

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 25-34

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 FOUR

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 5.01 (A)(D) and (E), 5.02, and 5.04 (A)(C)(D) and (E), 5.05(C) and (D), 5.06, 5.07(D) and (E) of the City of Las Vegas Municipal Charter be amended to read as follows:

ARTICLE V. — OFFICERS, DIRECTORS AND EMPLOYEES

Section 5.01. City Manager—Appointment and General Provisions.

- A. The Mayor shall submit to the Council a qualified candidate ~~provide a list of not less than two (2) qualified candidates~~ for the position of City Manager for ~~the Council to review and approval. The Council shall select a City Manager from the two candidates provided by the Mayor.~~ The Governing Body shall enter into a contract with the City Manager which shall establish, among other matters, compensation, benefits, duties and responsibilities for the City Manager.
- B. The City Manager shall be appointed solely on the basis of executive and administrative qualifications, and shall establish residency in San Miguel County within ninety (90) days of acceptance of the appointment.
- C. The City Manager, if not already certified by the International City Managers Association (ICMA), shall be working to achieve certification while in the employ of the City.
- D. The City Manager shall designate other employees of the City to perform the functions of the office as Acting City Manager during any absence of thirty (30) days or less. The Mayor shall appoint, subject to Council approval, an ~~a~~Acting City Manager for any absence exceeding thirty (30) days.
- E. If a vacancy occurs in the Office of City Manager, the Mayor may appoint an Interim City Manager, subject to Council approval, to perform the duties of City Manager until such time as the Mayor identifies and submits a qualified candidate for a permanent appointment in accordance with this section.

Section 5.02. City Manager; Removal.

The City Manager serves at the pleasure of the Governing Body, and may be suspended or removed without cause at any time as follows:

- A. ~~by the Mayor, subject to approval of the Council, or b~~By the Mayor or by another member of the Governing Body by a majority vote of the total number of all members of the Governing Body, with the Mayor voting only in the instance of a tie.

Section 5.04. City Attorney.

- A. ~~There shall be a~~The Mayor may appoint a City Attorney, subject to review and approval by a majority vote of the City Council, who shall be employed by the City and serve as chief legal advisor to the Governing Body, City Manager, and all City departments, offices and agencies, shall represent the City on legal proceedings, and shall perform any other duties prescribed by state law, by this Charter or by ordinance. The Governing Body shall ~~enter into a contract with the City Attorney which shall~~ establish, among other matters, compensation, benefits, duties and responsibilities. In addition, T~~he~~ Governing Body~~City~~ may contract for such other specialized legal services from outside legal counsel as it deems appropriate.
- B. The City Attorney shall be an attorney in good standing, qualified in the field of municipal law, licensed to practice law in the State of New Mexico, and shall

establish residence in San Miguel County within ninety (90) days of acceptance of appointment.

- ~~C. The Mayor shall provide a list of not less than two (2) qualified candidates for the position of City Attorney for the Council to review. The Council shall select a City Attorney from the two candidates provided by the Mayor.~~
- ~~D. The Governing Body shall enter into a contract with the City Attorney which shall establish, among other matters, compensation, benefits, duties and responsibilities.~~
- EC.** The City Attorney, whether contractual or employee, serves at the pleasure of the Governing Body and may be suspended or removed without cause at any time 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, subject to approval of the Council, or by a majority of all members of the Governing Body.

Section 5.05. City Clerk.

- A. There shall be a City Clerk who shall serve as clerk to the Governing Body.
- B. The City Clerk shall give notice of Governing Body meetings to its members and the public, keep the minutes of its proceedings, keep the official records of the City, cause appropriate public notices to be given, and perform such other duties as are assigned by this Charter, by the Governing Body or by law.
- C. The Mayor shall submit to the Council a qualified candidate for the position of City Clerk for Council review and approval. The Governing Body shall establish, among other matters, compensation, benefits, duties and responsibilities for the City Clerk.~~The Mayor shall provide a list of not less than two (2) qualified candidates for the position of City Clerk for the Council to review. The Council shall select a City Clerk from the two candidates provided by the Mayor. The Governing Body shall enter into a contract with the City Clerk which shall establish, among other matters, compensation, benefits, duties and responsibilities. The City Clerk shall establish residence in San Miguel County within ninety (90) days of acceptance of appointment.~~
- D. The City Clerk serves at the pleasure of the Governing Body and may be suspended or removed without cause at any time 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.~~The City Clerk serves at the pleasure of the Governing Body, and may be suspended or removed without cause at any time by the Mayor, subject to approval of the Council, or by the Governing Body by a majority of all members of the Governing Body.~~
- E. The City Clerk, if not already certified, must work toward being certified by the Institute of Municipal Clerks and have achieved or be working to achieve a certification as a Certified Municipal Clerk or attain that certification while in the employ of the City.

Section 5.06. Chief of Police.

- A. There shall be a Chief of Police who is a certified law enforcement officer.

- B. The Mayor shall submit to the Council a qualified candidate for the position of Chief of Police for Council review and approval. The Governing Body shall establish, among other matters, compensation, benefits, duties and responsibilities for the Chief of Police. The Mayor shall provide a list of not less than two (2) qualified candidates for the position of Chief of Police for the Council to review. The Council shall select a Chief of Police from the two candidates provided by the Mayor. The Governing Body shall enter into a contract with the Chief of Police which shall establish, among other matters, compensation, benefits, duties and responsibilities. The Chief of Police shall establish residence in San Miguel County within ninety (90) days of acceptance of appointment.
- C. The Chief of Police serves at the pleasure of the Governing Body and may be suspended or removed without cause at any time 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. The Chief of Police serves at the pleasure of the Governing Body, and may be suspended or removed without cause at any time by the Mayor, subject to approval of the Council, or by the Governing Body by a majority of all members of the Governing Body.

Section 5.07. Departments.

- A. Subject to approval of the Governing Body, the City Manager shall establish such departments as are necessary for efficient administration of the City.
- B. Each department shall be under the supervision of a department director, subject to the direction and supervision of the City Manager.
- C. The City Manager shall appoint department directors, subject to approval by the Governing Body.
- D. Department directors are at-will employees who may be placed on administrative leave or removed by the ~~e~~City ~~m~~Manager, subject to a majority vote by the Governing Body. The majority vote by the Governing Body of whether or not to remove a department director shall be recognized and implemented by the City Manager, with said vote constituting a final and conclusive determination regarding the matter.
- E. The City Manager may serve as department director, provided that the Manager shall not serve as either City Clerk, City Attorney, Police Chief, or Finance Director.

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:

OFFICERS, DIRECTORS AND EMPLOYEES

Shall the City amend Article V of the City of Las Vegas Municipal Charter to specify hiring and removal practices for the City Manager, City Attorney, City Clerk, and Chief of Police and procedures for vacancies and designation of the Acting City Manager.

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