATED COUNTY
OF LOS ALAMOS, NEW MEXICO**

Randall T. Rytz,
Council Chair

ATTEST:

Michael D. Redondo,
Los Alamos County Clerk