

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2021-12

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4  
5 AN ORDINANCE

6 REGARDING THE INDEPENDENT SALARY COMMISSION, AMENDING SECTION 6-  
7 19.3 SFCC 1987 TO REASSIGN THE AUTHORITY TO APPOINT THE MEMBERS OF  
8 THE COMMISSION TO THE ETHICS AND CAMPAIGN REVIEW BOARD AND TO  
9 REASSIGN THE AUTHORITY TO APPOINT THE COMMISSION'S CHAIRPERSON  
10 TO THE COMMISSION'S MEMBERS; AND AMENDING SECTION 6-16.2 SFCC TO  
11 ADD THE DUTY OF APPOINTING THE INDEPENDENT SALARY COMMISSION  
12 MEMBERS TO THE ETHICS AND CAMPAIGN REVIEW BOARD'S POWERS AND  
13 DUTIES.

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

16 Section 1. Section 16-9.3 of SFCC 1987 (being Ord. No. 2016-43 § 2, as amended)  
17 is amended to read:

18 **6-19.3 Membership; terms; vacancies.**

19 A. Membership. The commission shall be comprised of seven (7) members, all of  
20 whom must reside within the municipal boundaries of the city of Santa Fe. The ethics and campaign  
21 review board shall appoint the members of the commission. The commission shall consist of one  
22 (1) member from each of the following categories:

- 23 (1) One (1) shall be a member of the Santa Fe chamber of commerce.  
24 (2) One (1) shall be a representative of a neighborhood association.  
25 (3) One (1) shall be a representative of a community organization.

1 (4) One (1) shall be a current or retired attorney or judge.

2 (5) One (1) shall be a representative of the human resources industry, or an  
3 employment consultant.

4 (6) One (1) shall be a current or retired chief executive officer.

5 (7) One (1) member shall be appointed at-large.

6 Nominees to the commission shall have the ability to exercise sound and practical  
7 judgement in the implementation of their powers and duties as members of the commission.  
8 Members of the commission shall appoint a chairperson at the first meeting of the  
9 commission. The chairperson shall then appoint a vice-chairperson at the first regular  
10 meeting.

11 B. Terms. Members of the commission shall serve four (4) year terms. A member  
12 shall serve for no more than two (2) terms. After two (2) consecutive unexcused absences, a  
13 commission member shall be automatically removed from the commission, and a new member  
14 shall be appointed consistent with the provisions of paragraph A.

15 C. Vacancies. Vacancies on the commission shall be filled consistent with the  
16 provisions of paragraph A.

17 **Section 2. Section 6-16.2 of SFCC 1987 (being Ord. No. 2005-14, as amended) is**  
18 **amended to read:**

19 **6-16.2 Powers and duties.**

20 A. The board shall enforce the provisions of the Code of Ethics (Section 1-7 SFCC  
21 1987), the Campaign Code (Section 9-2 SFCC 1987) and the Public Campaign Finance Code  
22 (Section 9-3 SFCC 1987) in accordance with the procedures prescribed in this section and such  
23 rules as the board may adopt.

24 B. The board shall establish reasonable rules of practice and procedure which are not  
25 in conflict with the provisions of city code or other city rules of practice and procedure, timetables

1 and explanatory materials designed to educate the public, to encourage voluntary compliance and  
2 to ensure fair and prompt disposition of alleged violations. All such rules of practice and procedure  
3 shall be available to the public in the city clerk's office and on the city's website.

4 C. The board may give advisory opinions to any person requesting an opinion as to  
5 whether his or her own future conduct would violate the Code of Ethics, the Campaign Code or the  
6 Public Campaign Finance Code. An advisory opinion rendered by the board shall be binding on the  
7 board in any subsequent proceeding on a complaint against the person or entity who requested the  
8 opinion and acted in good faith in reliance thereon, unless the person or entity omitted or misstated  
9 a material fact in requesting the advisory opinion. Advisory opinions shall be indexed and  
10 maintained on file with the city clerk and placed on the city's web site.

11 D. In the exercise of its responsibilities, the board may audit campaign or other  
12 records. After each election campaign the board may contract for professional reviews or audits of  
13 campaign finance statements and shall file their results with the city clerk's office.

14 E. The board shall periodically review and recommend changes to the governing body  
15 for improving the Code of Ethics, the Election Code, the Campaign Code, or the Public Campaign  
16 Finance Code, particularly following a municipal election.

17 F. The board shall appoint the members of the independent salary commission  
18 pursuant to Section 6-19.3, SFCC 1987.

19 G. Reserved.

20 H. The board shall review and make recommendations to the governing body  
21 regarding the governing body procedural rules and other procedural matters including, but not  
22 limited to, the city's annual open meetings act compliance resolution.

23 PASSED, APPROVED, AND ADOPTED this 9th day of June, 2021.  
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ALAN WEBBER, MAYOR

ATTEST:



[Kristine Mihelcic \(Jun 10, 2021 16:47 MDT\)](#)  
KRISTINE MIHELIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. MCSHERRY, CITY ATTORNEY

*Bill No. 2021-11*

*Legislation/2021/Ordinances/2021-12 Reassigning Salary Commission Appointments*