

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

2 **RESOLUTION NO. 2025-59**

3 **INTRODUCED BY:**

4
5 Councilor Jamie Cassutt

6 Councilor Pilar Faulkner

7 Councilor Alma Castro

8
9
10 **A RESOLUTION**

11 **CONVENING A CHARTER REVIEW COMMISSION NO LATER THAN APRIL OF 2026**
12 **TO CONSIDER MAYOR AND CITY COUNCILOR POWERS.**

13 **WHEREAS**, the voters of the city of Santa Fe adopted the City of Santa Fe’s Municipal
14 Charter (“Chater”), at a special municipal election held on December 9, 1997; and

15 **WHEREAS**, the Charter states that it may be “amended or repealed as provided by law”
16 and NMSA 1978, Section 3-15-16, provides that the governing body of a home rule municipality
17 may amend its Charter by submitting a proposal to the qualified electors; and

18 **WHEREAS**, the voters of the City of Santa Fe (“City”) amended the Charter in elections
19 in 2008, 2014, 2018, and 2023; and

20 **WHEREAS**, Section 10.01 of the Charter calls for the Governing Body to appoint a charter
21 review commission (“Commission”) “as needed, but not less frequently than every ten years”; and

22 **WHEREAS**, a Commission may review and recommend to the Governing Body the
23 adoption of ballot questions regarding proposed Charter amendments for the electorate of the city
24 of Santa Fe to consider; and

25 **WHEREAS**, it is important that members of the Commission be residents of the city of

1 Santa Fe; that, to the extent possible, they have either an interest, knowledge, or training in local
2 government or law or a personal knowledge of the government of the City of Santa Fe; and that
3 they represent a variety of backgrounds and perspectives; and

4 **WHEREAS**, the 2023 Charter Commission Report included a recommendation to
5 “provide for a separation of powers between the executive and the legislative branches of City
6 government” and to “[c]reate a new Article V to replace current Articles V-VIII, entitled
7 GOVERNANCE with these sections: The Legislative Branch, [and] The Executive Branch”, and
8 the Governing Body wishes to renew the conversation on the topic; and

9 **WHEREAS**, the 2023 Charter Commission Report states that there was a “short period
10 of time” to make recommendations; and

11 **WHEREAS**, a resolution about the commission’s recommendation to “provide for a
12 separation of powers” was item 9g at the Special Governing Body meeting on Tuesday, August 22,
13 2023, and the Resolution that described the recommendation noted that the Charter Commission’s
14 recommendation presented changes that required “additional time for review and consideration”;
15 and

16 **WHEREAS**, the Governing Body wishes to dedicate additional time to the topic of
17 separation of powers, and to consider a balance of powers, by convening a Commission to review
18 the separation and balance of powers between the mayor and city councilors.

19 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
20 **CITY OF SANTA FE** that a Charter Review Commission shall be convened consistent with
21 Section 10.1 of the City’s Charter, including the following parameters:

22 **Section 1. NAME:** The commission shall be called the Charter Review Commission
23 (“Commission”).

24 **Section 2. PURPOSE:** The purpose of the Commission is to review the City’s
25 Charter and determine whether to recommend changes to Charter modify the Mayor’s and the City

1 Councilors' powers and duties.

2 **Section 3. DUTIES AND RESPONSIBILITIES:** The Commission shall review the
3 Mayor's and Councilors' duties and powers established in the Charter any amendments proposed
4 by members of the Governing Body and the public on those topics, focusing on separation of
5 powers and balance of powers between the mayor and city councilors. The Commission shall
6 complete its review and prepare a report of the Commission's recommendations regarding
7 proposed Charter amendments no later than April 1, 2027, such that the Governing Body may
8 consider and adopt the recommendations for consideration during the November 2027 election.
9 After receiving the report, the Governing Body shall consider the proposals and vote on resolutions
10 regarding placing the proposed amendments on the ballot for vote by its electorate. The
11 Commission recommendations shall include, but not be limited to, the powers and duties of the
12 mayor and city councilors, including the following:

- 13 A. Whether there should be separation of powers or balance of powers as between the
14 mayor and city councilors;
- 15 B. Whether the City's mayor should have a purely executive role, rather than both a
16 legislative and executive role and, if so, what new powers and limitations should
17 be adopted along with such a separation of powers;
- 18 C. Whether the mayor, city manager, or the city councilors should propose the City
19 budget and what should be required in the budget's development;
- 20 D. Whether the City should adopt a strategic plan, and, if so, who should put it forward
21 for review, and how often should it be updated;
- 22 E. Whether a city councilor who is running for mayor should be required to give up
23 their city council seat; How to fill vacant council seats; and
- 24 F. Who has the power to appoint, dismiss, and supervise the city manager, city
25 attorney, and city clerk.

1 **Section 4. MEMBERSHIP; OFFICERS; TERM:**

2 **MEMBERSHIP:** As is consistent with Section 10.01 of the Charter, the Commission
3 “shall consist of nine members, one selected by each member of the governing body.” The
4 appointees shall be residents of the city of Santa Fe, and, to the extent possible, either have an
5 interest, knowledge, or training in local government or law or have personal knowledge of the City
6 government.

7 **OFFICERS:** The commissioners shall elect one member to be their chair and one member
8 to be vice-chair.

9 **TERM:** The members of the Governing Body shall appoint commissioners no later than
10 April 1, 2026, and the commissioners shall conclude their term by April 1, 2027.

11 **Section 5. ABSENCES:** Failure to attend three consecutive regular meetings or
12 thirty-three percent (33%) or more of the Commission’s regular meetings shall constitute an
13 automatic tender of resignation by such member, which the Governing Body may accept or reject
14 at its discretion.

15 **Section 6. VACANCIES:** Vacancies on the Commission shall be filled by the
16 member of the Governing Body who appointed the commissioner who held the vacated position.

17 **Section 7. MEETINGS; DURATION; QUORUM:** The Commission shall meet at
18 least once per month, in accordance with the Open Meetings Act and any other applicable City
19 policies and procedures and “hall hold no less than two meetings in each of the city’s council
20 districts, for the purpose of taking input from the public.

21 **Section 8. STAFF LIAISON:** The City Manager shall identify no fewer than two employees
22 to work alongside the City Attorney or City Attorney’s designee to assist the Commission to
23 perform research and drafting functions for the commission.

24 **BE IT FURTHER RESOLVED** that the City shall advertise the creation of the
25 Commission and its functions on a dedicated page of the City’s web site, and the page shall allow

1 for the public to submit proposed amendments.

2 **BE IT FURTHER RESOLVED** that as is consistent with Section 10.01 of the Charter,
3 the “governing body shall consider and vote upon proposing the commission’s recommended ballot
4 questions.”

5
6 PASSED, APPROVED, and ADOPTED this 24th day of September, 2025.

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9 
10 Alan Webber (Sep 28, 2025 14:20:03 MDT)
11 ALAN WEBBER, MAYOR

12 ATTEST:

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14 
15 ANDREA SALAZAR (Sep 25, 2025 09:23:32 MDT)

16 ANDRÉA SALAZAR, CITY CLERK

17 APPROVED AS TO FORM:

18 
19 Erin McSherry (Sep 26, 2025 18:28:13 MDT)

20 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2025/Resolutions/ 2025-59 (R)/Call for Charter Review Committee to Review Mayor & Councilor powers*

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CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2025-__
Call for Charter Review Commission

Mayor and Members of the City Council:

In relation to Resolution No. 2025-__.

This amendment WILL change the caption. X

This amendment WILL NOT change the caption.

I intend to propose the following amendment(s),

CITY OF SANTA FE, NEW MEXICO
RESOLUTION NO. 2025-__
INTRODUCED BY:

- Councilor Jamie Cassutt
- Councilor Pilar Faulkner
- Councilor Alma Castro

RED – AMENDMENT A – Councilor Michael Garcia

A RESOLUTION
CONVENING A CHARTER REVIEW COMMISSION NO LATER THAN APRIL OF 2026
TO CONSIDER MAYOR AND CITY COUNCILOR POWERS **AND THE USE OF**

1 **RANKED CHOICE VOTING.**

2
3 **WHEREAS**, the voters of the city of Santa Fe adopted the City of Santa Fe’s Municipal
4 Charter (“Chater”), at a special municipal election held on December 9, 1997; and

5 **WHEREAS**, the Charter states that it may be “amended or repealed as provided by law”
6 and NMSA 1978, Section 3-15-16, provides that the governing body of a home rule municipality
7 may amend its Charter by submitting a proposal to the qualified electors; and

8 **WHEREAS**, the voters of the City of Santa Fe (“City”) amended the Charter in elections
9 in 2008, 2014, 2018, and 2023; and

10 **WHEREAS**, Section 10.01 of the Charter calls for the Governing Body to appoint a charter
11 review commission (“Commission”) “as needed, but not less frequently than every ten years”; and

12 **WHEREAS**, a Commission may review and recommend to the Governing Body the
13 adoption of ballot questions regarding proposed Charter amendments for the electorate of the city
14 of Santa Fe to consider; and

15 **WHEREAS**, it is important that members of the Commission be residents of the city of
16 Santa Fe; that, to the extent possible, they have either an interest, knowledge, or training in local
17 government or law or a personal knowledge of the government of the City of Santa Fe; and that
18 they represent a variety of backgrounds and perspectives; and

19 **WHEREAS**, Section 10.01 of the Charter addresses community engagement during a
20 Charter review stating that “[t]he creation of the commission and its function shall be advertised
21 on a separate page of the city’s web site and the page shall allow for the public to submit
22 proposed amendments. The commission shall hold no less than two meetings in each of the city’s
23 council districts, for the purpose of taking input from the public.”; and

24 **WHEREAS**, the Governing Body recognizes that meaningful community engagement is
25 fundamental to ensuring that the City’s Charter reflects the values, priorities, and voices of Santa

1 Feans; and

2 **WHEREAS**, the 2023 Charter Commission Report included a recommendation to
3 “provide for a separation of powers between the executive and the legislative branches of City
4 government” and to “[c]reate a new Article V to replace current Articles V-VIII, entitled
5 GOVERNANCE with these sections: The Legislative Branch, [and] The Executive Branch”, and
6 the Governing Body wishes to renew the conversation on the topic; and

7 **WHEREAS**, the 2023 Charter Commission Report states that there was a “short period
8 of time” to make recommendations; and

9 **WHEREAS**, a resolution about the commission’s recommendation to “provide for a
10 separation of powers” was item 9g at the Special Governing Body meeting on Tuesday, August 22,
11 2023, and the Resolution that described the recommendation noted that the Charter Commission’s
12 recommendation presented changes that required “additional time for review and consideration”;
13 and

14 **WHEREAS**, the voters of the City approved ranked choice voting during the 2008,
15 Regular Municipal Election and the City implemented ranked choice voting beginning with the
16 Regular Municipal Election on March 6, 2018; and

17 **WHEREAS**, Section 4.06 of the Charter outlines the ranked choice voting system stating
18 “...the mayor, city councilors and municipal judge shall be elected using a ranked choice
19 (sometimes called instant runoff) voting system allowing voters to rank in order of their preference
20 the candidates for each office appearing on the ballot.”; and

21 **WHEREAS**, the Governing Body seeks the Commission’s review and evaluation of the
22 ranked choice voting system to ensure it continues to serve the best interest of voters and to support
23 fair and representative elections; and

24 **WHEREAS**, the Governing Body wishes to dedicate additional time to the topic of
25 separation of powers, and to consider a balance of powers as well as review the use of ranked choice

1 **voting**, by convening a Commission to review the separation and balance of powers between the
2 mayor and city councilors **and the ranked choice voting system.**

3 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that a Charter Review Commission shall be convened consistent with
5 Section 10.1 of the City’s Charter, including the following parameters:

6 **Section 1. NAME:** The commission shall be called the Charter Review Commission
7 (“Commission”).

8 **Section 2. PURPOSE:** The purpose of the Commission is to review the City’s
9 Charter and determine whether to recommend changes to **the Charter to** modify the Mayor’s and
10 the City Councilors’ powers and duties **as well as whether to recommend changes to the ranked**
11 **choice voting system.**

12 **Section 3. DUTIES AND RESPONSIBILITIES:** The Commission shall review the
13 Mayor’s and Councilors’ duties and powers **as well as the ranked choice voting system** established
14 in the Charter **and** any amendments proposed by members of the Governing Body and the public
15 on those topics, focusing on separation of powers and balance of powers between the mayor and
16 city councilors and **the ranked choice voting system.** The Commission shall complete its review
17 and prepare a report of the Commission’s recommendations regarding proposed Charter
18 amendments no later than April 1, 2027, such that the Governing Body may consider and adopt the
19 recommendations for consideration during the November 2027 election. After receiving the report,
20 the Governing Body shall consider the proposals and vote on resolutions regarding placing the
21 proposed amendments on the ballot for vote by its electorate. The Commission recommendations
22 shall include, but not be limited to, the powers and duties of the mayor and city councilors and **the**
23 **ranked choice voting system**, including the following:

- 24 A. Whether there should be separation of powers or balance of powers as between the
25 mayor and city councilors;

- 1 B. Whether the City’s mayor should have a purely executive role, rather than both a
2 legislative and executive role and, if so, what new powers and limitations should
3 be adopted along with such a separation of powers;
- 4 C. Whether the mayor, city manager, or the city councilors should propose the City
5 budget and what should be required in the budget’s development;
- 6 D. Whether the City should adopt a strategic plan, and, if so, who should put it forward
7 for review, and how often should it be updated;
- 8 E. Whether a city councilor who is running for mayor should be required to give up
9 their city council seat; How to fill vacant council seats; ~~and~~
- 10 F. Who has the power to appoint, dismiss, and supervise the city manager, city
11 attorney, and city clerk-; ~~and~~
- 12 G. Whether ranked choice voting continues to serve the best interest of voters and
13 whether it supports fair and representative elections.

14 **Section 4. MEMBERSHIP; OFFICERS; TERM:**

15 **MEMBERSHIP:** As is consistent with Section 10.01 of the Charter, the Commission
16 “shall consist of nine members, one selected by each member of the governing body.” The
17 appointees shall be residents of the city of Santa Fe, and, to the extent possible, either have an
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4 member of the Governing Body who appointed the commissioner who held the vacated position.

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6 least once per month, in accordance with the Open Meetings Act and any other applicable City
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8 districts, for the purpose of taking input from the public.

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13 Commission and its functions on a dedicated page of the City’s web site, and the page shall allow
14 for the public to submit proposed amendments.

15 **BE IT FURTHER RESOLVED** that as is consistent with Section 10.01 of the Charter,
16 the “governing body shall consider and vote upon proposing the commission’s recommended ballot
17 questions.”

18 Respectfully submitted,

19
20  _____

21 Michael Garcia, Councilor

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23 
24 Pilar Faulkner (Sep 24, 2025 14:24:02 MDT)
25 Pilar Faulkner, Councilor

1 Amendment approved as to Form:

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4 _____
Erin K. McSherry, City Attorney

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8 ADOPTED: _____

9 NOT ADOPTED: _____X_____

10 DATE: Governing Body 09/24/2025

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ANDREA SALAZAR (Sep 24, 2025 09:23:32 MDT)
ANDRÉA SALAZAR, City Clerk

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Legislation/2025/ Amendment A/ Call for Charter Review Committee to Review Mayor and City Councilor Powers