

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 25-31

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 ONE

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 2.01, 2.03(A) and (B), 2.04(D), 2.05(C), (D), and (E), 2.07(A), (B), (D), (E), and (F) of the City of Las Vegas Municipal Charter be amended to read as follows:

ARTICLE II. — GOVERNING BODY

Section 2.01. Corporate Authority.

- A. The City shall be governed by a home-rule charter whereby the City's governing body shall consist of a Mayor and a City Council.
- B. The corporate authority of the City shall be vested in the Governing Body, which shall consist of ~~four (4)~~five (5) City Councilors, ~~four of whom~~who shall be elected ~~by from single-member districts and one of whom shall be elected by the City at large to represent all City residents, which~~and shall collectively comprise the City Council, and a Mayor who shall be the presiding officer of the Governing Body.

Section 2.03. Qualifications and Election of Councilors.

- A. Councilors ~~candidates and selected councilors shall meet the qualifications required by NMSA Section 1-22-3(B), as amended, of the New Mexico Local Election Act. shall be qualified electors of, and registered to vote in, the districts in which they reside and shall have established actual residency within said districts no later than ninety (90) days prior to the date of declaration of candidacy for the election in which they are running.~~
- B. One (1) Councilor shall be elected by the qualified electors in each of the City council districts. ~~Elected Councilors and candidates shall physically reside within the districts they represent.~~
- C. Councilors shall each be elected for terms of four (4) years, with two districts electing Councilors in each general municipal election, thereby allowing for staggered Council terms. At the general municipal election of March 2012, two (2) Councilors shall be elected for the two (2) positions whose terms expire at that election. The remaining two (2) Councilors shall continue to serve until the expiration of their terms and the election of Councilors in the March 2014 regular election. Thenceforth, in each general municipal election, two districts shall elect Councilors.
- D. Each Councilor, unless otherwise removed as provided for herein, shall remain in office until that person's successor is elected and has taken office.
- E. The council districts existing as of the effective date of this Charter shall remain in effect until modified as provided by law or by the terms of this Charter.

Section 2.04. Council Redistricting.

- A. The Governing Body shall be responsible for modifying the districts as necessary. After each Federal Census, the Governing Body shall appoint a committee composed of an equal number of representatives from each district, none of which shall be elective city officers, to review and make recommendations to the Governing Body concerning the four Council Districts to be reapportioned. Any recommended changes shall comply with constitutional principles governing voting rights, population and similar related concerns as determined by judicial decision from time to time. The Governing Body shall employ a consultant with

redistricting experience to work with the committee. The district boundaries may be altered as necessary to incorporate areas which are annexed into the City. Redistricting shall be done by block and no redistricting shall be done that breaks a block.

- B. 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 this Charter and of state law.
- C. In the event that annexation occurs that increases the voter population of a district more than twenty-five (25) percent, and the time prior to the next Federal Census exceeds three (3) years, the Governing Body shall follow the appointment procedure identified herein, appoint a redistricting committee, and order a new redistricting to balance the voter populations.
- ~~D. The redistricting provisions herein shall not be construed so as to create a vacancy in the office of a City Councilor. All incumbent City Councilors shall be entitled to serve out their terms, even if redistricting causes a City Councilor to reside outside the district which that City Councilor was elected to represent.~~

Section 2.05. Vacancy in Office.

- A. The office of a Councilor shall become vacant upon the Councilor's death, resignation, removal from office, forfeiture of office, termination of residence in the district from which elected or for any other reason as authorized by this Charter or the laws of the State of New Mexico.
- B. A Councilor shall be deemed to have automatically forfeited and resigned from office if the Councilor lacks, loses or otherwise fails to possess, during the entire term of office, the qualifications for the office prescribed by this Charter or the laws or Constitution of the State of New Mexico.
- C. Within forty-five (45) days of the vacancy, ~~The Mayor, with approval of the Council, shall within fifteen (15) days of the vacancy~~ appoint a qualified elector from the district to fill the vacancy and who will serve until the next regular municipal election. Any person appointed pursuant to this paragraph shall meet the qualification as required by Section 1-22-3(B), as amended, of the New Mexico Local Election Act. ~~If the office is not filled within forty five (45) days of the vacancy, a special election shall be called to fill the vacancy for the remaining term of office.~~
- D. At the next regular local election following the vacancy, the Councilor position shall be placed on the ballot either to fill the remaining two years left in the regular Councilor position term, or for a four year term if the next regular local election coincides with the regular Councilor position term. ~~If the Councilor's term of office has not expired at the next regular municipal election following the vacancy, then a special election for the remaining term of office of the Councilor shall be held concurrently with the next regular municipal election, or as soon thereafter as legally possible.~~

~~E. At such a special election, only qualified electors residing in the City Council district of the vacancy shall be entitled to vote. The person elected shall serve the remaining unexpired term of office.~~

Section 2.06. Compensation.

Annual compensation for the Mayor shall be ten thousand dollars (\$10,000.00) and for each Councilor ten thousand dollars (\$10,000.00), payable in monthly installments. Benefits may be provided by the Council as provided for by state law. An elected official who is a retired member of the New Mexico Public Employee Retirement Association (PERA) shall be subject to the statutes and rules of PERA, as may be amended from time to time, governing contributions to the official's PERA retirement account by the City and by the elected official.

Section 2.07. Governing Body Procedures.

- A. **Organizational Meeting.** The Governing Body, at the first regular meeting on or after the first day of January following a municipal election, shall convene for the purpose of organizing, ~~reviewing the mission and vision statement, reviewing the top ten priorities of the previously elected Governing Body,~~ and confirming the appointment of the city manager and the appointed officers, and may include reviewing the mission and vision statement and reviewing the top ten priorities of the previously elected Governing Body.
- B. **Meetings.** The Governing Body shall meet regularly at least twice in every month at such times and places as it may prescribe by ordinance. Special meetings may be held on the call of the mayor or of ~~three (3) or more~~ the number of councilors equal to one less than a quorum of the members of the ~~Governing Body Council.~~ Notice of meetings shall be given as provided in a resolution to be adopted by the Governing Body each year pursuant to the New Mexico Open Meetings Act. Except as provided by the New Mexico Open Meetings Act, all meetings of a quorum of the Governing Body shall be open to the public.
- C. **Rules and Minutes.** The Governing Body shall determine its own rules and order of business and shall cause minutes to be kept of its proceedings.
- D. **Roll Call Votes.** Voting on resolutions and ordinances shall be by roll call and the votes of each member shall be recorded in the minutes. If a Governing Body member is attending remotely, all votes during such remote attendance shall be made by roll call and the votes of each member shall be recorded in the minutes.
- E. **Voting.** All actions and decisions of the Governing Body shall be by a simple majority of the members present with the Mayor voting only in instances of a tie, except as follows:
 - (1) Ordinances and resolutions, which shall be enacted by affirmative vote of a majority of all of the members of the Governing Body, with the Mayor voting only in instances of a tie; and
 - (2) Any other matter required under this Charter or the Constitution or laws of the State of New Mexico to be enacted by a vote other than a majority of

the members present, with the Mayor voting only in instances of a tie unless otherwise specifically designated.

- F. **Quorum.** ~~Three members~~ A majority of the total number of members of the Governing Body shall constitute a quorum, provided, that if two or more vacancies exist on the Governing Body, then a quorum shall be a majority of the members of the Governing Body excluding the vacant offices. A number less than a quorum may, for the purpose of obtaining a quorum, compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Governing Body.

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:

GOVERNING BODY

Shall the City amend Article II of the City of Las Vegas Municipal Charter to require that the City Council consist of four members elected from four single-member districts; to specify appointment qualifications and election procedures; and to remove outdated redistricting principles and requirements that do not comply with the New Mexico Local Election Act?

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:

ARTICLE II. — GOVERNING BODY

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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