

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2024-16

3 INTRODUCED BY:

4
5 Mayor Alan Webber

6 RED – Amendment A M. Garcia

7
8
9
10 A BILL

11 RELATED TO ETHICS AND CAMPAIGN REVIEW BOARD NOMINATIONS;
12 AMENDING SECTION 6-16.1 OF SFCC 1987 TO REMOVE THE REQUIREMENT THAT
13 THE FIRST JUDICIAL BAR ASSOCIATION SUBMIT A LIST OF EIGHT NOMINEES,
14 FROM WHICH THE FOUR ATTORNEY MEMBERS MUST BE APPOINTED, AND
15 REQUIRING THAT THE CITY CLERK SOLICIT NOMINATIONS FOR BOARD
16 MEMBERS FROM ~~AT LEAST THREE~~ A VARIETY OF LOCAL SOURCES.

17 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

18 Section 1. Section 6-16.1 of SFCC 1987 (being Ord. No. 2011-8, § 7, as amended)
19 is amended to read:

20 A. **6-16.1 – Creation and Appointment.** *Creation.* There is created an “ethics and
21 campaign review board (“the board”).

22 B. *Appointment.*

23 (1) The board shall consist of seven (7) members appointed by the mayor, with the advice
24 and consent of the city council, in the following manner:

25 (a) Four (4) ~~[members appointed from a list of eight (8)]~~ attorneys licensed to

1 practice in New Mexico. [~~submitted by the First Judicial District Bar~~
2 ~~Association~~].

3 (b) Three (3) members at large.

4 (2) The city clerk shall seek nominations to the board from the First Judicial District Bar
5 Association, the New Mexico board of bar commissioners who represent the
6 geographic area including the city of Santa Fe, and the Santa Fe County league of
7 women voters as follows:

8 i. Attorneys. The city clerk shall seek nominations to the board from groups
9 including, but not limited to, the First Judicial District Bar Association, the
10 New Mexico Board of Bar Commissioners who represent the geographic area
11 including the city of Santa Fe, the New Mexico Hispanic Bar Association, the
12 New Mexico Indian Bar Association, the New Mexico Black Lawyers
13 Association, the New Mexico Women’s Bar Association, and the New Mexico
14 Lesbian and Gay Lawyers Association.

15 ii. Members at large. The city clerk shall seek nominations from the New Mexico
16 Foundation for Open Government and the League of Women Voters of Santa
17 Fe County, as well as by a public application process.

18 [~~2~~] (3) Members shall be qualified by training and experience and have the ability to
19 exercise sound and practical judgement regarding the powers and duties of the board.

20 [~~3~~] (4) Each member of the board shall be a resident of the city.

21 [~~4~~] (5) No member of the board shall be a member of the governing body, the city
22 manager, the city attorney, the city clerk or a “public employee” or a member of the
23 “family” of any of these persons (the quoted terms being used as defined in Section 1-7.5
24 SFCC 1987). No member of the board shall make a contribution to or participate in the
25 campaign of any candidate for an elected municipal office.

1 C. *Chair and Subcommittees.* The board shall elect a chair and a vice-chair from
2 among its members, and may organize subcommittees or panels to conduct hearings, recommend
3 advisory opinions or perform other delegated tasks. The board may at any time act directly on any
4 pending matter without subcommittee action or recommendation.

5 D. *Term.* Members shall be appointed for staggered terms of four (4) years ~~[beginning~~
6 ~~July 1, 2011]~~. The initial members shall draw lots to determine which three members serve an initial
7 term of four years, which two members serve and initial term of three years and which two members
8 serve an initial term of two years; thereafter all members shall serve four-year terms. Members
9 shall serve until their successors are appointed and qualified. Members may be reappointed. A
10 member who has participated in any hearing on a pending case involving an alleged violation of
11 the Code of Ethics, the Campaign Code or the Public Campaign Finance Code shall continue to
12 serve as a board member for purposes of that case until the case is concluded, regardless of the
13 expiration of that board member's term. Newly appointed board members shall not serve on cases
14 in which hearings have already been held at the time of their appointment.

15 E. *Removal for Just Cause.* During a member's term, ~~[her or she]~~ the member may
16 be removed only for just cause by a majority vote of the governing body.

17 F. *Vacancies.* A vacancy on the board shall be filled by appointment by the mayor,
18 with the advice and consent of the city council, and the appointee shall serve for the remainder of
19 the unexpired term. If the vacant position was originally filled by appointment from a list of
20 nominees submitted by a particular group or organization, the appointment to fill the vacancy shall
21 be made in the same manner.

22 G. *Compensation.* Members of the board shall not receive any salary or compensation
23 for services.

24 H. *Meetings.* The board shall meet at least four (4) times yearly and on an as-needed
25 basis.

1 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2024.

2 APPROVED AS TO FORM:

3

4

5 ERIN K. McSHERRY, CITY ATTORNEY

6

7

8

9

10 *Legislation/2024/Bills/2024-16 (B)/Expanding Eligibility on the Ethics and Campaign Review Board*