



Agenda

Regular Meeting of the Ethics
and Campaign Review Board
November 13, 2025 at 3:00 PM
City Council Chambers, City
Hall
200 Lincoln Avenue

Procedures for Ethics and Campaign Review Board Meeting

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
 - a. Request for Approval of the May 8, 2025, Ethics and Campaign Review Board Meeting Minutes. (Xavier Vigil, Assistant City Clerk; xivigil@santafenm.gov)
 - b. Request for Approval of the September 11, 2025, Ethics and Campaign Review Board Meeting Minutes. (Xavier Vigil, Assistant City Clerk; xivigil@santafenm.gov)
 - c. Request for Approval of the September 6, 2024 Ethics and Campaign Review Board Meeting Minutes. (Xavier Vigil, Assistant City Clerk; xivigil@santafenm.gov)
5. Discussion and Possible Action Items
 - a. **Case #2025-3.** Complaint Brought Forward by Suzanne Romero - 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.
 - b. **Case #2025-4.** Complaint Brought Forward by Stefanie Beninato - 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.)

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3. Action on Any Steps as Permitted Under Section 6-16 SFCC 1987.

- c. **Case #2025-5.** Complaint Brought Forward by Stefanie Beninato - 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.

- d. Proposal to the Governing Body to Add to the Jurisdiction of the Board Complaints of Discrimination.

6. Public Comment
7. Executive Session
8. Discussion Items - No Action
9. Matters from Staff
10. Matters from the Committee
11. Matters from the Chair
12. Adjourn

Persons with disabilities in need of additional accommodations, contact the City Clerk’s office at 505-955-6521, five (5) working days prior to meeting date.

**ETHICS AND CAMPAIGN REVIEW BOARD
THURSDAY, NOVEMBER 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, November 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
Judith Amer
James Sullivan
Christina Brennan

MEMBERS ABSENT

Andrew Black
Jose Puentes

OTHERS PRESENT

Geralyn Cardenas, Deputy City Clerk
Xavier Vigil, City Clerks Office
Marcos Martinez, Assistant City Attorney
Elizabeth Martin, Stenographer, virtually

3. APPROVAL OF AGENDA

MOTION A motion was made by Ms. Brennan, seconded by Mr. Miller, to approve the agenda as presented.

VOTE The motion passed on a voice vote.

4. APPROVAL OF MINUTES

A. REQUEST FOR APPROVAL OF THE MAY 8, 2025, ETHICS AND CAMPAIGN REVIEW BOARD MEETING MINUTES

B. REQUEST FOR APPROVAL OF THE SEPTEMBER 11, 2025, ETHICS AND CAMPAIGN REVIEW BOARD MEETING MINUTES

C. REQUEST FOR APPROVAL OF THE SEPTEMBER 6, 2024 ETHICS AND CAMPAIGN REVIEW BOARD MEETING MINUTES.

MOTION A motion was made by Ms. Amer, seconded by Mr. Miller, to approve the minutes as presented.

VOTE The motion passed on a voice vote.

5. DISCUSSION AND POSSIBLE ACTION ITEMS

A. CASE #2025-3. COMPLAINT BROUGHT FORWARD BY SUZANNE ROMERO - 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 stated that the role of the Board today is to conduct this meeting, for all three cases, as to if the complaints are legally sufficient. Are the facts substantive enough to allow us to go forward.

Suzanne Romero came forward to present her case and was sworn in.

Ms. Romero said her complaint is in relation to today’s technology, specifically, Facebook. Her main focus is should there be a Facebook page that says you are a City Councilor, Councilor Castro to be specific, that endorses a candidate for District 1. Her page comes across as the City of Santa Fe page. To her, as a member of the public, it shows as a government official page. Her complaint is that endorsing a candidate is not in compliance with the rules. It was an official page. That is against good governance. She noticed last night that the shield is no longer on the page. What is

the policy. Was it a government website or personal. That is an important distinction. Going forward, the City needs to determine how it is going to use social media, especially during election time.

Chair Biderman reviewed the criteria from the code of what the Board used to decide if they are going to proceed.

Chair Biderman said we received a statement from Councilor Castro. He will introduce that into the record.

Councilor Castro came forward to give her response and was sworn in.

Councilor Castro said this page was originally her campaign page. She does see the confusion and the need for some sort of policy. The endorsement was not from herself, it was from a national organization.

Mr. Miller said he looks at the complaint as three issues. The Councilor identified herself as a Councilor, uses the shield and uses the page to conduct official business. He does not know the rules around using the shield. We are not talking about the seal.

Councilor Castro said the City uses the City Seal for official business. The communications office advised her that she could use the shield.

Mr. Miller asked if there is a prohibition in the use of the shield or logo.

Mr. Martinez said it is a conflict of interest for him to respond regarding the Councilor's case as he represents the City. He will have to be excused from this case.

Mr. Miller said he understood. His question is what are the proper uses of the shield or logo.

Ms. Romero said her concern is that the Mayor told her the shield reflects City of Santa Fe business. That is why she filed this complaint.

Councilor Castro said the Communications team informed her that formal documents use the seal. The shield is for business.

Ms. Amer said she agrees with Mr. Miller and that number three of the alleged conflicts may fulfill legal sufficiency. It is not proved yet, but according to code, it is her opinion that the use of the shield makes the appearance of official business and meets the standard of legal sufficiency to set a hearing.

Ms. Brennan said she disagrees.

MOTION A motion was made by Ms. Brennan, seconded by Mr. Sullivan, to dismiss the case.

Mr. Miller said he does not see anything in the City Ordinance regarding the crest or the shield. The seal is different. He does not see violations in the list of allegations.

Ms. Amer said she agrees technically. It could be the use of equipment as a misuse of City resources.

Ms. Brennan said it would have to show a personal benefit with the equipment issue.

Mr. Sullivan said he agrees. He does not see this as use of equipment. He supports dismissal.

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

Ms. Brennan, yes; Mr. Miller, yes; Mr. Sullivan, yes; Ms. Amer, no; Chair Biderman, yes.

Chair Biderman said he would like us to clarify the use of the shield and the seal and explore that at another meeting.

Ms. Romero said she feels her complaint has been overshadowed by the City Attorney's Office being not able to comment. She feels that is illegal to her. She feels your vote was done without legal comment on this. You have disregarded your duties by not allowing legal comment.

Chair Biderman said all five us here today are lawyers, so you did get lawyers. If we feel there is enough viability, we would have moved forward.

B. CASE #2025-4. COMPLAINT BROUGHT FORWARD BY STEFANIE BENINATO - 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.**
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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 are in the same state on this complaint - to see if the complaint has legal sufficiency. This case involves the campaign of David Montoya.

Stefanie Beninato came forward to present her case and was sworn in.

Ms. Beninato said it is very clear that David Montoya posted campaign signs on public property and posted them on private property without permission. She provided you with pictures of some of the postings. The other issue is the misuse of campaign funds with purchases. She does not believe that buying tires for your truck or registering your truck are political expenditures. She has provided you with information on that. She does not believe that some of the equipment he purchased would be for political purposes. He purchased food and soft drinks for democratic events and other events. That feels like self enhancement. It feels inappropriate.

Chair Biderman said you have given us a good picture of what you are presenting.

Mr. Miller said complaints about signs happen often. Did you go to the Clerk to have them removed.

Ms. Beninato said the signs in question went up the last week before the election. She did notify the City Clerk. They had to wait twenty four hours after notifying him. The damage was done. The email is in her complaint.

Chair Biderman said he thinks it is a prima facie issue that the signs went up inappropriately.

Ms. Cardenas said the Clerk's Office reached out to Mr. Montoya. His response was that he wanted his ten days to respond. This meeting was scheduled before the ten days are up. He has not responded yet.

Chair Biderman said he things that should be explored. It is a bit in the weeds to get into campaign expenditures. We could look to see if there any clear issues of improper expenditures. He suggests we hold this over for further review and research.

Mr. Martinez said if the Board finds probable cause to proceed he can do the research.

Chair Biderman said we also need to see his response.

MOTION A motion was made by Mr. Miller, seconded by Ms. Amer, that the complaint meets the criteria and we need to move forward to schedule a hearing.

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

Ms. Brennan, yes; Mr. Miller, yes; Mr. Sullivan, yes; Ms. Amer, yes; Chair Biderman, yes.

C. CASE #2025-5. COMPLAINT BROUGHT FORWARD BY STEFANIE BENINATO - 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.**
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- 3. ACTION ON ANY STEPS AS PERMITTED UNDER SECTION 6-16 SFCC 1987.**

Ms. Beninato came forward to present her case. She was previously sworn in.

Ms. Beninato said this case is regarding the Leroy Trujillo campaign and is about posting signs on public property. She reported this to the Clerk’s office and gave them examples. The Clerk’s office contacted Mr. Trujillo and that did not slow him down. Mr. Trujillo is a park employee and he should know what a park is and what the restrictions are. The emails are in the complaint.

Ms. Cardenas said Mr. Trujillo has not responded to our office. The deadline has not passed for either case. The deadline is Monday, November 17th on both cases.

MOTION A motion was made by Ms. Amer, seconded by Mr. Miller, that the complaint fulfills the requirement and should be set forward.

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

Ms. Brennan, yes; Mr. Miller, yes; Mr. Sullivan, yes; Ms. Amer, yes; Chair

Biderman, yes.

D. PROPOSAL TO THE GOVERNING BODY TO ADD TO THE JURISDICTION OF THE BOARD COMPLAINTS OF DISCRIMINATION.

Chair Biderman said this item has been raised several times. Member Amer has done some research on this and this was discussed at our last meeting. This is a discussion to see if we wish to proceed.

Ms. Brennan said she thinks this is a bad idea and she disagrees with adding this to the responsibilities of this Board. There are other agencies and departments who have the tools to help with these types of complaints.

Mr. Sullivan agreed.

Ms. Amer said she agrees, in part, with Ms. Brennan, but is not clear if the City has a process for these kind of complaints.

Mr. Martinez said it falls under HR and the City Manager.

Ms. Brennan asked if any employees are under Collective Bargaining Agreements.

Mr. Marcos said the City has three Collective Bargaining Agreements.

Ms. Brennan said she thinks they handle those issues as well.

Ms. Amer said we need more information.

Mr. Miller said at our last meeting we set up two subcommittees to look at this possible changes to the code. If the question is if this Board should be charged with these issues, he feels we are operating in a vacuum without more information.

Chair Biderman said it seems to be an inherent fear in the process that the City has not that the employee may have to go to the individual who hired the employee. This Board could be an intermediary. It is just an idea.

Mr. Miller said he is leaning toward this being a bad idea. He thinks our subcommittees need to meet and bring any possible changes to the Board.

Chair Biderman said we will do that.

6. PUBLIC COMMENT

None.

7. EXECUTIVE SESSION

None.

8. DISCUSSION - NO ACTION

None.

9. MATTERS FROM STAFF

Mr. Martinez said we send a copy of the rules to the complainants and the responding parties. He was at the State Ethics Panel last week. They are working on a set of model rules for Municipalities. They applauded the Santa Fe ECRB.

10. MATTERS FROM THE COMMITTEE

None.

11. MATTERS FROM THE CHAIR

None.

12. ADJOURN

MOTION A motion was made by Mr. Miller, seconded by Ms. Amer, to adjourn the meeting.

VOTE The motion passed on a voice vote.

There being no further business before the Board, the meeting adjourned at 4:18 pm.

Paul Biderman, Chair

Elizabeth Martin

[Elizabeth Martin \(May 8, 2026 10:43:03 MDT\)](#)

Elizabeth Martin, Stenographer

