

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 25-33

A RESOLUTION

APPROVING PROPOSED CHARTER AMENDMENTS AND AUTHORIZING PLACEMENT OF BALLOT QUESTIONS ON THE BALLOT OF THE REGULAR LOCAL ELECTION FOR THE CITY OF LAS VEGAS IN THE COUNTY OF SAN MIGUEL ON NOVEMBER 4, 2025, FOR THE PURPOSE OF VOTING ON SUCH AMENDMENTS

QUESTION THREE

WHEREAS, the City of Las Vegas ("City") Governing Body appointed a Charter Commission ("Commission") to review the City Charter pursuant to Section 1.05 of the Charter;

WHEREAS, the Commission has finished their duties and submitted their suggested Charter amendments to the Governing Body;

WHEREAS, the City adopted Ordinance 22-03 opting in to the Regular Local Election;

WHEREAS, the Governing Body has considered said suggested Charter amendments;

WHEREAS, the Governing Body has requested the City's legal counsel draft the Governing Body's proposed Charter amendments;

WHEREAS, the Governing Body, in considering the Charter revisions, may approve, deny, modify, or remand any of the proposed amendments back to the City's legal counsel for further changes;

WHEREAS, each proposed amendment receiving approval by a majority vote of the Governing Body shall be submitted to the qualified voters of the City at the November 4, 2025, Regular Local Election;

WHEREAS, the Governing Body pursuant to NMSA 1-16-3(B) shall adopt a resolution authorizing placement of ballot questions for the Regular Local Election no later than sixty-seven days before the election.

WHEREAS, according to the Charter Commission's suggested amendments, the Commission recommends ten substantive amendments be placed on the ballot for the November 2025 election;

WHEREAS, specifically, the Commission's suggested amendments recommend that Sections 4.02 (A) and (B), 4.03, and 4.05 (A)(B) and (C) of the City of Las Vegas Municipal Charter be amended to read as follows:

ARTICLE IV. — MUNICIPAL COURT

Section 4.02. Qualifications.

The municipal judge and municipal judge candidates shall:

- A. Meet the qualifications required by Section 1-22-3(B), as amended, of the New Mexico Local Election Act~~Be a qualified elector of the City of Las Vegas, reside within the city limits, and be a registered voter within the city limits no later than ninety (90) days prior to the election.~~
- B. Shall be elected at-large within the City.
- C. Possess all of the aforementioned qualifications during the municipal judge's entire term of office.

Section 4.03. Term of Office and Compensation.

The term of Office of the Municipal Judge shall be for a period of four (4) years, commencing with the regular municipal election of November 2014~~2027~~. The municipal judge shall remain in office until the municipal judge's successor is elected and has taken office. The salary of the municipal judge shall be established by ordinance.

Section 4.05. Temporary Absence and Vacancy in Office.

- A. Recusal of judge. In the event that the Municipal Judge recuses himself/herself from presiding over any given case, or is excused by order of the district court, he/she shall notify the Mayor, who shall appoint a qualified person to serve as an alternate judge to preside over said case. The appointment shall not require Council approval.
- B. Temporary absence. In the event of temporary absence of the Municipal Judge or vacancy in the office of Municipal Judge, other than by recusal, the Mayor shall appoint a qualified person to act as temporary or alternate Municipal Judge, subject to confirmation by the Governing Body.
- C. Vacancy in Office.
 - (1) In the event the Municipal Judge dies, resigns, is no longer qualified to serve, or is removed from office, the Governing Body shall declare the office vacant.
 - (2) Within ~~thirty (30)~~forty-five (45) days of the vacancy, the Mayor shall appoint a qualified successor to fill the vacancy, subject to approval of the Council. The temporary Municipal Judge shall perform the functions of the office pending appointment and confirmation of a successor Municipal Judge.
 - (3) At the next regular local election following the vacancy, the office of the Municipal Judge shall be placed on the ballot either to fill the remaining two years left in the regular Municipal Judge term, or for a four year term if the next regular local election coincides with the regular Municipal Judge term. If the term of office will expire at the next regular Municipal Election, the person appointed to the office shall serve until said election.
 - (4) ~~If the term of office will not expire at the next regular Municipal Election, a Special Election shall be held concurrently with the next regular Municipal Election, or as soon thereafter as possible, to fill the remaining unexpired term~~

~~of office.~~

WHEREAS, the Governing Body wishes to submit the above-recommended amendments to the City's voters for approval;

WHEREAS, state law, Section 3-15-16 NMSA 1978, states that a home rule municipality may amend its Charter "by a proposal submitted to the governing body of the municipality to the qualified electors";

WHEREAS, resolution is the formal expression of the will of the Governing Body, and is used by the City to describe a proposed ballot questions and submit it to the electors;

WHEREAS, Section 1-16-3 NMSA 1978, requires the City to "file a resolution proposing the ballot question" with the county clerk, not less than seventy (70) days before the election at which the ballot question is proposed to be submitted to the voters.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS that the Governing Body hereby proposes to submit the following question on the ballot of the Regular Local Election on November 4, 2025:

MUNICIPAL COURT

Shall the City amend Article IV of the City of Las Vegas Municipal Charter to require that municipal judge and municipal judge candidates meet the qualifications required by the New Mexico Local Election Act, and be elected at-large within the City, to update the term of office to commence with the regular municipal election, and to specify the circumstances for vacancy appointment?

For ☐ Against ☐

BE IT FURTHER RESOLVED that the City Clerk shall present this ballot question to the Secretary of State no later than August 29, 2025.

BE IT FURTHER RESOLVED that, if the voters approve the above ballot question, then the following amendments shall be made to the City's Charter:

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- C. Possess all of the aforementioned qualifications during the municipal judge's entire term of office.

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PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF AUGUST, 2025.



DAVID ROMERO, MAYOR

ATTEST:


CASANDRA FRESQUEZ, CITY CLERK

APPROVED AS TO FORM:


GENO ZAMORA, ESQ., CITY'S LEGAL COUNSEL