



SPECIAL MEETING AGENDA

The following will be considered at the Special Meeting of the Doña Ana County Board of County Commissioners to be held on **Thursday, February 7, 2019, at 9:00 a.m.** in the Doña Ana County Commission Chambers, 1st Floor, Doña Ana County Government Center, 845 North Motel Boulevard, Las Cruces, New Mexico:

COMMISSION CONVENES AS THE COUNTY CANVASSING BOARD IN OPEN SESSION PURSUANT TO THE NEW MEXICO ELECTION CODE, NMSA 1978, §1-13-1

- **Roll Call of Commission Members Present and Determination of Quorum**
- **Pledge of Allegiance**

1. Delegate to the Doña Ana County Bureau of Elections the Responsibility to Canvass the Returns from the **February 5, 2019, Hatch Valley Public Schools Improvement Tax Election** on Behalf of the Board of County Commissioners Acting as the County Canvassing Board— Amanda López Askin, Ph.D., County Clerk, will discuss.

COMMISSION RECESSES AS THE COUNTY CANVASSING BOARD

THIS AGENDA IS SUBJECT TO CHANGE

NOTE: Doña Ana County will ensure effective communication with individuals with disabilities and will, upon request, provide auxiliary communication aids and services to afford those individuals equal opportunity for participation in Doña Ana County sponsored meetings, events, or activities. Any request should be made to the Americans with Disabilities Act Coordinator, in writing, or by phone, as soon as possible prior to the event at which accommodation is needed. If you have any questions regarding examples of reasonable accommodations, please contact the ADA Coordinator, at 525-5884 (voice) or 525-2951 (TTY), 845 N. Motel Blvd. Las Cruces, NM 88007.

Spanish language interpretation services are now available upon request for participation in Doña Ana County sponsored meetings, events, or activities. Please contact the Constituent Services Department at 525-6163, at least 48 hours prior to the event. **Servicios de interpretación en las juntas será disponible por petición. Por favor contactar la Oficina de Servicio a la Comunidad y Constituyentes 525-6163 por lo menos 48 horas por adelantado para pedir este servicio.**

**DOÑA ANA COUNTY
BOARD OF COUNTY COMMISSIONERS**

Doña Ana County Government Center
845 North Motel Boulevard
Las Cruces, New Mexico 88007
Telephone: (575) 647-7200
Toll-Free: (877) 827-7200

COUNTY CLERK
Initiating Department

Amanda López Askin, Ph.D.
Contact Person

February 7, 2019
Meeting Date

1
Agenda Item Number

TITLE OF AGENDA ITEM TO BE CONSIDERED

SPECIAL MEETING TO DELEGATE TO THE DOÑA ANA COUNTY BUREAU OF ELECTIONS THE RESPONSIBILITY TO CANVASS THE RETURNS FROM THE FEBRUARY 5, 2019 HATCH VALLEY PUBLIC SCHOOLS IMPROVEMENT TAX ELECTION ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS.

SUMMARY OF ITEM TO BE CONSIDERED

The Board of County Commissioners will take action, consistent with the Election Code and the Local Election Act, to ensure that the canvass of the returns of the Hatch Valley Public School Improvement Tax Election held on February 5, 2019 are completed so that the board can declare and certify the results on or before Friday, February 15, 2019. The Board will delegate responsibility to conduct the canvass, as outlined in sections 1-13-1 *et seq.*, to the staff of the Bureau of Elections and will direct that the results of the canvass be presented to the Board for certification at the Regular Meeting scheduled on Tuesday, February 12, 2019.

DESCRIPTION OF SUPPORTING DOCUMENTATION ATTACHED

Copies of relevant sections of the Election Code, NMSA 1978.

SUMMARY OF FINANCIAL IMPACT

None.

ADMINISTRATIVE REVIEW AND APPROVAL

<input type="checkbox"/> Finance	<input type="checkbox"/> Legal	<input type="checkbox"/> County Manager/ Agenda Review
<input type="checkbox"/> Purchasing	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Assistant County Manager/ Peer Review
<input type="checkbox"/> Planning	<input type="checkbox"/> Other	

DOCUMENT CONTROL

Original/s for signature? Yes No For Recording? Yes No

Return original/s to: _____ Name _____ Dept.

Send copy of recorded original/s (resolution and ordinances only) to: _____ Name _____ Dept.

Deadline for return of document/s? Yes, return by: _____ or No

1-13-1. Post-election duties; county canvassing board.

The board of county commissioners is ex officio the county canvassing board in each county.

1-13-3. Post-election duties; county canvass; commencement.

The county canvassing board shall meet within three days after the election and proceed to canvass the returns of the election.

1-13-4. Post-election duties; county canvass; method.

The county canvassing board shall canvass the election returns by carefully examining such returns of each precinct to ascertain if they contain the properly executed certificates required by the Election Code [Chapter 1 NMSA 1978] and to ascertain whether any discrepancy, omission or error appears on the face of the election returns.

1-13-12. Post-election duties; mandamus to compel canvass.

A. The county canvassing board shall not adjourn until it has canvassed all the returns of the election.

B. The district court, upon petition of any qualified elector, may issue a writ of mandamus to the county canvassing board to compel it to canvass, declare and certify the election returns.

1-13-13. Post-election duties; county canvassing board; certifying results.

A. The county canvassing board shall complete the canvass of the returns and declare the results within ten days from the date of the election. A county canvassing board in a county with more than two hundred fifty thousand voters shall complete the canvass of the returns and declare the results within thirteen days from the date of the election.

B. On the thirty-first day after any primary, general or district special election, the county canvassing board shall issue to those candidates entitled by law election certificates, or certificate of nomination in the case of the primary election, to all county officers, magistrates and to members of the legislature elected from districts wholly within the county. In addition, the county canvassing board shall declare the results, immediately after completion of the canvass, of the election and of all questions affecting only the county.

C. The county canvassing board, immediately after completion of the canvass, shall also certify to the state canvassing board the number of votes cast for all other candidates and questions respectively and shall immediately deliver to the county chair of each political party that participated in the election a certificate showing the total number of votes cast for each candidate in the election in the county.

1-24-3. Special election procedures; conduct.

Special elections shall be conducted and canvassed in the same manner that regular elections are conducted in the local government or special district; provided, the governing body may, as set forth in the proclamation, consolidate precincts. A polling place shall be provided within each of the consolidated precincts.

Local Election Act - Section 34

H. The municipal clerk shall fulfill the duties of the county clerk in the conduct of elections held pursuant to this section and, except for recall elections, special local elections held pursuant to Section 1-24-3 NMSA 1978. The county clerk shall maintain accurate voter registration information for each municipality located in the county. The county clerk shall provide to the municipal clerk, in advance of an election held pursuant to this section, the names of only those voters entitled to vote in the municipal election. The municipality shall bear the reasonable cost of preparation of the voter lists, signature rosters and voter registration in electronic format and all other costs of administering municipal officer and special elections held pursuant to this section.

J. The governing body of the municipality may act in relation to the duties of the board of county commissioners set forth in Section 1-3-2 NMSA 1978 that are applicable to the conduct of an election held pursuant to this section.