

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2025-\_\_

3 INTRODUCED BY:

4 Councilor Alma Castro

5 Councilor Michael Garcia

6 Councilor Pilar Faulkner

7 RED - Amendment A – Councilors Cassutt and Lindell

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9  
10 A RESOLUTION

11 PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO A CHARTER  
12 COMMISSION TO CONSIDER RECOMMENDING SUBMITTING TO THE CITY'S  
13 VOTERS ~~DURING THE NOVEMBER 4, 2025~~ NO LATER THAN THE REGULAR  
14 LOCAL ELECTION ~~OF 2027 REGARDING AN AMENDMENT~~ TO THE CITY'S  
15 CHARTER TO LIMIT THE MAYOR'S AUTHORITY TO VOTE TO WHEN THERE IS  
16 A TIE.

17 WHEREAS, the Governing Body wants to distinguish mayoral and city councilor powers  
18 by limiting the mayor's ability to vote only when there is a tie; and

19 WHEREAS, the Governing Body has identified the Mayor's voting rights portion of the  
20 City Charter ("Charter") as a first step to distinguishing councilor and mayoral powers; and

21 WHEREAS, on August 22, 2023, at a Special Meeting, the Governing Body agenda  
22 included a resolution that proposed that the voters of Santa Fe consider the following amendment  
23 to Article V, Section 5.01, (B) during the regular local election in November of 2023:

- 24 B. Have a vote on matters on which there is a tie vote among city councilors;  
25 [~~all matters that come before the governing body;~~]; and

1           **WHEREAS**, the resolution containing the amendment above was not adopted; and

2           **WHEREAS**, to limit the mayor’s ability to vote only when there is a tie, Article 5.01 of  
3 the Charter should be amended to read as follows (“**the Amendment**”):

4           **5.01. - Powers and duties.**

5           The city shall have a mayor who shall:

- 6           A.     Be elected at large by the voters of the city;
- 7           B.     ~~[Have a v]~~Vote only in the case of a tie in [all] matters that come before  
8           the governing body;
- 9           C.     Be the chief executive officer of the city whose position shall be full-time;
- 10          D.     Earn an initial salary of \$74,000.00 until such time that an independent  
11          salary commission is established by city ordinance and such commission  
12          sets the salary for mayor;
- 13          E.     Appoint with the consent of the governing body, the city manager, city  
14          attorney, city clerk, and members of advisory commissions;
- 15          F.     Exercise supervisory authority over the city manager, city attorney and  
16          city clerk;
- 17          G.     Have the authority to remove the city manager, city attorney and city clerk  
18          without council approval;
- 19          H.     Cause the ordinances and regulations of the city to be faithfully and  
20          constantly obeyed;
- 21          I.     Have, within the city limits, the power conferred on the sheriffs of counties  
22          to suppress disorders and keep the peace;
- 23          J.     Propose programs and policies to the governing body;
- 24          K.     Represent the city in intergovernmental relationships;
- 25          L.     Present an annual state of the city message which shall identify, among

- 1 other matters, the mayor's legislative agenda for the upcoming year;
- 2 M. Work with city personnel and timely prepare an annual budget and
- 3 proposed spending priority for review and approval by the finance
- 4 committee and the governing body;
- 5 N. Be recognized as head of the city government for all ceremonial purposes;
- 6 and
- 7 O. Be recognized by the governor for purposes of military law.

8 **WHEREAS**, the Governing Body wishes to ~~present the Amendment for review by a~~

9 ~~Charter Review Commission by April of 2026, consistent with Section 10.01 of the Charter, and,~~

10 ~~if the Commission recommends the Amendment, the Governing Body shall consider submitting it~~

11 ~~the above recommended amendment to the City's voters for approval consideration no later than~~

12 ~~the regular local election of 2027; and~~

13 **WHEREAS**, a resolution adopted by the Governing Body describing a proposed ballot

14 question is the mechanism the City uses to document that wish to submit a proposal to the electors;

15 and

16 **WHEREAS**, NMSA 1978, Section 1-16-3, requires the City to “file a resolution proposing

17 the ballot question” with the county clerk, not less than seventy (70) days before the election at

18 which the Governing Body proposes a ballot question for the voters’ consideration.

19 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**

20 **CITY OF SANTA FE** that ~~the Governing Body hereby proposes to submit the following question~~

21 ~~on the ballot of the regular local election on November 4, 2025:~~

22 **~~MAYOR VOTING RIGHTS~~**

23 ~~Should the Santa Fe Municipal Charter be amended to only allow~~

24 ~~the Mayor to vote to break a tie amongst city councilors for~~

25 ~~matters that come before the governing body?~~



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- 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 purposes; and
- O. Be recognized by the governor for purposes of military law.

PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
ALAN WEBBER, MAYOR

ATTEST:

\_\_\_\_\_  
ANDRÉA SALAZAR, CITY CLERK

APPROVED AS TO FORM:

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3 ERIN K. McSHERRY, CITY ATTORNEY

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5 *Legislation/2025/Resolutions/Charter Amendment – Mayoral Voting Powers*