

1 **CITY OF SANTA FE, NEW MEXICO**

2 **ORDINANCE NO. 2021-9**

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4
5 **AN ORDINANCE**

6 **REGARDING THE INDEPENDENT SALARY COMMISSION; AMENDING SECTION 6-**
7 **19.1 SFCC 1987 TO MAKE CLARIFICATIONS; AMENDING SECTION 6-19.2 SFCC 1987**
8 **TO CHANGE THE EFFECTIVE DATE OF THE SALARY TO ALIGN WITH THE TERM**
9 **FOR MAYOR SET FORTH IN THE SANTA FE ELECTION CODE, SECTION 9-1 SFCC**
10 **1987; AMENDING SECTION 6-19.3 SFCC 1987 TO ESTABLISH AN APPLICATION**
11 **PROCESS AND MODIFY LENGTH OF THE COMMISSIONERS' TERMS; AND**
12 **AMENDING SECTION 6-19.4 SFCC 1987 TO SET THE FUTURE SCHEDULE FOR THE**
13 **INDEPENDENT SALARY COMMISSION.**

14
15 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

16 **Section 1. Section 6-19.1 of SFCC 1987 (being Ord. No. 2016-43, § 2, as**
17 **amended) is amended to read:**

18 **6-19.1 Name; creation; purpose.**

19 A. There is hereby created the independent salary commission ("commission") as
20 required by the Santa Fe Municipal Charter amendments approved by voters of the city of Santa
21 Fe on March 4, 2014.

22 B. The sole purpose of the commission shall be to review and set the mayor's salary,
23 pursuant to Article 6.02(D) of the Santa Fe Municipal Charter.

24 C. The commission shall act independently from the office of the mayor and the
25 governing body so as to remove all conflicts of interest.

1 **Section 2. Section 6-19.2 of SFCC 1987 (being Ord. No. 2016-43, § 2, as**
2 **amended) is amended to read:**

3 **6-19.2 Powers and duties.**

4 A. The commission shall have the sole power to review and set the mayor's salary.

5 B. The commission shall set the salary of the mayor by comparing the salaries of
6 other public executives within the county of Santa Fe, including the Santa Fe county manager,
7 superintendent of Santa Fe public schools, and the city of Santa Fe city manager, as well as the
8 mayor's salary in cities of comparable size, cost of living, and diversity within the region.

9 C. The salary set by the commission shall go into effect January 1 following the
10 regular election for mayor.

11 **Section 3. Section 6-19.3 of SFCC 1987 (being Ord. No. 2016-43, § 2, as**
12 **amended) is amended to read:**

13 **6-19.3 Membership; terms; vacancies.**

14 A. *Membership.* The commission shall be comprised of seven (7) members, all of
15 whom must reside within the municipal boundaries of the city of Santa Fe. The mayor shall
16 appoint, with the advice and consent of the governing body, the members of the commission. The
17 commission shall consist of one (1) member from each of the following categories:

18 (1) One (1) shall be a member of a local chamber of commerce.

19 (2) One (1) shall be a representative of a neighborhood association.

20 (3) One (1) shall be a representative of a community organization.

21 (4) One (1) shall be a current or retired attorney or judge.

22 (5) One (1) shall be a representative of the human resources industry, or an
23 employment consultant.

24 (6) One (1) shall be a current or retired chief executive officer.

25 (7) One (1) member shall be appointed at-large.

1 B. *Application.* To be eligible for appointment, interested parties shall submit a
2 letter of interest and resume to the city clerk in response to a public request for letters of interest.
3 The letter of interest shall indicate the category the applicant seeks to fill, which shall not
4 preclude the applicant's appointment to an alternative category, if applicable.

5 C. *Independence.* Nominees to the commission shall exercise sound and practical
6 judgement in the implementation of their powers and duties as members of the commission. The
7 mayor shall appoint a chairperson prior to the first meeting of the commission. The chairperson
8 shall then appoint a vice-chairperson at the first regular meeting.

9 D. *Terms.* Members of the commission shall be appointed in January the year prior
10 to a mayoral election and serve until the end of the calendar year. A member shall serve for no
11 more than two (2) terms. After two (2) consecutive unexcused absences, a commission member
12 shall be automatically removed from the commission, and a new member shall be appointed
13 consistent with the provisions of paragraph A.

14 E. *Vacancies.* Vacancies on the commission shall be filled consistent with the
15 provisions of paragraph A.

16 **Section 4. Section 6-19.4 of SFCC 1987 (being Ord. No. 2016-43, § 2, as**
17 **amended) is amended to read:**

18 **6-19.4 Meetings; staff.**

19 A. *Meetings.* Beginning in 2024, the commission shall meet and set the salary for
20 the office of mayor every four (4) years, no later than April 30, to be budgeted for the next
21 mayoral term, whether the mayor in office in the next term is in a first or subsequent term.

22 B. *Staff.* The human resources director, or the human resources director's designee,
23 shall serve as staff liaison for the commission at all meetings.

24 PASSED, APPROVED, and ADOPTED this 28th day of April, 2021.
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ALAN WEBBER, MAYOR

ATTEST:



KRISTINE MIHELIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. MCSHERRY, CITY ATTORNEY

Bill No. 2021-8

Legislation/2021/Ordinances/2021-9 Salary Commission Amendments

FISCAL IMPACT REPORT

General Information:

(Check) Bill: Resolution: _____


Short Title(s): Salary Commission Amendments

Sponsor(s): Councilors Romero-Wirth and Rivera

Reviewing Department(s): City Attorney's Office

Staff Completing FIR: Erin K. McSherry Date: 3/25/21 Phone: 955-6961

Reviewed by City Attorney:  Date: Mar 25, 2021

Reviewed by Finance Director:  Date: Mar 25, 2021

Summary:

The proposed bill realigns the Independent Salary Commission's (Commission's) work schedule with the City's new election cycle; establishes an allowable salary range; corrects a cross reference; establishes an application process for appointees to the Commission; and allows the chamber of commerce representative on the Commission to be from any local chamber of commerce.

Departments Affected:

Mayor (appointment timing); Governing Body (advice and consent), Human Resources (Commission Liaison); and City Clerk (proposed to receive applications)

Consequences of Not Enacting Legislation:

Without the proposed changes, the Commission is required to determine a new salary by the end of April, and the salary would go into effect in November on the Monday following the election. Applications would not be required for appointees to the Commission, the Chamber of Commerce member on the Commission would be required to be from the Santa Fe Chamber of Commerce and could not be from the Hispanic Chamber or Green Chamber.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

The creation of the Commission was required by 2014 Charter amendments. The election cycle changes were also adopted by a Charter amendment and through adoption of the election cycle established in the Local Election Act.

Performance and Administrative Implications:

Once every four years, the requirement for an application process will increase administrative duties for the City Clerk's Office. Responsibility for Commission support remains with the Human Resources Director.

Fiscal Implications:

The changes would result in a somewhat increased administrative workload for the City Clerk, once every four years.

Fiscal Impact

Check here if no fiscal impact

Expenditures

Expenditure Type	FYE ___	FYE ___	FYE ___	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Contractual/ Professional Services</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Operating</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE ___	FYE ___	FYE ___	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____	_____	_____

Revenue Narrative:
