

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 BLUE – Amendment C – Councilors Cassutt and Lindell

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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 COUNTING THE MAYOR’S
14 ~~AUTHORITY TO~~ VOTE TO SITUATIONS WHEN THERE IS A TIE.

15 WHEREAS, the Governing Body wants to distinguish mayoral and city councilor powers
16 by limiting the mayor’s ability to vote ~~only when there is a tie~~; however, because knowing where
17 a mayor stands on all issues is important for transparency before the community, the mayor should
18 vote on all matters and the vote should only count toward the outcome in the instance of a tie among
19 city councilors; and

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

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

25 B. Have a vote on matters on which there is a tie vote among city councilors;

1 [all matters that come before the governing body;]; and

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

3 WHEREAS, to limit counting the mayor’s ability to vote only to situations when there is
4 a tie, Article 5.01 of the Charter should be amended to read as follows:

5 **5.01. - Powers and duties.**

6 The city shall have a mayor who shall:

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

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

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

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

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

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

21 **MAYOR VOTING RIGHTS**

22 Should the Santa Fe Municipal Charter be amended to ~~only allow~~
23 ~~require~~ the Mayor to vote ~~first for matters that come before the~~
24 ~~governing body and to limit counting the Mayor’s vote to~~
25 ~~situations the vote is needed~~ to break a tie amongst city

councilors ~~for matters that come before the governing body?~~

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]~~ ~~Cast the first v~~ ~~vote~~ ~~only in the case of a tie~~ in [all] matters that come before the governing body ~~and to limit counting the Mayor's vote to situations the vote is needed to break a tie amongst city councilors;~~
- 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;
- J. Propose programs and policies to the governing body;

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- 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