

**ETHICS AND CAMPAIGN REVIEW BOARD  
THURSDAY, SEPTEMBER 11, 2025, 3:00 PM  
COUNCIL CHAMBERS, CITY HALL 200 LINCOLN AVENUE  
SANTA FE, NEW MEXICO**

**1. CALL TO ORDER**

A meeting of Ethics and Campaign Review Board was called to order by Paul Biderman, Chair, on Thursday, September 11, 2025, in the City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, NM.

**2. ROLL CALL**

**MEMBERS PRESENT**

Paul Biderman, Chair  
Justin Miller  
Andrew Black  
Judith Amer  
James Sullivan

**MEMBERS ABSENT**

Christina Brennan, excused  
Jose Puentes

**OTHERS PRESENT**

Geralyn Cardenas, Deputy City Clerk  
Xavier Vigil, City Clerks Office  
Ms. Cruz, Office of the City Attorney

**3. APPROVAL OF AGENDA**

Chair Biderman asked that item 5 (B) be heard before item 5 (A).

**MOTION** A motion was made by Mr. Miller, seconded by Ms. Amer, to approve the agenda as amended.

**VOTE** The motion passed on a voice vote.

**4. APPROVAL OF MINUTES**

None.

**5. DISCUSSION AND POSSIBLE ACTION ITEMS**

**B. CASE #2025-2. COMPLAINT BROUGHT FORWARD BY VICTORIA MURPHY - IN ACCORDANCE WITH SECTION 6-16.4 SFCC 1987 "DETERMINATION OF LEGAL SUFFICIENCY; SETTING A HEARING." CONSIDERATION OF WHETHER THE COMPLAINT SETS FORTH LEGALLY SUFFICIENT FACTS WHICH, IF TRUE, SHOW PROBABLE CAUSE TO BELIEVE THERE WAS A VIOLATION. (THE BOARD MAY GO INTO EXECUTIVE SESSION UNDER NMSA 1978, SECTION 10-15-1(H)(3) TO DELIBERATE IN CONNECTION WITH AN ADMINISTRATIVE ADJUDICATORY PROCEEDING)**

- 1. DISCUSSION OF ACTIONS**
- 2. ACTION REGARDING WHETHER THE COMPLAINT SETS FORTH LEGALLY SUFFICIENT FACTS, WHICH IF TRUE, SHOW PROBABLE CAUSE TO BELIEVE THERE WAS A VIOLATION.**
- 3. ACTION ON ANY STEPS AS PERMITTED UNDER SECTION 6-16 SFCC 1987.**

Chair Biderman said we have two complaints from the same person regarding two different candidates for Mayor. Both complaints involve not identifying the campaign treasurer on campaign materials. We will not be considering if we adjudicate this issue, but will determine if a prima facie case has been made. Commissioner Greene is the candidate in case B and is present today. The case alleges that a fundraiser flyer did not list the campaign treasurer. This involves Commissioner Greene's candidacy. We have not received a written response from Commissioner Green, but he is here today. The issue is if there is enough evidence for a violation. We will hear Commissioner Green's response in person.

Commissioner Green stated that Peter Dwyer, Attorney, is representing him.

Mr. Dwyer said he has several concerns. The correct form was not used for the complaint. The incorrect citation was used, as it is a criminal code citation. The case does not identify any person regarding witnesses. The case presented is signed by a notary, but the statement is not up to legal standards. It is not a sworn complaint. The complaint does not meet the prima facie code. He asks that you dismiss this case.

Ms. Amer asked what needs to be done to meet the prima facie code.

Mr. Dwyer said normally, the signature is notarized to show the signature is of the person required. There should be an assertion that the statements made in the case are true under penalty of perjury. There should be a sworn oath.

Ms. Amer asked Ms. Cardenas if complainants ask you to act as a notary for



**GO INTO EXECUTIVE SESSION UNDER NMSA 1978, SECTION 10-15-1(H)(3) TO DELIBERATE IN CONNECTION WITH AN ADMINISTRATIVE ADJUDICATORY PROCEEDING.)**

- 1. DISCUSSION OF ACTIONS.**
- 2. ACTION REGARDING WHETHER THE COMPLAINT SETS FORTH LEGALLY SUFFICIENT FACTS, WHICH, IF TRUE, SHOW PROBABLE CAUSE TO BELIEVE THERE WAS A VIOLATION.**
- 3. ACTION ON ANY STEPS AS PERMITTED UNDER SECTION 6-16 SFCC 1987.**

Chair Biderman said this is an identical complaint to item B with the exception of the attachments and the candidate name - Tarin Nix. Mr. Nix did file a written response, which we have.

Mr. Sullivan said he needs to recuse himself from this case as he may have a conflict with a previous case involving Ms. Murphy.

Chair Biderman said we will need to reconsider the previous vote on item B as the complainant is also Ms. Murphy.

Mr. Sullivan recused himself from both cases A and B.

**MOTION** A motion was made by Ms. Amer, seconded by Mr. Black. To reconsider the vote on item 5 (B).

**VOTE** The motion passed on a roll call vote as follows:

Mr. Black, yes; Ms. Amer, yes; Mr. Miller, yes. Chair Biderman, yes.

**MOTION** A motion was made by Ms. Amer, seconded by Mr. Black, to dismiss the case without prejudice.

**VOTE** The motion passed on a roll call vote as follows:

Mr. Black, yes; Ms. Amer, yes; Mr. Miller, yes. Chair Biderman, yes.

Ms. Amer said the response is not attested to in any way.

Chair Biderman said he does not see a rule pertaining to the response in our code. It is not a requirement.

Mr. Black noted that campaigns should try to avoid this issue in the future as it is

important for transparency.

**MOTION** A motion was made by Mr. Miller, seconded by Mr. Black, to dismiss the case for lack of legal sufficiency.

**VOTE** The motion passed on a roll call vote as follows:

Mr. Black, yes; Ms. Amer, yes; Mr. Miller, yes. Chair Biderman, yes.

## **6. DISCUSSION NO ACTION ITEMS**

### **A. POTENTIAL REVISIONS TO CITY OF SANTA FE ETHICS CODE**

Chair Biderman said this is a general discussion about the possibility of revisions to the City of Santa Fe Code and to see if revisions are necessary. He looked at the Ethics Code as it exists. There are ethics issues that may not be able to be disposed of in the peoples interest, such as harassment, Councilors influencing City staff and discrimination. He throws those out for discussion.

Ms. Amer said she thinks we should continue to pursue this. It would be difficult to determine a line crossed regarding the work of Councilors with staff and influencing.

Mr. Miller said it may be a good way to proceed by focusing on the ethics code.

Ms. Amer asked if the City has an EEO office that is active.

Ms. Cardenas said there was a position budgeted for by the City, but the City has not filled that position.

Chair Biderman said if there is a complaint, there is no one within the City government to make a decision if it is valid. It would just go to the City Manager. Is he correct.

Ms. Cardenas said that is how she understands it.

Chair Biderman introduced Ms. Cruz, with the City Attorney's Office, who is here for Marcos.

Chair Biderman said he thinks we need to look at that.

Mr. Black said social media has become today's campaign signs. We might look at that and if there are significant provisions in the code addressing social media.

Ms. Amer agreed and said we may also look at AI use in campaigns and

dissemination.

Chair Biderman suggested that the Board make a list of issues we want to address, assign them to subcommittees with less than a quorum of Board members, to do research and then come back to the Board with proposals.

Everyone agreed to the process.

The volunteers for the subcommittees were as follows:

Ethics Subcommittee - Chair Biderman, Ms. Amer and Ms. Brennan.

Campaign Subcommittee - Mr. Black, Mr. Sullivan and Mr. Miller.

## **7. PUBLIC COMMENT**

Commissioner Greene encouraged the Board to look at PACs in the Campaign Subcommittee and have a clear set of rules.

## **8. EXECUTIVE SESSION**

None.

## **9. MATTERS FROM STAFF**

Ms. Cardenas said the City Clerk asked her to schedule a meeting for this Board in November. She will look at dates and see when we can get a quorum.

## **10. MATTERS FROM THE COMMITTEE**

Chair Biderman said he would like to request assistance from the City Attorney's office for drafting.

Mr. Black said he would like to see the changes be made as necessary to the form for complaints.

## **11. MATTERS FROM THE CHAIR**

None.

## **12. ADJOURN**

**MOTION** A motion was made by Mr. Amer, seconded by Mr. Black. To adjourn the meeting.

**VOTE**        The motion passed on a voice vote.

              There being no further business before the Board, the meeting adjourned at 12:07 pm.

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Paul Biderman, Chair

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Elizabeth Martin, Stenographer