

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

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2025-__

INTRODUCED BY:

Councilor Pilar Faulkner

Councilor Lee Garcia

RED – Amendment A (M. Garcia and Faulkner)

A RESOLUTION

PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY OF SANTA FE VOTERS DURING THE NOVEMBER 4, 2025, REGULAR LOCAL ELECTION, REGARDING AMENDING THE CITY’S CHARTER TO REQUIRE GOVERNING BODY CONSENT BEFORE A MAYOR CAN REMOVE A CITY MANAGER, CITY ATTORNEY, OR CITY CLERK, EXCEPT DURING THE FIRST 180 DAYS OF A MAYOR’S TERM.

WHEREAS, Article 5.01(G) of the City of Santa Fe’s (“City’s”) Charter (“Charter”) authorizes a mayor to “remove the city manager, city attorney and city clerk without council approval”; and

WHEREAS, the positions of city manager, city attorney, and city clerk are critical and directly influence the administration, legal integrity, and transparency of City government; and

WHEREAS, Article 5.01(E) of the Charter requires governing body consent to a mayor’s appointment of a city manager, city attorney, and city clerk; and

WHEREAS, it is reasonable to require governing body consent before a mayor removes a city manager, city attorney, or city clerk as well; and

1 **WHEREAS**, amending Charter, Article 5.01(G) is necessary to require council consent to
2 a mayor’s removal of a city manager, city attorney, or city clerk; and

3 **WHEREAS**, the City’s Charter states that it may be “amended or repealed as provided by
4 law”; and NMSA 1978, Section 3-15-16, provides that the governing body of a home rule
5 municipality may amend its Charter by submitting a proposal to the qualified electors; and

6 **WHEREAS**, to require governing body consent to a mayor’s removal of a city manager,
7 city attorney, or city clerk, Article 5.01(G) of the Charter should be amended to read as follows:

8 **5.01. – Powers and duties.**

9 The city shall have a mayor who shall:

- 10 A. Be elected at large by the voters of the city;
- 11 B. Have a vote on all matters that come before the governing body;
- 12 C. Be the chief executive officer of the city whose position shall be full-
13 time;
- 14 D. Earn an initial salary of \$74,000.00 until such time that an independent
15 salary commission is established by city ordinance and such commission
16 sets the salary for mayor;
- 17 E. Appoint with the consent of the governing body, the city manager, city
18 attorney, city clerk, and members of advisory commission;
- 19 F. Exercise supervisory authority over the city manager, city attorney and
20 city clerk;
- 21 G. Have the authority to remove, without governing body consent, the city
22 manager, city attorney, and city clerk, during the first one-hundred eighty
23 days of a term. After one-hundred eighty (180) days of a term, [H]have the
24 authority to remove the city manager, city attorney and city clerk [~~without~~]
25 with [council approval] governing body consent;

- H. Cause the ordinances and regulations of the city to be faithfully and constantly obeyed;
- I. Have, within the city limits, the power conferred on the sheriffs of counties to suppress disorders and keep the peace;
- J. Propose programs and policies to the governing body;
- K. Represent the city in intergovernmental relationships;
- L. Present an annual state of the city message which shall identify, among other matters, the mayor’s legislative agenda for the upcoming year;
- M. Work with city personnel and timely prepare an annual budget and proposed spending priority for review and approval by the finance committee and the governing body;
- N. Be recognized as head of the city government for all ceremonial purpose;
and
- O. Be recognized by the governor for purpose of military law.

WHEREAS, the Governing Body wishes to submit the above recommended amendment to the City’s voters for approval; and

WHEREAS, a resolution adopted by the Governing Body describing a proposed ballot question is the mechanism the City uses to document that it wishes to submit a proposal to the electors; and

WHEREAS, NMSA 1978, Section 1-16-3, requires the City to “file a resolution proposing the ballot question” with the county clerk, not less than seventy (70) days before the election at which the Governing Body proposes a ballot question for the voters’ consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that it proposes placing the following question on the ballot during the regular, local election on November 4, 2025:

1 **REQUIRING GOVERNING BODY CONSENT FOR A MAYOR’S**
2 **REMOVAL OF THE CITY MANAGER, CITY ATTORNEY, OR CITY**
3 **CLERK EXCEPT DURING THE FIRST ONE-HUNDRED EIGHTY (180)**
4 **DAYS OF A MAYOR’S TERM**

5 Should the Santa Fe Municipal Charter be amended to require governing body
6 consent before a mayor may remove a city manager, city attorney, or city clerk,
7 except during the first one-hundred eighty (180) days of a mayor’s term?

8 For Against

9 **BE IT FURTHER RESOLVED** that the City Clerk shall present this ballot question to
10 the Santa Fe County Clerk no later than August 26, 2025.

11 **BE IT FURTHER RESOLVED** that if the voters approve the above ballot question, then
12 the City’s Charter shall be amended as follows:

13 **5.01. – Powers and duties.**

14 The city shall have a mayor who shall:

- 15 A. Be elected at large by the voters of the city;
- 16 B. Have a vote on all matters that come before the governing body;
- 17 C. Be the chief executive officer of the city whose position shall be full-time;
- 18 D. Earn an initial salary of \$74,000.00 until such time that an independent
19 salary commission is established by city ordinance and such commission
20 sets the salary for mayor;
- 21 E. Appoint with the consent of the governing body, the city manager, city
22 attorney, city clerk, and members of advisory commission;
- 23 F. Exercise supervisory authority over the city manager, city attorney and
24 city clerk;
- 25 G. Have the authority to remove, without governing body consent, the city

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

manager, city attorney, and city clerk, during the first one-hundred eighty days of a term. After one hundred eighty (180) days of a term, [H] have the authority to remove the city manager, city attorney and city clerk [without] with [council approval] governing body consent;

- H. Cause the ordinances and regulations of the city to be faithfully and constantly obeyed;
- I. Have, within the city limits, the power conferred on the sheriffs of counties to suppress disorders and keep the peace;
- J. Propose programs and policies to the governing body;
- K. Represent the city in intergovernmental relationships;
- L. Present an annual state of the city message which shall identify, among other matters, the mayor’s legislative agenda for the upcoming year;
- M. Work with city personnel and timely prepare an annual budget and proposed spending priority for review and approval by the finance committee and the governing body;
- N. Be recognized as head of the city government for all ceremonial purpose; and
- O. Be recognized by the governor for purpose of military law.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2025.

ALAN WEBBER, MAYOR

1 ATTEST:

2

3

4 ANDRÉA SALAZAR, CITY CLERK

5 APPROVED AS TO FORM:

6

7

8 ERIN K. McSHERRY, CITY ATTORNEY

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Legislation/2025/Resolutions/Amending Charter to Require Council Approval for Removal of City Manager, City Attorney, & City Clerk