

Problem Statements and Charter Placement Analysis

Working draft for discussion | September 10, 2026 | Prepared by Brandon Vella

Status. This draft compiles the subcommittee's research to date. It is not a recommendation of the subcommittee or the Commission. Problem statements are offered as hypotheses for discussion, and items flagged for verification should be confirmed with the City Attorney's office and staff liaisons before they appear in the Commission's report.

1. Questions in scope

1.1 From the Resolution

Section 3 of the resolution establishing the Commission lists the topics its recommendations must address. Three are assigned to this subcommittee:

- C.** Whether the mayor, city manager, or the city councilors should propose the City budget and what should be required in the budget's development;
- D.** Whether the City should adopt a strategic plan, and, if so, who should put it forward for review, and how often should it be updated;
- E.** Whether a city councilor who is running for mayor should be required to give up their city council seat; how to fill vacant council seats.

The Commission's report is due to the Governing Body by April 1, 2027, so that recommended amendments can be considered for the November 2027 ballot.

Each problem statement in Section 2 names a condition, its consequence, and the evidence for it, without presuming a solution. Each row is then paired with an opportunity for improvement and its likely vehicle: the charter, an ordinance, or a resolution or administrative practice.

1.2 Committee Positions

- Determine which recommendations belong in the Charter, provide recommendations for these and other legal vehicles to accomplish entirety of recommended changes.
- Establish a strategic plan requirement that addresses 3-5 year time horizon
- Mandate SMART goals (measurable, time-bound, etc.) in budget and/or strategic plan
- Take no action on vacancies on the council (Resolution 2025-58, question E).

See “Recommendation – Strategic Planning and Budgeting” for deep dive.

2. What placing something in the charter implies

Only voters can change it. The Governing Body cannot amend or repeal a charter provision by ordinance. Any change requires a ballot question, and the City Attorney must publish an opinion on its legality and form before it goes to voters (§10.02). Durability is the point of charter placement, and also its cost: if a provision proves unworkable, the fix waits for an election.

Referendum and initiative. Charter provisions themselves are not subject to referendum; they change only through the amendment process. Separately, §3.01(B) exempts any ordinance mandated by the charter from referendum, so residents cannot petition to repeal it. Two qualifications apply. First, the Governing Body can still amend a mandated ordinance within the bounds the charter sets. Second, residents keep the power of initiative, since §3.02(B) does not list charter-mandated ordinances among its exclusions. The budget and capital program are already exempt from both referendum and initiative regardless of any change.

Rigidity. Specific dates, KPI lists, and document formats placed in the charter are locked in. That is why the vehicles in Section 2 have the charter set the what and the who, and leave the how and the when to ordinance.

Implementation deadlines. The charter's general one-year deadline for mandated ordinances (§11.02) ran from the charter's 1998 effective date. New mandates should carry their own deadline, as the 2008 amendment to §4.05 did by requiring an ordinance within two years of the amendment's effective date.

State law sets the ceiling. A charter provision cannot conflict with state requirements, including the state budget submission process. Any budget-process amendment should be reviewed by the City Attorney for how it interacts with state law.

Timing. This Commission's recommendations target the November 2027 ballot. The charter requires a review commission at least every ten years (§10.01), and the Governing Body can also place amendments on the ballot between reviews, as it did in 2025.

3. Problem statements, opportunities, and likely vehicles

Each row names a problem, the evidence for it, an opportunity for improvement that addresses it directly, and the likely vehicle for making the change. The Santa Fe charter already follows a consistent pattern: it places the allocation of authority directly in its text, and where it wants something done without dictating details it directs that "the governing body shall by ordinance" act (for example §2.01 ethics, §4.07 contribution limits, §9.04 audit committee). The vehicle column applies four questions:

- Does it allocate power between officers or branches? If so, it belongs in the charter.
- Would it need protection from the body it constrains? If so, a charter mandate with ordinance detail fits.
- Would it likely need adjusting more often than the ten-year review cycle? If so, it belongs in ordinance, resolution, or practice.
- Does state law already cover it adequately? If so, the charter adds little.

Not charter content: several member themes are real but administrative (baseline narratives recreated each cycle, outcome-tracking systems, budget software, KPI selection). They argue for phase-in language rather than charter text.

3.1 Item C: Budget

ID	Problem statement	Evidence	Opportunity for improvement	Likely vehicle
C-1	Accountability for the budget is implied rather than assigned. The mayor must "work with city personnel" to prepare it, while the city manager, the chief administrative officer who runs the departments that build it, has no charter budget role. Competing readings of authority can produce inconsistent direction to staff.	Charter §5.01(M), §8.03; SCOPE map (Budget, Political); model comparison briefing	Name the preparer and proposer explicitly. Options: the mayor proposes; the manager prepares and submits; or the manager prepares and the mayor transmits with recommendations.	Charter. Allocates authority, and §5.01(M) is already charter text.
C-2	Since the November 2025 amendment, the mayor proposes the budget but votes only to break a tie or supply the votes needed to act, and the charter provides no veto. The council adopts the budget but does not initiate it. Each branch holds half of the process, with no formal mechanism for resolving disagreement.	November 2025 voter-approved amendment to §5.01; 2022–23 Charter Review Commission veto recommendation (did not reach the ballot)	Decide whether an executive budget should carry a veto with a supermajority override, or whether initiation should shift toward the manager or the council.	Charter. Coordinate with the subcommittee on Items A and B.
C-3	Councilors have no charter-defined point to shape priorities before a proposal exists. The FY27 cycle added a January priority-setting study session and a February adoption of goals, but this rests on administrative practice rather than a requirement.	Charter §5.01(M), §6.02; FY27 Proposed Budget; SCOPE map (officials have called for all eight councilors to be involved from the start)	Require the Governing Body to adopt budget priorities before the proposal is developed, codifying the FY27 practice.	Charter requires the step; ordinance sets the calendar; resolution adopts each year's priorities.
C-4	The proposed budget arrives in May for a July 1 fiscal year and a June 1 state submission, leaving the council only a few weeks to amend a budget it is responsible for adopting. Budget development has historically run late.	FY27 transmittal letter dated May 6, 2026; Finance Department notes the FY26 budget was completed by June 1, 2025; SCOPE map	Set a minimum interval between submission and adoption, expressed relative to the state deadline. The Model City Charter suggests at least 45 days before the fiscal year.	Charter (relative deadline); ordinance (full calendar).
C-5	"Timely" is the only process standard in the charter. There are no minimums for community engagement, forecasting, or content. Budgeting has centered on line-item control rather than service outcomes, and the City lacks a unified performance management system.	Charter §5.01(M); SCOPE map (Technical & Operational)	Require a budget process with minimum elements: public hearings, community engagement, a link to adopted goals, and performance measures, with a phase-in because KPIs need time to mature.	Charter lists the elements ("shall by ordinance"); ordinance defines them; practice sets formats and KPIs.

ID	Problem statement	Evidence	Opportunity for improvement	Likely vehicle
C-6	Priorities have been re-established each year, so departments cannot plan multi-year investments or staffing, and operating and capital budgets are developed on separate tracks. The result is reactive spending (emergency fixes, short-term contracts, deferred maintenance) that costs more than planned work.	SCOPE map (Technical, Business); FY27 transmittal notes capital planning will follow in later months	Require a multi-year financial forecast and a multi-year capital improvement plan alongside the annual budget.	Charter mandate plus ordinance.
C-7	The charter refers to a "finance committee" and a "capital program" that it never establishes or defines.	Charter §5.01(M); §3.01(B), §3.02(B)	Define or remove the finance committee reference; define "capital program" as the multi-year capital improvement plan in C-6.	Charter (technical cleanup).

3.2 Item D: Strategic plan

ID	Problem statement	Evidence	Opportunity for improvement	Likely vehicle
D-1	Santa Fe has no multi-year strategic plan, and nothing in the charter requires one. Beginning with FY27, the Governing Body adopted annual strategic goals and budget priorities, but the practice is uncoded and looks only one year ahead.	Charter §2.06, §5.01(L); FY27 Proposed Budget, Appendix A (Adopted Strategic Goals and FY27 Budget Priorities)	Require the City to adopt a multi-year strategic plan, or formalize the FY27 annual goals practice.	Decision point. Charter (New York, Albuquerque, Kansas City) or resolution (Las Cruces, Santa Fe FY27). See Sections 3.2 and 4.
D-2	Ownership is undefined: the charter does not say who proposes a plan, who adopts it, or on what cycle. The only recurring priority statement is the mayor's one-year legislative agenda, which the Governing Body "considers."	Charter §5.01(L), §6.02(A), §6.02(F)	Define who proposes and who adopts (for example, the mayor or manager proposes and the Governing Body adopts after a public hearing), and tie the cadence to the mayoral term.	Follows the D-1 vehicle.
D-3	The General Plan has no required update cycle and no implementation reporting, so it can remain in force long after conditions change.	Charter §2.06 (confirm the current General Plan's adoption date)	Set a minimum General Plan review cycle and require an annual implementation report.	Charter (cadence); ordinance (reporting).
D-4	Nothing requires measuring or publicly reporting progress on adopted goals, and the data infrastructure to do so does not yet exist. Members estimate meaningful KPIs will need one to three years of data maturation.	SCOPE map (Technical, Political)	Require an annual public progress report on adopted goals, phased in alongside the performance system.	Charter principle; ordinance; practice for metrics.

3.3 Cross-cutting problems (Items C and D)

ID	Problem statement	Evidence	Opportunity for improvement	Likely vehicle
X-1	Until FY27, no formal mechanism tied the budget to long-range goals. Spending increases have not consistently produced visible service improvements in areas such as road maintenance and park upkeep.	SCOPE map (Technical, Business)	Require the proposed budget to show how it advances adopted goals, with performance measures (the Albuquerque and Model City Charter approach).	Charter principle plus ordinance.
X-2	Reforms now under way rest on administrative practice. The City has had four permanent city managers since 2018, averaging under two years each, and the office has been held on an interim basis since January 1, 2026. Each new mayoral or council cohort can reorient priorities, so nothing structural carries reforms across administrations.	Section 3.1; SCOPE map (Political)	Codify the minimum elements needed for reforms to survive administrative transitions.	Determines the vehicle for C-3, C-5, and D-1. The core argument for any charter placement in Items C and D.

3.4 Item E: Council vacancies and running for mayor

ID	Problem statement	Evidence	Opportunity for improvement	Likely vehicle
E-1	The charter sets a 30-day appointment window and requires council approval, but provides no criteria, vetting, public process, or distinction between vacancy types. The January 2026 District 2 appointment used a voluntary open-application process; nothing requires future appointments to do the same.	Charter §6.06; SCOPE map (Vacancies); press coverage of the District 2 appointment	Establish criteria and an application, vetting, and public-input process for appointments, formalizing the January 2026 approach.	Ordinance for the process; charter only if the appointment method itself changes (E-2, E-3).
E-2	The mayor fills seats on the body that checks the mayor. When a councilor is elected mayor, the new mayor appoints a successor in their former district, as occurred in January 2026.	Charter §6.06; SCOPE map (Vacancies)	Shift appointment to the council, or use a different method when the vacancy results from the mayor's own election.	Charter. §6.06 is charter text.
E-3	Appointees serve until the next regular city election. The District 2 appointee serves until November 2027, about 22 months, voting on budgets and appointments without having been elected.	Charter §6.06, §6.05	Require a special election when the remaining term exceeds a set threshold, weighed against election cost.	Charter.
E-4	Nothing requires a councilor running for mayor to give up their seat, which is what creates the E-2 scenario.	Resolution §3(E); charter is silent	Require resign-to-run, or specify an alternate filling method for seats vacated by a mayoral election.	Charter.

4. Supporting context

4.1 City manager turnover and staff vacancies

Leadership in the chief administrative office has turned over faster than most multi-year initiatives can be completed. The table below updates the turnover record in the Commission's model comparison briefing, which omitted the two most recent managers.

City manager	Status	Tenure
Brian Snyder	Permanent (since 2013)	Resigned April 2018 at the mayor's request
Erik Litzenberg	Interim, then permanent	June 2018 – July 2019
Jarel LaPan Hill	Interim Sept. 2019, then permanent	January 2020 – January 2022
John Blair	Permanent	January 2022 – November 2024
Erin McSherry	Named interim, Oct. 2024	Appointment withdrawn
Randy Randall	Interim	November 2024 – February 2025
Mark Scott	Permanent (confirmed 8–1)	February 10, 2025 – December 31, 2025
Brian Moya	Interim	January 1, 2026 – present

At the start of the current mayoral term, the city manager, city attorney, and city clerk positions were all held on an interim basis, the police chief had retired, and more than half a dozen director-level roles were open. The city manager job posting noted the successful candidate could appoint roughly half of the senior management team.

Citywide vacancy rates have improved but remain significant. The figures below come from different sources and methods (headcount versus budgeted FTE), so they indicate a direction rather than a precise trend.

Point in time	Vacancy rate	Basis	Source
December 2021	About 20%	City estimate	City news release
January 2024	22%	1,290 filled, 373 vacant	Santa Fe Reporter, citing HR
May 2024	23%	1,299 filled, 394 vacant	Santa Fe Reporter, citing HR
Start of FY27 (May 2026)	16%	257 vacant of 1,643.5 FTE	FY27 Proposed Budget

Vacancies are concentrated in particular departments. The FY27 position table shows Finance at 24%, including the Budget Division at 40% and Accounting at 33%, with the Finance Director position vacant. Transit stands at 34%, Wastewater at 31%, and Public Works overall at 23%. Public safety has largely recovered; the police department expected a single officer vacancy after its May 2026 swearing-in. The phased classification and compensation study (March 2024 through December 2025) coincides with the improvement.

Why this matters for Items C and D. The division that would build multi-year forecasts and a performance system is among the most thinly staffed, and the chief administrative office has lacked continuity. Both conditions weaken any reform that depends on staff carrying it forward without a structural requirement (problem X-2).

Data gap: no published separation (turnover) rates, time-to-fill figures, or director tenure data were found. See Section 5 for the request to Human Resources.

4.2 Strategic plan precedent in other cities

Cities place strategic planning in their charters in a few distinct ways, and some keep it out of the charter entirely.

City (form of government)	What the charter requires	What is left to ordinance or practice
New York City (strong mayor)	Every four years the mayor submits preliminary and final strategic policy statements covering long-term issues, goals, and strategies. The mayor's annual statement to the council must summarize progress on that plan. (Charter §§5, 17)	Content and development process of the plan
Albuquerque, NM (mayor-council)	The council adopts five-year goals and one-year objectives, reviewed annually, after consulting the mayor and holding public hearings. Budgets, plans, and programs must be consistent with the goals. The mayor formulates the operating and biennial capital budgets consistent with the goals and the Comprehensive Plan. (Charter Art. IV §10; Art. VII)	Ordinance §2-11-3 sets the process: biennial progress roundtables, an annual resident perception survey, and a progress report at least every two years
Kansas City, MO (council-manager)	A five-year Citywide Business Plan is adopted by ordinance each year by November 1, and the manager prepares the budget considering the adopted plan.	Plan contents (goals, objectives, strategies, metrics) are set administratively
Las Cruces, NM (council-manager)	Nothing. The strategic plan is not a charter feature.	Council-adopted and uncoded (per subcommittee conversation with Las Cruces)
Model City Charter, 9th ed. (National Civic League)	No standalone plan. The budget must show its relationship to the city's strategic goals, with outcome measures. The budget is submitted at least 45 days before the fiscal year, and a multi-year capital program three months before the budget.	Classifications, formats, and performance measures by ordinance or administration

The charter-based examples map onto three ownership models: the executive owns the plan (New York), the council owns the goals and the budget must conform (Albuquerque), or the plan is built into the manager-administered budget cycle (Kansas City). In each case the charter settles who owns the plan, when it is produced, and its minimum contents, while ordinance carries the process.

Las Cruces, and now Santa Fe's own FY27 process, show that a council can adopt goals without any charter requirement. The open question for the subcommittee is durability: whether Santa Fe's conditions (Section 3.1) call for a stronger commitment device than Las Cruces needs. Albuquerque is the closest comparator, as a New Mexico city with the separation-of-powers structure the Commission is examining under Items A and B.

To verify: whether Albuquerque's goals process and Kansas City's business plan operate in practice as their charters describe.

5. Open items and data requests

- **Human Resources (via staff liaison, Resolution §8):** annual separations by department, time-to-fill, and a list of director-level positions held on an interim basis and for how long, FY2021 through FY2026.
- **City Attorney:** whether the FY27 priority-setting process rests in ordinance, resolution, or practice; how a charter budget process would interact with state budget law.
- **Comparator follow-up:** confirm how Albuquerque's goals process and Kansas City's business plan work in practice, and what sustains the Las Cruces plan between councils.
- **Coordination:** align with the subcommittee handling Items A, B, and F on C-2 (veto and mayoral role) and on city manager structure.

Sources

1. City of Santa Fe, Resolution calling for a Charter Review Commission to review mayor and city councilor powers (Sections 3 and 8).
2. Santa Fe Municipal Charter, §§2.06, 3.01, 3.02, 4.05, 5.01, 6.02, 6.05, 6.06, 8.03, 10.01, 10.02, 11.02.
3. Santa Fe New Mexican, "Santa Fe voters approve charter changes rolling back mayor's powers," Nov. 5, 2025.
4. City of Santa Fe, Proposed FY 2026-27 Operating Budget (transmittal letter dated May 6, 2026), including the position count table and Appendix A. santafenm.gov/FY27_Proposed_Budget_Book-compressed.pdf
5. City of Santa Fe, "City Proposes Employee Hiring and Retention Bonuses," Dec. 1, 2021.
6. Santa Fe Reporter, "On the Job," Aug. 8, 2024.
7. Santa Fe Reporter, "City Budget Complete," June 23, 2025.
8. Santa Fe New Mexican, "Santa Fe City Council confirms Mark Scott's appointment as new city manager," Jan. 31, 2025.
9. Santa Fe New Mexican, "Santa Fe Mayor-elect Michael Garcia names fire chief to be interim city manager," Dec. 24, 2025.
10. Santa Fe New Mexican, "Mayor Garcia starts term with significant vacancies following spate of departures," Jan. 2, 2026.
11. Santa Fe Reporter, "Garcia Takes Careful Path to Filling His Own Shoes," Jan. 27, 2026.
12. Santa Fe New Mexican, "Santa Fe leaders present goals, objectives to City Council as first step in new budget process," Nov. 21, 2025.
13. Santa Fe New Mexican (via Yahoo News), "Santa Fe City Council praises police for reducing vacancies," May 19, 2026.
14. New York City Charter, §5 (Annual statement to council) and §17 (Strategic policy statement).
15. Charter of the City of Albuquerque, Art. IV §10 and Art. VII; Albuquerque Code of Ordinances §2-11-3.
16. City of Kansas City, MO, Office of Management and Budget: Citywide Business Plan and budget process pages.
17. National Civic League, Model City Charter, 9th Edition (2021), Article V: Financial Management.
18. Subcommittee work products: SCOPE maps (Budget, June 27, 2026; Vacancies); Charter Review problem statements and model comparison briefing (Sept. 8, 2026); conversation with the City of Las Cruces.

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