



Agenda

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ETHICS & CAMPAIGN REVIEW BOARD

Monday, March 5, 2012

4:00 p.m.

City Councilors' Conference Room

1st Floor, City Hall

200 Lincoln Avenue

1. PROCEDURES
 - a) Roll Call
 - b) Approval of Agenda
 - c) Approval of Minutes – January 18, 2012
2. NEW BUSINESS
 - a) Review Final Compliance Status by Candidates
3. BOARD MATTERS
4. PUBLIC COMMENT
5. ADJOURNMENT

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CITY OF SANTA FÉ
ETHICS AND CAMPAIGN REVIEW BOARD
March 5, 2012**

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**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
ETHICS AND CAMPAIGN REVIEW BOARD
March 5, 2012**

A regular meeting of the City of Santa Fé Ethics & Campaign Review Board was called to order by Justin Miller, Chair on this date at approximately 4:00 pm in the City Councilors Conference Room, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

1. PROCEDURES

a. Roll Call

Roll call indicated the presence of a quorum as follows:

Members Present:

Justin Miller, Chair
Roderick Thompson, Vice Chair
Tyler Atkins
Ruth Kovnat
Tara Luján
Kristina Martínez

Members Absent:

Paul L. Biderman

Staff Present:

Geno Zamora, City Attorney
Jamison Barkley, Legal Staff

Others Present:

Carl Boaz, Stenographer
Julie Ann Grimm, Santa Fé New Mexican

b. Approval of Agenda

Ms. Kovnat moved to approve the agenda as presented. Ms. Martínez seconded the motion and it passed by unanimous voice vote.

c. Approval of Minutes – January 18, 2012

Mr. Atkins moved to approve the minutes of January 18, 2012 as presented. Ms. Luján seconded the motion and it passed by unanimous voice vote.

2. NEW BUSINESS

a. Review Final Compliance Status by Candidates

Mr. Zamora reported that Ms. Vigil was very busy with the election process and unable to attend this meeting so he presented the review. He introduced Ms. Jamison Barkley who joined the staff eight days ago and would be working with this committee in the future.

He reported the City had no issue identified by the City Clerk's office regarding any lack of compliance. Reports of all candidates had been filed with the Clerk's office and all were complete. No complaints were filed with the ECRB regarding enforcement of the campaign code or the public financed campaign code or the ethics code.

He circulated an advisory memo to the City Clerk from the City Attorney's office [attached as Exhibit 1] that addressed the question that had repeatedly been asked, "In the context of public financing how may a candidate host an election evening event?"

The answer was that there were three options permissible under the public financing code. They could utilize public campaign finance funds. Volunteers could use personal services or personal expenses - like pot luck for food. It was not a contribution if they volunteered personal expenses. Also under the code there was the \$200 single event limit in considering those expenses as not a contribution for the event when the total cost of the event was not more than \$200.

He had provided an in-depth analysis in the memo. Several of the campaigns were publicly financed.

In addition, for compliance, certain third party entities had to register under the campaign code. If the third party was for or against a candidate or bond issue, they had to be registered. Several did.

In compliance with that requirement, Community Works PAC registered on February 8 to advocate in favor of the three bonds; Santa Fé Federated Republican Women registered on March 2 to advocate against the three bonds and supported specific candidates; the Rio Grande Northern New Mexico Chapter of the Sierra Club PAC registered to support GO Bonds #2 and #3.

Mr. Zamora said that concluded his report and he would answer questions.

Chair Miller asked if there had been any complaints resolved without coming to ECRB.

Mr. Zamora had not been approached by candidates or constituents about the campaigns. Ms. Campos, candidate in District 3, had raised a question whether the \$5 contributions were available for review on the web. They were not required to be on the web but since that request, all of the contributions were posted on the web at the middle of last week.

Chair Miller asked if the ECRB would be likely to see complaints after the election.

Mr. Zamora didn't know what would happen. He didn't recall any after the election from last year but it was possible.

Ms. Luján said there were some complaints after the election last year.

Mr. Zamora said he was not sure if there was a complaint against the Clerk's office in their handling of the election.

3. BOARD MATTERS

Mr. Thompson asked who was occupying the Council Chambers (where the ECRB usually met).

Mr. Zamora explained that the election crew was busy setting up for the election results and had ballot boxes in the room so they had to keep the public away from their work.

4. PUBLIC COMMENT

Ms. Grimm said she knew the rules allowed this Board to investigate election activities. Today she received a flyer regarding District 3. She said, "Some of them had no attribution on where it came from. Others said it was from the Citizens to end Corruption. You can look at the flyer. It is sort of a last minute attack ad. And I hoped that if nobody steps forward to make a complaint that I wanted to let the Board be made aware of this. And it's going to be in the newspaper tomorrow."

Also the Republican Women didn't register before putting an ad in the newspaper.

Chair Miller said this was the first he had heard of any of this.

Ms. Grimm said she could email the flyer to the Board.

Mr. Zamora asked it to be e-mailed to him and he would have the Clerk's office distribute it.

Mr. Thompson asked about the gist of the message and if it was directed toward a particular candidate.

Ms. Grimm said she could show it to them. She said it had a circle with slash in red over the face of Chris Rivera.

Chair Miller thanked her for bringing it to the Board's attention.

Mr. Zamora agreed to have the Clerk's office forward it to all the board members.

5. ADJOURNMENT

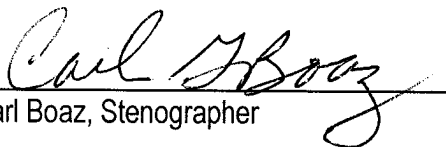
Mr. Thompson moved to adjourn the meeting. Ms. Kovnat seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 4:30 p.m.

Approved by:

Justin Miller, Chair

Submitted by:


Carl Boaz, Stenographer