

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 ORANGE – Amendment B - Councilor Jamie Cassutt

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10 A RESOLUTION

11 PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY’S VOTERS
12 DURING THE NOVEMBER 4, 2025, REGULAR LOCAL ELECTION REGARDING
13 AMENDING THE CITY’S CHARTER TO LIMIT THE MAYOR’S AUTHORITY TO
14 VOTE TO WHEN THERE IS A TIE AND WHEN THE VOTE WILL PROVIDE THE
15 NECESSARY VOTES REQUIRED BY LAW TO TAKE ACTION ON AN ISSUE.

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

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

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

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

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

1 **WHEREAS**, to limit the mayor’s ability to vote only when there is a tie **or when it is**
2 **legally required to take action**, Article 5.01 of the Charter should be amended to read as follows:

3 **5.01. - Powers and duties.**

4 The city shall have a mayor who shall:

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

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

9 **WHEREAS**, the Governing Body wishes to submit the above recommended amendment
10 to the City's voters for approval; and

11 **WHEREAS**, a resolution adopted by the Governing Body describing a proposed ballot
12 question is the mechanism the City uses to document that wish to submit a proposal to the electors;
13 and

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

17 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
18 **CITY OF SANTA FE** that the Governing Body hereby proposes to submit the following question
19 on the ballot of the regular local election on November 4, 2025:

20 **MAYOR VOTING RIGHTS**

21 Should the Santa Fe Municipal Charter be amended to only allow
22 the Mayor to vote on issues before the governing body when the
23 vote will ~~to~~ break a tie amongst city councilors ~~for matters that~~
24 ~~come before the governing body~~ or provide the necessary number
25 of votes to take action?

For Against

BE IT FURTHER RESOLVED that should the electorate vote in favor of the above question, then the City's Charter shall be amended as follows:

5.01. - Powers and duties.

The city shall have a mayor who shall:

- A. Be elected at large by the voters of the city;
- B. ~~[Have a v]~~Vote only on an issue before the governing body in the case of a tie in [all] matters that come before the governing body; or when the vote will provide the necessary number of votes required by law for taking action;
- C. Be the chief executive officer of the city whose position shall be full-time;
- D. Earn an initial salary of \$74,000.00 until such time that an independent salary commission is established by city ordinance and such commission sets the salary for mayor;
- E. Appoint with the consent of the governing body, the city manager, city attorney, city clerk, and members of advisory commissions;
- F. Exercise supervisory authority over the city manager, city attorney and city clerk;
- G. Have the authority to remove the city manager, city attorney and city clerk without council approval;
- 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;

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- 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:

ERIN K. McSHERRY, CITY ATTORNEY