



**Date:** May 6, 2026  
**To:** Charter Commission  
**From:** Sarah Piltch, Assistant City Attorney  
**Via:** Marcos Martínez, City Attorney  
**RE:** Charter Commission subject matter scope

This memo is to clarify the boundaries of the subject matter to be addressed by this Charter Commission (“Commission”). Resolution No. 2025-59 (“the Resolution”) convening the Commission is clear that this Commission is to address separation of powers and the duties of the mayor and city council.

The title of the Resolution authorizing this Commission is “A Resolution Convening a Charter Review Commission No Later than April of 2026 **to Consider the Mayor and City Council Powers**” (emphasis added). The last “Whereas” recital of the Resolution states “...the Governing Body wishes to dedicate additional time to the topic of separation of powers, and to consider a balance of powers, **by convening a Commission to review the separation and balance of powers between the mayor and city councilors.**” (Resolution 2025-59, page 2, lines 16-18).

The stated purpose of convening this Charter Commission according to the Resolution is to “...**review the City’s Charter and determine whether to recommend changes to Charter (sic) the Mayor’s and the City Councilors’ powers and duties.**” (Resolution 2025-59, pages 2-3, lines 24,25,1).

On page 3, lines 13-25, the Resolution clearly lists some of the topics that shall be included in the Commission’s review including:

- powers and duties of the mayor and city councilors, including who should propose the budget;
- the need for a strategic plan and who should propose it;
- the process when a city councilor runs for mayor;
- the power to appoint, dismiss and supervise the city manager, city attorney and city clerk.

The clause “shall include, but not be limited to,” at the beginning of this list, does not open the commission to consider any part of the Charter, given the rest of the language in the Resolution, directing the review to the narrow area of separation of powers and the powers and duties of the mayor and city councilors.

Given this enumeration of topics, as well as the Recital and Purpose outlined above, it is clear that the Commission is limited in the topics it is to address by the Resolution.

Finally, while the Commission cannot, sua sponte, consider additional topics, please be aware that the City of Santa Fe Charter, Art. Sec. 10.01, allows the public to suggest new topics to be considered by the commission:

The creation of the commission and its function shall be advertised on a separate page of the city's web site **and the page shall allow for the public to submit proposed amendments.** The commission shall hold no less than two meetings in each of the city's council districts, for the purpose of taking input from the public.

Thus, the commission may be asked to consider additional topics raised by the public that do not currently appear in Resolution No. 2025-59.