



City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

**BOARD OF ETHICS & CAMPAIGN PRACTICES
VINCENT E. GRIEGO CHAMBERS
CITY/COUNTY GOVERNMENT CENTER
Friday, July 16, 2021**

Members Present

Andrew Schultz, Chair
James Breen
Kristina Caffrey
Michael Cadigan (remote)
Joshua Martinez
Jason Marks
Susan Selbin

Others Present

Ethan Watson, City Clerk
John Dubois, City Legal
Alan Heinz, City Legal
Miriam Diemer, Deputy City Clerk
Lauren Keefe, Council for Complainant
Carter Harrison, Council for Respondent
Nicole Kelley, Acting Inspector General
Neri Holguin, Complainant
Sheriff Manuel Gonzales, Respondent
Members of the Public
Members of the Media

MINUTES

- I. Call to order.
The Board of Ethics and Campaign Practices Meeting of July 16, 2021 was called to order by Chair Andrew Schultz at 9:06am.
- II. Review and approval of agenda for Friday, July 16, 2021.
Chair Schultz asked for a motion to approve the agenda. Member Marks moved to approve the agenda and Member Breen seconded. Motion passed 7-0.
- III. Review and approval of minutes from February 26, 2021 meeting.
Chair Schultz asked for a motion to approve the minutes from the February 26 meeting. Member Breen moved to approve the minutes. Member Cadigan seconded. Motion passed 7-0.
- IV. Consideration of Request for Referral for Investigation from City Clerk.
Chair Schultz offered a discussion regarding the possible investigation. Members of the Board requested information from the Acting Inspector General regarding how an investigation would be conducted. Council for both complainant and respondent spoke regarding the request for referral. Member Marks requested information on whether the investigation would encompass questions raised in both BOE 01-2021 and BOE 02-2021 and allowed the Acting Inspector General additional time to speak on this issue.

Chair Schultz requested a motion. Member Marks moved to approve the request for referral with specification that the Inspector General would include an investigation into the Salvation Army Meeting. Member Martinez seconded. Motion passed 7-0.

By a unanimous vote, the Board of Ethics determined to have an investigation into the alleged violations of certain provisions of the Code of Ethics (City Charter Article XII), the Election Code (City Charter XII), and the Open and Ethical Elections Code (City Charter Article XVI) as set forth in the complaints BOE 01-2021 and BOE 02-2021. By further unanimous vote, the Board of Ethics voted to utilize the Office of the Inspector General (OIG) to conduct this investigation and to provide the Board with a written report of the results of the investigation no later than August 20, 2021. In conducting its investigation, the Board of Ethics directs the OIG to focus on the specific allegations set forth in the complaints BOE 01-2021 and BOE 02-2021, together with any supplements thereto. The OIG shall provide copies of their written report to the City Clerk to distribute to the parties.

Counsel for both parties agreed to continue BOE 01-2021 and 02-2021. BOE 01-2021 will be noticed for August 27 at 9:00am.

The Board agrees to move on to item VII on the agenda.

- V. Consideration of Request for Referral for Investigation from Complainant.
- VI. Evidentiary Hearing in BOE 01-2021 Holguin vs Gonzales III.
- VII. Consideration of Board Resolution 01-2021: *A Resolution Adopting an Annual Open Meetings Policy for the 2021 Election Cycle.*
Upon discussion of the Board, there is consensus to amend the resolution to meet bi-weekly rather than weekly, and on Fridays at 9:00am. Chair Schultz requests a motion. Member Breen moves to approve the resolution with the discussed amendments. Member Caffrey seconded. Motion passed 7-0.
- VIII. Adjournment.
There being no further business before the Board, Member Marks moved to adjourn the meeting. Member Martinez seconded. Motion passed 7-0.
Meeting adjourned at 10:26am.

Andrew G. Schultz

August 27, 2021

Approved: _____ Date: _____