



**New Mexico Foundation for Open Government (NMFOG)  
Board of Directors Meeting Minutes  
Thursday, January 13, 2022  
1 p.m.  
Albuquerque, NM  
ZOOM Meeting**

A virtual meeting of the board of the New Mexico Foundation for Open Government was held via ZOOM, notice having been given.

**Members Attending:**

Kathi Bearden, President; Karen Moses, Vice-President; Carl Baldwin, Treasurer; Sammy Lopez, Secretary; Susan Boe, Immediate-past President; Members: Billie Blair, Heather Ferguson, Nate Gentry, Tom Johnson, Henry Lopez, Sammy Lopez, Paula Maes, Rashad Mahmood, Mike Melody, John Moses, Fred Nathan, Lucas Peerman, Chuck Peifer, Kip Purcell, Mary Lynn Roper, Daniel Russell, Kristelle Siarza, Alexis Tappan, Lori Waldon, Greg Williams, and Daniel Yohalem.

**Members Not Present:**

Dede Feldman, Jessica Onsurez

**Staff:**

Shannon Kunkel, Executive Director

**Public:**

Jason Espinosa, FOG's contract lobbyist, attended the meeting

**Call to Order:**

A quorum being present, Ms. Bearden called the meeting to order at 1 p.m.

**Approval of Agenda:**

President Bearden called for a motion to approve the agenda. Mr. Melody moved to approve the agenda. Ms. Blair seconded. Motion carried.

**Approval of Minutes:**

President Bearden called for a motion to approve the meeting minutes from the meeting at Bravo restaurant on November 18, 2021, noting that she was not, in fact, present and the record should be corrected. Mr. Melody moved to approve the minutes as amended. Mr. Baldwin seconded. Motion carried.

**FINANCE COMMITTEE REPORT**

Mr. Baldwin presented the year-end financial report, which was included in the packet sent to the board prior to the meeting. Our financial position is excellent. Despite not being able to hold the CLE and hosting a virtual Dixon Lunch for the second year, FOG finished the year in the black. This was due in large part to PPP loans that were forgiven.

Statement of financial position:

- FOG has \$32,835.51 in its cash accounts.
- Investments in 2021 are at \$153,978.11. Total net assets are at \$357,166.84.

Mr. Baldwin also pointed out all of the funds for the Legal Initiative will be kept separately and are not considered assets until FOG complies with the restrictions of the Legal Initiative donation. The legal initiative cash received stands at \$172,786.84.

Mr. Johnson motioned to approve the financial statements, and Mr. Williams seconded. The motion carried.

Mr. Baldwin, next, presented the 2022 budget, which the financial committee was recommending be adopted. With uncertainties about COVID lingering and the need to continue funding the legal initiative, Mr. Baldwin explained that the finance committee had intentionally been very conservative in estimating donations and revenue. The proposed 2022 budget would leave a \$28,275.00 shortfall.

Mr. Nathan moved to approve the budget. Mr. Melody seconded, and the motion carried.

President Bearden thanked Mr. Baldwin and the other committee members – Mr. Trapp and Mr. Melody for their work.

President Bearden told the committee a bank resolution was needed to add Ms. Kunkel to the FOG bank and investment accounts. Ms. Blair made the motion, and Ms. Boe seconded. The motion was approved.

Ms. Kunkel expressed the need for a credit card for recurring expenses. Ms. Siarza suggested a \$2,500 limit for the card. Mr. Melody motioned. Ms. Siarza seconded, and the motion carried.

## **PRESIDENT'S REPORT**

President Bearden welcomed the six new members to the board – Mr. Gentry, Ms. Tappan, Mr. Waldon, Mr. Russell, Mr. Mahmood, and Mr. Moses. She discussed the committee assignments and the adjustments that have been made to ensure balanced committees.

President Bearden also explained that the executive committee approved a restructuring of the standing committees, combining the website and marketing committees and combining the CLE and legal committees.

## **EXECUTIVE DIRECTOR REPORT**

Ms. Kunkel began by thanking the board for the opportunity to serve as the new executive director. She thanked Ms. Maes and the New Mexico Broadcasters' board for providing her an office and supplies to carry out FOG's work.

Ms. Kunkel said she was drafting the grant proposal for the Thornburg Foundation and would be requesting \$35,000 in general funding and \$10,000 for the legal initiative. She further noted that she would be researching additional grants to consider.

Ms. Kunkel said she would work with the marketing committee on website improvements, social media and advertising opportunities. Ms. Kunkel said she and Ms. Bearden and Ms. Blair would be working to identify and connect with lapsed donors and bring them back, as well as reach out to newspapers and law firms who do not already contribute to FOG.

Ms. Kunkel shared the earned media tracker in the board materials and said FOG had received a great deal of coverage, particularly about the issue of the president of the Santa Fe Board of Education acting as the sole spokesperson for the body.

Ms. Kunkel reported that the hotline had been very active, and Mr. Williams said that he and members of the legal panel were happy to provide guidance on issues with which she may need assistance.

## **COMMITTEE REPORTS:**

### **LEGISLATIVE COMMITTEE**

Mr. Nathan reported FOG will be at the Roundhouse for the 2022 30-day budget session. Mr. Nathan and Mr. Espinosa recommended sending a letter in advance of the session to legislative leadership on transparency best practices for the hybrid session. Ms. Kunkel said she would send the letter after the legislative committee approves her draft.

Ms. Kunkel also said that she and Mr. Espinosa met to discuss a communications strategy during the session and would send out updates as needed on priority legislation. Mr. Nathan concluded that FOG did not expect any messages from the governor pertaining to transparency, and thus FOG would primarily be playing defense in the short session.

### **LEGAL COMMITTEE**

Mr. Williams had no formal report, but Mr. Yohalem gave a brief update on the lawsuit he is pursuing against APS for IPRA noncompliance and said the school district continues to be one of the worst offenders. Mr. Williams suggested a meeting with the superintendent might be helpful following the session. Ms. Bearden said that the

Association of School Boards was another body FOG should meet with given they were issuing guidance that boards follow the norm of only having one spokesperson.

**NEW BUSINESS**

There was no additional new business on the agenda.

**DATES FOR 2022 BOARD MEETINGS**

Friday, April 22

Friday, August 19

Friday, November 18

**ADJOURNMENT**

As there was no other business, Mr. Melody moved to adjourn, and Ms. Blair seconded. The meeting concluded at 1:57 p.m.

**SIGNATURE OF SECRETARY**

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Sammy Lopez, Secretary, FOG Board of Directors

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Date