

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

2 **RESOLUTION NO. 2022-40**

3 **INTRODUCED BY:**

4
5 Mayor Alan Webber

6 Councilor Signe Lindell

7 Councilor Jamie Cassutt

8 Councilor Romero-Wirth

9
10 **A RESOLUTION**

11 **ESTABLISHING THE MANNER OF APPOINTING A CHARTER REVIEW**
12 **COMMISSION IN 2022 AND IDENTIFYING CERTAIN TOPICS FOR THE**
13 **COMMISSION’S CONSIDERATION.**

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

17 **WHEREAS**, the voters of the City have amended the Charter in elections in 2008, 2014,
18 and 2018; and

19 **WHEREAS**, pursuant to NMSA 1978, Section 3-15-16, the Charter “may be
20 amended...by a proposal submitted by the governing body of the municipality to the qualified
21 electors”; and

22 **WHEREAS**, Section 10.01 of the Charter calls for a charter review commission
23 (“Commission”) to be appointed as needed, but not less frequently than every ten years; and

24 **WHEREAS**, Section 10.01 also calls for the Governing Body, by resolution, to determine
25 the manner of appointment of the commission, provided that there shall be an odd number of

1 commissioners; and

2 **WHEREAS**, the manner of appointment of the last Commission was established by
3 Resolution No. 2012-45 on April 25, 2012, and was appointed in October and November of 2012;
4 and

5 **WHEREAS**, the last Commission completed its work on July 17, 2013, when the
6 Governing Body approved certain recommendations from the Commission; and

7 **WHEREAS**, certain amendments recommended by the Commission in 2013 were adopted
8 in the March 2014 Regular Municipal Election, including the power of the Mayor to appoint, “with
9 the consent of the Governing Body, the city manager, city attorney, city clerk, and members of
10 advisory commissions”; and

11 **WHEREAS**, a Commission may review and recommend to the Governing Body the
12 adoption of proposed Charter amendments for the ballot for approval by the electorate of the city
13 of Santa Fe; and

14 **WHEREAS**, the New Mexico Court of Appeals determined that the New Mexico
15 Constitution must be amended before municipalities may enforce term limits on elected officials;
16 and

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

21 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
22 **CITY OF SANTA FE** that a Charter Review Commission is established.

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

25 **Section 2. PURPOSE:** The purpose of the Commission shall be to review the Santa

1 Fe Municipal Charter (“Charter”) and make recommendations to the Governing Body regarding
2 proposed amendments to the Charter.

3 **Section 3. DUTIES AND RESPONSIBILITIES:** The Commission shall review the
4 Charter for possible amendments as well as review amendments proposed by members of the
5 Governing Body and the public. The Commission shall complete its review and prepare a report of
6 the Commission’s recommendations regarding proposed Charter amendments no later than May
7 10, 2023, such that the Governing Body may consider and adopt some of the recommendations for
8 consideration during the November 2023 election. After receiving the report, the Governing Body
9 may adopt resolutions regarding proposed amendments to the charter for vote by its electorate.
10 Topics about which the Commission shall make recommendations shall include, but not be limited
11 to, the following:

- 12 A. The appropriate number of city council districts;
- 13 B. The appropriate number of city councilors per district;
- 14 C. Whether the City should have an “at large” council member;
- 15 D. Whether the City’s Mayor should have a more purely executive role, rather
16 than both legislative and executive roles and, if so, what new rights and
17 limitations should be adopted along with such a separation of powers;
- 18 E. Whether councilors should be full-time;
- 19 F. Whether the roles of the mayor, councilors, and city manager should be
20 better defined and, if so, how;
- 21 G. Whether a city councilor who has lost a campaign for mayor may remain
22 in office after the inauguration of a new mayor;
- 23 H. Whether, if an amendment to the New Mexico Constitution allowing term
24 limits for city officials were approved, the City’s Charter should include
25 such a limitation;

1 I. Whether the Human and Civil Rights policy statement should be more
2 specific with regards to breadth of required protections and/or the manner
3 in which such rights should be protected; and

4 J. Ideas suggested by the commissioners and members of the community.

5 **Section 4. MEMBERSHIP; OFFICERS; TERM:** Each city councilor shall
6 nominate three residents from the councilor's respective district as candidates for membership on
7 the Commission. By September 2, 2022, the nominees shall fill out an application for appointment,
8 identifying their voting district, interest in the process, and any personal characteristics they are
9 interested in sharing. From the city councilors' nominees, the Mayor shall appoint nine members,
10 one from each councilor's nominated candidates and one at-large nominee, including a chair and a
11 vice chair, for approval by the Governing Body by October 12, 2022. The appointments shall, to
12 the extent possible, either have an interest, knowledge, or training in local government or law or
13 have personal knowledge of the government of the City of Santa Fe; and they shall represent a
14 variety of backgrounds and perspectives. The members shall serve until they complete their duties
15 and responsibilities as set forth above.

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

19 **Section 6. VACANCIES:** Vacancies on the Commission shall be filled by
20 councilors' nominees who were not initially appointed. Members shall serve without
21 compensation.

22 **Section 7. MEETINGS; DURATION; QUORUM:** The Commission shall meet at
23 least once per month and in accordance with the Open Meetings Act and any other applicable City
24 policies and procedures.

25 **Section 7. STAFF LIAISON:** The City Attorney and/or the City Attorney's

1 designee(s) shall serve as a staff liaison(s) to the Commission.

2 PASSED, APPROVED, and ADOPTED this 27th day of July, 2022.

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5 
6 ALAN WEBBER, MAYOR

7 ATTEST:

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9 
10 KRISTINE MIHELIC, CITY CLERK

11 APPROVED AS TO FORM:

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13
14 ERIN K. MCSHERRY, CITY ATTORNEY

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25 *Legislation/2022/Resolutions/2022-40 Charter Commission Establishment*