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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2025-52

INTRODUCED BY:

Councilor Alma Castro

Councilor Michael Garcia

Councilor Pilar Faulkner

A RESOLUTION

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

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

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

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

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

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 break a tie amongst city councilors or provide the
24 necessary number of votes to take action?

25 For Against

1 **BE IT FURTHER RESOLVED** that should the electorate vote in favor of the above
2 question, then the City's Charter shall be amended 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;

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- 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 13th day of August, 2025.


Alan Webber (Aug 18, 2025 11:56:32 MDT)

ALAN WEBBER, MAYOR

ATTEST:

ANDRÉA SALAZAR, CITY CLERK

APPROVED AS TO FORM:


Erin McSherry (Aug 18, 2025 11:51:37 MDT)

ERIN K. McSHERRY, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2025-__
Charter Amendment – Mayoral Voting Powers

Mayor and Members of the City Council:

In relation to Resolution No. 2025-__:
PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY’S VOTERS DURING THE NOVEMBER 4, 2025, REGULAR LOCAL ELECTION REGARDING AMENDING THE CITY’S CHARTER TO LIMIT THE MAYOR’S AUTHORITY TO VOTE TO WHEN THERE IS A TIE.

I intend to propose the following amendment(s)

1. On page 1, line 11, *insert* “A CHARTER COMMISSION TO CONSIDER RECOMMENDING SUBMITTING” before “to the City’s voters”.
2. On page 1, line 12, *delete* “DURING THE NOVEMBER 4, 2025,”; *insert* “NO LATER THAN THE” before “REGULAR”; *insert* “OF 2027” after “ELECTION”; and *delete* “REGARDING”.
3. On page 1, line 13, *insert* “AN” before “AMENDING”; *delete* “ing” in the word AMENDING, making it “AMENDMENT”; and *insert* “TO” before “THE CITY’S”.
4. On page 2, line 1, *insert* (“the Amendment):” after “follows”.
5. On page 3, line 6, *insert* “present the Amendment for review by a Charter Review Commission by April of 2026, consistent with Section 10.01 of the Charter, and, if the Commission recommends the Amendment, the Governing Body shall consider” after “wishes to”; *add* “ting” to “submit”, making it “submitting”; and *delete* “the above recommended amendment”.
6. On page 3, line 7, *replace* “approval” with “consideration no later than the regular local election of 2027”.
7. On page 3, line 15, *replace*
“the Governing Body hereby proposes to submit the following question on the ballot of the regular local election on November 4, 2025:

MAYOR VOTING RIGHTS

Should the Santa Fe Municipal Charter be amended to only allow the Mayor to vote to break a tie amongst city councilors for matters that come before the governing body?

For

Against
 ”.

with

“a Charter Review Commission shall review the Amendment and, if the Commission recommends the Amendment, the Governing Body shall consider submitting it to the City’s voters for consideration no later than the regular local election of 2027”.

8. On page 3, line 22, *insert*

BE IT FURTHER RESOLVED that the Governing Body shall consider a resolution to convene a Charter Review Commission as soon as possible and, if adopted, the Charter Review Commission shall consider the amendment during a term beginning no later than April of 2026 and ending no later than April of 2027.

This amendment WILL change the caption. X

This amendment WILL NOT change the caption.

Respectfully submitted,

Jamie Cassutt

Jamie Cassutt (Aug 13, 2025 18:49:57 MDT)

Jamie Cassutt, Councilor

Signe I Lindell

Signe Lindell (Aug 13, 2025 18:51:45 MDT)

Signe Lindell, Councilor

Approved as to Form:

Erin McSherry

Erin McSherry (Aug 13, 2025 18:49:03 MDT)

Erin K. McSherry, City Attorney

ADOPTED: _____

NOT ADOPTED: X Governing Body

DATE: 08/13/2025

ANDRÉA SALAZAR, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2025-__
Charter Amendment – Mayoral Voting Powers

Mayor and Members of the City Council:

In relation to Resolution No. 2025-__:

PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY’S VOTERS DURING THE NOVEMBER 4, 2025, REGULAR LOCAL ELECTION REGARDING AMENDING THE CITY’S CHARTER TO LIMIT THE MAYOR’S AUTHORITY TO VOTE TO WHEN THERE IS A TIE.

I intend to propose the following amendment(s)

1. On page 1, line 14, *insert* “AND WHEN THE VOTE WILL PROVIDE THE NECESSARY VOTES REQUIRED BY LAW TO TAKE ACTION ON AN ISSUE” after “A TIE”.
2. On page 1, line 25, *insert* “or when it is legally required to take action” after “a tie”.
3. On page 2, line 5, *insert* “on an issue before the governing body” after “only”; and *replace* “in [all] matters that come before the governing body;” with “or when the vote will provide the necessary number of votes required by law for taking action;”.
4. On page 3, line 19, *insert* “on issues before the governing body when the vote will” after “vote”; *delete* “to” before “break”.
5. On page 3, lines 19-20, *replace* “for matters that come before the governing body” with “or provide the necessary number of votes to take action”.
6. On page 4, line 2, *insert* “on an issue before the governing body” after “only”; and *replace* “in [all] matters that come before the governing body;” with “or when the vote will provide the necessary number of votes required by law for taking action;”.

This amendment WILL change the caption. X

This amendment WILL NOT change the caption. _____

Respectfully submitted,

Jamie Cassutt

Jamie Cassutt (Aug 13, 2025 20:04:21 MDT)

Jamie Cassutt, Councilor

Approved as to Form:

Erin McSherry

Erin McSherry (Aug 13, 2025 19:15:08 MDT)

Erin K. McSherry, City Attorney

ADOPTED: X Governing Body

NOT ADOPTED: _____

DATE: 08/13/2025

ANDRÉA SALAZAR, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2025-__
Charter Amendment – Mayoral Voting Powers

Mayor and Members of the City Council:

In relation to Resolution No. 2025-__:

PROPOSING A BALLOT QUESTION TO BE SUBMITTED TO THE CITY’S VOTERS DURING THE NOVEMBER 4, 2025, REGULAR LOCAL ELECTION REGARDING AMENDING THE CITY’S CHARTER TO LIMIT THE MAYOR’S AUTHORITY TO VOTE WHEN THERE IS A TIE.

I intend to propose the following amendment(s)

1. On page 1, line 13, *insert* “COUNTING” after “LIMIT” and *delete* “AUTHORITY TO”.
2. On page 1, line 14, *insert* “SITUATIONS” before “WHEN THERE IS A TIE”.
3. On page 1, line 16, *replace* “only when there is a tie” with “; however, because knowing where a mayor stands on all issues is important for transparency before the community, the mayor should vote on all matters and the vote should only count toward the outcome in the instance of a tie among city councilors”.
4. On page 1, line 25, *insert* “counting” after “limit”, *delete* “ability to”, *strike* “only”; and *insert* “to situations” before “when there is a tie”.
5. On page 2, line 5, *insert* “Cast the first” before “Vote”; *replace* “V” with “v”, making it “vote”; and *delete* “only in the case of a tie”.
6. On page 2, line 6, *insert* “; such vote shall only be counted in the case of a tie amongst city councilors” after “body,”.
7. On page 3, line 18, *replace* “only allow” with “require”.
8. On page 3, line 19, *insert* “first for matters that come before the governing body and limit counting the Mayor’s vote to situations the vote is needed” after “vote”.
9. On page 3, lines 19-20, *delete* “for matters that come before the governing body”.
10. On page 4, line 2, *insert* “Cast the first” before “Vote”; *replace* “V” with “v”, making it “vote”; and *delete* “only in the case of a tie”.
11. On page 4, line 3, *insert* “and to limit counting the Mayor’s vote to situations the vote is needed to break a tie amongst city councilors” after “governing body”.

This amendment WILL change the caption. X

This amendment WILL NOT change the caption.

Respectfully submitted,

Jamie Cassutt

Jamie Cassutt (Aug 13, 2025 20:05:16 MDT)

Jamie Cassutt, Councilor

S Lindell

Signe Lindell (Aug 13, 2025 20:14:46 MDT)

Signe Lindell, Councilor

Approved as to Form:

Erin McSherry

Erin McSherry (Aug 13, 2025 20:00:08 MDT)

Erin K. McSherry, City Attorney

ADOPTED: _____

NOT ADOPTED: Governing Body

DATE: 08/13/2025

ANDRÉA SALAZAR, City Clerk

2025-52 (R) Charter Amendment - Mayoral Voting Powers

Interim Agreement Report

2025-08-18

Created:	2025-08-14
By:	CHRISTINE SPIERS (cmspiers@santafenm.gov)
Status:	Out for Signature
Transaction ID:	CBJCHBCAABAALsh2EBAkGSdoK1aZljp4T-AmUMziksdC

Agreement History

Agreement history is the list of the events that have impacted the status of the agreement prior to the final signature. A final audit report will be generated when the agreement is complete.

"2025-52 (R) Charter Amendment - Mayoral Voting Powers" History

-  Document created by CHRISTINE SPIERS (cmspiers@santafenm.gov)
2025-08-14 - 5:41:07 PM GMT- IP address: 63.232.20.2
-  Document emailed to Erin McSherry (ekmcsherry@santafenm.gov) for signature
2025-08-14 - 5:42:26 PM GMT
-  Restricted visibility Email viewed by Erin McSherry (ekmcsherry@santafenm.gov)
2025-08-14 - 5:42:38 PM GMT- IP address: 20.159.64.152
-  Restricted visibility Email viewed by Erin McSherry (ekmcsherry@santafenm.gov)
2025-08-18 - 5:48:50 PM GMT- IP address: 104.47.65.254
-  Restricted visibility Document e-signed by Erin McSherry (ekmcsherry@santafenm.gov)
Signature Date: 2025-08-18 - 5:51:37 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Document emailed to Alan Webber (amwebber@santafenm.gov) for signature
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2025-08-18 - 5:56:23 PM GMT- IP address: 104.28.111.171
-  Document e-signed by Alan Webber (amwebber@santafenm.gov)
Signature Date: 2025-08-18 - 5:56:32 PM GMT - Time Source: server- IP address: 63.232.20.2

 Document emailed to GERALYN CARDENAS (gfcardenas@santafenm.gov) for signature

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2025-08-18 - 6:36:19 PM GMT- IP address: 104.47.64.254