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**MAESTAS'S SUPPLEMENTAL LEGAL ARGUMENT
TO COMPLAINT OF JEFF E. GREEN**

JOSEPH M. MAESTAS (**Maestas**), by and through his attorneys, Sommer, Karnes & Associates, LLP (Karl H. Sommer), hereby submits this Supplemental Legal Argument pursuant to the direction of the Ethics & Campaign Review Board (**Board**).

I. Introduction.

Having found “probable cause” for the filing of the Complaint and Maestas having waived his opportunity to have an evidentiary hearing on the Complaint, the Board has set this matter for a final determination on Wednesday, January 22, 2014. The Board determined that the factual background has been sufficiently established by the Complaint and Maestas’s Response¹, and the Board has given the Complainant Jeff E. Green and Maestas the opportunity to submit additional legal argument for the Board’s consideration. The central issue raised by the Complaint is easily stated: Whether the unpaid Focus Invoices and the payment of the Premier Invoice by Holguin constituted “expenditures” under the SFCC 1987 § 9-3.8B(3) and C(1) of Public Campaign Finance Code? If they were *not* expenditures, then it is clear they were *not* subject to either the strictures of Section 9-3.8.B(3) or the reporting requirements of Section 9-8.C(1). A reading of the Code reveals that, as a matter of law, the Code did not define the Focus Invoices or the payment by Holguin of the Premier Invoice as “expenditures” and there has been no violation of the Code by Maestas.

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¹ The defined and capitalized terms used and persons referred to in the Response filed by Maestas are utilized in this Supplemental filing.

II. Legal Analysis.

Maestas has maintained throughout that he had layman's understanding of the term expenditure, and that because his campaign had neither been presented with nor paid the Focus Invoices or the Premier Invoices, he did not believe these were expenditures for purposes of the Code. (*See* Response at p. 7) The Code's definition of "expenditure" indeed supports that lay understanding of the term. Under the Code, "*expenditure* means a payment or transfer of anything of value in exchange for goods, services, property, facilities or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign for a candidate or ballot proposition." The facts establish that, at the time of the Report and Application, no "transfers" were made by the campaign. Therefore, under straightforward application of the Code, the Focus Invoices and the Premier Invoices were not "expenditures."

The inquiry does not end there, however. The term "expenditure" under the Code is broader and more encompassing than just this partial quote from the definition. The Code in the term all "contributions, subscriptions, distributions, loans, advances, deposits, or gifts of money or anything of value, and includes a contract, a promise or agreement, whether or not legally enforceable, to make an expenditure." Hence, the issue turns on whether the Focus Invoices or the Premier Invoice fall within one of these additionally listed items.

There is no evidence in this case to support the finding that Maestas's campaign made "subscriptions, distributions, loans, advances, deposits, or gifts of money or anything of value, and includes a contract, a promise or agreement, whether or not legally enforceable, to make an expenditure." And as explained below, the Focus Invoices and the payment of the Premier Invoice were not "contributions."

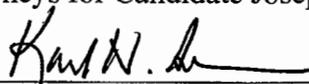
The Code on the date of the Report and Application did not define the Focus Invoices or the payment to Premier as contributions and did not address the factual setting of this case. On January 8, 2014, the Code was amended to include within the term “contribution” “an expenditure by a person other than a candidate or the candidate’s political committee that is made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or the candidate’s political committee.” (*See* Ordinance No. 2014-2, Section 1) This amendatory provision to the Code addresses the precise factual setting of this case and makes clear that an expenditure by a person *other than the candidate* is a “contribution” and therefore is incorporated by definition into the term “expenditure.” Today, the Invoices and payment at issue would be clearly contributions and expenditures, and therefore, subject to the limitations and reporting requirements of the Code. However, at the time of the Report and the Application, the Code did not subject the Invoices or payment to “expenditure” limitations or reporting requirement found in Section 9-3.8.B(3) or the reporting requirements of Section 9-8.C(1).

III. Conclusion.

Maestas’s belief and good faith, while unquestioned and clearly demonstrated by the Response, do not determine the resolution of the Complaint; only a close and fair reading and application of the Code can resolve the matter. As demonstrated above, a review of the facts does not support the conclusion Maestas’s campaign ran afoul of the Code’s limitations or reporting requirements. The Code’s provisions prior to January 8, 2014, did not address this specific factual circumstance, but today it does. Respectfully, Maestas submits that the Board should dismiss the Complaint.

Respectfully submitted,

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Legal Argument Regarding Complaint 2013-2

By Jeff E. Green

Submitted to the Ethics and Campaign Review Board, 1/21/2014

I. VALID INTEREST OF COMPLAINANT

Complainant's sole and valid interest in filing Complaint 2013-2 had been to seek to ensure that the fairness, transparency and integrity of Santa Fe's municipal election process and its Public Campaign Finance Code are respected and upheld in the District 2 election for Santa Fe City Council. When Complainant observed evidence that violations had been committed, Complainant believed it was his responsibility as a citizen and candidate to report the violations in the form of a complaint to the Ethics and Campaign Review Board. Complainant continues to pursue this matter as Respondent's filings and statements relating to the Complaint has not only not altered, but rather has strengthened, Complainant's belief that violations of the Public Campaign Finance Code were committed and Complainant's interest to see that a fair, transparent and ethically sound election process takes place in District 2.

II. EVIDENCE OF VIOLATIONS OF THE PUBLIC CAMPAIGN FINANCE CODE

The Public Campaign Finance Code sets forth very clear requirements and procedures to be followed by candidates for public office that seek to qualify and be certified as eligible to receive payments from the public campaign finance fund created by subsection 9-3.4 SFCC (a "participating candidate"), including:

1. Such candidates may solicit and accept seed money contributions to defray expenses incurred in obtaining qualifying contributions and in seeking certification as a participating candidate (see subsection 9-3.6 A SFCC).
2. Seed money contributions may not exceed \$100 per contributor and the candidate may not accept aggregate contributions in excess of ten percent (10%) of the amount payable under subsection 9-3.10 SFCC 1987 to a candidate in a contested election for the office sought, which for the District 2 election for Santa Fe City Council is \$1,500 (see 9-3.6 B SFCC). A contribution required to be reported would include a loan, gift, and advance or anything of value made directly or indirectly, to a candidate for the purpose of influencing the outcome of a municipal election (see 9-3.3 E SFCC).
3. A report detailing each seed money contribution is required to accompany the candidate's application to be certified as a participating candidate (see 9-3.8 C(1) SFCC).
4. A report detailing all expenditures of seed money contributions made by the candidate is required to accompany the candidate's application to be certified as a participating candidate (see 9-3.8 C(1) SFCC).

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5. The candidate is required to state under oath that the candidate has accepted no contributions to the candidate's current campaign other than qualifying contributions and seed money contributions solicited and accepted pursuant to subsections 9-3.6 SFCC and 9-3.7 SFCC (see 9-3.8 B(2) SFCC). Subsection 9-3.7 SFCC prohibits the payment by a candidate or person acting on a candidate's behalf to any other person any form of compensation for soliciting or obtaining a qualifying contribution.

6. The candidate is required to state under oath that the candidate has made no expenditures for his or her current campaign from any source other than seed money contributions (see 9-3.8 B(3) SFCC). An expenditure is both a payment in exchange for goods, services, property, facilities or anything of value for the purpose of benefiting a candidate and a promise to make such payment (see 9-3.2 G SFCC).

Failure to adhere to the requirements and procedures of the Public Campaign Finance Code, including averments under oath that prove to be false, are violations of the Public Campaign Finance Code.

Complainant and Respondent both agree that purchases of goods and services benefiting Respondent as a candidate represented by invoices totaling \$601.86 were not included in Respondent's seed money expenditure report. This fact is not in dispute.

Complainant agrees with the statement made by Respondent on page 9 of the response: "If the Board determines that the Focus Invoices and the Premier Invoice were "expenditures" for purposes of Sections 9-3.8, then the Board cannot help but find some merit in the Complaint."

Complainant argues that the aforementioned purchases were expenditures during the seed money period and should have been reported in Respondent's seed money expenditure report, for the following reasons:

1. The seed money period is defined as beginning when a candidate begins to accept seed money contributions (in this case, August 15 for Mr. Maestas) and ending on the day when qualifying contributions and a seed money report are turned in to the city clerk. In this case, the purchases represented by these invoices were made during the seed money period. Respondent was aware that the purchases were made during this period and understood implicitly that payment would need to occur for the purchase of these services. This constitutes a promise to pay for services and, as such, an expenditure that should have been disclosed as such in the seed money expenditure report.
2. The purchased goods services (signage and robocalls) were in use during the seed money period and they contributed substantially to the Respondent's overall campaign strategy to attract public support and awareness during the seed money period. In particular, the large truck-mounted signage was likely seen by thousands of people, and the robocall message may have been heard by hundreds or thousands of people. As the Respondent notes on page 4 of the response: "The truck mounted banners and placards were used in the 2013 Santa Fe Fiesta Parade on September 8, 2013 and subsequently used numerous times by primarily parking the truck in publicly visible locations." There can be no doubt that the goods and services were purchased for the benefit of Respondent as a candidate in the District 2 election for Santa Fe City Council.

3. The signage in use during the seed money period was clearly labeled as being "Paid for by Joseph Maestas for Santa Fe." Members of the public who see this statement on campaign material, or who hear a similar statement on a robocall, should be able to trust in its truthfulness. Failure by the candidate to make payment during the seed money period for goods or services rendered during this period does not preclude the value of these goods or services from being expenditures required to be reported, particularly when that is how the public understood them as being presented by none other than the candidate himself. This is clearly the intent of the Public Finance Campaign Code as expenditures include both payments and the promise to pay (see 9-3.2 G SFCC).
4. As part of his public relations response to the complaint on Dec. 10, 2013, Mr. Maestas himself openly admitted that these invoices in question should have been included and accounted for within the seed money expenditure report. He said, "In retrospect, I should have included each expense in our seed money expenditure report regardless of the billing circumstances." (See addendum to the original complaint.) This admission was then contradicted by the Respondent's argument contained in his Dec. 30 official response to the ECRB that he did not need to report these expenditures.
5. The public campaign funds are not intended to be used as a credit account. In other words, candidates are not allowed to run up expenses during the seed money period in the amount of hundreds or thousands of dollars and pay for those expenses from the public fund, in essence going into debt during the seed money period and using the public fund as a delayed source of credit, as Mr. Maestas now has done. There is no indication in the public campaign finance code that candidates are allowed to pay off expenditures accrued during the seed money period from the public fund. Indeed, the public campaign finance code expressly prohibits this when it says that seed money expenditures *must be paid from no other source other than seed money contributions*.

III. EVIDENCE OF UNFAIR ADVANTAGE BY RESPONDENT

One of the main purposes of the Public Campaign Finance Code is to place all of the participating candidates on an equal playing field. The Complainant notes that if the purchases in question had been accounted for as expenditures during the seed money period (as they should have been) along with all of Mr. Maestas's other documented expenditures, his expenditures would have totaled \$2101.86 – about 40% more than the \$1,500 spending limit allowed by the Public Campaign Finance Code during the seed money period, thus violating the Public Campaign Finance Code. This means that in comparison with the other candidates who presumably followed the rules, the Respondent incurred a significant (and unfair) campaign advantage.

Indeed, clear evidence of the Respondent's advantage can be seen in the large number (300) of qualifying contributions that he collected, which was nearly 100 more than the next closest City Council candidate in District 2 and also the most received by any participating 2014 Santa Fe City Council candidate.

Closer analysis shows that this unfair advantage was made possible to a significant degree by Mr. Maestas spending over \$1,100 in October and November 2013 to hire a "field services" employee, which would not have been possible if Mr. Maestas had accounted for the signage and robocall expenditures. If all of the Respondent's purchases for the benefit of his candidacy had been reported as required his

spending in excess of the \$1,500 limit would have been apparent. If he had attempted to limit his purchases so as to stay within the limitation required by the Public Finance Campaign Code, and all of his other expenses had remained the same, then only \$536.73 would have been available to pay for field services. Whether the field employee would have agreed to do the same amount of work for less than half the pay – or decided not to work at all – is unclear.

The difference that this made can be seen in the number of qualifying contributions collected by Mr. Maestas's campaign during two separate time frames during the seed money period. The first payment to Mr. Frank Murray for "field services" was made on October 15 and presumably that is when Mr. Murray's employment began. During the six weeks before Oct. 15 only 124 qualifying contributions were collected by Mr. Maestas's campaign, which averages out to a rate of 20 per week. During the next 4 and ½ weeks from Oct. 15 to Nov. 18 the campaign collected 176 qualifying contributions, for a rate of 39 per week, nearly double the earlier productivity. If the campaign had continued without Mr. Murray's "field services" support at the early rate of 20 qualifying contributions per week, only 214 total qualifying contributions would have been collected, placing Mr. Maestas at parity with the other publicly financed candidates in District 2. In addition, before the assistance of Mr. Murray started on Oct. 15, Mr. Maestas had collected fewer than the 150 qualifying contributions required to qualify for public campaign financing. In fact, there is no way to know conclusively in retrospect whether Mr. Maestas would have succeeded at collecting the minimum 150 qualifying contributions without the assistance of Mr. Murray.

Presumably, based on these statistics and his title as a "field services" employee, Mr. Murray was being paid to canvass, solicit and obtain qualifying contributions on behalf of Mr. Maestas.

Of course, receiving more qualifying contributions than his opponents does not translate into Mr. Maestas receiving more public funds – he still received \$15,000 like all of the publicly financed City Council candidates. Yet it has given him a significant public relations advantage by enabling Mr. Maestas to represent himself as the perceived frontrunner in the District 2 election.

Mr. Maestas's own campaign communications have touted his success at generating the most qualifying contributions. On Dec. 9, 2013, in an e-mail sent to "friends and supporters," Mr. Maestas announced in the opening paragraph that "we collected **twice the number** of \$5 contributions for public financing and the **most** of any Council candidate in Santa Fe." (Emphasis in original; see Appendix A) The perceived frontrunner status – unfairly earned – could be used to generate endorsements, media attention, and other forms of public recognition and support that are highly valuable in a competitive and crowded election race. This advantage is one of the practical effects of Mr. Maestas violating the Public Campaign Finance Code spending over \$2,100 instead of \$1,500.

Another unfair advantage is the enormous visibility generated by the large signage that Mr. Maestas hauled around Santa Fe in the back of his pickup truck. Thousands of District 2 residents and Santa Fe citizens saw the Joseph Maestas campaign signage during the Santa Fe Fiesta's Historical/Hysterical Parade and during the ensuing 10 weeks of the seed money period that ended on November 18, 2013. Because the purchase of this signage was not reported in the Respondent's seed money expenditure report and doing so would have placed Mr. Maestas far above the \$1,500 limit on expenditures, this huge visibility should be considered an unfair advantage. Given the evidence available, M. Maestas is the only District 2 candidate who has violated the rules of the Public Campaign Finance Code and exceeded the allowed level of expenditures. This has already given him a distinct unfair edge in a close and competitive race.

IV. ILLEGALITY OF CONFERRING PAYMENT TO SOLICIT QUALIFYING CONTRIBUTIONS

Seed money contributions may be used only to defray expenses incurred in obtaining qualifying contributions and in seeking certification as a participating candidate. Presumably, since these are the only activities for which seed money is permitted to be used, payments made to Mr. Frank Murray for “field services” during the seed money period were being paid for obtaining qualifying contributions on behalf of Mr. Maestas.

If this is the case, then Mr. Maestas would have violated Section 9-3.7 of the Public Campaign Finance Code which provides that: “No candidate or person acting on a candidate’s behalf shall pay to any other person any form of compensation for soliciting or obtaining a qualifying contribution.” The Complainant respectfully suggests to the Board that this is another area of inquiry it may wish to undertake since such violation would further indicate the Respondent’s lack of “good faith” in following the rules of Santa Fe’s public campaign finance system and his intent to defraud Santa Fe’s electoral process by failing to uphold the conditions for disbursement of public funds to his campaign.

V. DEFICIENCY OF RESPONDENT’S EXPLANATION FOR FAILURE TO REPORT EXPENDITURES

Respondent claims that “lack of communication” between himself and his campaign manager, Mrs. Neri Holguin, was the reason for his failure to report over \$600 in campaign expenditures from three invoices. However, Respondent fails to substantiate this claim with actual evidence. On its face, this explanation strains the limits of reason and credibility. Mrs. Holguin was not just an ordinary volunteer – she was Mr. Maestas’s campaign manager. This fact is documented by Mr. Maestas’s own campaign communications. On October 31, in an email addressed to “neighbors,” Mr. Maestas introduced Mrs. Holguin: “I am proud to introduce you to my committed, professional campaign team: Neri Holguin, Campaign Manager; and Frank Murray, Field and Volunteer Coordinator.” (See Appendix B) The notion that a candidate and his campaign manager did not communicate at all during the three and a half months between August 29, when the first invoice in question was incurred, and December 14, when the three invoices were finally delivered to Mr. Maestas for payment, is highly improbable and unbelievable.

Pertinent questions that could shed light on the falsity of Mr. Maestas’s claim include:

- How many phone calls did Mr. Maestas and Mrs. Holguin exchange between August 29 and November 18, when the seed money expenditure report was filed?
- How many emails did Mr. Maestas and Mrs. Holguin exchange between August 29 and November 18?
- How many instances of direct face-to-face communication did Mr. Maestas and Mrs. Holguin engage in between August 29 and November 18?
- How many total instances of phone, email and face-to-face communication did Mr. Maestas and Mrs. Holguin engage in between August 29 and November 18?
- How many hours did Mrs. Holguin spend managing Mr. Maestas’s campaign between August 29 and November 18?

- If the respondent and his campaign manager did actually engage in communication on other matters between August 29 and November 18, what was the true reason for the supposed “lack of communication” with regard to the three unreported invoices?

Furthermore, the notion that Mr. Maestas was not aware of his need to pay for these expenditures during the seed money period, especially the expenditure for large signage, strains the limits of reason and credibility. These were not items or services that existed outside his immediate awareness. After all, he personally hauled the large signage around Santa Fe in the back of his pickup truck. The mere fact that he did not receive the invoices until December 14 does not excuse his responsibility to communicate with Mrs. Holguin about them in a timely manner, to pay for them from his seed money funds, and to account for them in his seed money expenditure report. This is indicative of willful negligence and intent to defraud Santa Fe’s public campaign finance process.

The evidence at hand strongly suggests that Mr. Maestas had no intent to pay for \$601.86 in signage and robocalls, despite the publicly visible and audible taglines of “Paid for by Joseph Maestas for Santa Fe.” Complainant believes that if his complaint had not been filed, these expenditures would never have been paid for by Respondent.

In addition, neither Mr. Maestas nor Mrs. Holguin are novices in the area of political campaigns. To the contrary, Mr. Maestas has run campaigns for public office at least five previous times in his political career, including his 10 years of public service as a City Councilor and the Mayor of Española. Mrs. Holguin is a professional political consultant “based in Albuquerque, New Mexico, who manages candidates and issues campaigns, developing strategy and voter contact programs,” according to the website for her consulting firm, Holguin Campaigns & Communications. Her list of clients includes current gubernatorial candidate Alan Webber, Land Commissioner Ray Powell, Senator Jacob Candelaria, Senator Tim Keller, Representative Brian Egolf and Representative Stephanie Garcia Richard among many others. Therefore, given this extensive depth of political experience, Complainant finds it impossible to believe that the respondent and his campaign manager were so naïve as to fail to understand the actual requirements for participating in Santa Fe’s public finance code, and that mere “lack of communication” is sufficient to explain the failure to comply with these requirements. Indeed, Mr. Maestas signed an affidavit stating that he did understand the rules of public financing.

Finally, Complainant wishes to express on the record his belief that Mr. Maestas’s campaign manager, Mrs. Holguin, may not truly be a “volunteer” as claimed who has received no past, or promise of future, payment in exchange for her campaign management services. Given Mrs. Holguin’s employment and business as a professional political consultant, the complainant expresses doubt that she would agree to work on a high-profile political campaign with no compensation. Did she volunteer during the seed money period in exchange for a promise to be paid from the public funds? Or did she receive payment during the seed money period that has not been reported? The complainant believes that these are reasonable questions that deserve closer examination. In light of the respondent’s documented failure to account for \$601.86 of campaign expenditures in his seed money expenditure report, it is not outside the realm of possibility that there may exist additional campaign expenditures – such as payment to Mrs. Holguin – that still have yet to be reported. According to the definition of “expenditure” contained

within the Public Campaign Finance Code, promises of payment are expenditures that must be reported. Therefore, if professional campaign services are provided during the seed money period in exchange for any promise of later payment, this would by definition be an expenditure that must be reported in the seed money expenditure report. The Complainant respectfully suggests to the Board that this is a further area of inquiry it may wish to undertake.

VI. EVIDENCE OF REPEATED OFFENSE

Penalties are typically more severe for individuals who commit repeated violations of the law. "Most legal systems punish repeat offenders more severely for the same offense than non-repeat offenders. Second-time offenders, for example, receive more severe punishment than first-time offenders. Penalty escalation characterizes traditional crimes such as theft and murder, but also violations of environmental and labor regulations, tax evasion, etc. This principle of escalating sanctions based on offense history is so widely accepted that it is embedded in many penal codes and sentencing guidelines," writes legal scholar Emons.¹ On March 5, 2003 in a ruling on "three-strikes" laws, the U.S. Supreme Court upheld the principle that more severe sentences for repeat offenders do not violate the 8th Amendment of the U.S. Constitution, which prohibits "cruel and unusual punishment." (Ewing v. California, 538 U.S 11 (2003), and Lockyer v. Andrade, 538 U.S 63 (2003))

In light of this widely accepted legal principle, the factual record shows that the current case is not the Respondent's first instance of trouble complying with the rules of public campaign financing. In fact, Mr. Maestas was a candidate for the Public Regulation Commission in 2008 and sought to receive public campaign financing for that electoral campaign. A letter of complaint was filed with the Secretary of State when another candidate for the PRC office observed that Mr. Maestas had accepted donations from registered corporations, a practice prohibited by the Voter Action Act. He was then disqualified from receiving public funding, before his public funding was reinstated after Mr. Maestas appealed the decision.

On December 20, 2013, Complainant filed a public records request (see Appendix C) with the Secretary of State's office for records pertaining to the 2008 PRC campaign and Mr. Maestas's disqualification from public campaign financing and his appeal. As of the present filing date, those records have not been received by Complainant. Therefore the account that follows is copied from an article published in the *Rio Grande Sun* newspaper on April 17, 2008, entitled "Mayor Almost Loses Out on Funds." (see Appendix D). Complainant's photograph of the article was obtained from microfiche located at the New Mexico State Library.

Española mayor Joe Maestas nearly disqualified himself from receiving public financing for his Public Regulation Commission candidacy after accepting donations from registered corporations, a practice prohibited by the Voter Action Act.

According to the Act, which regulates state financing for Commission races, candidates are allowed to raise up to \$5,000 in private campaign contributions for use until they qualify for public financing, money that's known as "seed money."

¹ Winand Emons, "Escalating Penalties for Repeat Offenses," University of Bern and CEPR. October 2003. www.bit.ly/1dHvW3w

The contributions are limited to \$100 per donor or political action committee, and cannot come from “a corporation, association or partnership formed under state law or from a labor organization,” the law states.

Maestas’ request for financing was denied March 28 for failing to comply with the seed money requirements, according to a letter to Maestas signed by Secretary of State Mary Herrera. Maestas successfully appealed the decision after he returned three \$100 checks ... [snipped]

Maestas expressed frustration about the public financing law both in his appeal letter and when reached by phone Monday.

“As a candidate, I fully believe in the intent of the Voter Action Act,” Maestas wrote in his appeal. “However, it should not be so difficult to voluntarily participate in public financing offered to (Commission) and judge candidates especially because such financing removes undue influence from special interests in these candidates’ campaigns and help instills public’s trust that encourages participation in these elections.”

Taking into account this past offense and disqualification from public campaign financing before reinstatement, a pattern begins to emerge whereby Mr. Maestas appears to simply not respect the rules and boundaries of public campaign financing. The pattern reveals that after he is caught in the act of violating the rules of public campaign financing, he professes fealty to the intentions and ideals of public financing, but his ability and willingness to obey the rules repeatedly falls short. After his 2008 experience of near disqualification, there is no doubt that Mr. Maestas must have been fully aware of the consequences for not complying with the rules of public campaign financing. This means that throughout the course of his current campaign for Santa Fe City Council, Mr. Maestas should have been especially meticulous in his effort to fully follow the rules of public campaign financing. His failure to do so demonstrates willful negligence or deliberate intent to deceive. Presumably, Mr. Maestas received leniency and reinstatement from the Secretary of State’s office regarding his 2008 offense in part because it was his first offense. However, moving forward, the Complainant argues that the Ethics and Campaign Review Board should take into account this evidence of repeated offense by the Respondent in its determination of sanctions for his violations of the Public Campaign Finance Code.

VII. PENALTY FOR VIOLATIONS: RECOMMENDATION FOR DISQUALIFICATION

The Complainant believes that the facts on the record provide overwhelming evidence that multiple violations of Santa Fe’s public finance code have been committed by the Respondent. Now the discussion must move toward recommended sanctions for those violations.

The Complainant believes that two principles must guide this discussion. First, the primary purpose of sanctions must be to restore integrity, parity and fairness to Santa Fe’s 2014 municipal election process in District 2. Second, another crucial purpose of sanctions should be to encourage compliance with and discourage current or future municipal candidates from engaging in further violations of the public campaign finance code.

Section 6.16-7 of Santa Fe’s ordinance establishing the Ethics and Campaign Review Board presents three possible sanctions for Campaign Code violations for individuals who are not currently a public official:

- 1) Issue a public reprimand
- 2) Impose a fine not to exceed five hundred dollars (\$500) per violation. Each day of a continuing or repetitive violation may be deemed a separate offense.
- 3) In the case of a violation of the Public Campaign Finance Code, revoke a candidate's certification as a participating candidate or order repayment or refund by a candidate of any money received by the candidate from the Public Campaign Finance Fund pursuant to Section 9-3.10 SFCC 1987.

Complainant believes that a mere reprimand would satisfy neither of the two principles that should be the basis for sanctions. A reprimand would not effectively restore integrity, fairness and parity to the current municipal election process in District 2; nor would it effectively deter future candidates from engaging in violations of the public campaign finance code.

Second, Complainant will examine the possible sanction of imposing a fine. For each of the three invoices that were not included in the respondent's seed money expenditure report, the complainant believes that three violations are present: Incomplete seed money expenditure report, exceeding \$1,500 in expenditures, and making expenditures for his campaign from a source other than seed money contributions. This means there is a total of nine violations, equaling a maximum fine of \$4,500.

However, each day of a continuing violation may be deemed a separate offense. Between November 18 (the date when Respondent filed his seed money expenditure report) and December 15 (the date when he finally paid for the expenditures in question) there was 19 business days. This means that the fine could increase to \$85,500. But the mere act of paying for these expenditures does not fully resolve the issues at hand, which also relate to the requirement by publicly financed candidates to report their expenditures. Since the next reporting date is January 23, the maximum fine would grow to well over \$100,000. Such a large fine would satisfy Complainant's two principles, but it could be overly burdensome on the finances of the respondent. Complainant does not believe that Respondent should be forced into personal poverty in order for the complaint to be resolved.

In addition, the criteria for setting a monetary penalty is not immediately clear. The penalty could range from \$500 if only one violation is deemed to have occurred to over \$100,000 if multiple violations are deemed to have occurred on a continuing or repetitive basis. On the low end it does not serve the purpose of being a deterrent to future violations and on the high end it could be deemed punitive. The Board also has the previously stated interest and goal of ruling expeditiously in this case. A lengthy discussion or investigation seeking to determine how many violations there truly are and how much of a penalty to assess per violation could be anything but expeditious. If the Board deems it relevant and in the public interest to examine additional violations that have been discovered and articulated in this legal argument, the investigation leading to assessment of sanctions could take weeks.

Therefore, the Board is left with only one option: Disqualification of the Respondent from participating in Santa Fe's public campaign finance system. This option satisfies both of the Complainant's recommended principles. Disqualification is the best and simplest solution to restore integrity, parity and fairness to the District 2 election process for Santa Fe City Council. Disqualification would provide a strong example and discouragement to other candidates to prevent future violations and abuses of Santa Fe's public campaign finance code.

VIII. CONCLUSION – PUBLIC CONFIDENCE IN MUNICIPAL ELECTION AT STAKE

In this case, the Ethics and Campaign Review Board is tasked with determining whether violations of the Public Campaign Finance Code have occurred and, if so, imposing sanctions.

The purpose and intent of Santa Fe's campaign code (9-2.2) is to uphold the public policy of the city of Santa Fe that public confidence in municipal government is essential and must be promoted by all possible means; that political campaign contributions and expenditures be fully disclosed to the public and that secrecy in the sources and application of such contributions be avoided; and that the public's right to know how political campaigns are financed far outweighs any right that this matter remain secret and private.

These official goals are neither lofty nor abstract; they are concrete, reasonable, well-intentioned and explicitly enforced through the requirements of the Public Campaign Finance Code. Likewise, one of the purposes of the Public Campaign Finance Code (9-3.2) is to strengthen public confidence in the governmental and election process.

Violations of the Public Campaign Finance Code have the effect of undermining public confidence in the municipal election process. The ECRB's prerogative to protect and uphold the public confidence in Santa Fe's election process far outweighs any ulterior interest in failing to do so. In the specific case of the violations detailed by Complainant in this legal argument pursuant to Complaint 2013-2, public trust in the integrity, transparency and fairness of the District 2 election process is threatened. Necessary and sufficient action to remedy this situation by restoring public confidence must be taken by the Board.

The ramifications of the Board's present decision will be felt not just in the 2014 municipal election but also in all future Santa Fe elections. The Complainant urges the Board to take action that sets a clear and strong precedent to all future candidates that effectively deters aspiring elected municipal officials from engaging in campaign behavior which violates the terms of the Public Campaign Finance Code. Failure by the Board to take action that upholds these principles would not only weaken and undermine public confidence in the current municipal election process, but it would also harm public confidence in future Santa Fe elections, and that would be an unacceptable result that is directly contradictory to the intent and purpose of Santa Fe's election code. For all of these reasons, the Board must take necessary and sufficient action to remedy this complaint.

All statements of fact asserted in this Legal Argument are believed to be true, to the best of his knowledge, by the Complainant.

Respectfully submitted,

Jeff E. Green

January 21, 2014

APPENDIX A

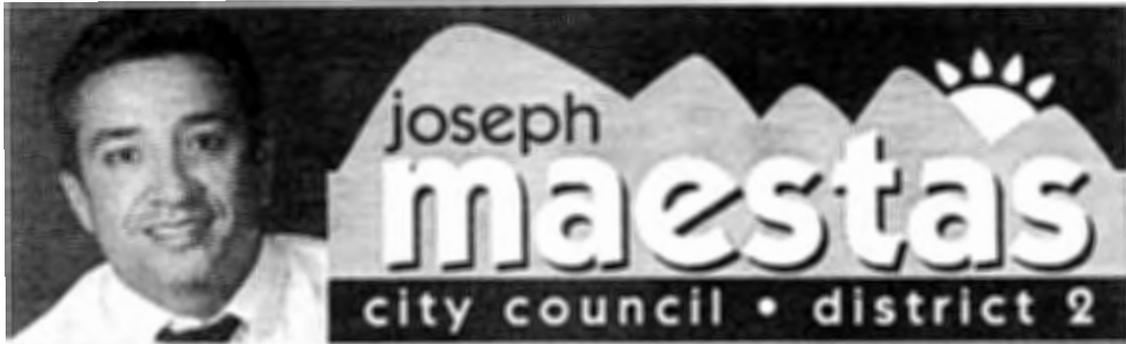
----- Original Message -----

Subject: I'm official (and newly endorsed by Labor)!

Date: Mon, 9 Dec 2013 15:29:30 +0000

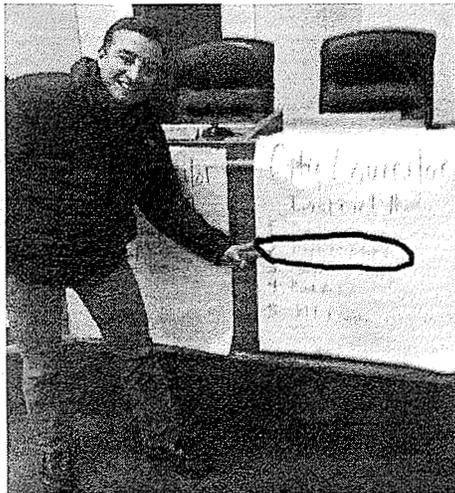
From: Joseph Maestas for Santa Fe City Council, D2 <josephmaestasforsantafe@gmail.com>

Qualified and Endorsed! Thank You!



Monday, December 9, 2013

Dear Friends and Supporters:



It's official! I have gathered enough support to qualify as a publicly financed City Council candidate. In fact, with your help, we collected **twice the number** of \$5 contributions for public financing and the **most** of any Council candidate in Santa Fe.

This first campaign milestone could not have happened without the hard work of dedicated volunteers, our campaign team and my family. Thank you!

Phase 2 – Securing Voter Support

There's no letting off the gas! To win this election we will continue doing what works—that is, talking to voters about the important issues facing our community and talking about the things we can do better. There are no shortcuts, and it's clear that road to victory will continue to be paved with commitment and hard work.

But we can't do this alone. We need your help and the help of your family, friends, and neighbors.

We continue to meet on Saturdays at the Santa Fe Baking Company ([504 W. Cordova Rd.](#)) for doorknocking at 11am. Let us know if you can join us this Saturday.

Over the next few months we need help:

- Doorknocking;
- Phonebanking;
- Attending forums;
- Voter data entry;

- Putting up yard signs;
- Organizing meet-and-greet events; and,
- Representing our campaign at the polling locations on Election Day, March 4, 2014.

Please don't hesitate to contact me or my field coordinator, Frank Murray, at (505) 469-1205 or josephmaestasforsantafeyols@gmail.com if you are interested in joining our team and helping in any way possible.

New Endorsement!

Last week, I was endorsed by the important Northern New Mexico Central Labor Council (CLC), which represents hundreds of working families in District 2. I am honored to have their support. To date, I've been endorsed by United Association of Plumbers & Pipefitters Union, Local 412 and the New Mexico Building and Construction Trades Council.



As you may know, there are 5 candidates running in District 2 –three with public financing and two who failed to qualify and are raising money to run. It is unknown how much my opponents will raise but what is clear is that this competitive race will be decided by just a few votes. I'm convinced that the only way to win this race is person by person. I hope you get involved today!

Sincerely,

Joseph Maestas

Candidate for Santa Fe City Council, District 2

Copyright © 2013 Joseph Maestas for Santa Fe City Council, D2, Anna C. Hansen, Treasurer. All rights reserved.

We hope to count on your support for Joseph Maestas for City Council, District 2.

Our mailing address is:

Joseph Maestas for Santa Fe City Council, D2
 3999 Old Santa Fe Trl # A
 Albuquerque, Nm 87106

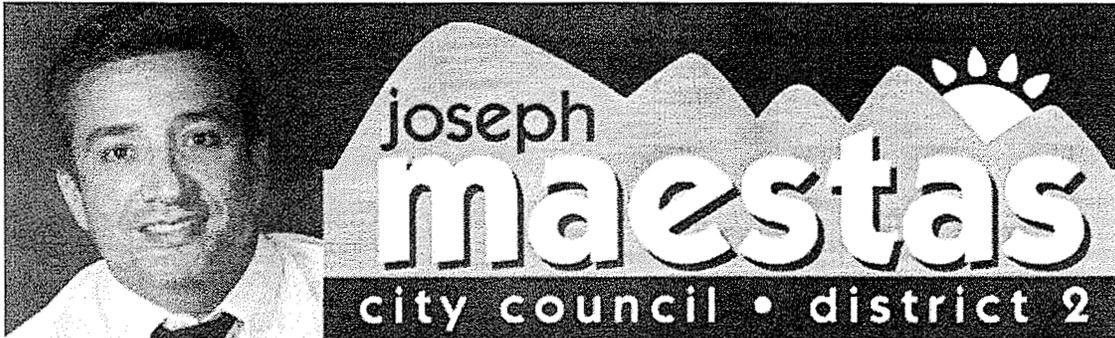
APPENDIX B

----- Original Message -----

Subject:re: my campaign for city council
Date:Mon, 4 Nov 2013 17:07:35 +0000
From:Joseph Maestas for Santa Fe City Council,
D2 <josephmaestasforsantafe@gmail.com>

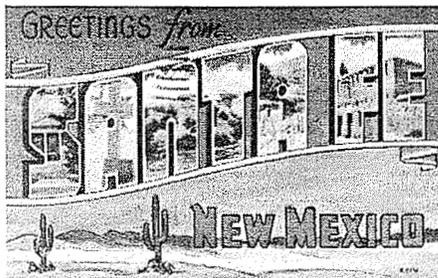
I would be honored to have your support for my campaign!

[View this email in your browser](#)



Monday, October 31, 2013

Dear Neighbors,



As you may know, I'm running for the honor to represent you and your family in District 2 on the Santa Fe City Council. As a native of Santa Fe, I care deeply about our cultural heritage, history, and our way of life. I am in this race because the needs of our community are growing and we need leaders on the Council who will champion what matters most to our families: more good-paying jobs, better schools, and a safe and secure future for our children and grandchildren right here at home.

As an engineer, I bring a pragmatic, problem-solving perspective that, I believe, is much needed in city hall. As a lifelong public servant and former elected official, I hope to bring my leadership and work experience to the city council that can help make an immediate and positive impact accomplishing and strong advocacy on behalf of children, families, and environmental conservation.

Public Financing

Currently, I am seeking to qualify for public campaign financing because I believe we need to reduce the undue influence of special interests. Furthermore, public financing will enable me to spend more time with voters rather than private campaign fundraising. And that's exactly what we're doing! We are taking our energy and message directly to the voters of District 2 in a genuine, grassroots fashion.

However, in order to qualify for public financing, I must gather at least 150 individual contributions of \$5 (cash or check made to: Joseph Maestas for Santa Fe)

If you reside in city council district 2 and would consider donating \$5 to my campaign, I would very much appreciate it. Here is



the official contribution form (two contribution forms per page) that must be completed for every donation. I am happy to retrieve your donation(s) and completed form(s) or you may simply mail them to me at: 3999A Old Santa Fe Trail, Santa Fe, NM 87505.

CAMPAIGN UPDATES

Early Endorsement

I am excited and honored to have recently received the endorsement of the New Mexico Building Trades Union (NMBCTC). See NMBCTC's endorsement letter [here](#).

My Team

I am proud to introduce you to my committed, professional campaign team:

- [Neri Holguin](#), Campaign Manager; and
- Frank Murray, Field and Volunteer coordinator.

Doorknock

We are taking our energy and message to the District 2 voters in a genuine, grassroots fashion. We are door-knocking every Saturday, 11am-5pm and Sundays, 3pm-5pm. We are meeting at Santa Fe Baking Company (501 W Cordova Rd, Santa Fe, NM 87505). If this schedule doesn't work for you, we can accommodate your schedule. Please sign up to help by contacting Frank Murray, Volunteer Coordinator, at JosephMaestasForSantaFeVOLS@gmail.com or 505/469-1205.

During the coming months, I hope to visit with you to listen and learn more about the concerns and issues you feel need to be addressed in our city. Please do not hesitate to reach me at this email or by phone at 929-0955 if I can answer any questions about my campaign or myself.

Sincerely,

Joseph Maestas
Candidate for City Council, D2

Copyright © 2013 Joseph Maestas for Santa Fe City Council, D2, Anna C. Hansen, Treasurer. All rights reserved.
Thank you for your support for Joseph Maestas and his campaign for Santa Fe City Council, District 2.

Our mailing address is:
Joseph Maestas for Santa Fe City Council, D2
3999 Old Santa Fe Trl # A
Albuquerque, Nm 87106

[Add us to your address book](#)

[unsubscribe from this list](#) [update subscription preferences](#)



APPENDIX C



Office of the University of Utah
 217 Old Campus - Suite 300
 South F.S. Way - Salt Lake City, UT 84142
 (801) 477-5172
 (801) 477-3400
 FAX (801) 477-3400

Request to Inspect Public Records Form

Name of Requester: Jeff E. Coover

Address of Requester: 549 Camino Largo, South F.S. Way 84142

Home Phone: _____ Cell Phone: (801) 561-1826

E-mail Address: jeffcoover@utah.gov (Requester's Name)

Purpose of the Public Information Act request: I am requesting the following records: or I would like to request the following documents (please check one or both if you wish to inspect and then request copies). Please identify as exact detail the information that you are requesting copies of or the documents you wish to inspect.

17 pages report by Joseph Meester, filed on March 21, 2007 in the form of a letter to Secretary of State Gary Hervey, and signed by Meester, regarding his disqualification from public financing in the 2008 District 3 election. Meester date was set for April 6, 2007 with hearing before State Law Review

Note: There is a 25¢ fee per copy which shall be paid upon delivery. If the request for copies exceeds \$1.00 we will require a check upon request for copies. Public records are available for inspection between 9:00 am and 5:00 pm, Monday through Friday except legal holidays. All inspection of public records will be conducted by appointment only and in the presence of the records custodian or designee.

Jeff E. Coover
 Requester

OFFICE USE ONLY

Service #	Date Received	Date Inspected
Three Day Letter Sent	Date: _____	Initial: _____
Writing Custodian Letter Sent	Date: _____	Initial: _____
Disposal Letter Sent	Date: _____	Initial: _____
Denial Letter Sent	Date: _____	Initial: _____
Other Letter Sent	Date: _____	Initial: _____

VERIFIED RESPONSE TO COMPLAINT OF JEFF E. GREEN

I, JOSEPH M. MAESTAS, being sworn and under oath, submit my Verified Response to the Complaint filed by Jeff E. Green on December 9, 2013, and an addendum to the complaint filed on December 12, 2013 (the Complaint).

I. Summary of Response.

The Complaint alleges that the placards and banners that I acquired in September 2013, but did not pay for until December 14, 2013, were "expenditures" that should have been (but were not) reported in my Seed Money Expenditure Report of November 18, 2013 (the Expenditure Report) (See Exhibit H attached hereto), that payment for the placards and banners caused me to exceed the \$1,500 seed money spending limit, and that the payment for the placard and banners were "expenditures" from sources other than seed money, all in alleged violation of SFCC 1987 § 9-3.8B(3) and C(1). (See Complaint ¶¶ 2 and 3) The facts presented in this Response establish that:

- (a) The Expenditure Report reflected all of the payments from my campaign account as of November 18, 2013;
- (b) When I filed the Expenditure Report on November 18, 2013, I was not aware of the status, nature or amount of invoices for the placards and banners, because neither my campaign Treasurer nor I had received or paid any invoices from the campaign account for the placards and banners;
- (c) My campaign paid for the placards and banners immediately after the campaign was presented an invoice for them on December 14, 2013;
- (d) When I signed and filed my Expenditure Report, I believed the seed money account records reflected all of the campaign "expenditures" made to the date of the Expenditure Report; and
- (e) Because I did not have the invoices specifying amounts owed and had not made any payments, I did not include them in the Expenditure Report.

CITY CLERK'S OFFICE

DATE 12-30-13 TIME 4:03 PM

BY Michael X. Delgado
Michael X. Delgado

1

As reflected below, I have worked diligently to comply with the letter and spirit of the Campaign Code and the Public Campaign Finance Code (the Code). I have always acted under the good faith belief that my actions, in fact, complied with the requirements and policies of the law. It is the province and purview of the Board to determine whether the acquisition of the placards and banners and other services in question were “expenditures” made in contravention of Sections 9-3.8B(3) and C(1). If the Board determines that my expenditures and reporting fell short of the requirements of the Code, the facts demonstrate that my reading of the Code and a lack of communication were the cause, and my record reveals a good faith effort to fully disclose and comply with applicable requirements of the Code.

II. Factual Background.

The following is a full and complete recitation of the facts relating to this matter. I have attached the supporting documentation and Affidavits of Neri Holguin and Anna Hansen to substantiate the information of which they have personal knowledge. If more factual information is required, I will promptly provide what the Board may need for its consideration of this case.

1. Pursuant to Section 9-3.6 SFCC 1987, on August 15, 2013, I opened and established a non-interest-bearing account at Los Alamos National Bank under Account No. [REDACTED] (the Campaign Account)

2. From the time I publicly announced my intention to run for City Council on July 31, 2013, I committed to participate as a candidate eligible to receive payments from the public campaign finance fund pursuant to subsection 9-3.10 SFCC 1987, and the first deposit in the Campaign Account was a “seed money” contribution of \$100 from me on August 15, 2013. (See **Exhibit A** – Seed Money Contribution Report)

3. I sought, obtained and reported \$1,500 in seed money contributions that complied with Sections 9-3.3 and 9-3.6 SFCC 1987. (See **Exhibit A**)

4. All of my seed money contributions were deposited in the Campaign Account and used exclusively for the purposes specified in Section 9-3.6 SFCC 1987.

5. The “qualifying period” to begin the collection of “qualifying contributions” pursuant to SFCC 1987 § 9-3.3L began on September 2, 2013 and ended November 18, 2013.

6. During the qualifying period, I sought, obtained and reported 300 qualifying contributions of \$5.00 totaling \$1,500.00, which is twice the required number of qualifying contributions for a City Council race under Section 9-3.5B(2) SFCC 1987 and the most collected by any City Council Candidate. (See, **Exhibit B** -- Report of Qualifying Contributions dated November 18, 2013).

7. On November 18, 2013, I transferred all of the qualifying contributions to the City of Santa Fe pursuant to Section 9-3.7D SFCC 1987. (See **Exhibit C** – Check No. 1008 from Campaign Account)

8. On August 29, 2013, and September 10, 2013, Neri Holguin, an unpaid campaign volunteer for my campaign, had ordered and acquired the placards and banners for use in the Santa Fe Fiesta Parade and other Campaign events. (See, **Exhibit D** – Affidavit of Neri Holguin dated December 30, 2013, ¶ 3)

9. Ms. Holguin was assisting the campaign by procuring services and materials for the Campaign. (See **Exhibit D** –Holguin Affidavit, ¶ 2)

10. The placards and banners Ms. Holguin acquired were reflected in the invoices from Focus Ink, Inc. (See **Exhibit D** – Holguin Affidavit Attachments 1 and 2) (the **Focus**

Invoices). The Focus Invoices are summarized here as follows:

<u>Invoice Date</u>	<u>Vendor</u>	<u>Service/Product</u>	<u>Cost</u>
8/29/13	Focus Ink, Inc.	1-4'x6' banner, placards	\$282.48
9/10/13	Focus Ink, Inc.	1-4'x6' banner	\$179.76

11. I placed the proper identifying information on the banners and placards identifying them as campaign materials in accordance with Section 9-2.5 SFCC 1987. The banners were mounted on a wood frame for use on my pickup truck.

12. The truck mounted banners and placards were used in the 2013 Santa Fe Fiesta Parade on September 8, 2013 and subsequently used numerous times by primarily parking the truck in publicly visible locations.

13. The Focus Invoices were billed to Ms. Neri Holguin, but were not sent to or presented to the Campaign Treasurer, Ms. Anna Hansen, or me for payment at the time the invoices were generated. (See, **Exhibit D** – Holguin Affidavit, ¶¶ 5 and 6; and see, **Exhibit E** – Affidavit of Anna Hansen dated December 30, 2013, ¶ 2)

14. As of November 18, 2013, when the Expenditure Report was filed, the Campaign had paid all of the invoices and bills that had been presented to the Campaign up to that date. (See **Exhibit E** – Hansen Affidavit, ¶ 3)

15. When the Complaint was filed on December 9, 2013, and as a direct result thereof, I inquired of Ms. Holguin about the amounts and status of the Focus Invoices.

16. In response to my inquiry, Ms. Holguin indicated to me that she (as of the date of the Complaint) had in fact not presented the Focus Invoices to the Campaign and had not paid them herself. (See **Exhibit D** – Holguin Affidavit, ¶¶ 7 and 8;

17. Ms. Holguin paid the Focus Ink Invoices using her credit card on December 13, 2013. (See **Exhibit D** – Holguin Affidavit, ¶¶ 9 Attachment 3);

18. On December 14, 2013, Ms. Holguin presented the campaign and me with her invoice showing the payments for the Focus Invoices. (See **Exhibit D** – Holguin Affidavit, ¶ 10, Attachment 4)

19. When Ms. Holguin presented her invoice, I became aware that on September 24, 2013, Ms. Holguin had paid an invoice to Premier Political Communications (the **Premier Invoice**¹) for a “robo call” service with a credit card. (See **Exhibit D** – Holguin Affidavit, ¶¶ 11 and 12, Attachments 5 and 6). The robo call service was used to announce the Campaign kick-off held on September 26, 2013. The tagline properly identified the message as my campaign material.

20. Like the Focus Invoices, the Premier Invoice had not been presented to me or the Campaign Treasurer for payment until December 14, 2013. (See **Exhibit D** – Holguin Affidavit, ¶ 12; and see, **Exhibit E** – Hansen Affidavit, ¶ 4)

21. The Campaign issued Check No. 1009 on December 15, 2013 for \$601.86 to Holguin Consulting for payment of the Focus and Premier Invoices. (See **Exhibit F-8**)

22. On November 18, 2013, when I filed my Expenditure Report, I was unaware of the amount and payment status of the Focus Invoices and the Premier Invoice. Further, my Treasurer and I were unaware that Ms. Holguin had paid the Premier Invoice out of her own pocket. (See, **Exhibit D** – Holguin Affidavit, ¶ 12; and see, **Exhibit E** – Hansen Affidavit ¶ 6)

23. At the time of the filing of the Expenditure Report, I understood that the Campaign was required to report as “expenditures” all of the payments that had been made by the Campaign from the Campaign Account up to the date of the filing of the Expenditure Report.

24. I promptly paid all of the invoices that were presented to me for payment.

¹ I note that Mr. Green’s Complaint does not include the Premier Invoice. I include it here because it is part of the material facts related to this matter and presents the same issue raised by the Complaint as to the Focus Invoices.

25. The Account Activity report and check copies for the Campaign Account reflect all of the payments that had been made from the Campaign Account up to the date of Expenditure Report by the Campaign (*See Exhibits F1 through F9 – Campaign Account Activity Report and copies of all checks*)

26. I believe and understood that these were the “expenditures” of the Campaign up to that date.

27. I did not instruct Ms. Holguin or anyone else to pay invoices from their own funds and did not instruct Ms. Holguin or anyone else to delay the presentation of invoices to the Campaign. (*See Exhibit D – Holguin Affidavit, ¶ 15; and see Exhibit E – Hansen Affidavit ¶ 7*)

28. The delay in presentation of the Focus and Premier Invoices resulted from a lack of communication by me with Ms. Holguin. She had not presented to them to me for payment. (*See Exhibit D – Holguin Affidavit, ¶ 17*)

29. On November 18, 2013, I prepared and filed my Application for Certification for as a participating candidate for public campaign funds. (*See Exhibit G attached hereto [the Application]*)

30. On December 9, 2013, I accepted and deposited the \$15,000 payment of public campaign funds from the City of Santa Fe for use in my Campaign.

III. Discussion.

The Complaint raises two fundamental issues: First, whether my statement in the Application is true and correct that as of *November 18, 2013*, I had made no expenditure for my Campaign from any source other than seed money contributions; and, second, whether Section 9-3.8C(1) SFCC1987 required the inclusion of the Focus and Premier Invoices in the Expenditure Report.

When I filed my Expenditure Report and Application for Certification, I understood the word "expenditure" as used in Sections 9-3.8B(3) in its ordinary sense, i.e., something that I had paid for from the Campaign Account. At the time of the filing of the Expenditure Report, I had not been presented with the Focus Invoices or the Premier Invoices and consequently had not paid them. Based upon my understanding of the term "expenditure," I signed my Expenditure Report and Application for Certification.

Section 9-3.3G SFCC 1987 contains the following definition of the term "expenditure":

G. Expenditure means a payment or transfer of anything of value in exchange for goods, services, property, facilities or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign for a candidate or ballot proposition. This includes contributions, subscriptions, distributions, loans, advances, deposits, or gifts of money or anything of value, and includes a contract, a promise or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also means the transfer of funds or anything of value between political committees. In determining the dollar value of an expenditure, only that proportion of a payment or transfer of anything of value that is directly related to the campaign shall be considered an expenditure. (emphasis added)

The underlined language above expresses what I understood the term to mean. As of November 18, 2013, I had not received invoices and had not made any "payment or transfer" to anyone for the banners, placards or the robo calling service. In good faith and with the belief that my statements were true and correct, I signed and filed the Expenditure Report and Application.

I recognize now the definition of "expenditure" under the Code has a more technical and broader definition than my understanding of the term, which in hindsight, may have been too narrow under a strict application of the Code. The term in this context is ambiguous and not as clear as it might otherwise be. This case demonstrates that the Code might bear some review to more clearly address circumstances such as these. The lag time between incurring an expense and making the payment is bound to continue to create issues for candidates in the future.

I ask that the Board, in making its determination, to consider that I not did not have the Focus or Premier Invoices until *after* I filed the Expenditure Report and the Application for Certification. The delay in paying them from my Campaign Account was the result of an inadvertent lack of communication by me with Ms. Holguin (for which I am ultimately responsible). Additionally, the records submitted with this Response demonstrate that in August and September, my Campaign Account clearly had the funds available to pay the invoices, and I could have easily paid them. I had no financial inability or motivation to delay the payment of the Invoices in August or September. Finally, the ultimate payment was not from unknown or anonymous source; it came from my Campaign Account.

The policies of Public Campaign Finance Code may be instructive in this matter. My filings have been in keeping with the spirit of those policies. The Purpose Section of the Code in Section 9-3.2B states the following:

- B. *Purposes.* The purposes of the Public Campaign Finance Code are:
- (1) To strengthen public confidence in the governmental and election processes.
 - (2) To eliminate the danger of undue influence on elected officials caused by the private financing of campaigns.
 - (3) To provide candidates with sufficient resources to communicate with voters without the need to resort to private fund-raising.
 - (4) To increase the accountability of elected officials to the constituents who elect them, as opposed to the contributors who fund their campaigns.
 - (5) To free officeholders from the need to raise campaign money, and thus to allow them more time to carry out their official duties. (emphasis added)

The underlined paragraphs bear significantly in this matter; I think it can fairly be said that my overall actions and compliance from a financial standpoint demonstrates that my Campaign has been free from the dangers of the undue influence that money can have on a

candidate; all of the contributions – both seed money and qualifying contributions – were in complete compliance with the requirements of the Code, and the payments from my Campaign Account were in strict compliance with the requirements of the Code. I sought and obtained qualifying contributions from a substantial number of voters in District 2. I have worked hard to keep my financial and political support transparent. In short, I believe my Campaign activities have lived up to the stated policies expressed in the Code, and the issues created by the Focus and Premier Invoices are not characteristic of my approach and practices related to the finances of this campaign.

IV. Conclusion.

If the Board determines that the Focus Invoices and the Premier Invoice, were “expenditures” for purposes of Sections 9-3.8, then the Board cannot help but find some merit in the Complaint. If the Board determines that the unpaid invoices were not, then the Complaint should be denied or dismissed. As a candidate, I have done my utmost to follow the requirements of the law, and I have acted with the good faith belief that I have been in compliance. It is within the sound discretion of the Board to determine whether my statements, under all of the facts and circumstances, are true and correct or whether I have failed, in some measure, to follow the letter of the law. Whatever the determination of the Board may be, one fact is clear: In my Campaign, I have acted honestly and in good faith with the intention of complying with the law, and the record set out above demonstrates this to be true.

Joseph M. Maestas
Joseph M. Maestas

SUBSCRIBED AND SWORN to before me, a Notary Public, by Joseph M. Maestas on
this 30th day of December 2013.

Melissa D. Dalazer
Commission expires - 6-15-15



City of Santa Fe

SEED MONEY CONTRIBUTION REPORT

The aggregate amount of seed money contributions, including in-kind contributions, from any one contributor shall not exceed one hundred dollars (\$100), and the aggregate amount of seed money contributions accepted by a candidate, including in-kind contributions, shall not exceed ten percent (10%) of the amount payable under Section 9-3.10 SFCC 1987 to a candidate in a contested election for the office sought.

Name of Candidate Joseph M. Maestas Position Sought City Council
 Mailing Address 3999 A Old Santa Fe Trail District No. 2
Santa Fe, NM 87505
 Email Address josephmaestasforsantafe@gmail.com Phone No. 505-929-0955

Aggregate of Seed Money Contributions \$1,500.00

Date Received	Name and Home Address Occupation and Name of Employer	Amount	Contributor Total
08/15/13	Joseph M. Maestas, 3999 A Old Santa Fe Trail, Santa Fe, NM 87505 Supervising Civil Engineer, Bureau of Reclamation	\$100.00	\$100.00
08/25/13	Morton Simon, 1300 Canyon Road, Santa Fe, NM 87501 Teacher, Self-Employed,	\$100.00	\$100.00
08/25/13	Carol Oppenheimer, 1300 Canyon Road, Santa Fe, NM 87501 Teacher, Self-Employed,	\$100.00	\$100.00
08/26/13	Monica Pacheco, 4752 Vista del Sol, Santa Fe, NM 87507 Accounts Payable, Zia Factory Outlet	\$100.00	\$100.00
08/26/13	Corrine E. Pacheco, 501 Rio Grande Ave. C-1 Santa Fe, NM 87501 Finance, Zia Factory Outlet	\$100.00	\$100.00
08/26/13	Carlos Gallegos, 02 Taylor Road Self-Employed, Zia Factory Outlet	\$100.00	\$100.00
08/26/13	Janet Gallegos, 44 Penny Lane, Santa Fe, NM Sales, Santa Fe Concrete	\$100.00	\$100.00
08/26/13	Mike Bustemante, 02 Taylor Road, Santa Fe, NM Sales, Zia Factory Outlet	\$100.00	\$100.00
08/26/13	Dimitry Smashuov, 565 Shoshone Street, Grand Junction CO, 81504 Drill Site Manager, DSM Consulting Inc.	\$100.00	\$100.00
08/27/13	Joe J. Sanchez, 4000 La Carlera, Apt. 722, Santa Fe NM, 87507 Engineer/Small Business Owner, AIO, LLC	\$100.00	\$100.00

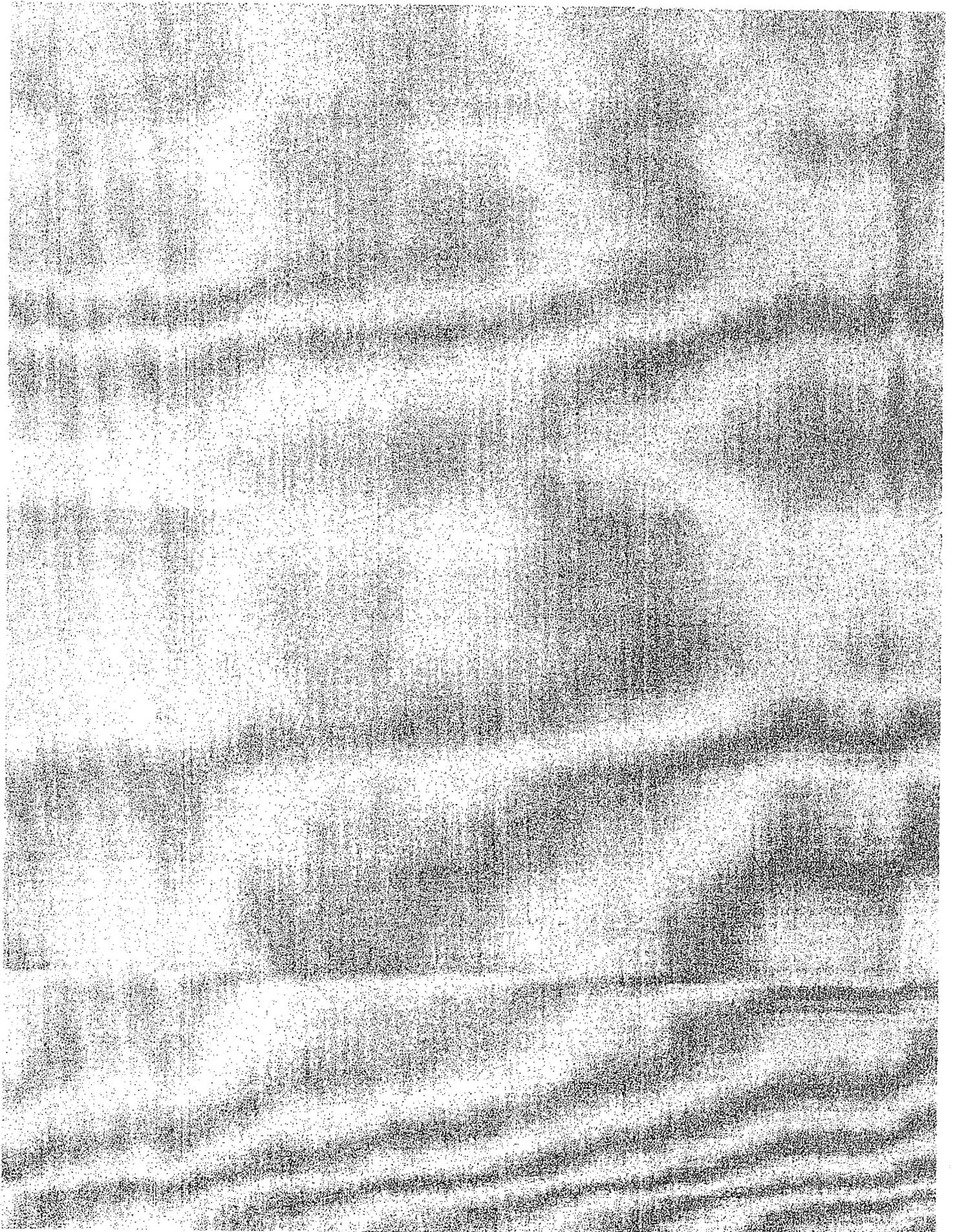
(ATTACH ADDITIONAL PAGES AS NEEDED)

Page Total \$1,000.00

Page 1 of 2

Exhibit A

CC091A



City of Santa Fe

QUALIFYING CONTRIBUTION REPORT

A qualifying contribution is a contribution of no more or no less than five dollars (\$5.00) that is received from a qualified elector during the qualifying period by a candidate seeking to become a participating candidate. A candidate for city councilor shall only receive qualifying contributions from qualified electors registered to vote in the council district in which the candidate is running.

Name of Candidate Joseph M. Maestas Position Sought City Council
 Mailing Address 3999A Old Santa Fe Trail District No. 2
Santa Fe, NM 87505
 Email Address josephmaestasforsantafe@gmail.com Phone No. (505) 929-0955

Aggregate of Qualifying Contributions \$1,500.00

Date Received	Name and Address as Registered	Amount	Contributor Total
09/12/13	Jeffrey Haas 1433 Seville Rd. SF, 87505	\$5.00	\$5.00
09/12/13	Mariel Nanasi 1433 Seville Rd. SF, 87505	\$5.00	\$5.00
09/12/13	Teena M. Christopher 807 N. Calle Anaya	\$5.00	\$5.00
09/12/13	David D. Couger 2709 Nublado Ct.	\$5.00	\$5.00
09/12/13	Pete H. Rodriguez 1144 Canyon Road	\$5.00	\$5.00
09/12/13	Pauline G. Rodriguez 1144 Canyon Road	\$5.00	\$5.00
09/12/13	Lorenz K. Ng 1807 Sun Mountain Drive SF	\$5.00	\$5.00
09/12/13	Roberta Mella Ng 1807 Sun Mountain Dr. Santa Fe	\$5.00	\$5.00
09/13/13	Bernardo M. Perez 2720 Pradera Court	\$5.00	\$5.00
09/14/13	Romulo U. Martinez 805 Allendale St., SF 87505	\$5.00	\$5.00
09/14/13	Kimberly A. Berge 3999 Old Santa Fe Trail	\$5.00	\$5.00
09/14/13	Bradford C Berge 3999 Old Santa Fe Tr	\$5.00	\$5.00
09/21/13	Phillip Andrew Contreras 1560 Navajo Dr. Santa Fe NM 87505	\$5.00	\$5.00
09/21/13	David J. Pena 809 Columbia Street Santa Fe, NM 87505	\$5.00	\$5.00
09/21/13	Jerry Apodaca 1477 Miracerros Loop N.	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
09/20/13	James L. Valdez 1466 Miracerros Loop N.	\$5.00	\$5.00
09/21/13	Lynette M. Montoya 1466 Miracerros Loop, N.	\$5.00	\$5.00
09/21/13	Patricia Otero 1468 Miracerros Loop N. SF 87506	\$5.00	\$5.00
09/21/13	Henry M. Valdez 1608 4th St.	\$5.00	\$5.00
09/21/13	Fabiola M. Pena 809 Columbia Street Santa Fe NM 87505	\$5.00	\$5.00
09/22/13	Leslie Elliot Lakind 204 W. San Mateo Rd., SF, NM 87505	\$5.00	\$5.00
09/22/13	John Eddy 700B Camino Militar SF NM 87501	\$5.00	\$5.00
09/22/13	Frank D. Katz 1300 Canyon Rd SFe NM 87501	\$5.00	\$5.00
09/22/13	Beth Kennedy Jones 1520 Canyon Rd 87501	\$5.00	\$5.00
09/22/13	Wellington S. Jones 1520 Canyon Rd 87501	\$5.00	\$5.00
09/22/13	Consuelo Bokum 1300 Canyon Rd	\$5.00	\$5.00
09/22/13	Rad Acton 1206 Upper Canyon Rd,	\$5.00	\$5.00
09/26/13	Cathryn A. Miller 1806 Sun Mountain Dr., 87505	\$5.00	\$5.00
09/26/13	Alexander S. Miller 1806 Sun Mountain Dr SFe 87505	\$5.00	\$5.00
09/26/13	M. Theresa Sanchez 820 Don Cubero Santa Fe NM 87505	\$5.00	\$5.00
09/26/13	Anthony F. Dofflermeyer 721 Columbia St.	\$5.00	\$5.00
09/26/13	Leroy N. Pacheco 305 Lomita St.	\$5.00	\$5.00
09/26/13	Robert J. Pacheco 305 Lomita St.	\$5.00	\$5.00
09/26/13	Ida B. Pacheco 305 Lomita St.	\$5.00	\$5.00
09/26/13	Johanna Pacheco 716 Columbia St	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
09/26/13	Stephen T. Pacheco 716 Columbia St	\$5.00	\$5.00
09/27/13	Katherine Miller 1308 Morella St. SF 87505	\$5.00	\$5.00
09/27/13	Eloise A. Serna 2321 Brother Abdon Way, Santa Fe, NM 87505	\$5.00	\$5.00
09/27/13	Patricio M. Serna 2321 Brother Abdon Way, Santa Fe, NM 87505	\$5.00	\$5.00
09/28/13	Lynn P. Komer 112 Sol y Lomas SF NM 87505	\$5.00	\$5.00
09/28/13	Mark E. Komer 112 Sol y Lomas SF NM 87505	\$5.00	\$5.00
09/28/13	Stephanie V. Gonzales 511 Apodaca Hill	\$5.00	\$5.00
09/28/13	Steve Weiner 1415 Madrid Rd.	\$5.00	\$5.00
09/28/13	Claire Weiner 1415 Madrid Rd.	\$5.00	\$5.00
09/28/13	Patricia Salazar Ives 140 W. Zia Road	\$5.00	\$5.00
09/28/13	Peter N. Ives 140 West Zia Road	\$5.00	\$5.00
09/28/13	Dan Clint 1843 Arroyo Chermiso	\$5.00	\$5.00
09/28/13	James D. Bullington 812 Calle Saragosa #A	\$5.00	\$5.00
10/01/13	Bryan P. Bledacheld 514 Camino Cabra SF, NM 87505	\$5.00	\$5.00
10/01/13	Jennifer Anne Bledacheld 514 Camino Cabra SF, NM 87505	\$5.00	\$5.00
10/01/13	Ellen Lampert 113 Barranca Rd, Sta Fe 87501	\$5.00	\$5.00
10/01/13	Donald Cale 504 Calle de Leon Santa Fe NM 87505	\$5.00	\$5.00
10/01/13	Halla H Harvey 2152 Calle De Sebastian	\$5.00	\$5.00
10/02/13	Molliette S. Harris-Whitted 148 Calle Ojo Feliz	\$5.00	\$5.00
10/02/13	Maria E. Smith 1412 Galisteo St.	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/02/13	Douglas D Smith 1412 Galisteo St.	\$5.00	\$5.00
10/02/13	Christine Lund 2013 Valle Vista St, Santa Fe, NM 87505	\$5.00	\$5.00
10/02/13	Erne Suazo 2115 Calle Azulejo SF. NM	\$5.00	\$5.00
10/03/13	Robert Slivinski 1305 Malaga Ln	\$5.00	\$5.00
10/03/13	Clarence V. Lithgow 231 Calle Colibri Santa Fe	\$5.00	\$5.00
10/03/13	Catherine D. Lithgow 2315 Calle Colibri Santa Fe	\$5.00	\$5.00
10/03/13	Loretta R. Lithgow 2315 Calle Colibri Santa Fe	\$5.00	\$5.00
10/03/13	Janet E. Iff 2326 Calle Tranquilo SF, 87505	\$5.00	\$5.00
10/03/13	Gerard P. Iff 2325 Calle Tranquilo SF 87505	\$5.00	\$5.00
10/04/13	Sarah Cottrell Propst 1220 Galisteo St., Santa Fe NM 87505	\$5.00	\$5.00
10/04/13	Morton S. Simon 1300 Canyon Rd. Santa Fe 87501	\$5.00	\$5.00
10/04/13	Carol C. Oppenheimer 1300 Canyon Rd., SF NM 87501	\$5.00	\$5.00
10/05/13	Ronald L. Andes 138 Ridgecrest Dr. Santa Fe N.M. 87505	\$5.00	\$5.00
10/05/13	Blanche Harrison 501 Calle de Valdes Santa Fe, NM 87505	\$5.00	\$5.00
10/05/13	Scott Harrison 501 Calle de Valdes Santa Fe, NM 87505	\$5.00	\$5.00
10/05/13	Donald Q Moya 2752 Herradura Santa Fe NM 87505	\$5.00	\$5.00
10/05/13	Marcia Moya 2752 Herradura Santa Fe N.M. 87505	\$5.00	\$5.00
10/05/13	James Dyke 2005 Calle de Sebastian	\$5.00	\$5.00
10/06/13	Sandra Buffett 658 Granada	\$5.00	\$5.00
10/06/13	Wayne Propst 1220 Galisteo St.	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/07/13	Barbara J. Medrano 2096 Botolph Rd.	\$5.00	\$5.00
10/07/13	Monica J. Medrano 2171 Manuel Medrano Rd.	\$5.00	\$5.00
10/07/13	Melissa Salazar 830 Canyon Rd. Santa Fe NM	\$5.00	\$5.00
10/09/13	Brian Boddy 1521 5th Street SF NM 87505	\$5.00	\$5.00
10/09/13	Rebecca Becky Bustamante 2104 Fort Union Drive Santa Fe, NM 87505	\$5.00	\$5.00
10/09/13	Adrian A. Bustamante 2104 Fort Union Drive Santa Fe, NM 87505	\$5.00	\$5.00
10/10/13	Frederick S. Friedman 2210 C. Cacique	\$5.00	\$5.00
10/10/13	Beverly Friedman 2210 C. Cacique SF NM 87505	\$5.00	\$5.00
10/10/13	Bob A Sarr 4 La Tusa St. Santa Fe NM 87505	\$5.00	\$5.00
10/10/13	Berkeley T Merchant 215 W Alicante Rd. Santa Fe, NM 87505	\$5.00	\$5.00
10/10/13	Gervantes Roybal 1008 Old Santa Fe Trail	\$5.00	\$5.00
10/10/13	William C. Sisneros 15 Calle De Valle	\$5.00	\$5.00
10/10/13	Amy L. Sisneros 16 Calle De Valle	\$5.00	\$5.00
10/11/13	Barbara Jo Forte 125 W. Houghton, Santa Fe, NM 87505	\$5.00	\$5.00
10/11/13	Ronald A. Forte 125 W. Houghton Santa Fe NM 87505	\$5.00	\$5.00
10/11/13	Marlene Montoya 635 1/2 E. Garcia Street Santa Fe NM 87507	\$5.00	\$5.00
10/12/13	Maria Antuna 830 El Caminito	\$5.00	\$5.00
10/12/13	Gayle E. Manges 621 Camino Rancheros	\$5.00	\$5.00
10/12/13	Kimberly Botza 242 Amita Place Santa Fe 87505	\$5.00	\$5.00
10/12/13	Eddie Apodoca 811 Allendale Street	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/12/13	Paul Biderman 829 Allendale St., Santa Fe NM 87505	\$5.00	\$5.00
10/12/13	Margery Odell 726 Allendale, SF 87505	\$5.00	\$5.00
10/12/13	Elvira Apodaca 811 Allendale	\$5.00	\$5.00
10/12/13	Joseph Pisacane 828 El Caminito St. SF NM 87505	\$5.00	\$5.00
10/12/13	Robert R. Rodriguez 694 E. Zia Rd. SF NM 87505	\$5.00	\$5.00
10/12/13	Nancy H. Parker 886 E. Zia Rd.	\$5.00	\$5.00
10/12/13	Anna Summers 820 E. Zia Road SF NM 87505	\$5.00	\$5.00
10/12/13	Matthew F. Wilson 817 East Zia	\$5.00	\$5.00
10/12/13	Mara Leader 810 E. Zia Rd	\$5.00	\$5.00
10/12/13	Joelle Davie 815 East Zia Rd.	\$5.00	\$5.00
10/12/13	Kenneth Jacks 716 E. Zia Rd. S.F. 87505	\$5.00	\$5.00
10/12/13	William A. Simmons 885 E. Zia Rd.	\$5.00	\$5.00
10/12/13	Elissa Reidel 628 Camino Rancheros	\$5.00	\$5.00
10/12/13	Orlando Leibovitz 628 Camino Rancheros Santa Fe 87505	\$5.00	\$5.00
10/12/13	Patricia B. Holbrook 836 Camino Rancheros SF NM 87505	\$5.00	\$5.00
10/12/13	Joseph Ginocchio 835 Camino Rancheros	\$5.00	\$5.00
10/12/13	Lucia Mittelmark 829 El Caminito Santa Fe, NM 87505	\$5.00	\$5.00
10/12/13	Michael E. Melody 619 Camino Rancheros SF NM 87505	\$5.00	\$5.00
10/12/13	Guy Barnes 832 El Caminito St SF 87505	\$5.00	\$5.00
10/12/13	Monica C. Halford 850 El Caminito Santa Fe NM 87505	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/12/13	Mary Pauline Romanik 2149 Old Arroyo Chamiso	\$5.00	\$5.00
10/13/13	Deborah S. Cornelius 2216 Calle Cacique	\$5.00	\$5.00
10/13/13	Danny Keith Earp 2208 Calle Cacique SF NM 87501	\$5.00	\$5.00
10/13/13	John Versace 2215 Calle Cacique SF 87505	\$5.00	\$5.00
10/13/13	Robert C. Zimmerman 2233 Calle Cacique	\$5.00	\$5.00
10/13/13	Sarah T. Miller 2242 Calle Cacique	\$5.00	\$5.00
10/13/13	Lyle York 817 East Zia Road	\$5.00	\$5.00
10/14/13	Philip Crump 2200 Fort Union Drive SF 87505	\$5.00	\$5.00
10/14/13	Lisa E. Stuckey 1414 Galisteo Street	\$5.00	\$5.00
10/15/13	Earl W. Potter 7000 Old Santa Fe Trail	\$5.00	\$5.00
10/15/13	Deborah D. Potter 7000 Old Santa Fe Trail	\$5.00	\$5.00
10/15/13	Olivia-Belen H. Sloan 133 W. Coronado Rd.	\$5.00	\$5.00
10/15/13	Jessica Galay 7258 Gildersleeve, Santa Fe, 87505	\$5.00	\$5.00
10/15/13	Patricia Witcher 1801 Cristobal Lane	\$5.00	\$5.00
10/16/13	R.E. Murray 2259 Calle Cacique	\$5.00	\$5.00
10/16/13	Cynthia L. Boddy 1521 5th St. Santa Fe, NM 87505	\$5.00	\$5.00
10/16/13	Karen Hubbard 133 W Coronado Rd, Santa Fe, NM 87501	\$5.00	\$5.00
10/16/13	Phillip E. Andrews 2338 Brother Abdon Way	\$5.00	\$5.00
10/16/13	Antoinette Dzubay 2155 Plazuela Vista	\$5.00	\$5.00
10/16/13	Robert Wall 2155 Plazuela Vista	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/16/13	Joe Canepa 2261 Calle Cacique NM 87505	\$5.00	\$5.00
10/16/13	David-Alexander H. Sloan 133 W Coronado Rd, Santa Fe, NM 87501	\$5.00	\$5.00
10/17/13	Kenneth A. Richard 708 Galisteo St SF NM 87505	\$5.00	\$5.00
10/17/13	Francisco Leon Rios 823 Acequia Madre Sfe 87501	\$5.00	\$5.00
10/17/13	Frances C. Rios 324 Camino del Monte Sol Sfe 87501	\$5.00	\$5.00
10/17/13	Donna Dreschel 140 W. Buena Vista	\$5.00	\$5.00
10/17/13	Robert Asbury 140 W. Buena Vista	\$5.00	\$5.00
10/17/13	Lorin E. (Erramouspe) Abby 653 E. Barcelona Rd	\$5.00	\$5.00
10/17/13	Mr Charles H. Barbee 630 Calle de valdes, Santa Fe, NM 87505	\$5.00	\$5.00
10/17/13	Mrs. Mary E. Barbee 630 Calle de valdes, Santa Fe, NM 87505	\$5.00	\$5.00
10/19/13	Bonnie S. Hardwick 508 Acequia Madre, Santa Fe 87505	\$5.00	\$5.00
10/19/13	Micheal J. Freitas 1803 Sun Mountain Drive, Santa Fe 87505	\$5.00	\$5.00
10/19/13	Gleen A. Freitas 1803 Sun Mountain Drive, Santa Fe 87505	\$5.00	\$5.00
10/19/13	Mary M. Freitas 1803 Sun Mountain Drive, Santa Fe 87505	\$5.00	\$5.00
10/19/13	James A. Taylor 1614 Jay Street 87505	\$5.00	\$5.00
10/19/13	Lela Dawkins 1614 Jay Street 87505	\$5.00	\$5.00
10/19/13	Alex R. Padilla 751 Acequia Madre #2	\$5.00	\$5.00
10/19/13	Lawrence W. Logan 751 Acequia Madre #3 Santa Fe NM 87505	\$5.00	\$5.00
10/19/13	Jacqueline Dunningham 751 Acequia Madre #6	\$5.00	\$5.00
10/19/13	Benjimen B. Alarid 821 Acequia Madre	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/19/13	Eleanor O Bove 922 Acequia Madre	\$5.00	\$5.00
10/19/13	Phillip J. Bove 922 Acequia Madre	\$5.00	\$5.00
10/19/13	Marie Vigil 469 Don Miguel	\$5.00	\$5.00
10/19/13	Joann Garges 481 Camino Don Miguel	\$5.00	\$5.00
10/19/13	Paul J. Kovnot M.D. 407 Camino Del Monte Sol	\$5.00	\$5.00
10/19/13	Gloria A Barbero 409 Camino don Miguel	\$5.00	\$5.00
10/19/13	Judith Carol Sellars 327 Delgado Street, Santa Fe, NM 87501-2756	\$5.00	\$5.00
10/19/13	Robert M Findling 750 Calle Espejo, Santa Fe, NM	\$5.00	\$5.00
10/19/13	Ken Payson 755 Acequia Madre	\$5.00	\$5.00
10/19/13	Elizabeth Findling 750 Calle Espejo, SF, NM 87505	\$5.00	\$5.00
10/19/13	Kay F. Newhaus 479 Camino Don Miguel	\$5.00	\$5.00
10/20/13	Peter Breen 704 Calle Espejo	\$5.00	\$5.00
10/20/13	Tami Schneider 704 Calle Espejo Santa Fe NM 87505	\$5.00	\$5.00
10/20/13	Joan L. Sickler 2253 Espejo Place Santa Fe NM 87505	\$5.00	\$5.00
10/20/13	Michael P. Rosow 2253 Espejo Place Santa Fe NM 87505	\$5.00	\$5.00
10/20/13	John Peterson 689 Calle Espejo SF NM 87505	\$5.00	\$5.00
10/22/13	Lauren Ames 1857 Sun Mountain Dr	\$5.00	\$5.00
10/22/13	Sandra Ames 1857 Sun Mtn SF, NM 87505	\$5.00	\$5.00
10/22/13	Micheal D O'Reilly 1847 Sun Mountain Drive	\$5.00	\$5.00
10/22/13	Henry A. Adams 1830 Sun Mountain	\$5.00	\$5.00

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QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/23/13	Carol J. Raymond 4 La Tusa St. Santa Fe, NM 87505	\$5.00	\$5.00
10/23/13	Mela Garcia 519 Douglas St	\$5.00	\$5.00
10/23/13	Charlene R. Sanchez 635 1/2 E. Garica St	\$5.00	\$5.00
10/23/13	Mrs. Praxedes R. Sanchez 635 1/2 Garica St.	\$5.00	\$5.00
10/24/13	Peter Dwyer 632 Camino de la Luz	\$5.00	\$5.00
10/24/13	Gayle Mayon Edgerton 2814 Sun Mt. Drive	\$5.00	\$5.00
10/24/13	Martha Romero 1851 Forest Circle 87505	\$5.00	\$5.00
10/25/13	Marie D. Larraigoite 2100 Conejo Dr.	\$5.00	\$5.00
10/25/13	Taylor Hendrickson 2105 Canejo Dr. Santa Fe NM 87505	\$5.00	\$5.00
10/25/13	John H Bemis 2116 Canejo Dr, Santa Fe NM 87505	\$5.00	\$5.00
10/25/13	Katherine Basham 2312 Calle Camarico Santa Fe, NM	\$5.00	\$5.00
10/25/13	David J. Donahue 2005 Canejo Dr Santa Fe, NM 87505	\$5.00	\$5.00
10/25/13	Rebecca B. Donohue 2005 Canejo Dr Santa Fe, NM 87505	\$5.00	\$5.00
10/25/13	Lowell R. Doherty 1883 Forest Circle, Santa Fe, NM 87505	\$5.00	\$5.00
10/25/13	Rosalind T. Doherty 1883 Forest Cir. Santa Fe, NM 87505	\$5.00	\$5.00
10/25/13	Cheryl P. O'Conner 2308 Cedros Circle, Santa Fe, NM 87505	\$5.00	\$5.00
10/26/13	Karen L. Benjamin 1775 Fort Union Dr	\$5.00	\$5.00
10/26/13	David Ytuarte 2081 Calle Contento	\$5.00	\$5.00
10/26/13	Phillip Clark 600 Calle de Leon	\$5.00	\$5.00
10/26/13	Clara L. Collins 604 Calle de Leon	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/26/13	Brian K. Edwards 814 Camino Zozorabra	\$5.00	\$5.00
10/26/13	John M. Hickey 806 Camino Zozobra, Santa Fe NM 87505	\$5.00	\$5.00
10/26/13	John X. Silvea 802 Camino Acoma	\$5.00	\$5.00
10/26/13	Mark Sarnowski 2225 Calle Alvarado	\$5.00	\$5.00
10/26/13	Elena Benton 2225 Calle Alvarado 87505	\$5.00	\$5.00
10/26/13	Elby B. Gallegos 2087 Calle Ensenada	\$5.00	\$5.00
10/26/13	Leon D. Hayes 2086 Calle Ensenada Santa Fe	\$5.00	\$5.00
10/26/13	Dorothy A. Wells 621 Rafael St., Santa Fe, NM 87505	\$5.00	\$5.00
10/26/13	Bonnie Larson 1901 Fort Union Dr. Santa Fe, NM 87505	\$5.00	\$5.00
10/26/13	Priscilla Poore Ericson 2204 Fort Union Drive, SF	\$5.00	\$5.00
10/26/13	Louis J. Medrano 2096 Botolph Rd	\$5.00	\$5.00
10/27/13	Carolyn S. Ives 140 West Zia Road Santa Fe, NM 87505	\$5.00	\$5.00
10/27/13	Patricia Salazar Ives 140 W. Zia Road	\$5.00	\$5.00
10/27/13	Peter N. Ives 140 West Zia Road Santa Fe, NM 87505	\$5.00	\$5.00
10/27/13	Sarah Ives 140 W Zia Rd.	\$5.00	\$5.00
10/27/13	Patrick N. Ives 140 West Zia Road	\$5.00	\$5.00
10/27/13	Marcia U. Rodda 2085 Medrano Lane Santa Fe NM 87505	\$5.00	\$5.00
10/27/13	Bernase Romero Jr 205 Anita Place SFNM 87505	\$5.00	\$5.00
10/23/13	Jeannie Gallegos-Esquibel 2167 Manuel Medrano Rd. SF 87505	\$5.00	\$5.00
10/27/13	Catherine T. Fernandez 2150 Manuel Medrano Rd.	\$5.00	\$5.00

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QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
10/29/13	Steven J. Carillo 1043-E Don Diego	\$5.00	\$5.00
10/01/13	Louise M. Rubio 526 Calle Lucero, SF, 87505	\$5.00	\$5.00
10/29/13	Mary Rose Trujillo 635 E Garcia St Santa Fe	\$5.00	\$5.00
10/29/13	Tom J. Trujillo 635 Garcia St Sfe NM	\$5.00	\$5.00
10/29/13	Susan Melissa Lamden 615 Calle Grillo, Santa Fe 87505	\$5.00	\$5.00
10/30/13	Ana Reinhardt 1147 Don Gaspar	\$5.00	\$5.00
11/01/13	Alejandra K. Seluja 308 Lomita St. Santa Fe NM 87505	\$5.00	\$5.00
11/01/13	Andres V. Romero 943 Don Cubero Ave	\$5.00	\$5.00
11/02/13	Diane R Jennings 1015 Don Cubero Ave SF 87505	\$5.00	\$5.00
11/02/13	Laura F Smith 1018 Don Cubero Avenue SF 87505	\$5.00	\$5.00
11/02/13	Jack Hickey 806 Camino Zozobra Santa Fe NM 87505	\$5.00	\$5.00
11/02/13	Amelia Hollis Romero 316 W. Haughton St. Santa Fe New Mexico	\$5.00	\$5.00
11/02/13	Claudia Borchert 212 Lugar de Monte Vista SF NM 87505	\$5.00	\$5.00
11/02/13	Eduardo C. Lucero 216 Lugar de Monte Vista	\$5.00	\$5.00
11/02/13	Dennis C. Romero 203 E. Coronado SF	\$5.00	\$5.00
11/02/13	Joan Buresch Talley 409 E. Coronado Road SF 87505	\$5.00	\$5.00
11/02/13	Debora L van Hecke 871 Don Cubero Ave.	\$5.00	\$5.00
11/02/13	Hubert van Hecke 871 Don Cubero Ave	\$5.00	\$5.00
11/02/13	James Kentch 803 Don Cubero Ave, Santa Fe, NM 87505	\$5.00	\$5.00
11/02/13	Mamie Mitchell 518 Old Santa Fe Trail #1-429	\$5.00	\$5.00

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City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
11/02/13	Gudrun Hoerig 723 Gomez Rd SF 87505	\$5.00	\$5.00
11/02/13	Joann V. Hart 734 Gregory Lane Santa Fe NM 87505	\$5.00	\$5.00
11/02/13	April Elliott 212 Maynard Street #3, Santa Fe NM 87501	\$5.00	\$5.00
11/02/13	Kenneth Pin 1810 Calle de Sebastian # H-4	\$5.00	\$5.00
11/02/13	Margaret M. Hickey 806 Camino Zozobra Santa Fe NM 87505	\$5.00	\$5.00
11/02/13	Mary Karen Kilgore 800 Abeyta, Santa Fe NM 87505	\$5.00	\$5.00
11/02/13	John F. Kennedy 804 Calle De Marcos Sfe, NM 87505	\$5.00	\$5.00
11/02/13	Sharon S. Hickey 806 Camino Zozobra Santa Fe NM 87505	\$5.00	\$5.00
11/04/13	Mark F. Valdes 204 Calle Melitta, Santa Fe, NM 87505	\$5.00	\$5.00
11/07/13	Shirley Davis 3101 Old Pecos Trail #693	\$5.00	\$5.00
11/07/13	Leon Morrison 444 Camino De Las Animas	\$5.00	\$5.00
11/07/13	JJ Johnson 2520 Calle del Sol, SF, NM 87505	\$5.00	\$5.00
11/07/13	Phyllis Moore 3101 Old Pecos Tr #619	\$5.00	\$5.00
11/07/13	Zita E Tyer 3101 Old Pecos Tr #506	\$5.00	\$5.00
11/07/13	Robert K W Ching 3103 Old Pecos Trail Unit #809	\$5.00	\$5.00
11/08/13	Richard D. Anaya 125 W. San Mateo Rd	\$5.00	\$5.00
11/08/13	Patricia A. Rosler 122 W. San Mateo	\$5.00	\$5.00
11/08/13	Robin Laughlin 3101 Old Pecos Tr #808	\$5.00	\$5.00
11/08/13	Anne D. Werner 524 Camino Militar	\$5.00	\$5.00
11/09/13	Susan D. Summa 210 E. Houghton St 87505	\$5.00	\$5.00

(ATTACH ADDITIONAL PAGES AS NEEDED)

Page Total \$100.00

Page 13 of 16

CC0803

City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

Date Received	Name and Address as Registered	Amount	Contributor Total
11/09/13	Jose F. Trujillo 649 Don Gaspar Ave	\$5.00	\$5.00
11/03/13	Ronald W. Coss 116 La Placita Circle	\$5.00	\$5.00
11/09/13	Caitlin McHugh 813 Waldo St., Santa Fe, NM 87505	\$5.00	\$5.00
11/09/13	Claudia Vanderkolk 325 E. Buena Vista #1 SF	\$5.00	\$5.00
11/09/13	Shirley Pisacane 1203 Seville Road	\$5.00	\$5.00
11/09/13	Janet Crow 3101 Old Pecos Trail, Unit 625	\$5.00	\$5.00
11/09/13	Frank Kenneth Bateman 801 Garcia Street	\$5.00	\$5.00
11/11/13	Denise D. Fort 2610 Caminito Carritos SF, NM 87505	\$5.00	\$5.00
11/11/13	Jane P. Gillentine 2256 Calle Cacique, Santa Fe, 87505	\$5.00	\$5.00
11/11/13	Lisa K. Rosendorf 2253 Calle Cacique, Santa Fe, 87505	\$5.00	\$5.00
11/11/13	Neal M. Rosendorf 2253 Calle Cacique, Santa Fe, 87505	\$5.00	\$5.00
11/11/13	Brian Jonathan Williams 800 Caminito del Donaldo, Santa Fe, NM 87505	\$5.00	\$5.00
11/11/13	Aparna Vasant Huzurbazar 600 Caminito del Donaldo, Santa Fe, NM 87505	\$5.00	\$5.00
11/12/11	Cynthia P. Furlanetto 2278 Calle Cacique Santa Fe, NM 87505	\$5.00	\$5.00
11/12/13	Michael R. Furlanetto 2278 Calle Cacique Santa Fe, NM 87505	\$5.00	\$5.00
11/12/13	David F. Cunningham 3101 Old Pecos Trail, Unit 625	\$5.00	\$5.00
11/08/13	Anthony F. Pacheco 118 Valencia	\$5.00	\$5.00
11/08/13	Elaine L. Pacheco 113 Calle Paisano	\$5.00	\$5.00
10/07/13	Sophie G. Ortega 639 Old Santa Fe Trail	\$5.00	\$5.00
10/07/13	Joseph M. Ortega 639 Old Santa Fe Trail	\$5.00	\$5.00

(ATTACH ADDITIONAL PAGES AS NEEDED)

Page Total \$100.00

Page 14 of 16

CO9809

City of Santa Fe

QUALIFYING CONTRIBUTION REPORT (Continued)

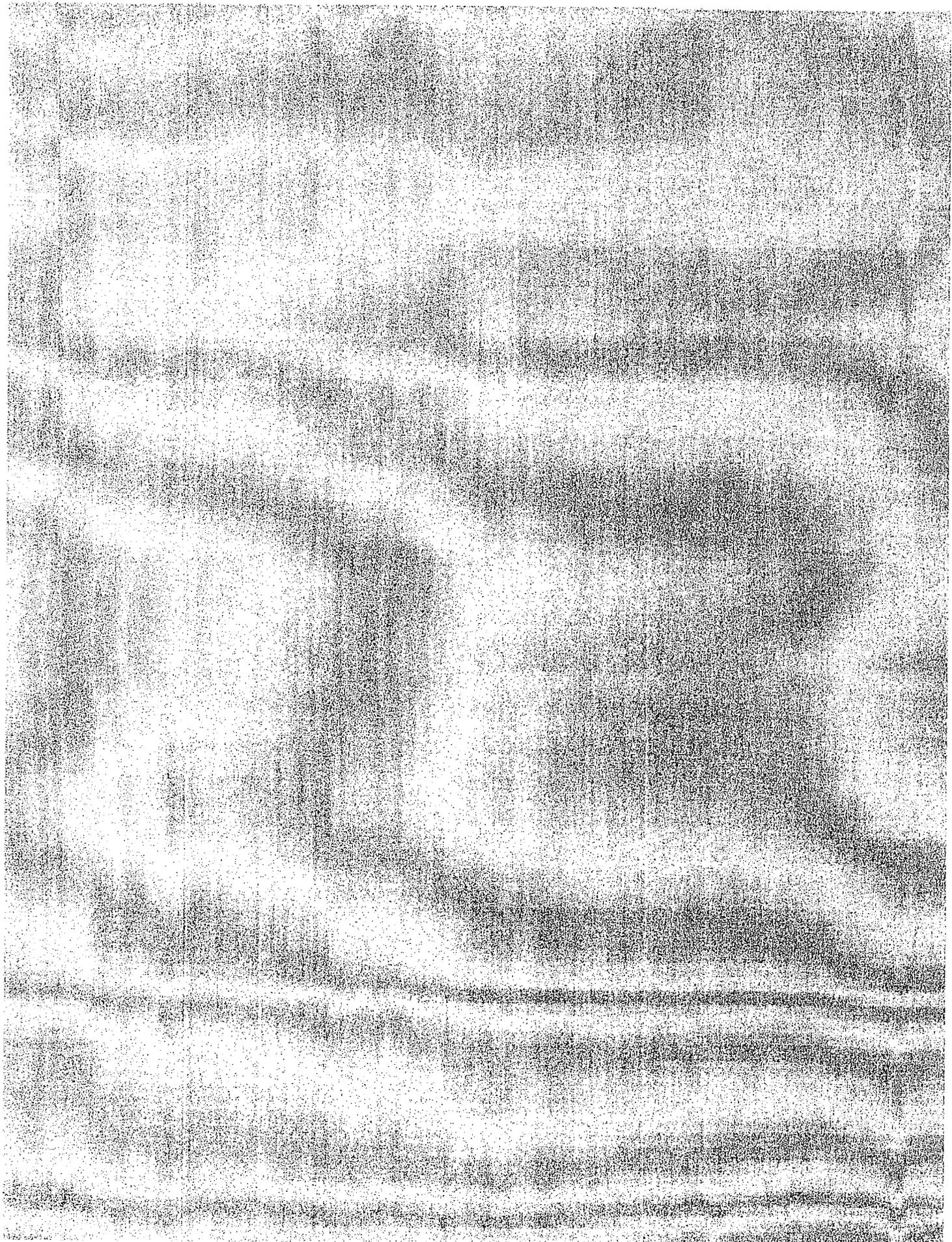
Date Received	Name and Address as Registered	Amount	Contributor Total
11/15/13	Thomas H. Nobel 2255 Old Arroyo Chamisa	\$5.00	\$5.00
11/15/13	Elise Noble 2255 Old Arroyo Chamisa	\$5.00	\$5.00
11/15/13	George E. Adelo 2321 Calle Pena SF NM Pcs 54	\$5.00	\$5.00
11/15/13	James C. Brockmann 1075 Paseo De Peralta	\$5.00	\$5.00
11/15/13	Elizebeth A. Brockmann 1075 Paseo De Peralta	\$5.00	\$5.00
11/15/13	Glenn Condon 110 Calle Royale, SF NM 87505	\$5.00	\$5.00
11/15/13	Anne McLaughlin 110 Calle Royale, SF NM 87505	\$5.00	\$5.00
11/13/13	Phillip M. Smith 767 Asequia Madre #2 Santa Fe NM 87505	\$5.00	\$5.00
11/16/13	Agnes D. Garcia 618 Garcia St, SF 87505	\$5.00	\$5.00
11/16/13	Peter J. Garcia 551 Garcia St, SF 87505	\$5.00	\$5.00
11/16/13	Dan Baca 619 Garcia St., SF 87505	\$5.00	\$5.00
11/16/13	Molly Hanford 530 Garcia St. #8 Santa Fe, NM 87505	\$5.00	\$5.00
11/16/13	Sylvia Lee Garcia 551 Garcia Santa Fe NM 87505	\$5.00	\$5.00
11/16/13	Mary S. Kircher 419 Camino de las Animas	\$5.00	\$5.00
11/16/13	John A. Wagner 419 Camino de las Animas	\$5.00	\$5.00
11/16/13	Joseph L. Romero 216 East Sfe Ave 87505	\$5.00	\$5.00
11/16/13	Erick J. Castillo 729 Gomez Rd Santa Fe, NM 87505	\$5.00	\$5.00
11/16/13	Laura L. Hamilton 638 Gomez Rd Santa Fe 87505	\$5.00	\$5.00
11/09/13	Keith E. Packard 1300 Escalante	\$5.00	\$5.00
11/09/13	Arnold A Vigil 1314 Escalante St.	\$5.00	\$5.00

(ATTACH ADDITIONAL PAGES AS NEEDED)

Page Total \$100.00

Page 15 of 16

CC0008



Document Image

Back to Activity

Account Number

[Redacted]

#1008

JOSEPH MAESTAS FOR SANTA FE 1008
90-181/1076

DATE 11-18-13

ORDER OF City of Santa Fe \$ 1500.00

one thousand five hundred and ⁰⁰/₁₀₀ DOLLARS

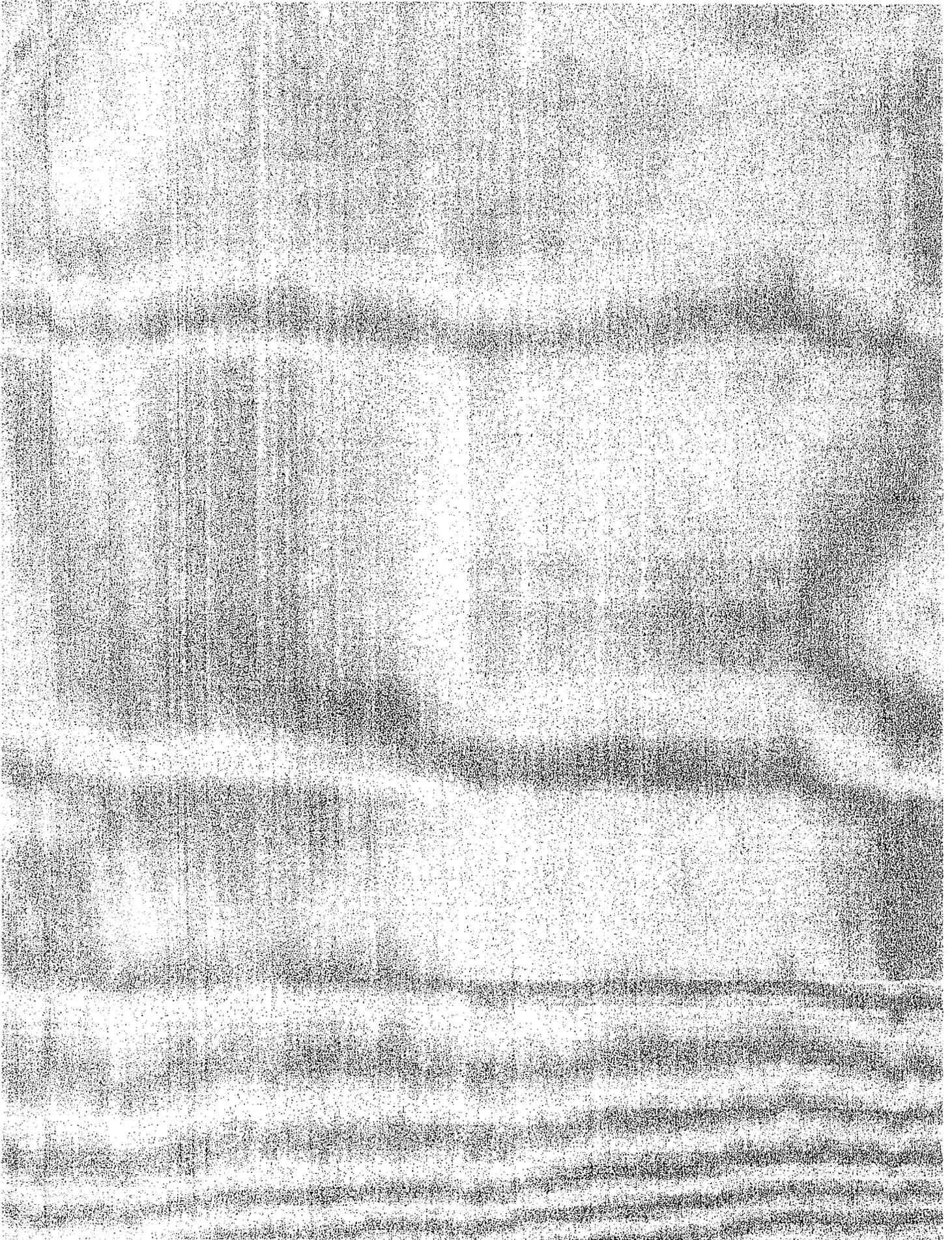
LANB 2000 Salsburg St. Santa Fe, NM 87505 (505) 988-2200 Member F.D.I.C.

FOR Public Financing - Qualifying Contributions Joseph M. Maestas

[Redacted]

View Front and Back

Exhibit C



AFFIDAVIT OF NERI HOLGUIN

I, Neri Holguin, being duly sworn and under oath, do hereby by state as follows:

1. Since July 2013 to the present, I have been a volunteer in the campaign of Joseph M. Maestas, who is a candidate for City Council in District 2.
2. I was assisting the campaign by procuring services and materials for the campaign.
3. On August 29, 2013, and September 10, 2013, I ordered and acquired the placards and banners for use in the Santa Fe Fiesta Parade and other campaign events.
4. Attached to this Affidavit as Attachments 1 and 2 are the invoices from Focus Ink, Inc., from which company I obtained the placards and banners.
5. The Focus Invoices were billed to me directly.
6. I did not send or present the Focus Invoices to the Campaign Treasurer, Ms. Anna Hansen, or Joseph Maestas for payment at the time I received the invoices.
7. After the Mr. Green's complaint was filed on December 9, 2013, Mr. Maestas inquired of me as to the amounts and status of the Focus Invoices.
8. In response to his inquiry, I indicated that I (as of the date of the Complaint) still had the Focus Invoices, had not paid them, and would deliver them promptly.
9. I decided to pay the Focus Invoices using my credit card on December 13, 2013. (*See Attachment 3 to this Affidavit*)
10. On December 14, 2013, I presented the campaign and Mr. Maestas with an invoice showing the payments for the Focus Invoices. (*See Attachment 4 to this Affidavit*)

Exhibit D

11. At that time, I informed Mr. Maestas that I had paid an invoice to Premier Political Communications for a "robo call" service with a credit card back in September. (See Attachments 5 and 6 to this Affidavit).

12. The robo call service was used to announce the Campaign kick-off held on September 26, 2013. The tagline properly identified the message as campaign material.

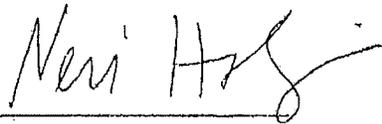
13. The campaign issued Check No. 1009 on December 15, 2013, in the amount of \$601.86 to reimburse me for payment of the Focus and Premier Invoices.

14. At the time of the filing of the Expenditure Report, I understood that the Campaign was required to report as "expenditures" all of the payments that had been made by the Campaign from the Campaign Account up to the date of the filing of the Expenditure Report.

15. I was not instructed by Mr. Maestas or anyone else from the campaign to pay invoices from my own funds.

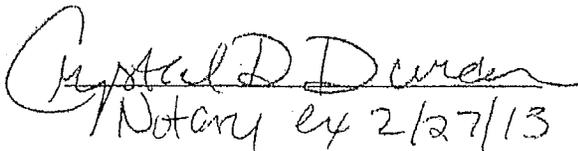
16. I was not instructed by Mr. Maestas or anyone else to delay the presentation of invoices to the campaign.

17. The delay in presentation of the Focus and Premier Invoices resulted from a lack of communication by me with Mr. Maestas.

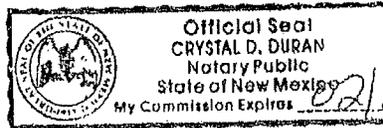


Neri Holguin

SUBSCRIBED AND SWORN to before me, a Notary Public, by Neri Holguin on this 29th day of December 2013.



Crystal D. Duran
Notary ex 2/27/13



Focus Ink, Inc.
 335-B Jefferson SE
 Albuquerque, NM 87108

Invoice	
Date	Invoice #
8/29/13	17403

Bill To
Holguin, Nerf



We print EVERYTHING from walnuts to signs!

P.O. No.	Terms	Referred by	Rep
			PL
Description	Qty	Rate	Amount
banner, 4x6 placards	40	168.00 2.40	168.00T 96.00T
Pay your bills online at: https://www.intuitbillpay.com/focusinkinc			

	Subtotal	\$264.00
Payment due upon delivery or within 7 days unless here noted. At 7 days and monthly thereafter, a 2% service fee is added to overdue balance. The customer will pay Focus Ink \$20 for any returned check to cover our bank charges, and is responsible for all fees required by a collection agency, and all costs incurred in collections. In accordance with United States copyright law, original art remains the property of Focus Ink, Inc. and is leased on a per use basis, unless ownership is transferred in writing. As per industry standards, received quantities may be +/- 10%, and will be billed accordingly.	Sales Tax (7.0%)	\$18.48
	Total	\$282.48
	Payments/Credits	\$0.00
	Balance Due	\$282.48
	Customer Total Balance	\$282.48

Phone #	Fax #	E-mail	Web Site
505-265-3497	505-266-4538	promo@focusink.com	www.focusink.com

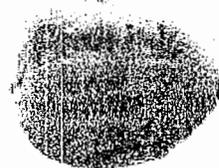
Exhibit 1

Focus Ink, Inc.

335-B Jefferson SE
Albuquerque, NM 87108

Invoice	
Date	Invoice #
9/10/13	17422

Bill To
Holguin, Neri



We print EVERYTHING from walnuts to signs!

P.O. No.	Terms	Referred by	Rep
			PL
Description		Qty	Rate
banner Pay your bills online at: https://www.intuitbillpay.com/focusinkinc			168.00
			168.00T
		Subtotal	\$168.00
Payment due upon delivery or within 7 days unless here noted. At 7 days and monthly thereafter, a 2% service fee is added to overdue balance. The customer will pay Focus Ink \$20 for any returned check to cover our bank charges, and is responsible for all fees required by a collection agency, and all costs incurred in collections. In accordance with United States copyright law, original art remains the property of Focus Ink, Inc. and is leased on a per use basis, unless ownership is transferred in writing. As per industry standards, received quantities may be +/- 10%, and will be billed accordingly.		Sales Tax (7.0%)	\$11.76
		Total	\$179.76
		Payments/Credits	\$0.00
		Balance Due	\$179.76
		Customer Total Balance	\$162.21

Phone #	Fax #	E-mail	Web Site
505-265-3497	505-266-4538	promo@focusink.com	www.focusink.com

Exhibit 2

FOCUS INK INC
335 JEFFERSON ST SE
ALBUQUERQUE, NM 87108

12/13/2017 10:42:43
MID: 00000002135813 TID: 03177171
329228760990

CREDIT CARD
VISA ADJUST SALE

CARD #	XXXXXXXXXXXX
INVOICE	0002
Batch #:	000514
Approval Code:	545039
Entry Method:	Manual
Mode:	Online
Tax Amount:	\$32.00
Avs Code:	YYY
Card Code:	M
SALE AMOUNT	\$462.24

THANK YOU FOR YOUR BUSINESS!!
(505)265-3497

CUSTOMER COPY

Holguin Consulting

1309 Fruit Ave NW, ABQ 87104

Invoice #: 1
 Invoice Date: December 14, 2013

Bill to:
Joseph Maestas for Santa Fe

Description	Taxable	Tax	Total
Payment for Placards, Banners			\$462.24
Payment for RoboCall			\$139.62
	Subtotal		
	TAX		
	Balance		601.86

*pd 601.86
 12/15/13
 ch# 1009*



Invoice
#509-2013

Neri Holguin
Holguin Campaigns & Communications
1309 Fruit Ave NW
Albuquerque, NM 87104
505-217-8705

<u>Date</u>	<u>Description</u>	<u>Numbers</u>	<u>Rate</u>	<u>Total</u>
9/23	60 second robo call Maestas	2327	\$.06	\$ 139.62
	TOTAL			\$ 139.62

Premiere Political Communications, LLC
4805 Woodview Avenue, Austin, TX 78756
T 866-750-6610 F 253-295-2788 C 202-360-3663

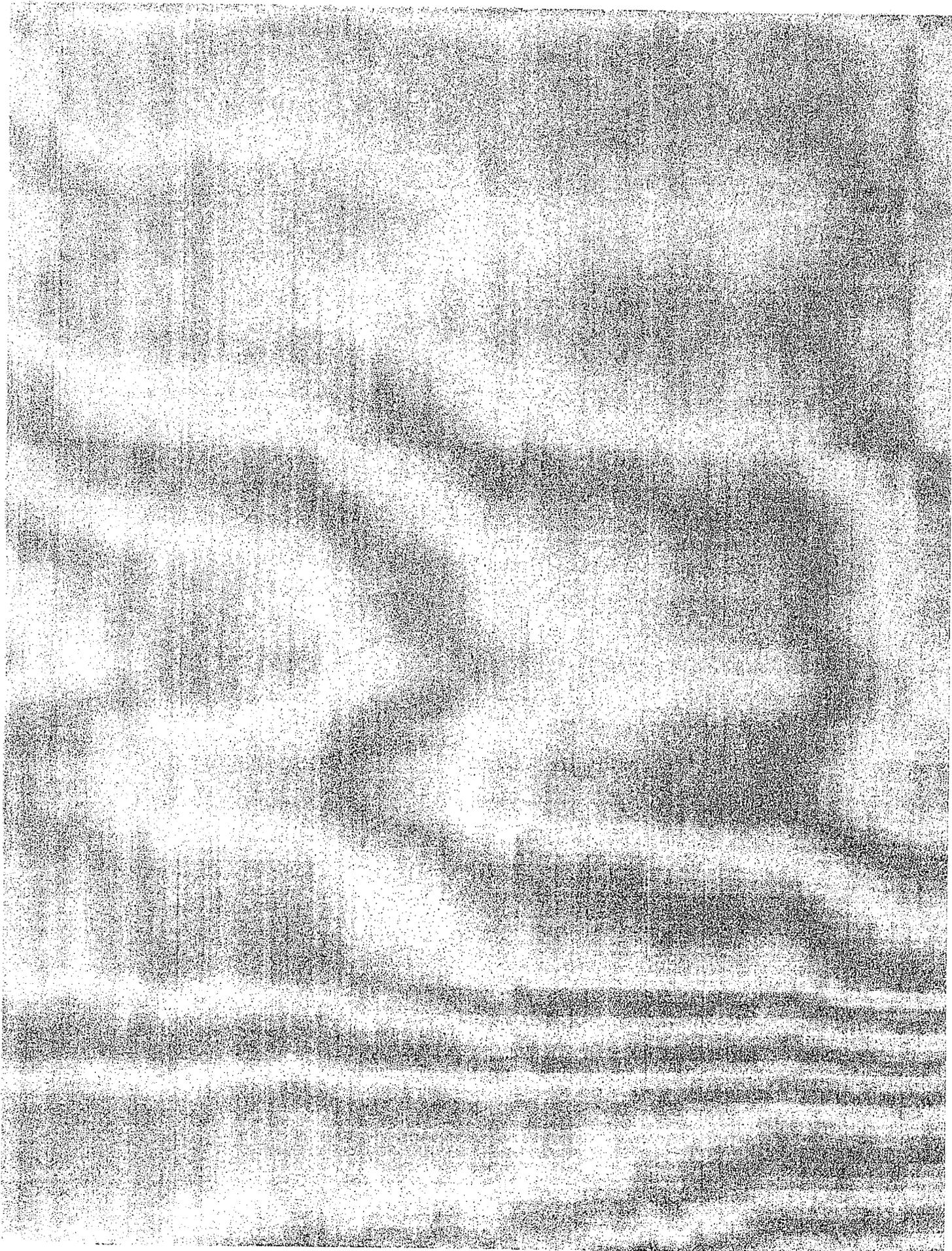
Exhibit 5

NON PERS COMMUNITY CHECKING *1723 Change account v

Make a transfer

« Sep 17 - Sep 26, 2013 10 days » Narrow by items containing e.g. "AT&T", "check" or "5.00"

Date v	Description	Deposit	Withdrawal
09/26/2013	DDA PUR SUSHIHANA / ALBUQUERQUE NM POS Debit		\$76.77
09/25/2013	OPPENHEIMER FUND PUR / HOLGUIN CONSULTING INC DDA ACH Withdraw		\$100.00
09/24/2013	DDA PUR PREMIER POLITICAL COMM / 202-9663645 TX POS Debit		\$139.62



AFFIDAVIT OF ANNA HANSEN

I, ANNA HANSEN, being duly sworn and under oath, do hereby by state as follows:

1. Since July 2013 to the present, I have been the Campaign Treasurer in the campaign of Joseph M. Maestas, a candidate for City Council in District 2.
2. The Focus Invoices, Inc., invoices that are attached to the Affidavit of Ms. Neri Holguin were not sent to or presented to me for payment at the time the invoices were generated.
3. As of November 18, 2013, the Campaign had paid all of the invoices and bills that had been presented to the Campaign up to that date.
4. The Premier Political Communications Invoice attached to Ms. Holguin's Affidavit had not been presented to me for payment until December 14, 2013.
5. The Campaign issued Check No. 1009 on December 15, 2013, for \$601.86 to Holguin Consulting for payment of the Focus and Premier Invoices.
6. On November 18, 2013, I was unaware of the amount and payment status of the Focus Invoices and the Premier Invoice, and I was unaware that Ms. Holguin had paid the Premier Invoice out of her own pocket.
7. I did not instruct Ms. Holguin or anyone else to pay invoices from their own funds and did not instruct Ms. Holguin or anyone else to delay the presentation of invoices to the Campaign.

Exhibit E

Anna Hansen
Anna Hansen

SUBSCRIBED AND SWORN to before me, a Notary Public, by Anna Hansen on this 30th day of December 2013.

Mychal L. Delgado





Account Activity

Regular Checking

From: To:

You may view up to 7 years of account activity.

Use row highlighter

Beginning Balance	Credits	Debits	Interest Paid	Ending Balance
0.00	18,000.00	4,407.86	0.00	13,592.14

Date	Type	Check #	Description	Amount	Balance
08/15/2013	Deposit	<u>12074</u>	Initial Deposit [B-1378605]	+ 100.00	100.00
08/21/2013	ACH		PPD HARLAND CLARKE CHK ORDERS [REDACTED]	- 16.99	83.01
08/27/2013	Deposit	<u>79</u>	Deposit	+ 900.00	983.01
09/04/2013	Deposit	<u>176</u>	Deposit	+ 200.00	1,183.01
09/09/2013	E-Check	<u>1002</u>	POP 1002 SAMS CLUB STORES PURCHASE SANT NM	- 92.32	1,090.69
09/10/2013	Check	<u>1001</u>	Check	- 13.46	1,077.23
09/12/2013	Deposit	<u>50</u>	Deposit	+ 150.00	1,227.23
09/16/2013	Check	<u>1003</u>	Check	- 30.00	1,197.23
09/20/2013	E-Check	<u>1004</u>	POP 1004 OFFICEMAX 0736 PURCHASE SANT NM	- 38.37	1,158.86
09/23/2013	Deposit	<u>14</u>	Deposit	+ 295.00	1,453.86
10/03/2013	Deposit	<u>28</u>	Deposit	+ 145.00	1,598.86
10/16/2013	Check	<u>1005</u>	Check	- 500.00	1,098.86
10/21/2013	Deposit	<u>15</u>	Deposit	+ 360.00	1,458.86
11/01/2013	Check	<u>1007</u>	Check	- 638.73	820.13
11/06/2013	Deposit	<u>91</u>	Deposit	+ 470.00	1,290.13
11/14/2013	Check	<u>1006</u>	Check	- 170.13	1,120.00
11/18/2013	Deposit	<u>184</u>	Deposit	+ 380.00	1,500.00
11/21/2013	Check	<u>1008</u>	Check	- 1,500.00	0.00
12/09/2013	Deposit	<u>76</u>	Deposit	+ 15,000.00	15,000.00
12/19/2013	Check	<u>1009</u>	Check	- 601.86	14,398.14
12/23/2013	Check	<u>1010</u>	Check	- 806.00	13,592.14

Exhibit F-1

Document Image

Back to Activity

Account Number

[Redacted] #1001

DL# [Redacted] 352 #1503929-0155

JOSEPH MAESTAS FOR SANTA FE

1001
95-101/1870

9-7-13 DATE

ORDER OF Louise's \$ 13.46

Herbman and 46/100 DOLLARS

LANB 2025 Gallardo Pl.
Santa Fe, NM 87508
(505) 496-5900
Member F.D.I.C.

FOR Campaign mat'ls

Joseph M. Maestas

View Front and Back

Document Image

Back to Activity

Account Number

[Redacted]

#1003

474-7420

JOSEPH MAESTAS FOR SANTA FE

1003
98-181/1870

9-8-13
DATE

Pay to the order of Santa Fe Fiesta Council \$ 30.⁰⁰

Thirty dollars and 00/100 DOLLARS

LANB
2009 Chabasco Bl.
Santa Fe, NM 87005
(505) 986-3200
Creating a better way
Member FDIC

FOR Santa Fe Fiesta Parade Fee Joseph M. Maestas

[Redacted]

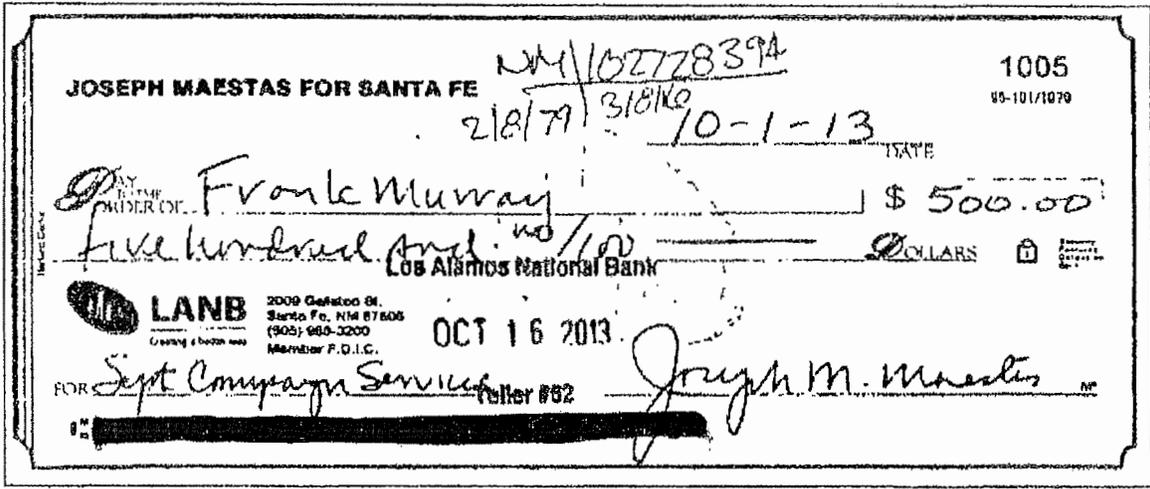
View Front and Back

Exhibit F 3

Document Image

Back to Activity

Account Number
[REDACTED]
#1005



View Front and Back

Document Image

Back to Activity

Account Number

[Redacted] #1006

JOSEPH MAESTAS FOR SANTA FE 1006
95-101/1970

ADD LTR
10-31-13 DATE

PAY TO THE ORDER OF Triple L Ink (Linda Lollow) \$ 170.13

one hundred seventy and 13/100 DOLLARS

LANB 2000 Castano St.
Santa Fe, NM 87506
(505) 890-3000
Member FDIC

FOR graphic art & printing serv Joseph Maestas

[Redacted] #1006 Invoice: 9/19/13

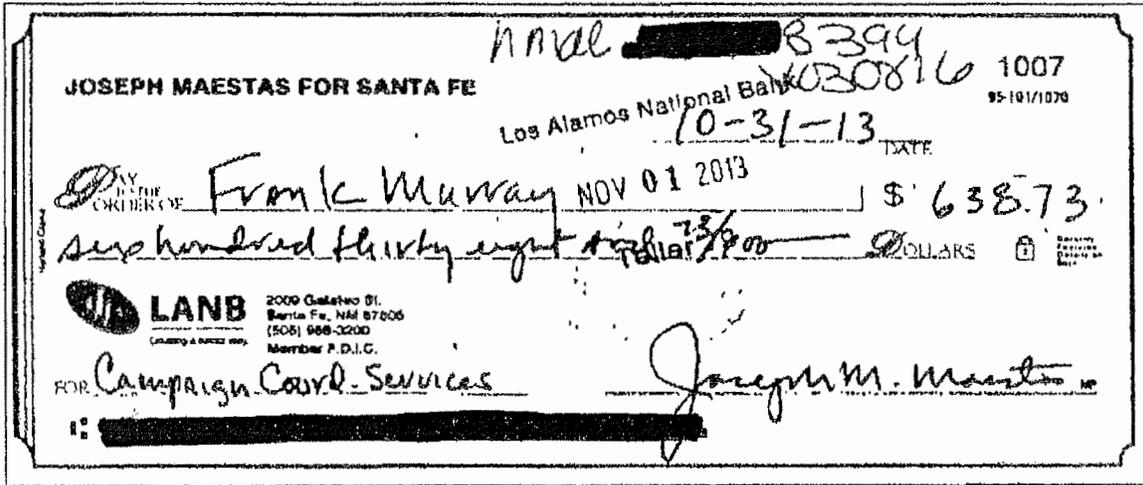
View Front and Back

Document Image

Back to Activity

Account Number

[REDACTED]
#1007



View Front and Back

Exhibit F

Document Image

Back to Activity

Account Number

#1008

JOSEPH MAESTAS FOR SANTA FE 1008
95-187/1070

DATE 11-18-13

PAY TO THE ORDER OF City of Santa Fe \$ 1500.00

one thousand five hundred and 00/100 DOLLARS

LANB 8008 Sibley St.
Santa Fe, NM 87505
(505) 988-0500
Member FDIC

FOR Public Financing: Qualifying Contributions Joseph M. Maestas

View Front and Back

Exhibit F-7

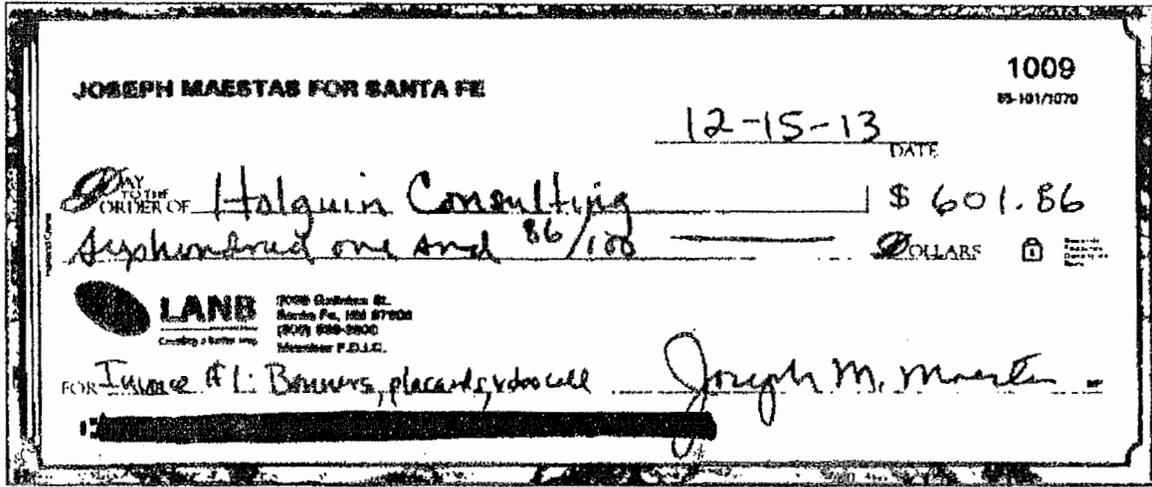
Document Image

Back to Activity

Account Number

[Redacted]

#1009



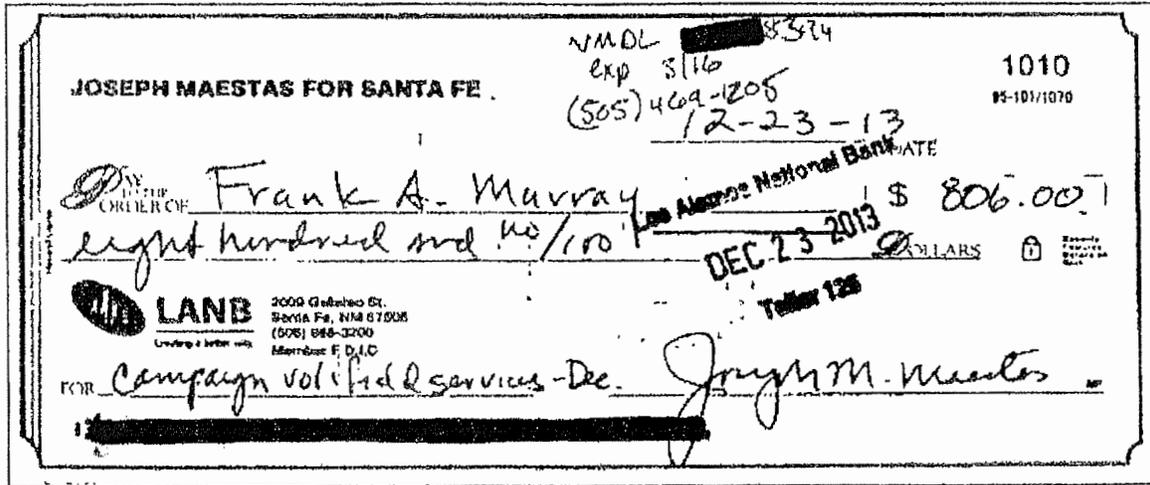
View Front and Back

Document Image

Back to Activity

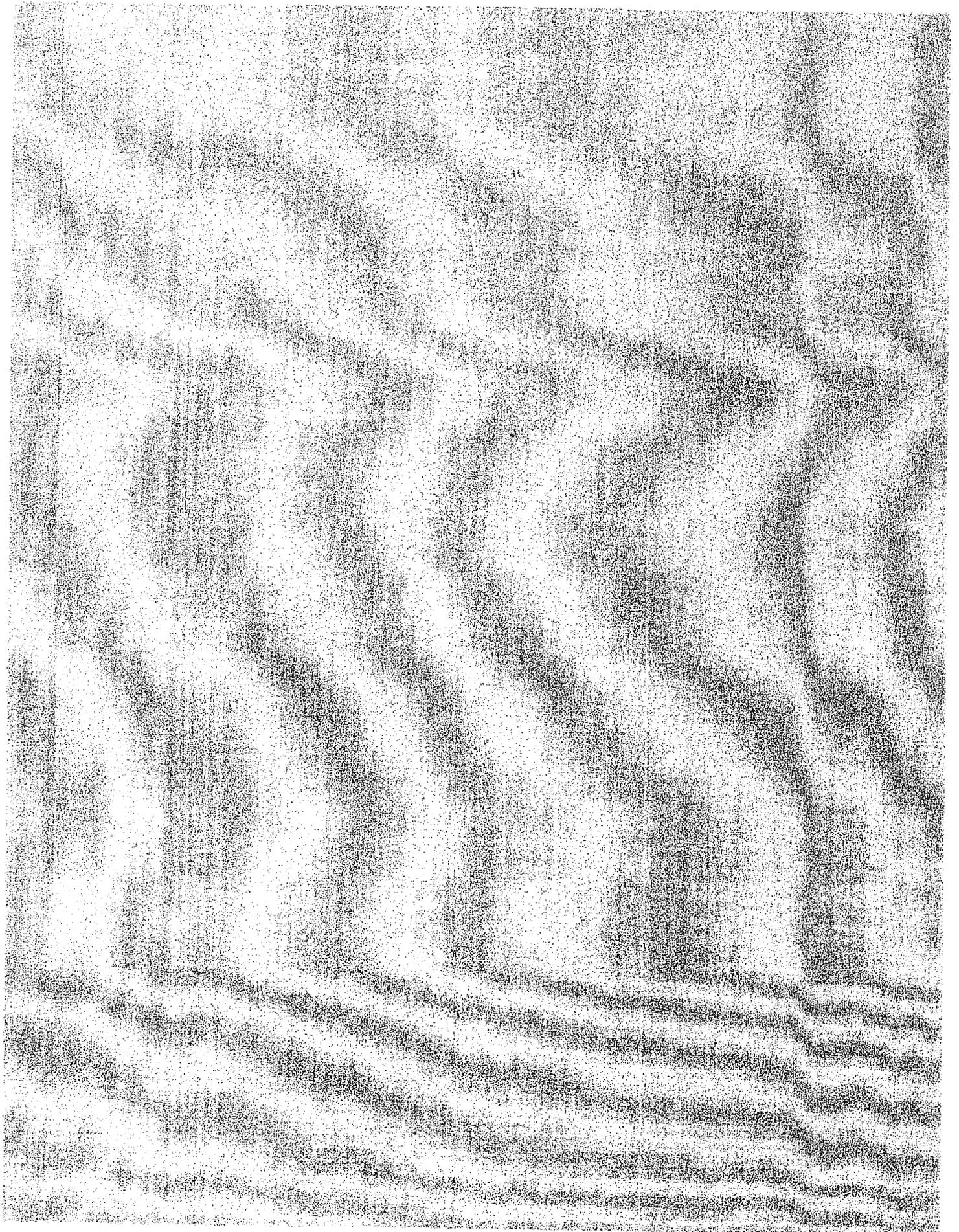
Account Number

#1010



View Front and Back

Exhibit F



STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

City of Santa Fe, New Mexico

APPLICATION FOR CERTIFICATION AS A PARTICIPATING CANDIDATE

I, Joseph M. Maestas, being first duly sworn upon my oath do hereby state that I am a candidate for the office of City Council District No. 2 (if applicable) to be voted for at the City of Santa Fe Regular Municipal Election to be held on March 4, 2014.

I affirm that I satisfy the requisites for qualification and certification as a participating candidate prescribed by §9-3.5 SFCC 1987.

I affirm that I have not accepted any contributions to my current campaign other than qualifying contributions and seed money contributions solicited and accepted pursuant to §9-3.6 and §9-3.7 SFCC 1987.

I affirm that I have not made any expenditures for my current campaign from any source other than seed money contributions.

I agree that my current campaign will not accept any further contributions or make any further expenditures from any sources other than payments received from the fund pursuant to §9-3.10 SFCC 1987.

I have attached all reports and forms required by §9-3.8(C) SFCC 1987.

I have also attached a check/checks issued to the City of Santa Fe from my campaign depository for the amount of all qualifying contributions received and all seed money contributions received and not yet spent for the purposes specified in §9-3.6(A) SFCC 1987.

I affirm that this Application for Certification as a Participating Candidate is made under oath and that any false statement knowingly made herein may constitute a violation of the laws of New Mexico and/or the ordinances of the City of Santa Fe.

Joseph M. Maestas
Signature of Candidate

Subscribed and sworn to before me this 18th day of November, 2013.

Yolanda Y. Vigil
Notary Public

My Commission Expires: 7-24-14

Received in the office of the City Clerk at 12:21 (A.M./P.M.) on the 18th day of November, 2013.

(SEAL)

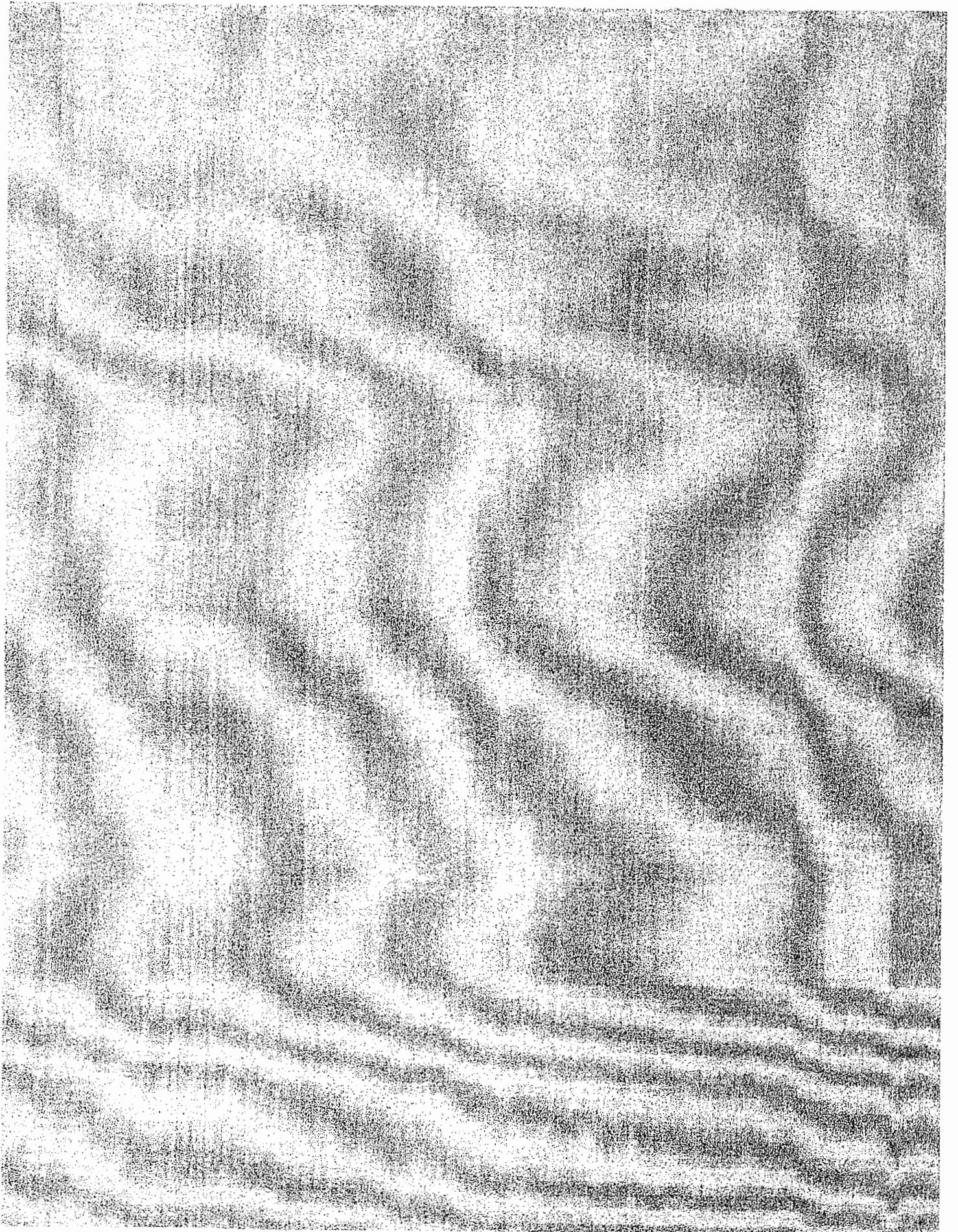
Yolanda Y. Vigil
Yolanda Y. Vigil, CMC, City Clerk

ATTACHMENTS:

- Seed Money and Qualifying Contribution Report
- Copies of Signed Records of Seed Money Contributions
- Copies of Signed Records of Qualifying Contributions
- Check for Amount of All Qualifying Contributions
- Check for Unspent Seed Money

Exhibit G

CC075 indd-9/2011



City of Santa Fe

SEED MONEY EXPENDITURE REPORT

Expenses incurred in obtaining qualifying contributions and in seeking certification as a participating candidate.

Name of Candidate Joseph M. Maestas Position Sought City Councilor
 Mailing Address 3999A Old Santa Fe Trail District No. 2
Santa Fe, New Mexico 87505
 Email Address Josephmaestasforsantafe@gmail.com Phone No. 505-929-0955

Aggregate of Seed Money Expenditures \$1,500.00

Date Expended	Name of Individual or Business and Mailing Address Purpose of Expenditure	Method of Payment	Amount
08/21/13	Los Alamos National Bank 2009 Galisteo Street Santa Fe NM 87505 Check Book From LANB Garns Club	Cash	\$16.99
09/09/13	4201 Rodeo Road Santa Fe NM 87505 Materials for Parade; Candy for Kids and families at parade	Check # 1002	\$92.37
09/09/13	Lewes 3456 Zafarano Drive Santa Fe NM 87507 Stakes for Placards	Check # 1001	\$13.46
09/16/13	Santa Fe Fiesta Council Santa Fe New Mexico Parade Fee	Check # 1003	\$30.00
09/20/13	Office Max 3003 S St. Francis Drive Ste. A Santa Fe NM 87505 Copies of Flyer	Check # 1004	\$38.87
10/17/13	Frank Murray 1404 Maclovía Street Santa Fe NM 87505 Field Services	Check # 1005	\$600.00
10/17/13	Linda Lilow 5117 La Cubilla NW, Albuquerque, NM Logo, Placard, and Sign Designing	Check # 1006	\$170.13
11/01/13	Frank Murray 1404 Maclovía Street Santa Fe NM 87505 Field Services	Check # 1007	\$638.79

(ATTACH ADDITIONAL PAGES AS NEEDED)

Page Total \$1,500.00

Page 1 of 1

CGS02A

City of Santa Fe

CERTIFICATION

This report has been prepared with all reasonable diligence and is true and complete in accordance with §9-3 SFCC 1987; however, a Qualifying Contribution and Seed Money Report of a candidate for Municipal Judge is not required to be signed or acknowledged by the candidate.

Candidate's Signature Joseph M. Menton Date 11-18-13

Treasurer's/Deputy Treasurer's Signature Anna C. Hansen Date 11/18/13

Treasurer's/Deputy Treasurer's Address 2008 KIVA RD
Santa Fe, NM 87505

Subscribed to and sworn before me this 18 day of November, 2013.



Melissa Sangoval
Notary Public

My Commission Expires:

9/2/15

Received in the Office of the City Clerk at 12:21 (AM/PM) on the 18th day of November, 2013.

(SEAL)

Yolanda Y. Vigil
Yolanda Y. Vigil, JMC, City Clerk

- The term "contribution" does not include: (§9-3.3(E)(2) SFCC 1987)
 - (1) a volunteer's personal services provided without compensation or the travel or personal expenses of such a campaign worker; and
 - (2) the cost of an event held in honor of or on behalf of a candidate when the total cost of the event amounts to no more than two hundred dollars (\$200)
- The City Clerk is authorized to reject any incomplete campaign finance statements. (§9-3.18(B) SFCC 1987)
- The City Clerk shall assess a fine of one hundred dollars (\$100) for unexcused late filing of campaign finance statements (§9-3.18(C) SFCC 1987)

CC:ND

(continued) Witnesses:

Joe H. Arellano: [REDACTED]
[REDACTED]

Mary Louise Bonney: [REDACTED]
[REDACTED]

Rad Acton: [REDACTED]

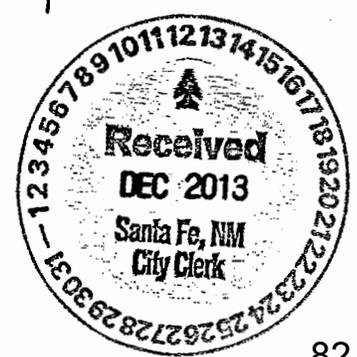
Anna Hansen (Treasurer for the Joseph M. Maestas Campaign) [REDACTED]
[REDACTED]; What she knows: When the payment for campaign signage was made, how much was paid, the source and form of payment, and why it was not included in the Seed Money Expenditure Report.

Focus Ink: [REDACTED]
What they know: When the payment for campaign signage was made, how much was paid, and the source and form of payment.

Neri Holguin, Campaign Manager for Joseph Maestas
Address: [REDACTED]
[REDACTED]
[REDACTED]

What she knows: When the payment for campaign signage was made, how much was paid, the source and form of payment, why it was not included in the Seed Money Expenditure Report, and whether there are any additional existing campaign expenses that were not reported.

CITY CLERK'S OFFICE
DATE 12-12-13 TIME 2:04
RECEIVED BY Jeff E Green
RECEIVED BY Yolanda y w gil



Email correspondence #2

Dec 10

Paul White

to jeffegreen2014@gmail.com

----- Forwarded message -----

From: Leslie Lakind [REDACTED]
Date: Tue, Dec 10, 2013 at 1:58 PM
Subject: Fwd: statement from Joseph Maestas about Jeff Green's complaint
To: Paul White [REDACTED]

----- Forwarded message -----

From: Joseph Maestas For Santa Fe <josephmaestasforsantafe@gmail.com>
Date: Tue, Dec 10, 2013 at 10:05 AM
Subject: Fwd: statement from Joseph Maestas about Jeff Green's complaint
To: Leslie LaKind [REDACTED]

Les':

Please send my statement to your friend concerned about the Jeff Green complaint. I am willing to meet with him/her personally to secure their support. Thanks.

Joe

Sent from my iPhone

Begin forwarded message:

From: Neri Holguin [REDACTED]
Date: December 10, 2013 at 9:47:20 AM MST
To: Joseph Maestas <josephmaestasforsantafe@gmail.com>
Subject: Fwd: statement from Joseph Maestas about Jeff Green's complaint

----- Forwarded message -----

From: Neri Holguin [REDACTED]
Date: Tue, Dec 10, 2013 at 9:30 AM
Subject: statement from Joseph Maestas about Jeff Green's complaint
To: Julia Goldberg <juliagoldberg@santafe.com>
Cc: Joe Maestas [REDACTED]

hi Julia, please see. Joseph has been in meetings and asked me to send this to you.

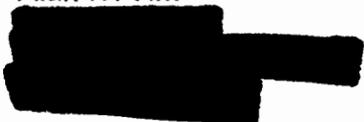
I believed I was in compliance when we filed our seed money reports. There were expenditures to two vendors that I haven't been billed for and haven't yet paid. Those expenditures are for two banners, placards, and a robo call (which Jeff Green did not include in his complaint). The banners, placards, and robo call included a full disclaimer saying there were from my campaign.

I paid for costs that I was billed for. I intend to pay the vendors once I have received their invoices and I will fully disclose the expenditure amounts in our next financial disclosure report.

I strongly believe in the public finance program as demonstrated by collecting twice the number of \$5 qualifying contributions required. We deposited a total of \$1500 into the public finance fund - the most of any City Council candidate.

In retrospect, I should have included each expense in our seed money expenditure report regardless of the billing circumstances. This is a lesson learned and I take full responsibility. I look forward to continuing our full and transparent participation in the public finance program.

--
Neri Holguin
Campaign Manager
Alan for NM



Council candidate Maestas faces ethics complaint over spending

Posted: Tuesday, December 10, 2013 8:00 pm | Updated: 8:46 pm, Tue Dec 10, 2013.

By **Daniel J. Chacón**

The New Mexican

Santa Fe City Council candidate Joseph Maestas failed to report more than \$600 in campaign expenses, prompting another complaint against a candidate by an election opponent under the city's relatively new public campaign finance code.

Maestas said Tuesday he thought he was in compliance with the code when he filed his campaign statements with the City Clerk's Office.

"There has been no willful intent to circumvent the rules or disguise or hide any expenditures," said the former Española mayor, who is seeking election in the Santa Fe City Council's southeast-side District 2.

Maestas said he didn't report expenses for a \$139.62 robocall to potential voters and \$462.24 in banners and placards because the invoices were billed to his campaign manager, who hasn't yet charged Maestas or his campaign. The placards and one of the banners were purchased in July, and another banner and the robocall were purchased in September, he said.

"In retrospect, I should have included each expense in our seed money expenditure report regardless of the billing circumstances," he said. "This is a lesson learned, and I take full responsibility."

Council candidates are allowed to collect — and spend — up to \$1,500 in so-called seed money contributions to qualify for \$15,000 in public financing. In his campaign filings, Maestas reported spending the entire \$1,500. But he didn't report buying signs, including a large banner that he had installed in the bed of his pickup, which caught the attention of another District 2 candidate, Jeff Green.

On Monday, Green filed a complaint against Maestas with the city's Ethics and Campaign Review Board. Green said in the complaint that he observed Maestas using campaign signs but that payment for them wasn't included in his campaign filings.

"That missing payment would put the candidate above the \$1,500 limit in expenditures," Green wrote in his complaint.

Maestas said he intends to pay the vendors after he receives their invoices and will "fully disclose" the expenses in his next campaign expense report.

But Green, who tried to qualify for public financing but failed, said Maestas had an "unfair advantage" by making expenditures from a source other than seed money contributions, which the code prohibits.

"It's substantive because public financing has certain rules, and one of these rules is that there's a limit on expenditures, and you have to report your expenditures," he said.

After he is served with the formal complaint, Maestas has 10 business days to file a response.

Contact Daniel J. Chacón at 986-3089 or dchacon@sfnewmexican.com.

Link: http://www.santafenewmexican.com/news/local_news/council-candidate-maestas-faces-ethics-complaint-over-spending/article_3d24c04f-4d2a-535b-8fa4-17dfd898ecda.html



CASE # 2013-2

Complaint Form

(Please print or type)
(Additional pages may be added)

Date: 12/9/2013

- Name of person and/or group charged with alleged violation. JOSEPH M. MAESTAS
- Please explain briefly the nature of the alleged violation. Incomplete seed money expenditure report, exceeding \$1,500 in expenditures, and/or making expenditures for his campaign from source other than seed money contributions
- Please state which specific provision(s) or part(s) of the Code of Ethics or Election Code you believe have been violated. Section 9-3.8 B (3) "...no expenditures for his campaign from any source other than seed money contributions/Section 9-3.8 C (1) "Reports listing... all expenditures of seed money contributions made by the candidate, and showing the aggregate amounts of all such contributions and expenditures"
- Please state the facts you have regarding the violations, including:
 the date(s) For the first time on Sept. 8, 2013 at the Fiesta parade in Santa Fe and
 the time(s) subsequently on a number of occasions, I observed Mr. Maestas using campaign
 the place(s) signage including a large sign fastened to his truck. These signs include the
 people involved information, "Printed by Focus Ink, Inc. 335 Jefferson St, ABQ NM 87108"
 other facts but payment for them is not included in Mr. Maestas's SEED MONEY EXPENDITURE REPORT, and that missing payment would put the candidate above the \$1,500 limit on expenditures.
- Are there any witnesses to the violation who are willing to confirm your charge?
 Please list with addresses, phone numbers and what they know. Yes, I believe that all of the other candidates for City Council in District 2 are witnesses who have seen Joe Maestas's signs in use during the seed money period. (Joe Arellano, Rad Acton and Mary Bonney)
- Attach documentation of actual evidence you have to support your complaint, to this form.
- What is your name? Jeff E. Green
- Address? 509 Camino Lejo Santa Fe NM Zip Code 87505
- Telephone Number? (505) 501 5826 Work: _____
- Email Address? jeffegreen2014@gmail.com

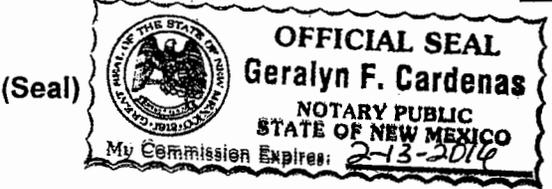
Received on: December 9 2013

By: [Signature]
 City Clerk's Office

To the best of my knowledge, the above statements are true and complete.

[Signature]
 Signature

Subscribed and sworn to before me this 9th day of December 20 13



[Signature]
 Notary Public

(continued) Witnesses:

Joe H. Arellano: [REDACTED]
[REDACTED]

Mary Louise Bonney: [REDACTED]
[REDACTED]

Rad Acton: [REDACTED]

Anna Hansen (Treasurer for the Joseph M. Maestas Campaign) [REDACTED]

[REDACTED] What she knows: When the payment for campaign signage was made, how much was paid, the source and form of payment, and why it was not included in the Seed Money Expenditure Report.

Focus Ink: [REDACTED]

What they know: When the payment for campaign signage was made, how much was paid, and the source and form of payment.



Photo 1: Sept. 8, 2013 photo by Jeff E. Green



Photo 2: Sept. 8, 2013 photo by Jeff E. Green

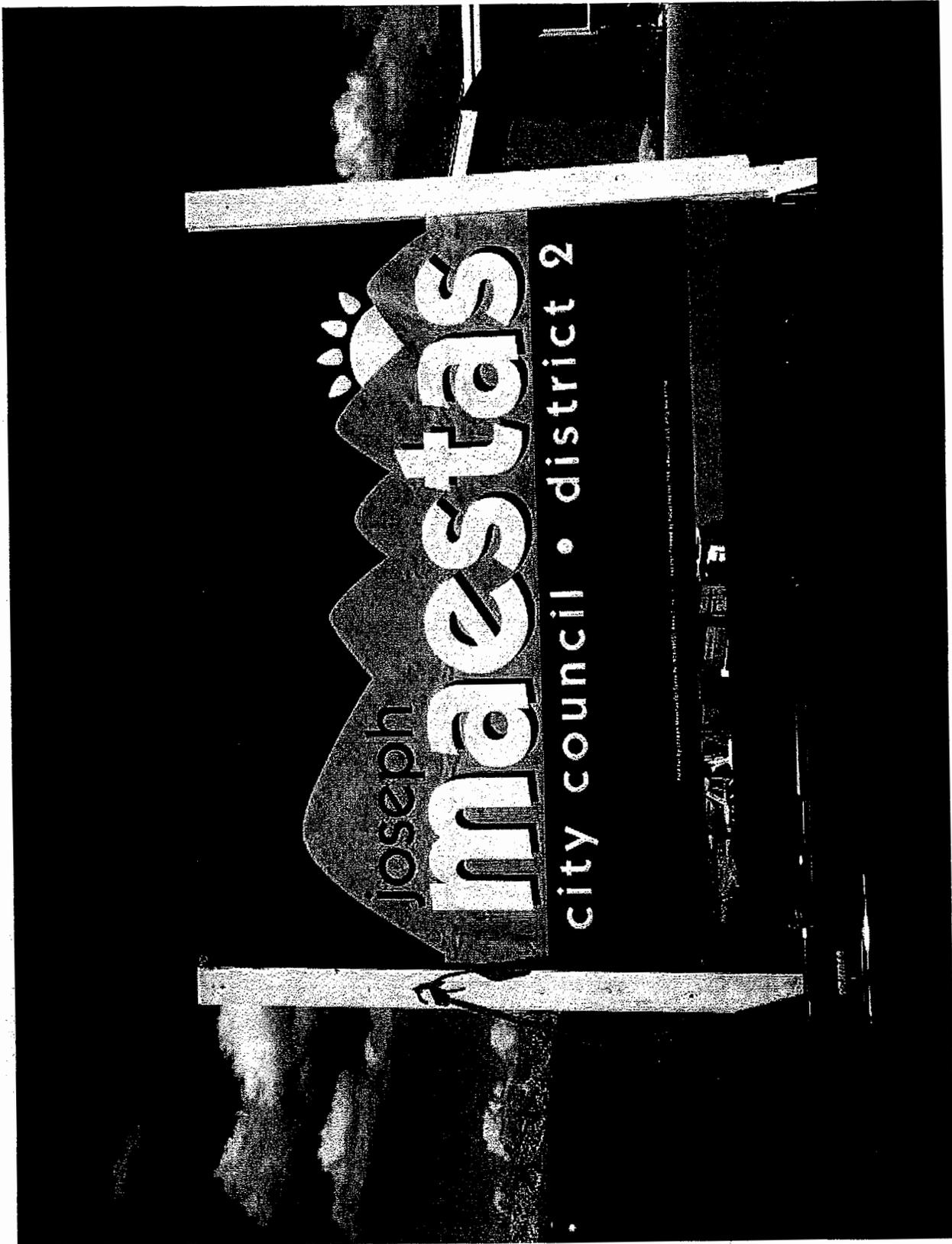


Photo 3: Cover photo at www.facebook.com/joseph.maestas.98

City of Santa Fe

SEED MONEY EXPENDITURE REPORT

Expenses incurred in obtaining qualifying contributions and in seeking certification as a participating candidate.

Name of Candidate Joseph M. Maestas Position Sought City Councilor
 Mailing Address 3999A Old Santa Fe Trail District No. 2
Santa Fe, New Mexico 87505
 Email Address josephmaestasforsantafe@gmail.com Phone No. 505-929-0955

Aggregate of Seed Money Expenditures \$1,500.00

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(ATTACH ADDITIONAL PAGES AS NEEDED)

Page Total \$1,500.00

City of Santa Fe

CERTIFICATION

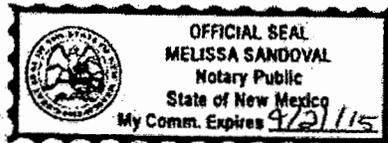
This report has been prepared with all reasonable diligence and is true and complete in accordance with §9-3 SFCC 1987; however, a Qualifying Contribution and Seed Money Report of a candidate for Municipal Judge is not required to be signed or acknowledged by the candidate.

Candidate's Signature Joseph M. Maestas Date 11-18-13

Treasurer's/Deputy Treasurer's Signature Anna C. Hansen Date 11/18/13

Treasurer's/Deputy Treasurer's Address 2008 KIVA RD
Santa Fe, NM 87505

Subscribed to and sworn before me this 18 day of November, 2013.



Melissa Sandoval
Notary Public

My Commission Expires:

9/21/15

Received in the Office of the City Clerk at 12:21 (AM/PM) on the 18th day of November, 2013.

(SEAL)

Yolanda Y. Vigil
Yolanda Y. Vigil, JMC, City Clerk

- The term "contribution" does not include: (§9-3.3(E)(2) SFCC 1987)
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CC763

From Jeff E Green <jeffegreen2014@gmail.com>

Sep
4

to josephmaestasforsantafe@gmail.com, jmmaestas@usbr.gov

Dear Joseph,

It was nice to see you at the reception for New Energy Economy yesterday. Wow, what a great speech our Congressman gave!

I'm writing just to reach out in advance of the upcoming municipal election, and hopefully get a chance to meet you and discuss some of the issues that are currently facing Santa Fe.

If you read the New Mexican or Journal today, you may have seen my name mentioned as a potential candidate for District Two. Before I decide whether to run, I am trying to meet with all of the other candidates to see if there is anyone already running to whom I can throw my support on the issues that most concern me, especially with regard to environmental sustainability topics.

Are you able to meet for coffee or a drink this week, during the weekend, or early next week?

Please let me know!

Thank you & sincerely,
~ Jeff

From Maestas, Joseph 

Sep
5

to jeffegreen2014@gmail.com

Thanks for reaching out Jeff. I agree with you that we should meet to discuss issues and identify common ground. Perhaps we can meet over the weekend. Let me know what works for you.

Joe

Sincerely,

Joseph M. Maestas, P.E.
Program Manager
Technical Services Division
Albuquerque Area Office
Bureau of Reclamation



Sep
5

From Jeff E Green <jeffegreen2014@gmail.com>
to jmmaestas@usbr.gov

Thanks for your response, Joe. I'll be in Albuquerque on Saturday and available in Santa Fe on Sunday afternoon ... Looks like I'm free from around 1 pm to 6 or 7 on Sunday.

Just as an idea, I'll go ahead and suggest the Santa Fe Baking Co. on Cordova or the Flying Star Cafe at the Railyard as possible locations where we could meet. What do you think?

Best,
~ Jeff

From Joseph Maestas [REDACTED]

Sep
5

to jeffegreen2014@gmail.com

Jeff:

Can you meet me on Sunday before the fiesta parade at the line up on Guadalupe St.? If you'd like, we can also walk and talk during the parade as I will have a campaign float. Parade starts at 1 pm. Let me know. Oh! Please use my personal email for campaign related messages: [REDACTED] Thanks.
Joe

Sent from my iPhone

From Jeff E Green <jeffegreen2014@gmail.com>

Sep
5

to Josephm@valornet.com

That sounds good, Joe. I'll be getting out of another event downtown at 12:30 so I can head over to Fiesta from there. Actually I appreciate the reminder, I forgot that Fiesta is Sunday!

From Joseph Maestas [REDACTED]

Sep
5

Great Jeff! See you on Sunday!

Sent from my iPhone

Sep
8

From Jeff E Green <jeffegreen2014@gmail.com>
to [REDACTED]

Dear Joseph,

I really appreciate the opportunity to have met you today at the Fiesta parade!

It seemed clear from our brief conversation that you are well-versed on environmental issues, I would say probably more so than Mary Louise Bonney, who I also had the pleasure of meeting this week, although I would have liked to have also heard your thoughts on renewable energy development and sustainable food policy in Santa Fe, in addition to water.

However, I wanted to be totally open and let you know that I still have some lingering concern with regard to your employment with the Bureau of Reclamation. Given the reality that we discussed, that the city and county of Santa Fe are contracted with the Bureau of Reclamation to provide a substantial amount of the potable water consumed locally, in my view it seems to represent a potential "conflict of interest" with regard to water policy and the water interests of Santa Fe for someone to serve on Santa Fe City Council while simultaneously working for the Bureau of Reclamation.

Can you reassure me that this is not an actual conflict of interest, or if so, how would you personally address it to alleviate the concern that constituents may have?

Thank you & sincerely,
~ Jeff E. Green

From [REDACTED]

Sep
9

to jeffegreen2014@gmail.com

Jeff:

Thank you for coming out to the parade to meet me to discuss some of the issues on your mind that you feel the voters of Santa Fe, particularly District 2, may be concerned about such as water. It was unfortunate that we didn't have much time to talk before the start of the parade. I would enjoy continuing our discussion about other the issues you suggested such as renewable energy and sustainable food supply. We can also include in our next discussion other issues that are on my mind such as job creation, environmental conservation, growth management, public safety, etc.

There is no cause for concern regarding any conflicts of interest regarding my employer and the City of Santa Fe. I do not work on any contracts, projects, and procurements involving the City of Santa Fe. As a manager in Reclamation, I am subjected to rigorous, mandatory, annual ethics training and financial disclosures. As a candidate for non-partisan office, I am subject to Hatch Act and conflict of interest laws that I am required to be trained in and compliant with. As the spouse of a Federal judge, I am required to file additional financial disclosures. As a

licensed professional engineer, I am required to take four professional development hours of ethics training to maintain my license.

If two governmental organizations have a contractual relationship, does it mean that all individual employees of both organizations automatically have a conflict of interest? No. It depends on their positions in both organizations if there is a connection. If there is a connection, it also depends on their job duties. For example, Councilors Carmichael Dominguez and Ron Trujillo both work for the NM Dept. of Transportation. They carry dual titles in two organizations that have many official interactions and contractual relationships. Does that mean that these two councilors have conflicts of interest that may forbid them from serving in these dual roles? Not if they completely remove themselves from any such actions and official work that involves the City of Santa Fe and the NM Dept. of Transportation. I have no doubt that both organizations have clearly and formally delineated their official duties to avoid such conflicts.

So, when asked about my employment with Reclamation, I will address it enthusiastically and positively in the context of the experience and knowledge that I bring to the table as a candidate for elected office in an area that has pressing and vast water issues. If they choose to loosely infer any kind of conflict of interest, I will remind them that I have no official affiliation with the City of Santa Fe as a candidate for city council and that my job duties do not include any official involvement with the City of Santa Fe. I will also mention the rigorous and robust ethics training and financial disclosure requirements that I am subjected to on a periodic basis as a condition to my employment.

Thanks for raising the issue and helping me prepare for such potential questions from voters. Keep in touch.

--

Sincerely,

Joe Maestas