

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 25-35

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 FIVE

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 6.01 (A) and (G), and 6.08 of the City of Las Vegas Municipal Charter be amended to read as follows:

ARTICLE VI. — BOARDS, COMMISSIONS AND ADVISORY COMMITTEES

6.01. General Provisions Governing Boards and Commissions.

- A. **Creation.** In addition to those permanent boards and commissions established by this Charter, the Governing Body may, by ordinance, establish such boards and commissions of duration greater than one (1) year with such powers, purpose, scope and authority as is deemed appropriate by the Governing Body. The Governing Body may also, by ordinance, establish committees composed solely of members of the Governing Body.
- B. **Appointment.** Except as otherwise provided in this Charter, the Mayor shall appoint all members of boards and commissions, subject to approval by the Council.
- C. **Residency and District Representation.** Regular members of boards and commissions shall be residents of the City except as otherwise provided herein. Each board and commission shall have one (1) member appointed from each Council district. Should the member move out of the district during his term, the member shall be automatically removed from office and the position shall be considered vacant. Other members of the board or commission may be appointed at-large from within the city limits, provided, that the Governing Body shall endeavor to achieve equal representation among districts. Non-residents may be considered for the at-large positions if so provided by ordinance. The Mayor shall appoint a replacement member to any board or commission within twenty (20) days of notification to the Governing Body of a vacancy.
- D. **Terms.** Terms of office for regular members of boards and commissions shall be four (4) years, staggered as provided herein. At the first meeting of each board and commission following the effective date of this Charter, each such body shall determine by lot which of its members shall serve for two (2) years and which shall serve for four (4) years, with the two categories achieving equal numbers as nearly as possible. Thereafter, the Mayor shall make appointments every two (2) years, subject to Council approval as provided herein, for the positions whose terms have expired.
- E. **Effect of Re-Districting.** No vacancy in the office of any member of any board or commission shall be caused by redistricting of City Council election districts. All members of a board or commission shall be entitled to serve out their terms, unless otherwise removed pursuant to the terms of this Charter, even if redistricting causes the number of members to exceed the proportional-representation limitations of this Charter.
- F. **Ex-Officio Members.** No member of the Governing Body, nor any appointed official or employee, shall serve on any board or commission except as a non-voting ex-officio member. The Governing Body may only provide for such ex-officio members by ordinance ~~as it deems appropriate.~~
- G. **Removal.** Except as otherwise provided by ordinance, regular members of boards and commissions serve at the pleasure of the Governing Body and may be removed by the Mayor or by another member of the Governing Body by a majority vote of the total number of members of the Governing Body, with the Mayor voting only in the instance of a tie by the Mayor with approval of the Council, or by a majority of all of the members of the Council. A board or commission may recommend to

the Governing Body that it remove a member of that board or commission upon the occurrence of three (3) unexcused absences.

- H. **Quorum and Open Meetings.** A quorum of any board or commission shall be a simple majority of all appointed members. Each board and commission shall annually adopt a resolution requiring compliance with the provisions of the New Mexico Open Meetings Act.
- I. **Report to Council.** Each board and commission shall annually prepare and deliver a report of its activities and recommendations at a meeting of the Governing Body.

Section 6.08. Advisory Committees.

The Governing Body may establish advisory committees as it deems appropriate only by ordinance or resolution. The ordinance, or resolution ~~or motion~~ establishing any such committee shall provide for the manner of appointment, the powers, purpose, scope and authority of the committee, the termination of the committee, compliance with the New Mexico Open Meetings Act, and such other matters as deemed relevant by 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:

BOARDS, COMMISSIONS AND ADVISORY COMMITTEES

Shall the City amend Article VI of the City of Las Vegas Municipal Charter to permit the Governing Body, by ordinance, to establish committees composed solely of members of the Governing Body, to specify removal procedures for members of permanent boards and commissions, to require that advisory committees created by the Governing Body be created by ordinance or resolution, and to require advisory committees to comply with the New Mexico Open Meetings 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:

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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