



**New Mexico Foundation for Open Government (NMFOG)  
Board of Directors Meeting Minutes  
Tuesday, April 30, 2019  
12 p.m.  
Albuquerque, NM**

A regular meeting of the board of the New Mexico Foundation for Open Government was held at the offices of the Foundation, notice having been given.

**Members Present:**

Karen Moses, President; Susan Boe, Vice President; Carl Baldwin, Treasurer; Mike Melody, Secretary; members: Fred Nathan, Victor Marshall, Jeri Clausing, Greg Williams, Steve McKee, Tim Maestas, Dede Feldman, Rory McClannahan; via telephone: Lucas Peerman, MaryAnn Armijo, Chuck Peifer, Hal Stratton, Kip Purcell, Dan Yohalem, Viki Harrison

**Members Not Present:**

Kathy Bearden, Tom Johnson, Henry Lopez, Paula Maes and Mary Lynn Roper.

**Staff:**

Melanie Majors, Executive Director; Diane Lopez, Marketing and Membership Director

**Guests:**

Jason Espinosa, Penny Baldwin

**Call to Order:**

A quorum being present, Ms. Moses called the meeting to order at 12:05 p.m.

**Approval of Agenda:**

Ms. Moses called for a motion to approve the agenda. Mr. McClannahan moved, Mr. Melody seconded. Motion carried.

**Approval of Minutes:**

Ms. Moses called for a motion to approve the minutes of the February 28, 2019. Mr. Melody moved, Mr. Williams seconded. Motion carried.

**President's Report**

Ms. Moses thanked everyone who contributed to the FOG efforts during the legislative session, commenting that it was clear that FOG's impact is established. Ms. Moses reported on progress made on the IPRA front in a successful meeting with the City of Albuquerque. One of the outcomes was a suggestion for FOG to help record seekers make more efficient requests, thus increasing the possibility of successful request outcomes.

Ms. Majors, responding to the city's suggestion, put together meeting of media partners to help city be more easily responsive.

Ms. Moses stressed the importance of NMFOG, and emphasized growing our membership and contributions. Ms. Moses issued a challenge: – She asked that every board member recruit three board members to FOG by next board meeting – perhaps among family, friends, and colleagues.

Ms. Moses thanked Mr. McClanahan for his service to FOG, as it was his last board meeting. He is leaving NMPA, which he has represented on the NMFOG board.

### **Finance Committee Report**

Mr. Baldwin presented the Financial Report, in which he spoke to various variances from expectations, none of which he believed material to the full year. Discussion ensued, with Mr. Yohalem suggesting trying to spread membership dues throughout the year. Mr. Nathan explained how Think New Mexico had managed to do that. Motion to accept the Treasurer's Report made by Mr. Nathan, seconded by Ms. Clausing. Motion carried.

### **Executive Director's Report**

Ms. Majors spoke to her written Executive Director's report, attached, and incorporated by reference. She reported that this year's \$30,000 grant from the Thornburg Foundation was unrestricted, and could be used for operating expenses. She also reported a general increase in "SLAP" lawsuits, and that the Cook Foundation was supporting media and media-related organization, and that she planned to approach Cook for support.

Ms. Majors told the board that, contrary to her written report, Judge Nakamura was now unable to participate in this year's CLE, but would give her support to recruiting another member of the Supreme Court of New Mexico.

Ms. Majors commented on the significant increase in Hotline calls after the legislative session; the Hotline Summary Report is attached.

### **Legal Affairs**

Mr. Williams, Chair, reported on continued stonewalling of a 2007 IPRA request for access to certain records. Guest Victor Marshall spoke of the benefits NMFOG was providing to those seeking access to public records.

An extended discussion ensued on how to most efficiently word requests for records, so that all forms of documents, including audio and video files, would be covered in any future requests. Mr. Williams expressed confidence that the state Supreme Court would resolve the issue

favorably to requestors. Mr. Williams thanked Mr. Marshall for his assistance on the UNM matter.

Mr. Yohalem updated the board on several ongoing court cases with which FOG was involved.

## **CLE**

Mr. Williams reiterated that Judge Nakamura would be unable to directly participate in CLE, but would help obtain another Justice as guest speaker.

## **Dixon Award**

Ms. Majors, reporting for Ms. Bearden, Chair, referred to her earlier Executive Director's report. She noted that a speaker for the luncheon had not yet been obtained. Several board members offered suggestions, and discussion ensued.

## **Marketing and Membership Director's Report**

Ms. Martinez reported on YTD donor income, as compared to same period prior year, and initial plans to utilize the 30<sup>th</sup> anniversary in soliciting donations, focusing on the "30 for 30" theme, to be discussed by Mr. McKee.

## **Marketing Committee**

Mr. McKee, Chair, expounded on the activities of the Committee, as contained in his Marketing Committee Report and 2019 NMFOG 30 for 30 Fundraising Campaign Report. Both reports are attached, and incorporated by reference. The board engaged in an extended discussion of how best to use the anniversary in near-term, and longer term, branding.

## **Legislative Committee**

Mr. Nathan, Chair, reported. He recapped and expanded upon the myriad activities of FOG during the recent legislative session, noting the successes and lack thereof of bills supported by FOG. He also presented a video of individual Senators' responses, during Senate debate, to the bills promoting transparency in the State's capital outlay process. The bills had passed the House unanimously, but died in the Senate 22-18. The board found the video instructive.

An extended discussion ensued about how best to improve future outcomes, particularly on the capital outlay process. Several detailed suggestions ensued.

The issue of campaigning for improvements in IPRA was raised, Some board members were in favor of the idea; others were much more conservative in view, fearing that opening the matter might well result in a bill of decreased quality.

There being no further business, on a motion by Ms. Clausing and seconded by Mr. Baldwin, the meeting was adjourned at 1:50pm.

Respectfully,

Michael Melody  
Secretary