

**CITY OF LAS VEGAS, NEW MEXICO**  
**Ordinance No. 20-15**

**AN ORDINANCE TO AMEND** the Code of the City of Las Vegas by amending the Administration of Government code in Section 14-1 through 14-13. This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

**BE IT ENACTED** by the Governing Body of the City of Las Vegas as follows:

Section 1. The Code of the City of Las Vegas, Section 14-1 through 14-13 is hereby amended to read as follows:

Article I Mayor.

14-1 Qualifications; term. The chief executive officer of the City of Las Vegas (“City”) shall be the Mayor who shall be a qualified elector residing within the limits of the City and shall maintain residence within the City and be registered to vote within the City no later than ninety (90) days prior to the election in which he/she is running for mayor. The Mayor shall be elected for a four-year term, and shall be elected at-large. The Mayor shall remain in office until that Mayor’s successor is elected and has taken office or until a vacancy occurs, whichever comes first.

14-2 Duties. The Mayor shall be a member of the Governing Body entitled to cast a vote in the event of a tie among the city councilors. The mayor shall not be permitted to simultaneously serve as mayor and city council member. The mayor shall:

(A) Preside at meetings of the Governing Body;

(B) Be the chief executive officer of the City and shall exercise all administrative and executive powers, except to the extent that those powers are vested with the city manager;

(C) Listen to and build relationships with citizens to address the needs of the community;

(D) Propose programs and policies to the Governing Body;

(E) Appoint and remove, as provided in the City Charter and by applicable ordinance, and subject to the confirmation of the Governing Body, the city manager, city attorney, city clerk, chief of police, and all members of boards, commissions or advisory committees, including city representatives to outside regional, state or national boards, commissions or authorities;

(F) Represent the City in intergovernmental relationships including but not limited to representing the city on regional, state and national boards and committees as necessary, unless otherwise provided in the document creating a given intergovernmental relationship;

(G) Present an annual State of the City report to the City Council;

(H) Perform other duties and exercise such other powers as specified in the City Charter, the City's ordinances and resolutions, or by the Governing Body; and

(I) The mayor shall be recognized as head of the City government for ceremonial purposes, for purposes of responding to civil emergencies, and by the Governor for purposes of military law.

14-3 Compensation. Annual compensation for the mayor shall be the amount provided in the City Charter payable in equal monthly installments, with said compensation being for the attendance and participation in City Council meetings and the carrying out of the duties and obligations of the Governing Body. Benefits other than annual compensation may be provided by the City Council pursuant to state law. The Mayor may receive actual and necessary expenses incurred in the performance of the mayor's duties of office, subject to budgetary limitations and subject to any per diem and mileage limits as may be set by ordinance.

14-4 Mayor Pro Tem. The Governing Body of the City shall elect one of its members to serve as Mayor Pro Tem, who, in the absence of the Mayor, shall perform the duties of Mayor.

14-5 Vacancy. The Office of the Mayor shall become vacant upon the mayor's death, resignation, removal from office, forfeiture of office, moving of residence outside the City or for any other reason as authorized by the City Charter or the laws of the State of New Mexico, whichever comes first. The mayor shall be deemed to have automatically resigned from office if the mayor lacks, loses or otherwise fails to possess, during the entire term of office, the qualifications for the office prescribed by the City Charter or the laws or Constitution of the State of New Mexico. In the event of a vacancy in the of the position of Mayor, the filling of such vacancy shall be consistent with the City Charter.

## Article II City Council.

14-6. Council members; Districts; Vacancies.

(A) One City Council member shall be elected by the qualified electors in each of four City Council districts. A person shall be eligible and qualified to be a candidate for the Office of City Councilor, if that person meets all requirements of the Constitution and laws of the State of New Mexico and all requirements of the City Charter. Each City Council member shall be registered to vote in the district in which they reside and shall have established actual

residency within said district no later than 90 days prior to the date of declaration of candidacy for the election in which they are running.

(B) The city councilors shall each be elected for a term of four years, with two districts electing city councilors in each general municipal election, and the other two districts electing city councilors in the election that occurs two years thereafter, thereby creating staggered terms. Each city councilor shall remain in office until that person's successor is elected and has taken office.

(C) Annual compensation for each city councilor shall be the amount provided in the City Charter payable in equal monthly installments, with said compensation being for the attendance and participation in city council meetings and the carrying out of the duties and obligations of the Governing Body. Benefits other than annual compensation may be provided by the City Council pursuant to state law. The City Council members may receive their actual and necessary expenses incurred in the performance of their duties of office, subject to budgetary limitations and subject to any per diem and mileage limits as may be set by ordinance.

(D) The Office of Councilor shall become vacant upon the councilor's death, resignation, removal from office, forfeiture of office, moving of residence outside the district from which elected or for any other reason as authorized by the City Charter or the laws of the State of New Mexico, whichever comes first. Any city councilor shall be deemed to have automatically resigned from office if the city councilor lacks, loses or otherwise fails to possess, during the entire term of office, the qualifications for the office prescribed by the City Charter or the laws or Constitution of the State of New Mexico.

(E) In the event of the vacancy of any city counselor position, the filling of such vacancy shall be consistent with the City Charter.

(F) Following each decennial census, the Governing Body shall prepare a plan to be adopted by ordinance dividing the City into four geographic election districts for the purpose of providing for the election of City Council members. In preparing the plan, the Governing Body shall be guided by the criteria set forth in this section, and the appointment of a committee, along with other applicable requirements of law. The committee shall be composed of an equal number of representatives from each district, none of which shall be elected city officers, to review and make recommendations to the Governing Body concerning the redistricting of the four City Council districts. The plan shall include a map and description of the City's new election districts. Redistricting shall be done by block, and no redistricting shall be done that breaks a block. The Governing Body may employ a redistricting consultant to aid the committee.

(G) The Governing Body shall complete its redistricting work so that new election districts are utilized at the first regular municipal election following the completion of the decennial census, provided that sufficient time exists to comply with the election provisions of the City Charter and state law. In the event that annexation occurs that increases the voter population of a district more than 25 percent, and the time prior to the next decennial census exceeds 3 years, the Governing Body shall appoint a redistricting committee, and order a new redistricting to balance the City Council districts.

(H) In preparation of its plan dividing the City into districts for the election of City Council members, the Governing Body shall apply the following criteria:

- (1) Districts shall be designed in conformity with the Federal Voting Rights Act and in conformity with the principle of “one person - one vote” as required by law;
- (2) Districts shall consist of contiguous territory which shall be compact and convenient; and
- (3) Communities of interest, including those based on economic or geographic characteristics shall be preserved within a single district to the extent reasonable and practical.

(I) The location and boundaries of the four districts shall be shown and delineated on the Official District Map for the City, which shall, after adoption, be incorporated herein by reference. The Official District Map shall be identified by the signature of the Mayor attested to by the City Clerk, and bearing the seal of the City under the following words: “This is to certify that this is the Official District Map referred to in section 14-6 of the Las Vegas City Code.”

(J) The corporate authority of the City shall be vested in the Governing Body, which shall consist of four city councilors, who shall comprise the City Council and the mayor who shall be the presiding officer of the Governing Body. All powers of the City shall be vested in the Governing Body, except as otherwise provided by law or the City Charter, and the Governing Body shall provide for the exercise thereof. The legislative power of the City shall be vested in the Governing Body.

14-7 Meetings. The Governing Body shall meet as many times as provided in the City Charter, and at such times and places as the Governing Body may prescribe by ordinance. Special meetings may be held on the call of the mayor or of three or more members of the City Council. Notice of meetings shall be given as provided in a resolution to be adopted by the Governing Body pursuant to the New Mexico Open Meetings Act. Except as allowed by the New Mexico Open Meetings Act, all meetings of a quorum of the Governing Body shall be open. The Governing Body, by resolution, shall determine its own rules, decorum and order of

business, and shall cause minutes to be kept of its proceedings. The minutes shall be a public record.

(A) Three members of the Governing Body shall constitute a quorum, unless there are two or more vacancies on the Governing Body; in which case, a quorum shall be a majority of the members of the Governing Body excluding those offices which are vacant. A number less than a quorum may adjourn from time to time, and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Governing Body. Unless specifically provided for by resolution, Robert's Rules of Order shall control regarding the procedural rules for all meetings.

(B) Voting on resolutions and ordinances shall be by roll call and the votes of each member shall be recorded in the minutes.

14-8 Ordinances and Resolutions. The Governing Body shall establish by ordinance the manner in which ordinances are to be introduced and adopted, and such other requirements as the Governing Body deems appropriate. All ordinances shall be published once in a legal newspaper published within the City either in its entirety or by title and a general summary of the subject matter contained in the ordinance, whichever the Governing Body elects to do. Except as otherwise provided in the City Charter, every adopted ordinance shall become effective at the date of its adoption by the Governing Body, or at any later date specified therein. Resolutions shall be used in every case where an ordinance is not required. Resolutions shall be numbered consecutively giving first the calendar year, and shall bear a title which shall set forth in general terms its subject matter, shall contain a resolving clause, and shall bear the date, signature of the mayor and attesting officer, and the seal of the City. The City Clerk shall keep a permanent log book in which the original of each resolution considered, whether adopted or not, shall be kept.

14-9 Oath. All officers, elected or appointed to any City office, shall take an oath or affirmation to support the Constitution and laws of the United States, the Constitution and laws of the State of New Mexico, the City Charter, and to faithfully perform the duties of the office.

14-10 Conflict. If any of the provisions of this Chapter 14 are not consistent with the City Charter, then in such circumstances, the City Charter shall control, and such inconsistent provisions herein as may exist shall automatically be severed from this Chapter 14.

Section 2. Severability. The provisions of this ordinance are declared to be severable, and if any portion of this ordinance, for any reason, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

PASSED, ADOPTED and ENACTED this \_\_\_\_\_ day of November, 2020.

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Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

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Casandra Fresquez, City Clerk

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Scott Aaron, City Attorney