

BERNALILLO COUNTY CODE OF CONDUCT REVIEW BOARD

Don Bruckner, Member
Sarita Nair, Member
Edmund E. Perea, Vice-Chair



Michael Flynn, Member
Alan Packman, Chair

GEORGE RICHMOND,

Complainant.

v.

Sworn Complaint 2014-001

TREASURER MANNY ORTIZ,

Respondent.

FINAL DECISION AND ORDER

This matter came before the Bernalillo Code of Conduct Review Board (the "Board"), during a recorded special meeting on June 16, 2014, for a final decision and order.

PROCEDURAL HISTORY

On April 29, 2014, the Complainant filed a notarized Sworn Complaint (the "Complaint") with the Bernalillo County Compliance Office. After a Preliminary Hearing on May 12, 2014, the Board unanimously determined that the Complaint stated a facial claim and scheduled the case for an Evidentiary Hearing based on the Bernalillo Code of Conduct Section 2-131. On June 16, 2014, the Board held a Hearing at which the Complainant and the Respondent appeared.

ISSUE

Whether the Respondent engaged in conduct in violation of Bernalillo Code of Conduct Section 2-131.

FINDINGS OF FACT

Based upon a review of the full record, the Board finds as fact that:

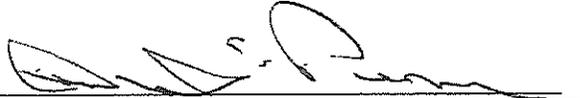
1. Respondent is a public servant, subject to the Bernalillo Code of Conduct (the "Code").
2. Respondent was sworn into office as Bernalillo County Treasurer on January 1, 2012.
3. Respondent first filed a Statement of Financial Interest with the Bernalillo County Clerk on April 30, 2014.
4. Respondent filed an Amended Statement of Financial Interest with the Bernalillo County Clerk on May 12, 2014.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes as a matter of law that Respondent violated Bernalillo Code of Conduct Section 2-131.

ORDER

This Board hereby admonishes Respondent for failure to have on file with the County Clerk a Statement of Financial Interest. This Board acknowledges the Respondent's voluntary agreement to attend ethics trainings throughout 2014 in order to fulfill his obligation. While not required under the Code, this Board further encourages the County Compliance Office to promulgate a standardized form to facilitate compliance with Bernalillo Code of Conduct Section 2-131. Additionally, the Board encourages the Compliance Office to emphasize in their ethics trainings for public servants that lack of awareness of the requirements of Section 2-131 do not constitute defenses to an alleged violation of Bernalillo Code of Conduct.



Edmund E. Perea, Vice-Chair
Telephonic Approval for Alan Packman, Chair
Bernalillo County Code of Conduct Review Board

7-11-14
Date