CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2022-__

INTRODUCED BY:

Mayor Alan Webber
Councilor Signe Lindell
Councilor Jamie Cassutt
Councilor Romero-Wirth

A RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 2. PURPOSE: The purpose of the Commission shall be to review the Santa
Fe Municipal Charter ("Charter") and make recommendations to the Governing Body regarding proposed amendments to the Charter.

Section 3. **DUTIES AND RESPONSIBILITIES:** The Commission shall review the Charter for possible amendments as well as review amendments proposed by members of the Governing Body and the public. The Commission shall complete its review and prepare a report of the Commission’s recommendations regarding proposed Charter amendments no later than May 10, 2023, such that the Governing Body may consider and adopt some of the recommendations for consideration during the November 2023 election. After receiving the report, the Governing Body may adopt resolutions regarding proposed amendments to the charter for vote by its electorate.

Topics about which the Commission shall make recommendations shall include, but not be limited to, the following:

A. The appropriate number of city council districts;

B. The appropriate number of city councilors per district;

C. Whether the City should have an “at large” council member;

D. Whether the City’s Mayor should have a more purely executive role, rather than both legislative and executive roles and, if so, what new rights and limitations should be adopted along with such a separation of powers;

E. Whether councilors should be full-time;

F. Whether the roles of the mayor, councilors, and city manager should be better defined and, if so, how;

G. Whether a city councilor who has lost a campaign for mayor may remain in office after the inauguration of a new mayor;

H. Whether, if an amendment to the New Mexico Constitution allowing term limits for city officials were approved, the City’s Charter should include such a limitation;
I. Whether the Human and Civil Rights policy statement should be more specific with regards to breadth of required protections and/or the manner in which such rights should be protected; and

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

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

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

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

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

Section 7. STAFF LIAISON: The City Attorney and/or the City Attorney’s
designee(s) shall serve as a staff liaison(s) to the Commission.

PASSED, APPROVED, and ADOPTED this _____ day of __________, 2022.

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ALAN WEBBER, MAYOR

ATTEST:

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KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY