

**ETHICS AND CAMPAIGN REVIEW BOARD
FRIDAY, SEPTEMBER 6, 2024, 11:00 AM
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 Friday, September 6, 2024, 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
Jose Puentes

3. APPROVAL OF AGENDA

Chair Biderman asked that item 5 (B) be heard before item 5 (A), because Ms. Amer is needed for item A.

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

VOTE The motion passed on a voice vote.

4. APPROVAL OF MINUTES

A. REQUEST FOR APPROVAL OF THE APRIL 19, 2024 ETHICS AND CAMPAIGN REVIEW BOARD MINUTES

MOTION A motion was made by Mr. Miller, seconded by Mr. Black, to approve the minutes.

VOTE The motion passed on a voice vote.

5. DISCUSSION AGENDA AND POSSIBLE ACTION

B. CASE #2023-5. COMPLAINT BROUGHT FORWARD BY PILAR

FAULKNER - STATUS REPORT AND MOTION TO EXTEND THE TIME FOR FINAL INVESTIGATION REPORT TO THE BOARD OR VOTE TO TAKE FINAL ACTION ON THE COMPLAINT.

Chair Biderman said this complaint deals with postings on social media attacking Ms. Faulkner during her campaign. We did hire an investigator to do the research on the case. We have a report that includes testimony from witnesses who do not wish for their names to be disclosed.

Chair Biderman recommended that the Board enter into Executive Session to discuss the report.

6. EXECUTIVE SESSION

A. DISCUSSION OF ECRB CASE #2023-5. COMPLAINT BROUGHT FORWARD BY PILAR FAULKNER PURSUANT TO NMSA 1978, SECTION 10-15-1(H)(3) DELIBERATIONS BY A PUBLIC BODY IN CONNECTION WITH AN ADMINISTRATIVE ADJUDICATORY PROCEEDING.

MOTION A motion was made by Mr. Miller, seconded by Mr. Puentes, to enter into Executive Session pursuant to the Open Meetings Act, NMSA 1978, Section 10-15-1(H)(3).

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

Mr. Miller, yes; Mr. Puentes, yes; Mr. Black, yes; Chair Biderman, yes.

The Board entered into Executive Session at 11:07 am.

The Board reconvened in Open Session at 11:45 am.

MOTION A motion was made by Mr. Miller, seconded by Mr. Puentes, to dismiss the complaint.

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

Mr. Miller, yes; Mr. Puentes, yes; Mr. Black, yes; Chair Biderman, yes.

5. CONTINUATION OF ITEM 5

A. CASE #2023-3. COMPLAINT BROUGHT FORWARD BY ARCY BACA - 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.**

This item was not heard or discussed.

7. MATTERS FROM STAFF

None.

8. MATTERS FROM THE COMMITTEE

None.

9. MATTERS FROM THE CHAIR

None.

10. NEXT MEETING: NO MEETING SCHEDULED

11. ADJOURN

There being no further business before the Board, the meeting adjourned at 11:57 am.

Paul Biderman, Chair

Elizabeth Martin, Stenographer